



**Committee and Date**  
Central Planning Committee

2<sup>nd</sup> September 2010

**Item/Paper**

**6**

Public

## Development Management Report

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**Application Number:** 09/02218/FUL

**Parish:** Shrewsbury Town Council

**Grid** 351364 - 314732

**Ref:**

**Proposal:** Erection of a new primary care centre, including pharmacy and car parking and construction of new access road to include mini roundabout and provision of a footpath link

**Site Address:** Proposed Primary Care Centre Sundorne Road Shrewsbury Shropshire

**Applicant:** Matrix Medical

**Case Officer:** Mr Tony Young **email:** [planningdmc@shropshire.gov.uk](mailto:planningdmc@shropshire.gov.uk)

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### 1.0 THE PROPOSAL

1.1 The proposal is to erect a medical centre on the south side of Sundorne Road on land between the Shrewsbury Sports Village on the east side and the Territorial Army Barracks on the west side. This would provide for the relocation of the existing Albert Road and Mount Pleasant Road surgeries. Also proposed within the building is a retail pharmacy. In addition, the centre would house the Primary Care Trust and would serve as the main PCT centre for the north of Shrewsbury.

1.2 Various options to provide improved healthcare facilities were examined including the potential to improve the existing surgeries. However, both surgeries are currently on cramped sites and unable to expand. In addition the applicant's agent says that 11 sites were examined to assess their suitability for providing a new medical centre building. The application site however emerged with clear advantages that are summarised as follows:

- ☐ It is well related to the catchment areas of both medical practices
- ☐ Bus services operate along Sundorne Road

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- ☐ The site is of a size that can accommodate a range of healthcare facilities
  - ☐ The location would not displace existing employment uses or cause loss of housing that would be the case with other alternative sites
  - ☐ The site is currently vacant land
  - ☐ Safe access for all users can be satisfactorily achieved.
- 1.3 The total area of the building within the design brief amounted to 6700sqm of which PCT required 2100sqm, the retail pharmacy 165sqm and the combined surgeries 2900sqm, with the remainder proposed as future expansion to be fitted out at a later date.
- 1.4 The building would be three storeys and 'H' shaped in plan with the main entrance facing towards Sundorne Road. The architectural style would be contemporary in appearance and finished in a mixed pallet of contrasting materials.
- 1.5 The building would be sited towards the west side of the site and the bulk of the parking would be on its east side, extending also along the north side of the indoor bowls centre building. In all, 133 patient parking spaces would be provided (including 10 disabled) and 37 staff parking spaces at the rear of the building along with a cycle shed. Cycle shelters for public use would be provided at the front of the building next to the main entrance. A new mini island junction would be formed on Sundorne to provide access to the site, and would involve the removal of a section of boundary hedge and several trees. The roundabout is proposed to ensure that the flows generated could be accommodated without causing additional delays on Sundorne Road.
- 1.6 The traffic generated by the proposal would increase traffic flows along Sundorne Road by around 10% during the day and in the peak hours.
- 1.7 A signed cycle path currently runs along the western boundary from Sundorne Road and continues beyond the site in a southerly direction to connect to the Sustrans Route 81 on the former Shrewsbury Canal towpath. The section of cycle path running through the site would be closed off and instead diverted through the Sports Village to connect with Sundorne Road at the Toucan Crossing.
- 1.8 As an aside, in response to possible health care changes arising from Government policy, the applicant's agent comments that irrespective of how healthcare services are to be provided, this does not remove the need for such services in the form currently proposed and there is no intention on the applicant's part to use the building other than for healthcare provision. The applicant has further confirmed that the relevant NHS authorities have already formally approved the business case and that funding has been ring-fenced for the development so the proposed NHS reforms would not have any bearing at all.

**2.0 SITE LOCATION/DESCRIPTION**

2.1 The site comprises an area of 1.075 hectares. The north boundary with Sundorne Road consists of a close trimmed hawthorn hedge and mature trees with a further overgrown hedge forming the western boundary with the Territorial Army. The site itself is generally free from trees and is dominated by former amenity grass that has been unmanaged for approximately 18 months. The site falls gently from the Sundorne Road in a southerly direction. Beyond the south end of the site a cycle race circuit exists and adjacent to the east of the site is a new indoor bowls centre.

2.2 In addition to the cycle path on the western boundary, there is a pedestrian 'desire' line running in a south easterly direction across the site from the northwest corner, providing an informal connection to the Sports Village.

**2.3 SCREENING OPINION FOR EIA**

Under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England) and Wales) Regulations 1999, the Local Planning Authority is of the view that the type of development proposed is listed as 'Schedule 2 development' being an 'urban development project' (Column 1, Classification 10(b)).

The site is not in a 'sensitive area' as defined Regulation 2(1). It does however meet the relevant threshold of Schedule 2, in that it exceeds 0.5ha. The question to answer therefore is whether the development is likely to have significant effects on the environment? The proposal has been considered against Schedule 3 of the Regulations (Selection Criteria for Screening Schedule 2 Development) and the Indicative Thresholds and Criteria for Identification of Schedule 2 Development Requiring EIA at Annex A to Circular 02/99.

A19 of Annex A provides guidance on development proposals for sites which have not been intensively developed and suggests that EIA is more likely to be required if the site area of the scheme is more than 5 hectares or it would exceed a total of more than 10,000m<sup>2</sup> of new commercial floor space. The proposal falls well below these levels.

The LPA has also considered the proposal against Schedule 3 of the Regulations – 'Selection Criteria for Screening Schedule 2 Development'. The characteristics of the development and the environmental sensitivity of the site, including its proximity to a populated area and Great Crested Newt habitat, have been taken into account and the Local Planning Authority has determined that the development is unlikely to have significant effects on the environment. The Screening Opinion of the Local Planning Authority, therefore, is that an Environmental Impact Assessment for the proposed development is not required.

2.4 **REFERAL TO SECRETARY OF STATE**

Under the provisions of the Town and Country planning (Development Plans and Consultation) (Departures) Directions 1999 the LPA must refer the application to the Secretary of State before granting planning permission. The reason being that this is a departure application and would be development of land belonging to the Council.

3.0 **RECOMMENDATIONS**

3.1 That delegated authority be given to the Central Area Manager to APPROVE the application subject to:

1. Referral to the Government Office for the West Midlands in accordance with Paragraph 3(b) of the Town and Country Planning (Development Plans and Consultation) (Departures) Direction 1999 as the development departs from the development plan and the land belongs to the Council.
2. A Section 106 Obligation being entered into to secure the Great Crest Newt Mitigation Strategy and the provision in perpetuity of a diverted cycle route between Route 81 and Sundorne Road;
3. that amended plans are submitted which adequately address the design requirements of the diverted footpath, including the design of a safe route for pedestrians and cyclists through the Sports Village to the Sundorne Road Toucan Crossing, details of the car parking layout making safe and convenient provision for cyclists and pedestrians, the retention of the safety margin on the cycle racing circuit if this is essential to its future viability and details of cycle parking. To be updated verbally at committee.
4. To the conditions listed in this report.

4.0 **REASON FOR COMMITTEE**

4.1 The application is on land owned by the Council and is not in line with statutory functions.

5.0 **RELEVANT PLANNING HISTORY**

5.1 There is no relevant planning history that could have a bearing on this proposal.

6.0 **CONSULTEE RESPONSES**

6.1 The **Council's Planning Policy Officer** comments that the site is outside the development boundary for Shrewsbury and on land identified Recreational Open Space in the Local Plan. She says that Policy INF18 recognises that new community facilities have an important role to play and in certain circumstances it is necessary to develop them outside the development boundary of a settlement. She says Policy TLR6 requires existing sports

facilities to be replaced when these would be lost to development. However, in this case she says this area relates to when the site was used as playing pitches, known as Seven Pitches. This use subsequently moved locations and the site is now the location of Shrewsbury Sports Village.

She says the site has been identified in the Council's Open Space Sport and Recreation Study as an Outdoor Sports Facility. She says there is a current overprovision of outdoor sports facilities in Shrewsbury, however, many of these are in private use, such as school playing fields so do not have open access for community use. She says the proposed site is 1.075ha and the loss of this amount of land does not greatly alter the amount of provision of outdoor sports areas in Shrewsbury.

A response from **Sport England** was not available at the time of preparing this report.

Responses from **Natural England** and the **Council's ecologist** were not available at the time of preparing this report. Both however have been working closely with the applicant's ecologist and a mitigation strategy for the Great Crested Newts that would be affected by the development is well advanced.

The comments of the **Council's Highways Officer** are summarised as follows.

- ☐ There is potential to link the proposed parking to the Sports Village Car park which could resolve the car parking requirement and therefore assist in the siting of the building. There is ample parking at the Sports Village but other than major events is significantly under utilised.
- ☐ The provision of a mini-roundabout is supported in this location. In addition it is considered that a controlled pedestrian crossing point will need to be provided on Sundorne Road as there is likely to be a strong pedestrian desire line across Sundorne Road from the site to housing areas to the north.
- ☐ If an alternative cycle/footpath link is provided to Sundorne Road via the Sports Village a safety issue arises for those approaching from the Toucan Crossing, in that cyclists travelling from the Toucan Crossing would be travelling against the advisory flow of traffic within the car park. A proper and safer cycle route would need to be provided and as the Sports Village is Council owned land this could be designed and secured by condition.
- ☐ The two pedestrian gates on the southern boundary are unacceptable as they lead directly into parking and circulation routes. The potential for cycling and walking from an established route appears to have been ignored.

- ☐ With regards to internal layout the parking has been maximised at the expense of safer pedestrian movement within the site.

The **Council's Infrastructure Manager** comments that in June 2008, Shrewsbury was one of 12 towns to be awarded 'cycling town' status by Cycling England. As a result Shrewsbury benefits from £1.8 million of Department for Transport grant funding until 2011. Cycle Shrewsbury is the campaign that Shropshire Council is running with the cycling town funding.

Their aim is to double overall levels of cycling in the town by 2011, through:

- ☐ Improvements to the cycle network
- ☐ More cycle training for adults and children
- ☐ Programmes to help more people to cycle to schools and workplaces
- ☐ Promoting leisure cycling
- ☐ Providing advice on practical issues

With regards to this scheme, she is of the view that the development would have an adverse impact on existing walking and cycling routes and does not have regard to the considerable health opportunities of siting a new medicentre next to existing walking and cycling facilities and some of the county's best sports facilities.

She objects strongly to the loss of the signed path on the western boundary and the changes to the path to the Sports Village on grounds that it does not provide a safe and continuous link between the Medicentre and the Toucan crossing as pedestrians have to cross through the sport village car park against the one-way system; the open aspect of the existing path would be lost and users would be left to traverse a narrow, high fenced unlit corridor; the proposed route is circuitous to Sundorne Road whereas the existing is direct; the proposal may have an impact on the cycle race circuit adjacent to the southern boundary of the site.

She says the provision of cycle parking for staff is welcomed but the access into and across the site is poor. She says the centre could become a model for health promotion and a starting place for 'walking for health' initiatives and 'exercise on referral' schemes, if improved links were included. She says the access gates do not link with continuous routes and are poorly located next to car parking spaces or corners of paths. She says the loss of the signed path along the western boundary is a backward step.

She says the development should instead be improving access for walking and cycling and public transport users:

- ☐ By providing surfacing and lighting along the length of the path from NCN Routs 81 (canal path) to the Medicentre and Sundorne Road.
- ☐ By providing new pedestrian/cyclist crossing facilities west of the proposed entrance on Sundorne Road

Other general points are that:

- ☐ Car parking provision appears to be excessive
- ☐ Gates need to be at least 1.2m wide to allow for disabled access
- ☐ A management plan should indicate when gates are locked and ensure that they are open at all the times the Medical centre is open to the public
- ☐ Roundabouts are particularly hazardous to cyclists and therefore the design of the mini-roundabout should be designed to maximise deflection to slow down all vehicles and provide opportunities for less experienced cyclists (and pedestrians) to cross over using splitter islands. Many pedestrians and cyclists will cross further east at the Toucan crossing and a wider footway (3.0m wide) should be provided to link to this safer crossing point (parts of the hedge are already being removed to create a visibility splay).
- ☐ All pedestrian and cycle access points, routes and cycle parking should be clearly signed, giving journey distances and times in minutes where suitable
- ☐ Adequate cycle parking should be provided with cycle use promoted through the Travel Plan
- ☐ There should be separate male and female showers, lockers, clothes drying areas and changing facilities provided with this the buildings for staff use.

The **Countryside Access Team** comments that whilst there are no Public Rights of Way shown on the Definitive Map, there are paths across the site that will be affected by the development. The affected path along the western boundary of the development site is a route promoted and managed by Shropshire Council, appearing on both the Shrewsbury Walking and Cycling map, as a direct and convenient link to the National Cycle Network Route 81 and the Walking for Life 'Walks from your Doorstep' program as 'The Lantern Walk'.

It says that the path is clearly identifiable on the ground, signposted, and accepted by the public, and any attempt to close it is likely to trigger a claim for the existence of a Public Right of Way. The Team makes the suggestion that moving the fence nearer to the actual building would enable the route of the

path to remain open and available. It considers the option of incorporating the path within the security fencing and gating it at night to be unacceptable.

The **Environment Agency** comments that the site does not fall within a source protection area and there are no licensed groundwater abstractions in the vicinity of the site. An intrusive ground investigation revealed that there was some made ground on site but no related significant contamination. It says that in view of this report and comments from the Council's contaminated land officer, it raises no objection subject to one condition relating to the treatment of not previously identified contamination and an informative about surface water drainage.

The **Council's Contaminated Land Officer** comments that in investigation of land immediately east of the proposed development (Sundorne Sports Village) identified the presence of made ground containing ash, brick, charcoal, concrete etc to varying depths. Organic material was present in some of the exploratory holes consisting of wood and root fragments along with decayed vegetation. Landfill gas monitoring undertaken as part of the investigation recorded elevated levels of carbon dioxide. Contamination was also identified in the made ground. He says that it is not unreasonable to assume that the made ground extends onto this proposed development site and therefore if approval is granted then the land should be subject to further investigation for contamination and remediation if necessary.

The **Council's Drainage Engineer** raises no objection to the drainage proposals subject to the approval of the detailed design.

The **Council's Pollution Control Officer** having considered the Air Quality Report is satisfied that the proposed development would not significantly increase pollution to elevated levels within the area.

The **Council's Conservation Officer** has provided advice with regards to design.

She says the site is adjacent the Territorial Army headquarters and new Sports Complex on Sundorne Road. This area was until recently a strip of green space between the road and disused canal. The road forms an important link between the bypass and the town centre and has a suburban character, being lined with maisonettes, flats and early 20<sup>th</sup> century private houses on the north side which are set back behind grassed areas and served by small link roads lined with avenues of trees.

She says the proposed size, scale, design and layout of the building fails to relate to other more historic buildings in the vicinity and gives the building an isolated character.



With regards to the scheme as originally submitted she commented that the external materials of the building failed to refer to the palette of materials in the locality. She said they give the building a 'ubiquitous medical centre' character which fails to recognise the local character of the area.

She says there is very little reference to energy efficiency in the accompanying documentation with the exception of reference to the heating system. Policy INF16 gives clear guidance on the conservation and efficient use of energy and water in the siting, landscaping, design, use of materials, layout and orientation of buildings which are not accommodated in the proposal.

She says the proposed parking arrangements are uninspired and prioritise the motorist over the pedestrian and cyclist. It will offer a large tarmaced surface to be filled with cars, with no attempt at reducing their impact. This has implications for surface water run-off and drainage. The disabled parking appears to be randomly placed in relation to the entrance doors with large areas of tarmac interrupting available space. Cycling shelters are being provided in front of the main entrance and appear to be stand alone shelters rather than being designed as part of the main building. Likewise, the bin shelter is another 'shed' in the car park which gives the complex a disjointed character. There is opportunity to address all of this as this is a new building.

The boundary treatment as originally submitted were 2.1m high tubular steel paling fencing, which she said would give the complex a defensive character and further detract from the existing green, open environment. There said there are hawthorn hedges around part of the site which would do similarly defensive job but would look far more attractive and less threatening than the proposed fencing. She noted that in places (e.g. to the north of the site) the landscaped areas are severed by the fence so part is between the fence and the hedge and part is in the car park. This will not aid grounds maintenance and may lead to a neglected appearance.

The **Architectural Liaison/Crime Reduction Officer** makes the following comments.

The site is currently open land situated between the TA Centre and the Sports Village. The former is not open to the public and has restricted access; the Sports Village is open and accessible at all times, together with the open grounds / playing fields at the rear and public routes through and beyond. The proposed medical centre obviously requires public access. However, there should not be an opportunity for people to be able to pass through the site to another area. I note that 2.1m high tubular steel fencing is proposed. This will help to reduce intrusion into and through the site. It is important that the fencing does not have footholds or climbing aids and is grounded on a hard surface. The fencing should serve boundary demarcation and security (typically fence to

BS1722), but also be visually appealing and not appear fortress-like. The image of the barrier can be softened and also support security by using thorny / barbarous foliage adjacent to the perimeter, and kept sufficient height so as not to interfere with natural surveillance.

The number of entrances should be kept to a minimum, ideally one. I note that the proposal is for one vehicular / pedestrian entrance. The other pedestrian entrances shown at the rear and side should be locked and secured and for use by authorised persons only, not the general public.

He recommends that the car parking areas, both public and staff, be lit to BS5489 to help to deter and reveal offenders and help reduce the fear of crime.

All pedestrian routes, including the area between the two wings at the rear should also be lit to BS5489.

For public safety consider traffic calming measures and surface treatments to deter nuisance from skate boarding, cycling etc.

CCTV can help to deter and detect offenders and enable staff to monitor and manage the site. He recommends that consideration is given to including provision, e.g. ducting, for CCTV at the building and car parks, at least for future use if required. The side shoot parking areas towards the Sports Village does appear a little more remote from the main building.

The use of the actual building by the public and staff has been included in the Design & Access Statement. Access to areas should only be to authorised persons and in addition to clear signage, access control systems should be considered. Natural surveillance and monitoring / control by staff at reception can also help and it is important that reception areas are placed where maximum surveillance and supervision can be achieved.

Secured by Design is a police initiative to encourage crime prevention measures for both the layout and physical security of the premises to be included at the build stage. A Design Guide for the building of hospitals to Secured by Design standards is available, and most of the recommendations contained in it are suitable for medical centres, there being very little difference between them. He recommends that these principles be included in the design and construction of the building.

## **7.0**

### **PUBLIC REPRESENTATIONS**

#### **7.1**

Two letters of objection have been received from local residents which are summarised as follows:

- ☐ The site should remain as recreation space as allocated in the local plan

- ☐ loss of footpath and cycle route to Route 81
- ☐ major road disruption
- ☐ area already served by two pharmacies and proposal could cause closure of one of these
- ☐ other brown field sites should be considered
- ☐ loss of open outlook from residential properties
- ☐ loss of cycle path to former canal
- ☐ the proposed mini roundabout junction will cause further congestion on Sundorne Road and further encourage motorists to use the parallel slip road to bypass queuing traffic
- ☐ the parking provision would be inadequate to serve the number of people likely to be using the facility and will encourage on street parking
- ☐ could not the existing traffic island to the Sports Village being used instead of creating a new one?

Mid-Shropshire Wheelers (a local cycling group) is concerned about the removal of some of the grass run-off safety margin to the cycle race track. This could jeopardise the use of the track for training and competition due to risk of serious injury. Also object to closure and rerouting of the existing cycle path.

Shrewsbury Friends of the Earth comments that cycling should be given more prominence in the scheme. Visitor cycle parking should provide a minimum of 34 spaces as suggested by the Local Plan, with allowance for further expansion and staff parking needs proper provision. The footpath/cycle path from Sundorne Road to Route 81 should be retained. The alternative would not be a safe and attractive route and is poorly detailed through the Sports Village car park. This element of the scheme should be reassessed.

## **8.0 PLANNING POLICY**

8.1 The following Saved Policies of the Shrewsbury and Atcham Local Plan are considered to be material to the proposal.

GP1: General Requirements for Development  
GP2: Character and Setting  
GP3: Landscaping of Development  
LNC10: Trees and Woodlands  
TLR6: Recreational Open Space  
T3: Pedestrian Facilities  
INF16: Energy Efficiency  
INF18: New Community Facilities

## 9.0 THE MAIN PLANNING ISSUES

- ☐ The development in principle
- ☐ The loss of recreational ground
- ☐ The scale and appearance of the development
- ☐ The closure and diversion of the footpath link
- ☐ Access to and within the site
- ☐ Impact on Great Crested Newts

## 10.0 OFFICER APPRAISAL

### 10.1 Principle of Development

10.1.1 Policy INF18 supports proposals for new community facilities on sites within or adjoining Shrewsbury.

The following is an extract from a supporting statement provided by Albert Road Medical centre justifying the community need for the centre.

‘The PCT has identified the Harlescott ward as the most deprived in Shropshire and one that has higher-than-average health needs. The area has a high prevalence of:-

- |                |            |
|----------------|------------|
| ☐ Lung disease | ☐ Epilepsy |
| ☐ Asthma       | ☐ Strokes  |
| ☐ Obesity      | ☐ Dementia |
| ☐ Depression   |            |

‘With a view to meeting its aim to reduce health inequalities, the PCT has confirmed the project as a funding priority. Full business case approval was formally granted in 2009 and funding has been ring-fenced.

‘The building is designed for the following services/healthcare professionals to be accommodated in addition to general and enhanced medical services:-

- |                       |                     |                       |
|-----------------------|---------------------|-----------------------|
| ☐ NHS dentistry       | ☐ District nurses   | ☐ Bladder clinic      |
| ☐ Pharmacy            | ☐ Community matrons | ☐ Children’s services |
| ☐ Physiotherapy       | ☐ GP training       | ☐ Phlebotomy          |
| ☐ Orthopaedics        | ☐ Speech therapy    | ☐ Health visitors     |
| ☐ Ear Nose and Throat | ☐ Sexual health     | ☐ School nurses       |
| ☐ Podiatry            | ☐ Audiology         |                       |

‘The new building would offer the following key benefits:-

- ☐ Wider range of healthcare services in a community setting
- ☐ Improved access to services for patients
- ☐ Improved environment for patients and staff
- ☐ Long-term capacity for future growth in primary care

- ☒ Improved standards (e.g. DDA, infection control, confidentiality)
- ☒ Good transport links for patients and staff
- ☒ Adequate car parking
- ☒ Opportunity for close links with Sundorne Sports Village. For example:-
  - o exercise on prescription
  - o sports injury clinics (in which Dr Bailey is a specialist)
  - o joined up health/sports education sessions'

The proposal is therefore justified in terms of meeting an identified need within the community and healthcare promotion is likely to be enhanced with the Sports Village neighbouring the site. Policy INF18 recognises the important role facilities such as this play within the community and is supportive of such facilities even if it means the site is outside the defined settlement boundary, which this is. The proposal is therefore acceptable in principle.

## 10.2 **Loss of recreational land**

10.2.1 The site is on land designated as Recreational Open Space as defined on the Urban Area Map. The proposal has therefore been publicised, under the provisions of Article 8 of the General Development Procedure Order 1995, as a development that does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated.

10.2.2 Input from the policy team confirms that the retention of the ground as Recreational Open Space as defined on the Urban Area Map is no longer required and the designation related to when the site formed part of the recreational area known as Seven Pitches. This use subsequently moved locations and the site is now the location of Shrewsbury Sports Village. The loss of the land to development would not greatly alter the amount of provision of outdoor sports areas in Shrewsbury and therefore replacement, normally required under Policy TLR6, is considered not to be required. Furthermore, it is considered that the community need for the Medical Centre greatly exceeds the need for the land to remain as it is

## 10.3 **Scale and appearance of the development**

10.3.1 Design advice from the conservation team expressed concern about the scale of the building within its context and being of a ubiquitous medical centre design failed to recognise the character of the area. The development is not sited within a Conservation Area and it is considered however, that the urban grain (built form to open space relationship) between the existing development on the application side of the road and that of the opposite side of the road is very different. The former being composed of large and modern commercial styled buildings and surrounding spaces and the latter being a fine grain of residential plots set within street blocks. It is considered that the proposal would fit well within the context of the neighbouring Sports Village in terms of scale and appearance and would provide a focal point of interest on this side of the road. The apparent scale of the building would be reduced by being set

back from the road and the mixed palette of materials and visual breaks within the elevations would serve to introduce a series of different visual components providing greater variety and interest to the bulk and massing of the building.

**10.4 The closure and diversion of the footpath link**

10.4.1 Expressions of concern have been raised about the proposed closure of the footpath link along the western boundary of the site and its diversion through the Sports Village and has been seen as a retrograde step in terms of promoting Shrewsbury's 'cycling town' status.

10.4.2 Despite best endeavours to retain the cycle way in its current location, the applicants view is that the building cannot be reduced in size or moved further to the east to accommodate it. The applicant also rejects the idea of reducing its own parking area and making use of the Sports Village parking to make up the shortfall.

10.4.3 The applicant's agent provides the following statement to justify their position.

10.4.4 'In so far as calculating the amount of car parking provision concerned, it is important to have regard to the fact that the proposed primary care centre will be accommodating two existing medical practices and also additional services provided by the Primary Care Trust. A strict application of the Council's car parking standards would reveal a need for 284 spaces. The layout provides for 170 parking spaces therefore providing a theoretical shortfall of 114 spaces.

10.4.5 'The level of car parking provided has been calculated on likely demand and has had regard to the sustainable location of the site and that patients and staff will be able to access the site by alternative means of transport. It will also need to be noted that the catchment area for the medical practices extend into the Shrewsbury rural hinterland and therefore a need to access the site by private car is perhaps higher than if the catchment area was entirely urban based.

10.4.6 'The scheme design has sought to achieve a balance of providing sufficient car parking spaces based on likely actual demand rather than any adherence to the local authority's car parking standards. It will also be noted that that to the north of the site lie residential areas and it will be important to discourage primary care centre related parking within those areas. Equally, It would be inappropriate for parking needs linked to the primary care centre being dependent on any available spaces relating the Sports Village.'

10.4.7 The diverted cycle path, however, may provide an acceptable alternative, albeit a less direct route to Sundorne Road, subject to a number of design issues being resolved which are the subject of ongoing discussion. Namely that the cycle way is of an adequate width and is properly surfaced and lit to Route 81, that an element of openness is retained by having it not sandwiched between

two high fences, that it does not encroach onto the cycle race track safety margin and that the route through the Sports Village car park to Sundorne Road is clearly marked and signposted and is safe for pedestrians and cyclists.

10.4.8 In view of the above considerations and the importance of the medical centre to the local community, it is considered that the disadvantages arising from the diversion of the cycle way would not be significant and should therefore not be used as grounds for refusing the application.

10.5 **Access to and within the site**

10.5.1 A new mini roundabout junction would be formed off Sundorne Road to provide vehicular access to the site. The highways officer raises no objection to this. Cycle parking is proposed for visitors and staff, however, the final quantity of parking remains under discussion. Two pedestrian gates off the diverted footpath would be provided in the proposed boundary fence at the south end of the site to allow access to the medical centre for those arriving on foot or by bike from Route 81 and the Sports Village. In the interests of security, these gates would only be open during opening hours. The parking layout has been criticised for accommodating cars before pedestrians and cyclists and this matter is also under discussion with a view to providing an amended layout.

10.5.2 The proposal will be subject to a Travel Plan to promote sustainable travel objectives and reduce carbon emissions.

10.6 **Impact on Great Crested Newts**

10.6.1 Great Crested Newts (GCNs) are a European Protected Species (EPS). The presence of a large population of GCNs was identified in 2007, which breed in the nearby former Shrewsbury Canal to the south of the proposed development site. Recent development including the Shrewsbury Sports Village and more recently the development of housing on Montgomery Way have impacted on the terrestrial habitat used by this population and there is concern in respect of the further erosion of the habitat of this EPS.

10.6.2 The species protection provisions of the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations 2010) contain three 'derogation tests' which must be considered by the Local Planning Authority and Natural England in respect of a activity which would harm and EPS. The three tests are that:

- ☐ the activity must be for imperative reasons of overriding public interest or for public health and safety;
- ☐ there must be no satisfactory alternative; and
- ☐ the favourable conservation status of the species must be maintained.

10.6.3 It is considered that provision of much needed medical services to the local community is an imperative reason of overriding public interest. The proposal

is to replace two local doctors' practices. Both practices have inadequate accommodation and facilities to fulfil their intended purpose. Statistics produced by the Government for 2007 show that parts of the Wards lying within the medical practice catchment areas fall within the 30% of most deprived areas nationally. Parts of Harlescott Ward are shown to be the most deprived for health provision in the County of Shropshire. This demonstrates an urgent need to improve local healthcare provision to serve the communities of north Shrewsbury and this is considered to be an imperative reason of overriding public interest.

10.6.4 Both medical practices are in need of expanding but are unable to do so because of the constraints of their existing premises. A site search was undertaken covering the northern part of the Shrewsbury urban area focussing on the Harlescott neighbourhood. Eleven sites were identified and ten were rejected for acceptable reasons, with the remaining site being the Sundorne site. There is therefore no satisfactory alternative to the proposed site.

10.6.5 The development will see the construction of the North Shrewsbury Primary Care Centre. The main impact on GCNs will be the permanent loss of intermediate and distant terrestrial habitat used by a large sized population of importance centred on four water bodies within the former Shrewsbury Canal located 185m south of the Site at the closest point. Exclusion of the GCN from the development area during construction will protect individuals from death or injury. The loss of terrestrial habitat will be addressed by the enhancement of retained and created habitats around the development site and the provision of new compensation habitats on land currently considered sub-optimal for GCNs. The principal has been taken to provide compensation habitat on an approximate 1 for 1 basis. Given the poor quality of lost habitats and the high quality of replacement habitats, this is considered to represent both adequate compensation and an enhancement of GCN population. As such there will be positive benefits to the development. It is considered that the works will ensure and potentially enhance favourable conservation status of this species.

## 11.0 CONCLUSION

11.1 The proposal will bring much needed medical service provision to an area that has been identified to be the most deprived for health provision in the County of Shropshire. The proposal is in a sustainable location where alternative means of travel to the private car are available and is next to the Shrewsbury Sports Village providing opportunities for links, for example, through exercise on prescription, sports injury clinics and joined up health/sports education sessions'. The site is on land identified as Recreation Open Space, but this has been demonstrated to be surplus to requirements for this purpose. It would also involve the diversion of a cycle way, but the essential link between Route 81 and Sundorne Road would be maintained. It would also have an impact on the terrestrial habitat of a Great Crested Newt population, but it has been shown that adequate replacement habitat would be provided of a higher quality, which would be enhancement for the GCN population.



All other issues raised during the consideration of this planning application have been taken into account, but none are considered to be of sufficient weight to alter the conclusion of this report. It is considered that the benefits of the scheme would outweigh the disadvantages and therefore the planning application may be approved.

**LIST OF BACKGROUND PAPERS:**

**HUMAN RIGHTS**

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact of development upon nationally important features and the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

**Environmental Appraisal**

Included in report

**Risk Management Appraisal**

Not applicable

**Community / Consultations Appraisal**

Included in report

**Member Champion**

Cllr Martin Taylor Smith

**Local Member**

Cllr K Burgoyne

**Appendices**

None

**Reason for Approval**

1. The Local Planning Authority is of the view that the proposal will bring much needed medical service provision to an area that has been identified to be the most deprived for health provision in the County of Shropshire. The proposal is in a sustainable location where alternative means of travel to the private car are available and is next to the Shrewsbury Sports Village providing opportunities for links, for example, through exercise on prescription, sports injury clinics and joined up health/sports education

sessions'. The site is on land identified as Recreation Open Space, but this has been demonstrated to be surplus to requirements for this purpose. It would also involve the diversion of a cycle way, but the essential link between Route 81 and Sundorne Road would be maintained. It would also have an impact on the terrestrial habitat of a Great Crested Newt population, but it has been shown that adequate replacement habitat would be provided of a higher quality, which would be an enhancement to the GCN population. It is considered that the benefits of the scheme would outweigh any disadvantages.

All other issues raised during the consideration of the planning application were taken into account, but none were considered to be of sufficient weight to alter the conclusion that the planning application should be approved.

### **Conditions**

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

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. Prior to the commencement of work on site in connection with this development samples and details of external materials for the development (including for the building and hard surfacing) shall be submitted for approval in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved materials.

Reason: To ensure the materials are appropriate in the interests of the appearance of the development and the surrounding area.

3. Prior to the commencement of work on site in connection with this approval a scheme of landscaping shall be submitted to and approved in writing by the Local planning Authority and these works shall be carried out as approved. The submitted scheme shall include:

Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)

Planting plans

Written specifications (including cultivation and other operations associated with plant and grass establishment)

Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

Implementation timetables

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

4. All hard and soft landscape works shall be carried out in accordance with the approved details and implementation timetable. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

5. No development of other operations shall commence on site in connection with this approval until details of the design and implementation of the mini roundabout has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully operational prior to the first use of the building.

Reason: In the interests of highway safety.

6. The diverted cycle way and existing cycle way linking to Route 81 shall be hard surfaced and lit. Prior to the commencement of work on site in connection with this development construction details and details of lighting of the cycle way to Route 81 shall be submitted to and approved in writing by the Local Planning Authority. The proposed and upgraded cycle way shall be provided in accordance with the approved details before development of the building hereby approved commences. The existing cycleway shall remain open to the general public at all times and shall only be closed when the diverted cycle path is made available. Cycle way access between Sundorne Road from Route 81 shall be either via the existing route or the diverted route. At no time shall cycle way access between Route 81 and Sundorne Road be obstructed during the construction phase of the development or thereafter.

Reason: To ensure provision is made for cyclists and pedestrians for their benefit and to encourage the use of more sustainable means of transport.

7. No development or other operations shall commence on site in connection with this approval until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of the retained trees and hedgerows on the site has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme.

Reason: To ensure the trees and hedgerows are protected in the interests of safeguarding the amenities of the area.

8. No operations shall commence on site in connection with the development until the tree and hedgerow protection works required by the approved tree and hedgerow protection scheme are in place.

Reason: To ensure the trees and hedgerows are protected in the interests of safeguarding the amenities of the area.

9. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved tree and hedgerow protection scheme.

Reason: To ensure the trees and hedgerows are protected in the interests of safeguarding the amenities of the area.

10. Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the trees are protected in the interests of safeguarding the amenities of the area.

11. Prior to the commencement of work on site in connection with this approval details of the boundary fencing to the site shall be submitted to and approved in writing by the Local Planning Authority and the boundary fencing shall be erected in accordance with the approved details prior to first occupation of the building.

Reason: To ensure the fencing design is appropriate to safeguard the amenities of the area.

12. All pedestrian and cycle access points, routes and cycle parking shall be clearly signed, giving journey distances and times in minutes where suitable. Prior to the commencement of work on site in connection with this approval, details of the siting and design of cycling and pedestrian direction and information signs along the cycle link between Route 81 and Sundorne Road and within the site, including opening time information signs to be displayed on the proposed southern boundary fence next to the two pedestrian gates, and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority. The signs shall remain in position in perpetuity and shall be replaced with similar within 28 days of any becoming defaced or removed or within 28 days of a request for replacement being made by the Local Planning Authority .

Reason: To ensure the general public has the benefit of sufficient directional and opening time information.

13. Prior to the development being first brought into use details of the opening times of the two gates in the proposed southern boundary fence shall be submitted to and approved in writing by the Local Planning Authority. The gates shall remain unlocked during the approved opening times. The gates shall be at least 1.2m wide.

Reason: To allow access for visitors to the Medical Centre arriving from the cycle path and to allow access for the disabled.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification no development shall be carried out under Schedule 2, Part 2 Class A of the General Permitted Development Order 1995 without the prior planning permission of the Local Planning Authority.

Reason: To enable the LPA to retain control of any future boundary treatments in the interests of safeguarding the amenities of the locality.

15. No development shall commence on site in connection with this approval until a detailed design of the foul and surface water disposal from the development has been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be carried out in full before the development is first brought into use.

Reason: To ensure disposal is adequately catered for in the interests of amenity and flood prevention.

16. Prior to the commencement of development on site in connection with this approval details of cycle storage provision on the site, including elevational details of the cycle shed and adjoining security fencing and the cycle shelters, shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall be carried out before the development is first brought into use.

Reason: To ensure adequate cycle parking is provided.

17. Prior to the commencement of development on site in connection with this approval elevational details of the bin store shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall be carried out before the development is first brought into use.

Reason: To enable the Local Planning Authority to assess whether the appearance of the bin store is appropriate to the locality.

18. If during development contamination not previously identified is found to be present at the site, then no further development, unless otherwise agreed in writing by the Local Planning Authority, shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for an amendment to the remediation strategy detailing how the unsuspected contamination shall be dealt with.

Reason: The protection of controlled waters.

19. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

22. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 21, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 21, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 21.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

23. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24. Work on the site to which this consent applies must be undertaken under a European Protected Species (EPS) Licence with respect to Great Crested Newts unless a licence is deemed unnecessary by Natural England Wildlife Licensing Section. A copy of the granted licence and the accompanying agreed mitigation plan and method statement should be submitted to the Local Planning Authority prior to the commencement of works on the site.

Reason: To protect Great Crested Newts, a European Protected Species, known to be present on this site

25. The works on the site to which this consent applies will need to be undertaken in line with a Precautionary Method Statement with Respect to Great Crested Newts (agreed with Natural England during the European Protected Species Licensing Process) which must cover issues including, but not limited to, the following:



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- a. Timing of works
- b. Management of the retained and created habitats and enhancement of the western boundary hedge
- c. Provision of hibernaculum/refuge at the south of the site
- d. Details of the habitat creation and enhancement in line with Middlemarch Environmental Ltd Drawings C106461-09 and C106461-10.
- e. Exclusions trapping and translocation for a minimum of 90 days – receptor site as on Middlemarch Environmental Ltd Drawing C106461-06. Exclusion fencing as shown on Middlemarch Environmental Ltd Drawing C106461-11 and Great Crested Newt Mitigation Site Plan L(0)D01.
- f. Methods for destructive search of hedgerow area to be removed for access
- g. 6 years of post development monitoring – records to be provided to the Shropshire Ecological Data Network  
This method statement must be submitted to the Local Planning Authority prior to the commencement of works on the site.

Reason: To protect Great Crested Newts, a European Protected Species, which are known to be present on the site.

26. Drainage on the site to which this consent applies should be as specified in Great Crested Newt Mitigation Strategy by Middlemarch Environmental Ltd (July 2010), gully grates 150mm from the face of the kerb in the northern part of the site, drop kerbs in locations to be agreed with the Great Crested Newt ecologists and the southern area of car park to be permeable paving with tanked sub-base to allow the gullies to be removed. Details should be provided to the Local Planning Authority prior to the commencement of works on the site.

Reason: To protect Great Crested Newts, a European Protected Species, known to be present on this site

27. Ongoing management of the habitat areas enhanced and created on the site to which this consent applies and on the area of Great Crested Newt mitigation land (previously arable) must be undertaken in line with a detailed habitat creation and management plan. This habitat creation and management plan must be submitted to the Local Planning Authority for agreement prior to the commencement of works on the site.

Reason: To protect Great Crested Newts, a European Protected Species, known to be present on this site



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