

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2010/1993	<b>Ward:</b> St Anns
<b>Address:</b> 256 St Anns Road N15	
<b>Proposal:</b> Change of use from (A3) to D1 (Pharmacy) and external alterations to create new entrance.	
<b>Existing Use:</b> A3 (café)	<b>Proposed Use:</b> D1 (Pharmacy)
<b>Applicant:</b> Ms Lainya Offside-Keivani Bridge Renewal Trust	
<b>Ownership:</b> Public	
<b>Date received:</b> 25/10/2010 <b>Last amended date:</b> 29/03/2010	
<b>Drawing number of plans:</b> P02, P03, P04, SP01, SP02	
<b>Case Officer Contact:</b> Jeffrey Holt	
<b>PLANNING DESIGNATIONS:</b>	
Road Network: Classified Road	
<b>RECOMMENDATION</b>	
GRANT PERMISSION subject to conditions	
<b>SUMMARY OF REPORT:</b>	
<p>The proposed pharmacy will be a non-retail dispensing pharmacy ancillary to the existing D1 Use Class of the Laurels Healthy living Centre. The external alterations proposed are considered to be in keeping with the appearance of the building and will cause no harm to the character of the area. Visitors to the pharmacy will arrive through the main Health Centre entrance, leaving the secondary entrance for infrequent out-of-hours use. Due to its supporting role to the rest of the Health Centre, visitors are likely to be local and using sustainable forms of transport. Should a supervised methadone dispensing service be included, the pharmacy will be secure and properly managed to minimise any impact on crime and anti-social behaviour. The proposal is considered to be in compliance with Policies UD3 'General Principles' and UD4 'Quality Design' of the Unitary Development Plan 2006 and therefore APPROVAL is recommended.</p>	

## **1. SITE AND SURROUNDINGS**

- 1.1. The subject site is an existing ground floor unit within a modern 7-storey building containing a health centre with flats above. The premises was originally part of the wider D1 use of the health centre but was converted into an ancillary A3 use at some point. This use has now ceased. The site fronts onto Cornwall Road, near the junction with St Anns Road. Surrounding development consists of a mixture Local Authority flats and small Victorian houses.
- 1.2. The site is not within a Conservation Area but St Anns Conservation area is immediately to the south and west.

## **2. PLANNING HISTORY**

- 2.1. HGY/2001/1296 - Redevelopment of site involving new building comprising a Health Centre, residential development of 71 self contained units (25 x 1 bed, 36 x 2 bed & 10 x 3 bed) with associated car parking and amenity space – GRANTED

## **3. DETAILS OF THE PROPOSAL**

- 3.1. Permission is sought for the change of use from (A3) to D1 (Pharmacy) including new entrance and other alterations to front elevation.
- 3.2. The new entrance is on the right hand side of the front elevation. It will be for out-of-hours access with the existing entrance becoming staff only. A new fascia is proposed to make the unit more visible to the public. New paving is proposed to the new entrance and existing planting will be replaced by more low level plants.
- 3.3. New signage is proposed on this fascia however this would be subject to a separate consent.

## **4. RELEVANT PLANNING POLICY**

### 4.1. National Planning Policy

PPG13      Transport

### 4.2. London Plan

3A.20      Health Objectives  
3A.21      Locations for Healthcare  
3A.22      Medical Excellence

### 4.3. Unitary Development Plan

UD3          General Principles  
UD4          Quality Design  
CW1          New Community/Health Facilities

### 4.4. Supplementary Planning Guidance / Documents

SPG6a      Shopfronts, Signage and Security

## 5. CONSULTATION

Internal	External
Transportation Group	<u>Amenity Groups/Community Organisations</u> St Anns CAAC Chestnuts Primary School, Black Boy Lane, N15 St Anns Church, Avenue Road, N15 St Anns C of E Primary, Avenue Road, N15 Chestnuts Community Centre, 28 St Anns Road, N15 <u>Local Residents</u> Flat a, b , 1 North Grove, N15 Gff, Fff 3 North Grove, N15 Flat 25-40 (o) Turners Court, 254 St Ann’s Road, N15 44-52 (c) Turners Court, 252 St Anns Road, N15 53-62 (c) Turners Court, 250 St Anns Road, N15 1-5 (o) North Grove, N15 13-28 (c) Appleby Close, N15 151-217 (o) Cornwall Road, N15 132-166 (e) Cornwall Road, N15 1-12 (c) Appleby close, N15  Total No of Residents Consulted: 162

## 6. RESPONSES

### 6.1. Community Objections

Objections received from:

- a) 27 Local residents,
- b) Chair of Governors, Seven Sisters Primary,
- c) Chair of Safer Neighbourhoods Panel,
- d) Harringay Ladder Community Safety Partnership
- e) Woodland Parks Residents Association
- f) 9 local pharmacists

Raising the following points:

#### *Consultation*

- The consultation letter did not provide a full picture of the proposal
- The letters submitted by the applicant relate only to a refused application to the PCT for a reduced opening hours pharmacy/dispensary. They do not constitute support for the planning application

#### *Safety*

- Concerned that a late night dispensary will attract addicts and drug users and the proximity to Chestnut Park (including children’s play areas) presents a crime and anti-social behaviour risk
- Existing criminal and anti-social behaviour problems will be exacerbated
- The security arrangements are not adequate for residents of Turner Court and staff at the Laurels

- There is already adequate provision for methadone dispensing in Green Lanes, Seven Sisters Road and West Green Road.
- An additional dispensary will risk an increase to crime and disorder in the locality
- There have been number of crimes in the past 2 years involving assaults on staff and burglaries whereby property was stolen from behind two doors secured by various methods including code locking systems. In light of this, there is concern that the proposed 'secure hatch' would not be sufficiently secure
- The site is next to park popular with children and there is concern that methadone will be administered in the park
- Should permission be granted a condition should be applied to restricting opening hours and prohibiting methadone dispensing

#### *Need*

- The area is already adequately served by pharmacies
- There is no public support for this proposal
- Would harm viability of existing pharmacies

#### *Amenity*

- Increased noise and nuisance
- Long opening hours will result in additional noise, litter and traffic
- Activity and foot traffic to existing clinics has risen since the building was completed
- The new commercial entrance will depress property prices
- Lit sign is unacceptable

#### *Other Issues*

- The decision should be made by committee
- The proposal is contrary to the regeneration of the area
- Hazardous materials will be kept on site
- Remodelling work has been ongoing prior to this application

### 6.2. Ward Councillors

- There are many serious concerns raised by local residents and community groups including: crime, safety, noise, light pollution, disturbance, existing anti-social behaviour
- The proposal is contrary to Policies AC4, UD3 and CW1
- The pharmacy is a risky venture

### 6.3. Barnet, Enfield & Haringey Local Pharmaceutical Committee

- The pharmacy proposed is actually a retail pharmacy (A1)
- It will bring increased traffic and activity to a residential area
- NHS Haringey has are four pharmacies open for 100 hours per week minimum
- Such pharmacies are required to provide essential services when needed by the Primary Care Trust, including methadone dispensing and needle exchange.
- The proposed pharmacy intends to provide such services
- Security is an issue for all pharmacies
- It is not clear how the proposed alterations to increase security will affect the building
- The proposal does not meet UDP Policy CW1

#### 6.4. Sergeant Tim Hannah, St Anns Safer Neighbourhoods Team

- No opposition to plans in terms of security
- Concerns remain over the methadone dispensary and potential anti-social behaviour increase
- We would work together to look for solutions should methadone ultimately be dispensed

#### 6.5. St Anns CAAC

- The site is bounded by the Conservation Area and therefore has an impact on it
- Appearance: The commercial entrance is out of keeping with the conservation area and residential location
- Noise: Queues will form outside leading to noise and disturbance. Additional cars will bring additional noise. Early opening and late closing will disturb neighbours. Deliveries and roller shutter will generate noise
- Transport: There is only one bus route to the Laurels (67) and the majority of people will not use public transport
- Crime: a methadone dispensary will increase risk of crime and anti-social behaviour to local residents, especially during early morning and late night. The pharmacy itself will become a target for burglary
- Demand: The proposal fails to meet any of the four objectives of Policy CW1. NHS Haringey refused to grant permission for this proposal as it failed to meet the regulatory test for demand, need and expediency
- St Anns CAAC were not notified of the application
- Conservation officer was not aware
- Ascot Road, Appleby Close, Cornwall Road, Chestnuts Community Centre, local community organisations, St Anns Primary school, St Anns Church and Chestnuts primary school were not consulted

#### 6.6. Transportation Team

This proposed development is located in an area with low public transport accessibility level and is served by the 67 bus route, which provides frequent connection to and from Turnpike Lane underground station and bus interchange.

The proposed pharmacy is likely to attract customers from the existing health centre, who are likely to be travelling from the immediate locality or using public transport. We have deemed that the level of generated car trips ensuing from this proposed change of use would not have any significant impact on the subsisting traffic or indeed car parking demand at this location.

#### 6.7. Applicant Submissions

The applicant has previously applied to the Primary Care Trust (PCT) for a license to operate a pharmacy opening less than 100 hours a week. Consultation was undertaken on this application and numerous expressions of support were received. The applicant has submitted these consultations responses to illustrate support for their PCT application. It is understood however that this PCT application differs from the current planning application in that the planning application is for a pharmacy opening for at least 100 hours per week. For this reason, these expressions of support are not taken to be in support of the current planning application, particularly as the additional hours form the basis of a number of objections.

## 7. ANALYSIS / ASSESSMENT OF THE APPLICATION

7.1. The main issues relating to this proposal are:

- Background
- Principle
- Appearance
- Amenity
- Transportation
- Supervised Methadone Dispensing Service: Crime and Anti-Social Behaviour
- Other Objections
- Environmental Impact Assessment
- Equalities Impact Assessment

### Background

7.2. The Laurels Healthy Living Centre is a community health centre providing a range of NHS health services. It was initially intended that an onsite pharmacy form part of the centre however the space set aside was ultimately not suitable. In 2008, following a review by the NHS Primary Care Trust, an onsite pharmacy was again considered and the site that was once a community café was chosen.

### Principle

- 7.3. The A3 (cafe) use which occupied the premises prior to this application was ancillary to the main D1 use. The change of use to pharmacy would also be ancillary. Therefore, the principle of the change of use would not be under consideration as such and Policy CW1, as mentioned by the objector's would not apply. The proposed pharmacy falls under the D1 Use Class, which is consistent with the rest of the Laurels Healthy Living Centre and the application site's original use class designation. The site falls just outside the Seven Sisters Bridge NDC Area of Change and as such Policy AC4 is not applicable in this instance. However, it is considered that the proposal's supportive role to the Laurels Healthy Living Centre is consistent with the regeneration aims of that policy.
- 7.4. The difference between the current proposal and those prior uses is the requirement for external alterations to the building to allow for public out-of-hours access. The objections raised by local residents and community groups/organisations relate to the impact this arrangement might have on residential amenity in terms of noise and light pollution, as well as crime and anti-social behaviour if methadone would be dispensed on site. These issues are addressed in following sections.

### Appearance

- 7.5. Policies UD3 and UD4 seek to ensure that development proposals are of a high design quality and are of a nature and scale that is sensitive to the surrounding area.
- 7.6. The proposed external alterations consist of a new entrance door for out-of-hours access, a new fascia and additional paving and landscaping to the elevation facing Cornwall Road. Towards Cornwall Road, the property presents a relatively blank elevation with no specific architectural features. The proposed alterations are minor but would provide architectural interest to this part of the building without substantially altering its character. The new paving and additional landscaping will improve the interface between the building and public realm. Objections have been received over the proposal for a neon lit sign. Specific

proposals for a sign are not included in this application as any advertising would be subject to a separate advertising consent application. Local residents will be consulted on such an application.

- 7.7. The proposal is considered to cause no harm to the appearance or character of the building or the neighbouring conservation area having regard to Policies UD3 and UD4 of the Unitary Development Plan 2006.

#### Amenity

- 7.8. Policy UD3 requires development proposals to not have any significant adverse impact on residential amenity or other surrounding uses in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water light and noise pollution.

#### *Noise*

- 7.9. The proposed pharmacy will have a secondary entrance on Cornwall Road. Objections have been received stating that this entrance will bring increased pedestrian traffic with an associated increase in noise.
- 7.10. The applicants have stated that this entrance will only be used when out-of-hours when the main entrance to the Laurels is closed. At all other times, access to the pharmacy will be via the main entrance used for the rest of the Healthy Living Centre. It should also be noted that patients already attend the centre for out-of-hours GP services up to 12pm each evening.
- 7.11. The pharmacy will not operate as a retail pharmacy despite having extended opening hours. It will focus on NHS dispensing and the products sold will be limited to 'medical products' as defined in Section 30 of the Medicines Act 1968 and will not include retail products such as skin care, toiletries, cosmetics, baby products etc. As such, visitors to the site are most likely to be engaging with other health services on site and the expected footfall for this pharmacy would not be comparable to that of a high street outlet.
- 7.12. In the event that the pharmacy is instructed to provide a methadone dispensing service, there is no intention to supply medication through an external hatch. Visitors would use the main entrance to the Laurels and the secondary entrance during extended hours. The applicant states that usually, methadone is dispensed by appointment within the pharmacy.
- 7.13. Given the points above, it is considered that the level of activity resulting from the secondary entrance would be low. The nearest residential properties are 2 floors above the pharmacy with the floor immediately above being offices. On balance, it is considered that the new entrance on Cornwall Road will not result in a harmful increase in noise for neighbouring residents.

#### *Light*

- 7.14. The application mentions a new sign to accompany the new entrance. This sign has been identified as a potential source of light pollution for residents, particularly those above. Although a sign has been mentioned, any advertising would be subject to a separate advertising consent application, which will be subject to public consultation.

## Transportation

- 7.15. Policy UD3 requires development proposals to have no significant impact on public and private transport networks, including highways or traffic conditions.
- 7.16. The Council's Transportation Team have assessed the proposal and do not object. The proposed pharmacy is likely to attract customers from the existing health centre, who are likely to be travelling from the immediate locality or using public transport. It is therefore deemed that the level of generated car trips ensuing from this proposed change of use would not have any significant impact on the subsisting traffic or indeed car parking demand at this location, having regard to Policy UD3 of the Unitary Development Plan 2006.

## Supervised Methadone Dispensing Service: Crime and Anti-social behaviour

- 7.17. In their license agreement with the PCT, the applicants must be in a position to offer a supervised methadone dispensing service, among other services, if required by the PCT. This had to be demonstrated initially and therefore the submitted plans show the required out-of-hours collection point. The applicant has stated that so far, the PCT and Local Authority have confirmed that it is not their intention to commission supervised consumption of methadone from this pharmacy as the needs of the local community are already met by local providers. In the event that this should change in the future, the PCT would consult locally before commissioning new providers.
- 7.18. Nevertheless, concerns have been raised by local residents and local community groups, including the St Anns Safer Neighbourhoods Team, over the potential effect on local crime and anti-social behaviour should the pharmacy be instructed to provide a supervised methadone dispensing service. The objections cover two points, first the potential security risks arising from storing methadone on site and the impact caused by a dispensing service in this location.
- 7.19. In terms of security, the applicants will implement a number of measures including:
- Internal CCTV
  - Security shutters preventing access to the rest of the Laurels when only the pharmacy is operating
  - A specially designed secure hatch with security glass within the pharmacy to protect staff
  - A keyless electronic lock system with changeable entry codes
  - Improved landscaping and lighting to improve visibility
- 7.20. Sergeant Tim Hannah of the St Anns Safer Neighbourhoods Team does not object to the security aspects of the proposal. Accordingly, the Local Planning Authority is satisfied that the proposed pharmacy will be secure.
- 7.21. If a supervised methadone dispensing service were to operate at the pharmacy, it will operate from within the pharmacy during normal opening hours. Patients usually obtain their medication and needle exchange supplies by appointment. In the unlikely even of a patient requiring methadone out-of-hours, the secondary entrance on Cornwall Road will only be used and there will be a police escort. This is standard procedure to protect staff and to ensure that genuine emergencies can be facilitated.
- 7.22. Furthermore, needle exchange services the clients are required to submit their used needles and syringes for safe disposal via the pharmacy, thereby significantly reducing



any risk of these being disposed of in an improper and dangerous manner, e.g. in parks or alleys.

#### Other objections

- 7.23. Among the objections, concerns were raised over the impact on property values and the viability of other pharmacies in the area due to business competition. These concerns are not material considerations for the assessment of this planning application.

#### Environmental Impact Assessment

- 7.24. The application site area is less than 0.5ha and as such an Environmental Impact Assessment is not required.

#### Equalities Impact Assessment

- 7.25. In determining this application the Committee is required to have regard to its obligations under the Equalities Act 2010.
- 7.26. The impact of this scheme has been considered in relation to the Equalities Act 2010 in terms of its Equality and Race Relations impacts. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The proposed pharmacy will supplement existing health services in the Laurels Healthy Living centre which itself serves a diverse local community. The pharmacy will be full accessible for disabled users. Otherwise, there is no indication or evidence (including from consultation with relevant groups) that different groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.
- 7.27. In terms of the key equalities protected characteristics it is considered there would be no significant specific adverse impacts as a result of the development.

### **8. CONCLUSION**

- 8.1. The proposed pharmacy will be a non-retail dispensing pharmacy ancillary to the D1 Use Class of the Laurels Healthy living Centre. The external alterations proposed are considered to be in keeping with the appearance of the building and will cause no harm to the character of the area. Visitors to the pharmacy will arrive through the main Health Centre entrance, leaving the secondary entrance for infrequent out-of-hours use. Due to its supporting role to the rest of the Health Centre, visitors are likely to be local and using sustainable forms of transport. The pharmacy will be secure and properly managed to minimise any impact on crime and anti-social behaviour. The proposal is considered to be in compliance with Policies UD3 'General Principles' and UD4 'Quality Design' of the Unitary Development Plan 2006.

### **9. RECOMMENDATION**

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) P02, P03, P04, SP01, SP02

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE: This permission is granted without prejudice to the necessity to obtaining consent under the Town & Country Planning (Control Of Advertisements) Regulations 2007.

#### REASONS FOR APPROVAL

The proposed external alterations, due to their design, would be in keeping with the appearance of the building and will cause no harm to the character of the area. Due to its location and supportive role to the Laurels Healthy Living Centre, the proposal would not have an impact on public and private transport networks. The proposed pharmacy will also be secure and properly managed to minimise any impact on crime and anti-social behaviour. The proposal is therefore considered to be in compliance with Policies UD3 'General Principles' and UD4 'Quality Design' of the Unitary Development Plan 2006.