Development Management – Delegated Officer Report

Application Number: AWDM/1840/15 Recommendation – APPROVE

Site: 418 Upper Shoreham Road Shoreham-By-Sea

Proposal: Variation of Condition 2 of ADC/0182/09 to increase the number of children attending Littlesaurus nursery from 70 to 87.

Date of site visit: 15.02.16

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Permission was granted under ref ADC/0182/09 for the change of use of guesthouse/dwellinghouse to children's day nursery with one-bedroom flat on second floor; single storey east side infill extension and alterations to form twin accesses. This consent has since been implemented and the site is fully functional as a day nursery. The consent gave permission for a full day care nursery for up to 70 children aged from 6 months to 5 years. This was attached as a restrictive condition along with other relevant safeguarding conditions. Condition 2 is copied below: -

"The number of children attending the premises for the purposes hereby permitted shall at no time exceed a total of 70 without the prior written permission of the Local Planning Authority."
Reason: - In the interests of residential amenity and highway safety having regards to policies AG1, ACS1 and ACS5 of the Adur District Local Plan"

The site as existing has a front forecourt, block paved which allows for two cars at a time to drop off/collect. There is turning space on site. There are no significant changes to the surrounding locality from the date of the original consent, this remains a predominantly residential area and the main Upper Shoreham Road is a busy main route through Shoreham. It is a wide street with available off street parking no both sides.

Permission is sought here for the variation of the condition set out above to allow up to 87 children to attend the nursery at one time. No other changes are proposed to the building, grounds or use.

Consultations:

West Sussex County Council: The Highway Authority has raised no objection commenting:–

"The increase in places could see an additional 17 trips in the morning and evening peak. These trips could be by car, on foot or by bicycle. The nursery has an active travel plan and is committed to promoting sustainable travel for staff and parents.

The application does not include details of session times although it is common for Nursery's to provide all day sessions, morning sessions, and afternoon sessions. Although the increase will attract more trips it is considered on balance that these will be thinned out over the course of the day.

Upper Shoreham road is a very busy road with a 30mph speed limit, it is long and straight and visibility is good. There are no pedestrian crossings to assist with crossing the road here, but footways flank either side of the road and pedestrian refuge islands are dotted along the length of the road to provide some assistance for pedestrians crossing the road.

Parking at the nursery is limited with a front parking forecourt providing an in/out facility. Upper Shoreham Road is very long and straight and provides parking on both sides of the road. No parking restrictions are in place and most properties have driveways.

In summary the increase of places from 70-87 has been considered and WSCC do not consider this to have a material impact on the operation of the highway network."

Adur and Worthing Councils: - The Environmental Health Officer has no objections to the increase in numbers of spaces to 87.

Representations:

Objections: - 7 representations received: -

- Not all staff and visitors can use car park
- Obstruction of driveways.
- Dangerous , inconsiderate parking
- Heavy traffic on road.
- Accidents will happen
- Traffic queuing due to turning in road.
- Car park not big enough
- Noise in garden area, equipment height than fence
- Lots of disruption to residents
- Parents and staff do not park considerately
- No objection to reasonable size nursery, too many spaces.
- Nursery should ensure parents are reminded to not to obstruct driveways.
- Over development of site.
- Cannot park in own driveway.
- Advance signage would be recommended
- Speed limit enforcement.
- During timescale of the application staff and maintenance vehicles are parking in side roads, these would normally be parked near the nursery.
- The nursery have coordinated a plan to drive up support for the application. All letter with the same format.

Support: - 37 representations received: - from staff and parents and potential parents.

- The nursery provides high quality childcare
- There is a demand for nursery places in the area.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, ACS1, ACS5, AH6
National Planning Policy Framework (CLG 2012).

Planning Assessment

Principle

Consent for the nursery has been granted in 2009 subject to conditions. The only matter for consideration here is the impact of the increase in number of places by 17 children, other matters are not for consideration. The additional matters relate only to the previous/original consent. The main concerns are traffic and highway safety issues and potential noise, disturbance and impact upon residential amenity. It should be noted here that the numbers of places were originally restricted to 70 as this was the number of places being applied for at that time, any increase could be subject to planning consent.

Traffic and highway Safety Issues

These issues were considered when the initial consent was granted. The site is within a relatively sustainable location being just over half a mile from the town centre within a residential area. Staff and parents from the local area would have some degree of choice of means of travel to the site although it is accepted that many may use the car. As stated above there is drop off space to the front of the building however this is only for two cars at a time. Yet, there is on street parking along Upper Shoreham Road which is not restricted and although it is not possible to control inconsiderate parking there is the option of safe and accessible parking for parents/carers visiting the site. It should also be noted that drop off and collection is not all at one time. There is some staggering to reduce the amount of potential traffic at any one time. Clear signage is at the application site to highlight that there should be no parking within the reversing and turning space on site.

The applicant also has a Travel Plan which refers to priority admission for people living within walking distance of the nursery and provision of buggy and cycle storage. The implementation of this travel plan was secured by condition 5 of ADC/0182/09. This shall continue to apply.

West Sussex County Council Highways Authority did not originally raise any objection to the proposed change of use. As stated above no further highway safety concerns are raised in the light of the on street parking available, the restricted road speed, good visibility, implementation of travel plan, forecourt frontage available and the potential for trips to be spread throughout the day.

The comments raised by an objector in relation to the parking of staff vehicles is considered here however any staff vehicles would need to be parked legally and it is considered that within this street there is sufficient on street parking to provide such space. The Travel Plan seeks to encourage car sharing and sustainable transport measures.

Residential amenity

The Environmental Health Officer has no objection to the proposed increase in numbers. It is not considered that the increase in 17 places will have a significant impact with regards to increased noise and disturbance to adjacent residential properties. As stated in the committee report relating to the original consent the majority of the noise created at the premises would be from the children using the rear outside space. The previous consent restricted the use of the outside space to 20 children at a time. This condition will remain and therefore the children using the outside area will continue to be limited to 20, therefore there will be no increase in noise or disturbance. The additional traffic and potential activity associated with the increase in places will not result in any significant detrimental impact on the residential amenities of the occupiers of the adjacent dwellings. With this being a busy, main road there is traffic noise and activity as existing.

Recommendation

APPROVE

Subject to Conditions:-

1. N/A

2. The number of children attending the premises for the purposes hereby permitted shall at no time exceed a total of 87 without prior written permission of the Local Planning Authority.

Reason: - In the interests of residential amenity and highway safety having regards to policies AG1, ACS1 and ACS5 of the Adur District Local Plan.

3. The use hereby permitted shall not be open for business other than between the hours of 8AM and 6PM Monday to Friday and arrival/departure times for children shall be staggered over the period 8AM-9AM for arrivals and 4.30PM-6PM for departures. The number of children outside the building shall not exceed 20 at any one time.

{\b Reason}: {\i In the interests of residential amenity and highway safety having regards to policies AG1, ACS1 and ACS5 of the Adur District Local Plan.}

4. The vehicular access to the site from Upper Shoreham Road shall remain in place at all times, with drop off/collection space for 2 vehicles at

a time to remain in place along with turning space to allow vehicles to leave the site in a forward gear. The cycle and buggy storage at the site shall remain in place at all times.

{\b Reason}: {\i In the interests of highway safety and to ensure adequate provision for parking clear of the highway.}

5. The recommendations and actions contained in the Travel Plan accompanying the application shall be implemented and complied with during operation of the day nursery at all times.

{\b Reason}: {\i To encourage sustainable travel

6. The measures contained in the submitted Outdoor Area Management Plan shall be implemented and complied with during operation of the day nursery unless agreed in writing by the Local Planning Authority.

{\b Reason}: {\i In the interests of residential amenity having regard to policies AG1, ACS1 and ACS5 of the Adur District Local Plan.}

7. The fencing that currently exists enclosing the rear garden to the east, west and north sides shall remain in place at all times, unless otherwise agreed in writing with the Local Planning Authority.

{\b Reason}: {\i In the interests of residential amenity having regard to policies AG1, ACS1 and ACS5 of the Adur District Local Plan.}

8. The second-floor staff flat hereby permitted shall be occupied by a member of staff employed at the nursery on these premises only.

{\b Reason}: {\i In the interests of residential amenity.}

9. This permission relates to the application as amended by the revised plans TA 417/10b, 11b and 12b received on 26 May 2009.

{\b Reason}: {\i In the interests of highway safety having regard to Manual for Streets.}

10. There shall be no drainage of surface water from the property onto the highway.

{\b Reason}: {\i In the interests of highway safety.}

12. The refuse storage provision at the site shall remain in place at all times.

{\b Reason}: {\i In the interests of amenity having regard to policy AG1 of the Adur District Local Plan.}

Informative

1. The applicant is advised that clients should be written to and informed that it is necessary to be considerate when dropping off and collecting children. No driveways should be blocked and safe parking and manouvering should take place at all times. The nursery forecourt should also be kept clear of maintenance and staff parking at drop off and collection times to enable its full use to avoid congestion to the highway.

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Hannah Barker Date: 15th February 2016
Authorised by: Jo Morin Date: 15.02.2016