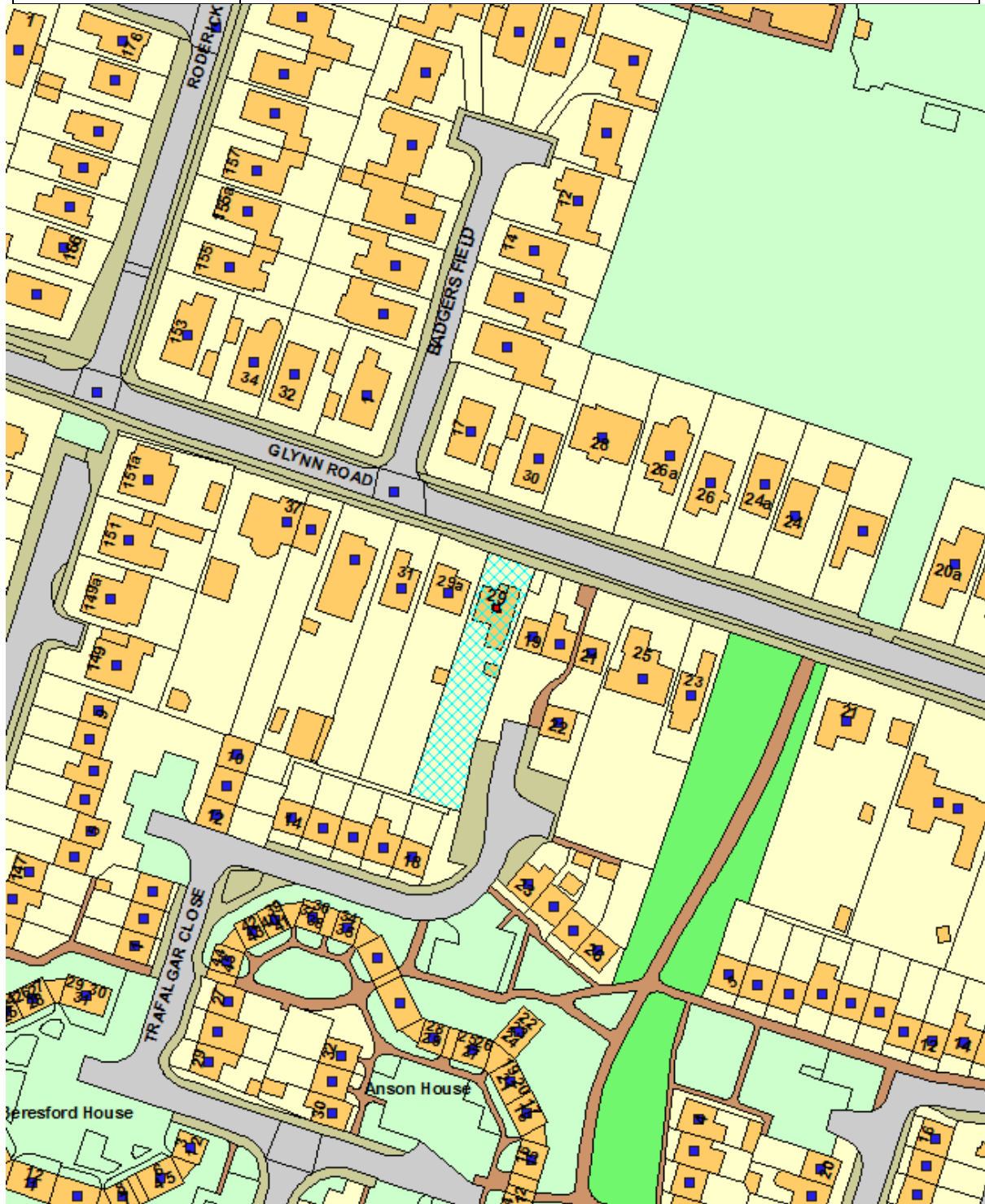


APPLICATION NUMBER:	LW/19/0493		
APPLICANTS NAME(S):	Wild Monkeys Childcare Ltd	PARISH / WARD:	Peacehaven / Peacehaven North
PROPOSAL:	Planning application for change of use to full nursery use, extension of opening hours and commercial use of property at evenings and weekends		
SITE ADDRESS:	Nursery, 29 Glynn Road, Peacehaven, East Sussex, BN10 8AT		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

Site Description:

1.1 The site is occupied by a detached two-storey building that is currently used as a day nursery at ground floor level (following approval of this use under application LW/14/0067. The first floor of the building has remained in residential use as a flat for the nursery owner. The original building has been extended to the rear, at single-storey level and the integral garage which originally formed part of the dwelling has been converted into a playroom. To the rear of the site is a relatively long rear garden. An enclosed area has been formed at the far end of the garden and children's play equipment has been installed.

1.2 The site is located on a residential road that is characterised by a mix of detached and semi-detached dwellings. The majority of dwellings on the road have access to hard surfaced off street parking and/or garages. The site backs on to Trafalgar Close where there is a mix of dwellings and flatted development. Meridian Primary School is nearby to the north, approximately 250 metres walking/driving distance from the site.

1.3 The site is not the subject of any specific planning constraints or policy considerations.

Proposed Development:

1.4 The proposal involves expanding the existing nursery operation by way of utilising the first floor of the building, allowing for an increase in capacity from the current level of 20 children to 40 children. As a result, the proposed residential unit currently occupying the first floor would be removed.

1.5 The proposed expansion would not involve any extensions to the existing building. On-site car parking for 3 vehicles would be provided on the existing hard surfaced area to the front of the building.

1.6 Permission is also being sought to increase the operating hours of the nursery use from the current hours of 08:00 - 18:30 on weekdays (with the exception of bank holidays) to 07:30 - 18:30 on weekdays (excepting bank holidays). Any use outside of these hours would be restricted to maintenance and staff training.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – RE10 – Community Infrastructure

LDLP: – T14 – Vehicle Parking

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/06/0994 - Erection of a single storey rear extension, conversion of garage to habitable room and enclosure of porch including roof alterations - Approved Conditionally 25th September 2006

LW/08/0637 - Erection of a single-storey rear extension (amendment to planning permission LW/06/0994) - Approved Conditionally 24th July 2008

LW/14/0067 - Change of use from residential to mixed use for residential and childcare purposes - Approved Conditionally 15th May 2014

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – Peacehaven Town Council recommends refusal – due to increase in traffic congestion, lack of car parking facilities, effect on local character, exacerbate existing parking problems, parking and highway safety.

Environmental Health – No comments received.

Early Years Development Childcare Partnership – No comments received.

ESCC Highways – the proposed development is considered largely acceptable on highway grounds, but further detail is required regarding the proposed parking proposals. A parking survey should be undertaken to determine the impact the proposed development would have on the local highway network.

Development Proposal

The site is currently part residential property, and part D1 nursery use. The applicant is proposing to convert the site to wholly nursery use, increasing the capacity of the nursery from 20 children to 40. The applicant also intends to extend the working hours to 07.30 - 18.30, as well as using the site for staff training and building / maintenance over the weekend. The extension of working hours and use of the building over the weekend is not considered to have a significant impact on the local highway network.

Vehicle and Pedestrian Access

The existing vehicular access off Glynn Road is proposed to be retained. Pedestrian access to the site is through the forecourt parking area.

Trip Generation

No trip generation information has been submitted as part of this application. Having undertaken a TRICS assessment using the 80% drive mode share shown in the Travel Plan, a nursery of 40 could be expected to generate approximately 106 daily vehicular trips, with approximately 22 trips in the AM peak and 19 trips in the PM peak. The existing site, comprising of mixed residential and nursery use for 20 children could be expected to generate 57 daily vehicular trips. The level of increase of approximately 49 daily vehicular trips is not considered to result in a severe impact on the local highway network and would not warrant a refusal in this instance.

Car and Cycle Parking

The County Council's parking guidance requires 1 space per 2 full-time equivalent members of staff plus 1 space per 4 children for parents' delivery/collection. The submitted document states that there would be 10 equivalent full-time employees and up to 40 children at any one time. Therefore, the development would require 15 parking spaces.

The applicant is proposing to retain the 3 off-street parking spaces. There does not appear to be scope to provide additional parking on-site. It is required that a parking survey is undertaken to determine the capacity in the local highway network, in order to accurately estimate the impact any overspill parking from the proposed development would have.

In terms of cycle parking provision, the Highway Authority requires 1 space to be provided per 10 full-time employees. The applicant is proposing cycle storage facilities by segmenting one of the accesses to the rear gardens. The Highway Authority requires all cycle storage to facilities to be safe, secure and covered. As such, the proposed cycle store is acceptable in principle, though further details should be secured by condition.

Accessibility

The submitted Travel Plan suggests that the 93% of parents live within 3 miles of the nursery, and there is potential for trips to be undertaken by foot or cycle. The Highway Authority is satisfied that there is sufficient footway provision to and from the site. The nearest bus stop is approximately 300m east of the site, and has regular services to Saltdean, Brighton and Hove. As such, the site is considered to be in an accessible location.

That being said, the applicant's Travel Plan suggests that the majority of staff and parents drive to and from the site. This is partly explained due to subsequent trips to work. The applicant's travel plan measures seek to encourage travel by sustainable means, which is encouraged, and should be secured by condition.

Conclusion

Whilst the proposed development is considered largely acceptable on highway grounds, further detail is required regarding the proposed parking proposals. A parking survey should be undertaken to determine the impact the proposed development would have on the local highway network.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

14 Letters of Objection together with a petition with 47 signatories (from 33 addresses) also received. Comments received are summarised below.

- This is a residential area, a commercial unit should be used;
- There are other nurseries nearby that have spare capacity;
- Insufficient parking and existing customers are inconsiderate;
- Extended opening hours will cause more disruption;
- Area is unsafe for children;
- Will become a commercial use in a residential area
- There is already a lot of traffic and the Meridian school recently withdrew their application to expand;
- Highways raised concerns against previous application (LW/14/0067);
- Use at weekends would cause more disruption;
- Loss of a family home;
- Will alter the character of the residential street;
- The on-site parking is very rarely utilised;
- Cars park on grass verge and block driveways;
- Parking data is deceptive as taken when weather was good and near to the end of term time;
- Proposed bike parking area is immediately adjacent to our house;
- Will set a precedent for commercial use on the street;
- Site not suitable for a forest school;
- As a night worker, the use is causing lack of sleep;
- By Council's own admission there are not enough houses in the area;
- 40 children in the garden would be very noisy compared to an average family;

- Building not large enough for 40 children;
- Not supported by Town Council;

OFFICER RESPONSE:

The majority of these comments are addressed within the main body of this report. However, it is important to clarify that ESCC Highways raised no objection against the original application LW/14/0067 that established the use on the site.

59 Letters of support received. Comments made are summarised below.

- My son goes to nursery here and loves it;
- Will be a great asset to the community
- Children will have much more space;
- Use is needed by local parents;
- Helps to support working parents;
- The nearby school causes more noise and disruption;
- The garden is not used before 9am and not all children are outside at the same time;
- New houses will mean more demand;
- Would create new jobs for locals;
- I am able to walk my children to the nursery - reducing carbon footprint;
- Education is important for the future;
- Increased hours will support parents who work longer hours;
- This is already an established nursery;
- Town Council meeting took place without applicant being informed;
- The setting of the nursery is better than sterile premises;
- Other nurseries in the local area have less parking and are located on more dangerous roads;
- Never had an issue with driving or parking on this road;
- The area has green space and very low traffic levels;
- A residential area is exactly where schools and nurseries are needed - who would want their children spending the day in a warehouse or industrial unit?
- All residents on Glynn Road have substantial driveways meaning they don't have to park on the road;
- Objectors haven't objected to other nurseries in residential areas just in their own area;

6. PLANNING CONSIDERATIONS

Principle:

6.1 The proposed development would enhance an existing community facility. Para. 92 a) of the Revised National Planning Policy Framework (NPPF) states that 'planning policies and decisions should plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.' Para. 92 d) goes on to state that decisions should also 'ensure that facilities and services are able to develop and modernise, and are retained for the benefit of the community.'

6.2 Saved policy RE10 of the Lewes District Local Plan (part one) maintains that planning permission will be granted for development within class D1 (such as day nurseries) providing the locations are accessible by a variety of modes of transport.

6.3 It is considered that the proposed scheme represents an enhancement of an established facility that is embedded within an expanding local community and is in a sustainable location with links to public transport nearby and also within close proximity of Meridian primary School. The site also provides a large outdoor amenity space, an asset that would be unlikely to be available should an alternative building outside of a residential area be considered.

6.4 Although the proposed expansion of the nursery would result in the loss of a residential unit (the first floor flat), the conversion of the building would not require any significant alterations and it could easily be brought back into residential use should the nursery use cease to operate. A condition will be attached to any approval to ensure that the property would revert to C3 use should the nursery use cease.

6.5 It is therefore considered that the principle of the development is acceptable, subject to the satisfaction of other relevant planning policies relating to environmental, residential and visual impact as well as highway matters.

Residential Amenity:

6.6 The proposed building is already in use as a day nursery, with a capacity for 20 children at any one time. The site is within a residential area and, as such, there are residential properties surrounding the site. The existing building would not need to be extended in order to supply the increased amount of floor space required to accommodate 40 children as this will be provided by converting the existing first floor residential unit to nursery use.

6.7 29 Glynn Road is a detached building, thereby reducing potential impact of noise generated within the building from permeating into neighbouring properties. Whilst the number of children within the building would be increased, it is considered that the self-contained nature of the site and the relatively large size of the existing building and the overall plot would enable for the increase to be absorbed without generating an intensity of activity and disturbance that would be unacceptably disruptive towards neighbouring residents.

6.8 All other buildings on Glynn Road are in residential use and, therefore, it is not considered that the use of a single building as a nursery would lead to a cumulative impact that would overwhelm the residential character of the area. It is also noted that the presence of the Meridian Primary School nearby demonstrates the ability for community uses to be absorbed into the wider residential area effectively.

6.9 There is a large rear garden area, allowing sufficient space for play and also to focus activities on areas that are furthest away from neighbouring properties. It is considered that the garden could continue to be used to provide an important outdoor amenity facility if it is responsibly managed in terms of limiting duration of use on any given day and the amount of children that can be in the garden at any one time. It is noted that the previous permission allowed for up to 20 children to use the garden at any given time and that this was endorsed by Environmental Health Officers. It is considered a similar restriction could remain in place an expanded use, with outdoor play time being staggered. It is also important to note that the amount of internal space provided (approximately 97 sqm not including toilets, cloakrooms, thoroughfares and staff facilities) exceeds the requirement of 2.3 sqm of internal floor space required per child aged 3-5 years old (rising to 2.5 sqm per two year old child), as stipulated in the Department for Education document 'Statutory framework for the early years foundation stage (2017)'

6.10 The proposed increase in the operating hours of the nursery is considered to be minimal, amounting to opening half an hour earlier every day, with closing time remaining as existing. It is not considered that the proposed opening time is unreasonably early and it is noted that this provides the opportunity for more staggered arrivals to the nursery, reducing the likelihood of a build-up of traffic at any one time and partially mitigating the impact of the increase in vehicular movements associated with the increase in capacity of the nursery.

6.11 Access to the building would be via the existing front door, which is positioned towards the centre of the site and away from neighbouring windows and openings, thereby minimising impact upon neighbouring residential properties when in use.

Visual Amenity/Design:

6.12 The proposed development would not alter the appearance of the existing building. A separate application (LW/19/0494) has been submitted for the installation of new signage to the front of the site. The current application does not rely on the provision of this signage and this application will be determined separately and on its own merits.

6.13 Some minor alterations would be made to the landscaping of the rear garden but none of these works would require planning permission in their own right.

Highways:

6.14 Para. 109 of the Revised National Planning Policy Framework (NPPF) states that:- 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

6.15 ESCC Highways Officers have estimated that the proposal would result in an increase of approximately 49 daily vehicular trips. They do not consider that this increase in vehicular movements would be of a degree that would bring about any significant impact upon the local highway network.

6.16 The applicant has stated that the nursery would employ 10 full time equivalent posts, ESCC guidance on parking at development states that 1 car parking space should be provided per each 2 full time equivalent posts. An additional parking space should also be required per 4 children for use for dropping off and collection. Based on these figure, the proposed scheme would generate a demand for 15 car parking spaces. The proposal would include provision of 3 on-site car parking spaces. No further parking would be provided within the site nor is there any realistic opportunity to provide additional parking within the site. As such, there is a shortfall of on-site car parking. As such, the additional capacity would need to be provided by on-street car parking.

6.17 The applicant has submitted a photographic survey of parking on the street, consisting of images taken at various times during the day between the hours of 07:53 and 17:35. The photographs, which show the stretch of road immediately adjacent to the site, show that there are a number of usable on-street car parking spaces available within close proximity of the site. It is also noted that the majority of neighbouring properties have access to driveway and/or garage car parking and, as such, the demand for on-street car parking by neighbouring residents is considered to be relatively low. Furthermore, by opening earlier in the day, arrivals to the nursery would be able to be more staggered than at present.

6.18 The Highways Officer recognises that the site is within 350 - 400 metres walking distance of a number of frequently served bus stops on Pelham Rise and Roderick

Avenue. The application includes a Travel Plan that suggests 93% of parents live within 3 miles of the site. The Travel Plan, the adoption of which would be secured by condition, includes detail of how walking will be promoted, facilities will be provided for the storage of cycles and pushchairs and route maps for bus services will be distributed to staff and customers. Opportunities to incentivise the use of public transport will also be explored.

6.19 It is therefore considered that there is sufficient capacity within the surrounding highway network to accommodate the level of parking demand associated with the development and to allow for additional vehicular trips without resulting in undue disruption to the flow of traffic.

7. RECOMMENDATION

7.1 It is considered that the proposed use represents the provision of a community facility within a sustainable location that would serve a growing local population. Subject to the adherence to management plans relating to noise and travel, it is considered that the expanded nursery use could operate without an unacceptable detrimental impact upon the amenities of neighbouring residents or upon highway functionality.

7.2 It is therefore recommended that the application is approved.

The application is subject to the following conditions:

1. The premises shall only be open as a childminding business during the following hours:-
 - Monday - Friday 07:30 - 18:30 (not including bank holidays).

Any use of the building outside of these hours shall be for staff training or maintenance purposes only.

Reason: In the interests of protecting the amenities of neighbouring properties in accordance with policy ST3 of the Lewes District Local Plan.

2. There shall be a maximum of 20 children using the garden at any time. The garden shall not be used for any more than 3 hours in any one day with at least 2 hours between 1 hour outdoor play sessions.

Reason: In the interests of protecting the amenities of neighbouring properties in accordance with policy ST3 of the Lewes District Local Plan.

3. The mitigation and management measures set out in the Travel Plan, which forms part of the approved documents, shall be adhered to at all times throughout the lifetime of the use.

Reason: In order to minimise impact upon the through flow of traffic and parking capacity, in accordance with saved policy TR14 of the Lewes District Local Plan (part one) and para. 109 of the Revised National Planning Policy Framework.

4. The site shall not be used for any purpose (including any other use falling within use class D1) other than as a day nursery.

Reason: In order to ensure the use of the site is compatible with the surrounding residential area in accordance with saved policy ST3 of the Lewes District Local Plan (part one).

5. Should the use of the site as a day nursery permanently cease to operate, the approved use of the site and the building shall revert to that of a single residential dwelling (use class C3).

Reason: In order to provide flexibility to allow the building to return to housing stock in accordance with section 5 of the Revised National Planning Policy Framework - Delivering a sufficient supply of homes.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Floor Plan(s)	10 July 2019	Internal
Proposed Block Plan	10 July 2019	External
Other Plan(s)	10 July 2019	Garden plan
Other Plan(s)	10 July 2019	Fire and Evacuation
Other Plan(s)	10 July 2019	Proposed external sign
Other Plan(s)	10 July 2019	Existing external plans 2
Other Plan(s)	10 July 2019	Existing external plans 1

Application Details

	Existing	Proposed	Gain/Loss
Parking - Cars -			
Unit	2	3	
Parking - Bicycles -			
Unit	0	4	
Employment - Full Time -			
Jobs	2	4	
Employment - Part Time -			
Jobs	16	17	