

Report of: CHIEF PLANNING OFFICER Derek McKenzie

Report to: PLANNING COMMITTEE **Date of Meeting:** 16th October 2024

Subject: [DC/2024/01359](#)
[Dental Surgery 44 Northway Maghull L31 5LJ](#)

Proposal: Erection of a part two storey/part single storey extension to the rear and a single storey extension to the front to accommodate two additional surgeries, a dedicated staff room and additional storage space

Applicant: Ms Priyal Patel **Agent:** Mr Joseph Clayton
Clayton Architecture Limited

Ward: Molyneux Ward **Type:** Full Application

Reason for Committee Determination: Called in by Cllr. Danny Burns

Summary

The main planning issues for consideration include the principle of development, the design and potential impact on the surrounding area including the potential impact on neighbouring living conditions, and the highways requirements.

The proposal is considered to have a beneficial effect increasing the accessibility to dental services which is needed within the area. The development is not considered to have a harmful impact on the neighbouring residents and both its design and its impact on the character of the area are considered to be acceptable. A lower level of off-street parking than normal has been justified and the public benefits of the proposal are considered to outweigh this shortfall. There are no objections from any statutory consultees subject to appropriate conditions.

Recommendation: Approve with conditions

Case Officer John Kerr

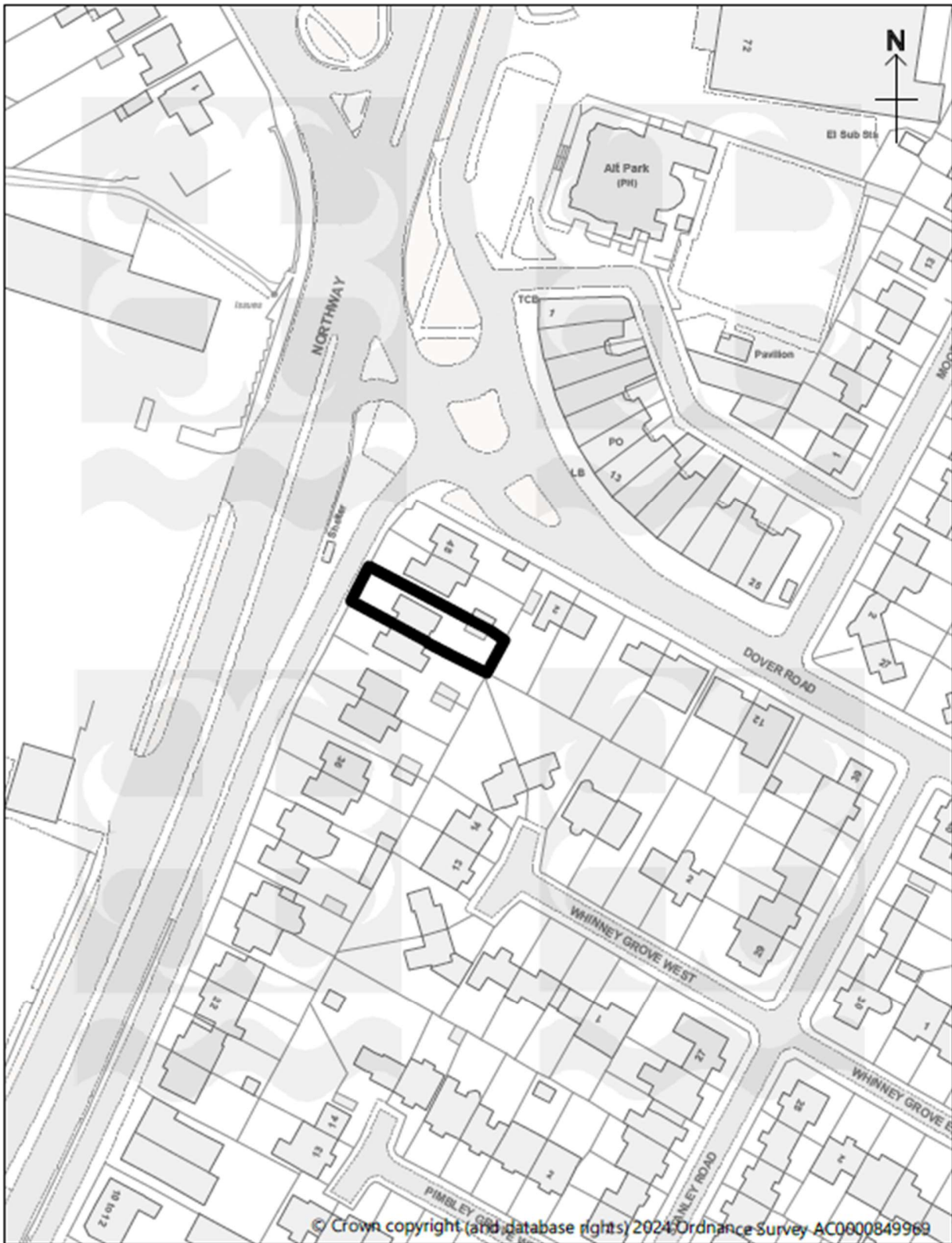
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<https://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SH2MX6NWKWK00>

Site Location Plan



The Site

The site address is the Northway Dental Practice at 44 Northway in Maghull which is a semi-detached two storey property. There are a number of semi-detached properties located along Northway as well as some commercial properties which are of a similar scale and style.

History

An application was approved in August 1979 to change the dwelling into a dentist's surgery (ref: S/12078). Planning permission was refused (ref: S/2007/0522) in August 2007 for a two storey and first floor extension to the rear and the provision of an access ramp and car parking, on the basis that it represented an over intensive use of the site which was detrimental to the amenity of the adjacent residents.

Advertisement consent was approved in July 2016 for various non-illuminated signage to the front elevation (ref: DC/2016/01501).

Pre-application advice was sought for this proposal in July 2024.

Consultations

Highways Manager

No objection subject to conditions.

Environmental Health Manager

No objection subject to a condition.

Neighbour Representations

The application has been called in by Cllr. Danny Burns on the following grounds:

- Harmful to residential living conditions
- Harmful to highway safety

Ten representations have been received from three different properties all objecting to the scheme on the following grounds:

- Overshadowing
- Overbearing
- Impact on parking and highway safety
- Noise
- Overlooking

- Too many commercial properties
- No designated disabled parking

Policy Context

The application site lies within an area designated as Primarily Residential in the Sefton Local Plan which was adopted by the Council in April 2017.

The Maghull Neighbourhood Plan was 'made' (i.e. adopted) on 24th January 2019 and carries full weight in decision making.

Assessment of the Proposal

The main planning issues for consideration include the principle of development, the design and impact on the surrounding area including the impact on neighbouring living conditions. The highways requirements are also of relevance.

The proposal now includes alterations to enable access to a surgery for visitors with accessibility needs.

1. Principle of Development

1.1 The existing dental surgery sits within a primarily residential area. The principle of the use is already accepted and does not form part of the assessment. However, the introduction of two additional surgeries does form a part of the assessment. Local Plan policy HC3 (Primarily Residential Areas) notes that non-residential development will be permitted in these areas provided it can be demonstrated that the proposal will not have unacceptable impacts on neighbouring living conditions or on the character of the residential area. These impacts will be discussed further on within the report.

1.2 It is understood that dental services are of great need not only within the borough but also on a national scale as stated within the Sunak Conservative government NHS dentistry plan (published 7th February 2024). Survey work has been completed by the Planning Department which demonstrates that near to one third of residents in new build homes expect to use a new dentist. From the NHS website, it can be seen that there are no local dentists reported as currently taking NHS patients of all ages. The nearest appears to be over 2.3 miles away. Maghull has and will continue to see a significant increase in new homes which will result in additional demand for all local services, including health services.

1.3 Policy SD2 (Principles of Sustainable Development) includes core principles of the Sefton Local Plan, including meeting the diverse needs for services and facilities as close to where they arise as possible. This principle is amplified by policy IN1 (Infrastructure) which states that infrastructure will be protected, enhanced and provided where there is an identified

need to support sustainable communities. Policy EQ1 (Healthy Sefton) states that development should help maximise opportunities to improve quality of life to make it easier for people in Sefton to lead healthy, active lifestyles by having regard to accessibility of services.

1.4 It is considered that the proposal will ultimately have a beneficial impact on the local area, increasing the accessibility to dental services which is a clear requirement for the borough. Given that there are known national and local shortages of dental services, the proposal to introduce a further two surgeries is considered to address the needs of the local population. The principle of the development is therefore considered to be acceptable.

2. Design and Potential Impact on Character of the Area

2.1 The area mainly consists of residential properties except for the application site, and a physiotherapy clinic located at number 44 Northway. The site is 53m from the shopping parade on Dover Road and is also opposite an Aldi food store. Many of the properties within the area have flat roofs. The proposed extensions are designed with flat roofs to match the design of the application property and to fit within the street scene. They are proposed to be rendered to match the finish of the existing property.

2.2 The extensions are considered to match the design of the existing building and the surrounding area and as such the proposal accords with policy HC3 (Primarily Residential Areas) and EQ2 (Design).

3. Impact on Living Conditions

3.1 The extension to the front would be single storey and located adjacent to the porch of the adjoining neighbouring property number 42 Northway. The extension is not considered to have any harmful impact on the living conditions of the occupiers of this neighbouring property.

3.2 A single storey extension is also proposed to the rear of the dental practice which would be attached to the two storey extension and the existing single storey element. The plans demonstrate that neither the single storey or two storey extensions would breach the 45-degree (+3m for single storey extensions) guideline which is a tool used to assess potential impacts on outlook and overshadowing of the windows to neighbouring habitable rooms. It is therefore considered that the extensions would not have a harmful impact on the living conditions of the neighbouring occupiers at number 42 Northway.

3.3 The Environmental Health Manager has assessed the information acknowledging that there is an additional surgery proposed on the first floor adjoining the neighbouring residential property. He does not object to the proposal subject to a condition being attached requiring sound insulation.

3.4 The development is considered to have an acceptable impact on the living conditions of neighbouring properties and accords with policy HC3 (Primarily Residential Areas).

4. Highway Safety and Parking

4.1 The Highways Manager acknowledges that no additional off-street parking is provided as part of the submission. The existing frontage can realistically only accommodate three vehicles which falls below the minimum requirement. However, a Transport Statement (TS) and a Minimum Accessibility Standard Assessment (MASA) demonstrate that the site is in a sustainable location and accessible by a variety of means of transport including walking, cycling and public transport with bus stops nearby on Northway and Dover Road.

4.2 The proposal will require the existing dropped crossing to be altered and relocated to the centre which can be secured by condition. Cycle parking and a Travel Plan will encourage alternatives to using cars by just one person, and these can also be secured by condition before the surgeries come into use.

4.3 As the forecourt is deeper than required for the parking of vehicles, and cycle parking for customers could be located between the parking space and the building with cycle storage for staff located to the rear. A condition can be attached to require further detail on this.

4.4 The development is considered to accord with policy EQ2 (Design) and EQ3 (Accessibility).

5. Other Matters

5.1 Comments have been received which relate to the number of commercial properties located within the locality being an issue. It is acknowledged that the premises are located within a primarily residential area; however, they are already in commercial use and therefore this does not form a part of this assessment.

6. Equality Act Consideration

6.1 Section 149(1) of the Equality Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions. These needs are to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

6.2 The decision to approve this scheme would comply with the requirements of the Equality Act 2010, that no one with a protected characteristic will be unduly disadvantaged by this development.

7. Conclusion

7.1 The proposal will ultimately have a beneficial effect helping to increase the accessibility to dental services which is needed within the locality. The development is not considered have a harmful impact on the living conditions of neighbours and the proposed design is also considered to be acceptable both in relation to the existing building and the surrounding area. The lower level of off-street parking is considered acceptable given the property is accessible by a variety of means of transport, and the public benefits of the proposal are considered to outweigh the shortfall of parking. The application therefore complies with the provisions of the Maghull Neighbourhood Plan and the adopted local policy and is recommended for approval.

Recommendation – Approve with conditions

Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development shall be carried out in accordance with the following approved plans and documents:

694-01 – Location and Site Plan

694-03 (dated 02/10/2024) – Proposed Plans and Elevations

Transport Plan (submitted 23/07/2024)

Reason: For the avoidance of doubt

- 3) Prior to the use of the proposed surgeries, the proposed first floor rear window serving surgery 06 on the plans referenced 694-03 shall be fitted with obscured glazing to a specification of no less than level 3 of the Pilkington scale up to a minimum height of 1.7m above the floor of the room in which it is installed. The window shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers/land users is retained at all times.

- 4) Prior to the use of the proposed surgeries, a suitable scheme of sound insulation, with a minimum performance of 52dB Dnt,w+Ctr, to protect the neighbouring property must be agreed in writing with the local planning authority. The sound insulation works shall be completed as approved before the use of the building begins and retained thereafter.

Reason: To mitigate the impact of the noise generated by the use of the surgery and prevent unreasonable noise and disturbance to neighbouring occupants in the interests of residential amenity.

- 5) Prior to the use of the proposed surgeries a replacement dropped kerb shall be installed in the centre of the frontage of the site.

Reason: To ensure the safety of highway users.

- 6) Prior to the use of the proposed surgeries, facilities for the secure storage of 12 cycles for the use of staff and customers shall be provided in accordance with details to be submitted to and approved in writing by the local planning authority and they shall be retained thereafter.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car based modes of travel.

- 7) Prior to the use of the proposed surgeries a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use shall be prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including reducing the number of car journeys with just one person, and increasing the use of public transport, walking and cycling.

- 8) Prior to the use of the proposed surgeries, details of the materials, appearance and permeability of the driveway resurfacing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: These details are required prior to the use of the surgeries to ensure an acceptable visual appearance to the development.

- 9) The premises shall only be open for customers between the following hours: 09:00 until 17:30 Monday to Friday and at no time on Saturdays or Sundays or public holidays as defined by The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018 (or any Order revoking and/or re-enacting that Order with or without modification).

Reason: To safeguard the living conditions of neighbouring occupiers and land users.

Informative:

- 1) The applicant is advised that all works to the adopted highway must be carried out in agreement with the Local Highways Authority and by a Council approved contractor at the applicant's expense. Please contact the Highways Development and Design Team at HDD.Enquiries@sefton.gov.uk for further information.