

Repeatedly receiving "Error 403" when attempting to lodge these comments on line

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2 June 2026
BY HAND

Adur & Worthing Councils
Development Management
Place Directorate
Worthing Town Hall
Chapel Road
Worthing
BN11 1HA

Attn Louise Prew

Retrospective Planning Application AWDM/0580/26

Pumpkin Patch Nursery 40 Crescent Road Worthing BN11 1RQ

Refer also to Planning Application AWDM/0905/22 - Approved 17 November 2022 with conditions relating to travel and outside noise.

Please note that the correct name of these premises is as above. Not Footprints Children and Family Centre, which was the former name under their former use.

The mere fact that this is a retrospective application says something for some of the unsatisfactory manner in which this business operates at this location. There is disregard for neighbours, no empathy with being in a Conservation Area and poor adherence to Planning conditions.

In view of the sensitivities of the site being in a Conservation Area, I would expect this application to be placed before the full Planning Committee rather than a decision being simply delegated to officers.

I wish to object to the application on the following grounds:

1 The site is situated in the Richmond Road Conservation Area and the structure takes no account of this in terms of its location within the site, its scale and materials used.

2 The structure has been constructed well beyond the building line of the main property on the site.

3 The structure exceeds the permitted height applicable in a Conservation Area.

4 The structure exceeds the permitted floor area applicable in a Conservation Area, being almost double the permitted size.

5 The structure is visible to neighbouring properties and partly when approaching the site southwards along Crescent Road.

6 Granting permission would create an unacceptable precedent for similar structures which exceed normally permitted criteria elsewhere in the Borough's Conservation Areas.

In my opinion, much of the narrative in the Planning Statement submitted is not directly relevant to this application in that it relates to the wider operation of the nursery. However, I will comment where I feel it's appropriate to disagree or clarify some of the content.

1.0 Introduction

The structure is not a "small" timber outbuilding. Its size is out of proportion to the size of the garden and reduces the space available for outside use.

It is not situated within the "rear" garden of the site but is in the side garden and well beyond the building line of the main property.

All references and photos of nearby buildings within the local street scene are irrelevant since the site is within the Richmond Road Conservation Area, whereas all other buildings are not.

2.0 Site and Surroundings

The site has only operated as a children's nursery since early 2023 and was previously used for a very different purpose as a family day centre run by the County Council. The previous use of the site for mainly older children as a meeting place with responsible adults caused no impact whatsoever on neighbours. The contrary now applies with very young children constantly causing a noise nuisance.

Reference to the "rear" garden is again inaccurate as most of the garden area is to the side of the main property on the southern part of the site.

The laurel hedge referred to only exists because of a planning condition imposed under Application AWDM/0905/22 for change of use. It was only planted following representations from the public. Originally, an unsightly close boarded fence had been erected without any consideration for highway or other concerns. An application for retrospective planning permission for this fence was quite rightly refused.

I might add that the Planning Committee initially voted to refuse the original application for change of use. However, members then retired "in committee" where the public were not present, and then changed their minds. It is, therefore, all the more disappointing that the nursery does not take more responsibility for the way it operates.

I would contend that the garden is not laid out as a high quality outdoor environment. It's over developed. Despite assertions by the applicant to the contrary, it is used mostly as a noisy play area and not simply as a quiet learning space.

The structure further reduces the footprint of the actual garden. A planning condition exists for a maximum of 34 children in the outside space at any one time but the whole way the garden has been developed must put extreme pressure on the ratio of children to space.

In my opinion, Figure 1 gives a distorted and exaggerated impression of the size of the garden.

3.0 The Proposed Development

The footprint of the structure is stated to be approximately 20 square metres which I believe is double the size that should be permitted in a Conservation Area.

The overall height is stated to be 2.7 metres which exceeds what I believe should be the maximum permitted height of 2.5 metres.

The use of UVPC for window frames is at best questionable in a Conservation Area.

Regardless, would Building Regulations approval be required?

There are contrary explanations as to the use of the outbuilding. In paragraph 1 on page 5 it states that its function is as a quiet and sensory space as part of the outdoor learning environment. However, in the next paragraph, it states that it does not function as an additional internal teaching space. It's clearly more than just a shelter. It's an internal space i.e. a garden room.

There is also reference to children playing in the garden. This effectively confirms that the applicant recognises that the outside space is used as a play area. This is contrary to the statement in the approved management plan which states that the outside space will not be used as a playground.

Amongst the measures included in the management plan under the heading on page 2 of that document "Alternatives to the Garden", paragraph 3 says: "We think it is worth noting that the exterior spaces at our nurseries are regarded as outside learning and discovery environments rather than a playground that you may find in a primary school At Pumpkin Patch.... the behaviour of the children and the noise levels should be no different whether inside or outside."

Whilst there are certainly some areas for more sedentary creative activities, for much of the time, this garden is most definitely used as a noisy playground.

4.0 Planning History and Site Context

The site does not benefit from long established lawful day nursery use. Change of use was only granted in November 2022. It was not merely permission to extend the capacity.

The application was not originally supported by a management plan regarding noise mitigation or a travel plan. The applicant was obliged to submit these for approval following objections from the public including the Worthing Society and at the insistence of the Planning Committee.

Neither of these management plans operates satisfactorily and it is disappointing that there appears to be no mechanism within the Council for monitoring their effectiveness.

The small timber hut referred to was essentially a very small shed, barely large enough to house a mower and a few tools. It is stretching a point to accept that the new very large structure was built on the understanding that it replaced the previous one.

I cannot find any reference in the management plan to a "Pergola with outside table and art studio". The sketch plan included simply shows "Role Play" and thus it's difficult to accept that the principle of "a small built structure" was ever actually contemplated. Reference to "outdoor early years activity" belies the previous non intrusive level of outside activity.

5 Reasons for retrospective submission

The new structure clearly doesn't represent a like for like replacement for a tiny shed and it is difficult to accept that any planning considerations were ever taken into account.

6.0 Planning Policy Context

6.1 National Planning Policy Framework and 6.2 Worthing Local Plan 2023

References suggesting that this outbuilding constitutes sustainable development do not of themselves justify consent being granted.

Whether it can be correct to say that the nursery provides a "vital service" is questionable when there are another dozen or so such facilities within a 10 minute walk.

Whilst there may be some argument that the nursery is providing employment and is a social service, first and foremost it's part of a very large business operated for the benefit of the owners as part of their ever expanding chain in Sussex.

7.0 Planning Assessment

7.1 Principle of Development.

Whilst the nursery facility may satisfy the requirements of the Worthing Local Plan, the principle of this additional development is not necessarily acceptable.

7.2 Design Scale and Appearance.

The outbuilding is far from modest. It's a substantial structure and to suggest it can be described as "a piece of considered garden architecture" is surely stretching a point.

The scale, massing and detailing are not considered appropriate for the size of the garden. It is situated in a Conservation Area and well beyond the building line.

7.3 Visual Impact and Street Scene.

The structure is visible to neighbouring properties and also partly when approaching the site southwards along Crescent Road.

None of the supporting photographs are taken from that angle. The development does therefore have an adverse impact on the streetscape.

The second paragraph in this section is irrelevant as the Lady of our Sion School premises are not in a Conservation Area.

7.4 Residential Amenity

The site most definitely does not have an unusually advantageous relationship with neighbouring properties. To describe the use of the garden as a quiet sensory space is completely untrue. Quiet it is not.

7.5 Safeguarding and Suitability for Use by Children

Again, reference to outdoor play belies the statements throughout about teaching space and sensory area and is not in accordance with the statements in the approved management plan.

7.6 Parking and Access

The approved transport plan is often seen to work unsatisfactorily with obstructions caused in Crescent Road. Strictly this aspect has no direct bearing on this application but is an example of poor overall controls.

7.7 Trees Biodiversity and Drainage

No comment other than the use of artificial grass throughout the garden is questionable.

8 Conclusion

The conclusions are fundamentally flawed because the site is located in a Conservation Area and the structure fails to meet the requirements for any such outbuilding.

Regards

Richard Woodman

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