Development Management – Delegated Officer Report

Application Number: AWDM/1426/22 Recommendation: APPROVE

Site: Sunshine Day Nursery, 6 Tarmount Lane, Shoreham-By-Sea, West Sussex

Proposal: Demolition of existing cottage and garages (8 Tarmount Lane) and construction of part two-storey and part single-storey extension to east, first floor extension over existing flat roof extension at rear and glazed link to existing nursery building (amended resubmission of AWDM/0463/19). Variation of Condition 1 (approved plans) of AWDM/1774/19: change of cladding from tile to render, new fire escape door and balustrade, new window to door fenestration change.

Date of Site Visit: when visiting original application AWDM/0463/19

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application site comprises of the existing nursery building 6 Tarmount Lane a two storey, detached white rendered Victorian building with slate roof. This building and land to the rear has been developed as a children's nursery since consent was permitted for a change of use in 2009 under ADC/0141/09. Since this time retrospective consent was permitted to allow for an increase in the number of children at the nursery from 43 to 63, permitted under AWDM/0531/13. Also incorporated into the site is no. 8 Tarmount Lane to the east of no. 6. The site is located within the Conservation Area adjacent to the Town Centre close to the junction with Brunswick Road, opposite the Methodist Church. To the west is a commercial arcade with court yard with individual units. Swanborough Court is to the east with the telephone exchange and a public car park opposite. To the south are the rear boundaries of terraced properties in New Road.

AWDM/0463/19 granted consent to increase the size of the nursery incorporating the site of the building to the east of the site No. 8 Tarmount Lane. There is currently a two storey building of brick and tile construction smaller in scale than the main building at no. 6. No. 8 is set back from the highway with space for parking to the front. Consent included the demolition of the building and construction of a larger two storey property. A glazed link was approved to join the two buildings.

The current application is an amendment to the previously approved application. It is proposed to vary condition 1 to change the approved plans. The plans show changes of cladding from tile to render a new fire escape door and balustrade and a new window to door and fenestration change.

Consultations:

Adur District Conservation Area Group: - It is suggested that the colour of the glazing panes situated between the two buildings (currently claimed to be vibrant green) is of more subtle hue.

West Sussex County Council: The Highways Authority : - West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been consulted on the above Variation of Condition 1 (approved plans) of AWDM/1774/19. The LHA would raise no objection to the above changes as it would not raise any Highway safety or capacity concerns.

Representations

1 Representation received in support of the proposal - I support the development as this ensures the nursery can continue to look after community children in a modern and spacious new building. Children will have even more space to learn and play aiding their development which given the context of the last 2 years is vital. Sunshine plays a huge role for many families in the community and our children deserve the new building.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 17
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area and the Conservation Area.

Visual amenity and Conservation Area

The changes proposed are to the rear of the building. These include the first floor rear elevation and rear projection which are currently tile hung to be replaced with a white render finish. Also proposed to the rear rear are some additional hand rails for a first floor fire escape and a ground floor window to be changed to a door. Also there is a glazed door proposed at ground floor to be changed from a three pane to a two pane door.

These changes are all minor in relation to the development as a whole and are not clearly visible within the Conservation Area or street scene. There will be no adverse impact in this case.

Residential amenity

Similarly the changes do not result in any loss of light, overlooking or overbearing impact to adjacent properties. The changes may be visible from neighbouring properties however the impact is not such to cause any concern.

The previous conditions are listed below with the approved plans condition amended and conditions which have been discharged removed.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. The number of children attending the premises (Nos. 6 and 8 Tarmount Lane) for the purposes hereby permitted shall at no time exceed a total of 100 without the prior written permission of the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity having regard to policies 15, 17 and 33 of the Adur Local Plan.

4. The use hereby permitted shall not be open for business other than between the hours of 7:30am and 6pm Monday to Friday and arrival/departure times for children shall be staggered over the period 7:30am-9am for arrivals and 4:30pm-6pm for departures.

Reason: In the interests of highway safety and residential amenity and to accord with Policies 15, 17 and 33 of the Adur Local Plan.

5. The measures contained in the 'Outdoor Area Management Plan' Revised May 2019, received 13th May 2019 shall be implemented and complied with during

operation of the day nursery at all times. The number of children within the rear outdoor space shall not exceed 20 at any one time.

Reason: In the interests of residential amenity and to accord with Policy 15 of the Adur Local Plan.

6. No advertisements or signage shall be attached to the external windows or walls of the building hereby permitted without prior consent from the Local Planning Authority. In addition there shall be no internal advertisements or signage on or in the glazed link.

Reason: In the interests of visual amenity and to accord with Policies 15 and 17 of the Adur Local Plan.

7. The new building at no .8 Tarmount Lane hereby permitted shall be finished in render with a slate roof to match no. 6 Tarmount Lane. The windows shall be timber sliding sash and shall remain as such unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policies 15 and 17 of the Adur Local Plan.

8. The off street car parking and cycle parking to the front of nos 6 and 8 Tarmount Lane shall be used for staff employed at the nursery only. Drop off and collection for parents and carers shall not be at the property frontage.

Reason: In the interests of highway safety and to accord with Policies 15 and 33 of the Adur Local Plan

9. Prior to use of the extended premises staff vehicle and cycle parking provision shall be made in accordance with the approved plans and such provision shall thereafter be retained solely for such purposes.

Reason: In the interests of highway safety and sustainability and to accord with Policies 15 and 33 of the Adur Local Plan.

10. Landscaping and planting shall be carried out in accordance with the Landscape Design Strategy, Outline Plant Specification and Landscape Strategy Masterplan received 25th March 2019 in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of

similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to accord with Policy 15 of the Adur Local Plan.

11. Following demolition of no. 8 Tarmount Lane and ancillary garage buildings to the rear of the site any damaged boundary walls or means of enclosure shall be made good and reinstated to match existing in appearance, use of materials and finish with details to be submitted to and approved by the Local Planning Authority. Work shall be completed prior to commencement of use of the building.

Reason: In the interests of visual and residential amenity and to accord with Policies 15, 17 and 33 of the Adur Local Plan.

12. The recommendations and actions as contained in the Travel Plan accompanying application ADC/0141/09 shall be implemented and complied with during operation of the day nursery. A travel survey for the first 6 months of operation of the new premises shall be submitted to the Local Planning Authority within 7 months of the commencement of the extended use and any necessary measures as a result of the survey shall be agreed with the Local Planning Authority and implemented during the following 6 month period.

Reason: In the interests of highway safety and the promotion of sustainable travel having regard to policy 28 of the Adur Local Plan.

13. The external door/staircase at no 6 Tarmount Lane shall be used only for the purposes of emergency escape from the premises.

Reason: To prevent overlooking and having regard to Policy 15 of the Adur Local Plan.

14. All work shall be carried out in strict accordance with details contained in the Arboricultural Impact Assessment and Method Statement - Dated 30th November 2018.

Reason: To protect the adjacent trees during construction work having regard to policy 30 of the Adur Local Plan.

15. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided to the east of the parking area in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all

obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of highway safety having regard to policy 28 of the Adur Local Plan.

16. Open fencing/boundary treatment only shall be permitted adjacent to the frontage parking at no. 6 Tarmount Lane as shown on Drawing no. AD 101 Rev F - received 13th May 2019. Details of the proposed barrier and railings shall be submitted to and approved by the Local Planning Authority and work shall be carried out in accordance with approved details.

Reason: In the interests of highway safety and the visual amenities of the area, having regard to policies 15 and 28 of the Adur Local Plan.

17. No demolition or construction work shall take place other than between the hours of 8am-6pm Monday to Friday and 8.30am and 1pm on Sundays only.

Reason: To safeguard residential amenity having regard to policies 15 and 34 of the Adur Local Plan.

Informatives

1. Proactive no amendments
2. Prior to demolition of No. 8 Tarmount Lane and the associated garage buildings the applicant is advised to contact Environmental Health for a demolition notice under the Building Act 1984.
3. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
4. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

Is recommendation contrary to letter(s) of representation N

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer:	Hannah Barker	Date: 3rd October 2022
Authorised by:	Peter Barnett	Date: 4 October 2022