Development Management – Delegated Officer Report

Application Number: AWDM/0729/24 Recommendation: Approve

Site: 221 Manor Hall Road, Southwick

Proposal: Change of use from dwellinghouse (C3) to independent school (F1) (retrospective)

Date of Site Visit: 24 June 2024

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application relates to an end of terrace property which abuts the footpath running from Manor Hall Road to Old Shoreham Road on the boundary with Brighton and Hove. It has been operating as an independent school without planning permission and this application seeks to regularise the use.

A supporting statement submitted with the application states that it caters for a maximum of 18-22 children per day, ages 5-14. It operates between 9.30am and 3.30pm Monday to Friday. There are 3 classrooms with a maximum of 6 children per class. The rear garden is used for breaks with more active games taking place at Vale Park, Brighton.

An OFSTED report (dated 5 June 2024) submitted with the application advises that the school is likely to meet the requirements of the independent school standards should permission be given for the school to open.

Planning History:

AWDM/0751/14 - Two storey side extension - approved

Consultations:

West Sussex County Council: The Highways Authority has no objection subject to the traffic management plan being secured by condition.

Adur and Worthing Councils: Public Health: Will the school have catering? Otherwise, no objections.

Brighton & Hove Council: No comments received

Representations

3 letters of support received from a parent of a child that attends the school (Ashington address), a resident in Gardener Street and from an address in Hove:

- Locals will not see any significant changes with this proposal. Just that it will be quieter after school hours because no one will be living there.
- The school has a parking plan and parents know they need to be sensible with parking and not block driveways.
- Staggered start and finish times from September will help with this.
- This is a valuable addition to the community and supports the growth and development of local children.
- I am also a neighbour in the local vicinity and there has been no negative impact on my family or our lives.
- There are no changes to the external structure of the building. The hours of operation are shorter than business working hours (9:30-3:30).
- There are only 2 points within the day that increased traffic is seen and more cars are parked in the local area, but the school reports that they have a strategy to manage this.

2 letters of objection received from the tenant and owners of the neighbouring property (219):

- The property has a public pathway running alongside and is opposite a busy access road to an industrial site. There are no parking or drop off/pick up areas suitable at the location and our tenant has advised that she has already had problems with parents parking across her driveway and noise at drop off and pick up times. She has also been disturbed by noise whilst the school is open.
- The use of the small garden for such a large number of children is not suitable and could create disturbance to other neighbours using their gardens.
- The pre-registration Ofsted Report states it is unlikely to meet the independent schools standards required and it is not registered even though the school has apparently been open for over a year

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 20, 28, 33, 34
National Planning Policy Framework (December 2023)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

Policy 20 states that "*In order to protect the existing residential stock, proposals which result in the loss of dwellings to non-residential use will not be supported. An exception may be made if the loss would facilitate the provision of a community facility*."

Policy 33 supports improvements to social and community facilities.

In this case the use has resulted in the loss of a dwelling for education use. The school is independent and charges a fee for attendance. The OFSTED report states that "*the proprietor's aim in setting up a school in a residential home is to provide an educational setting for children who might be overwhelmed or uncomfortable in a more formal school setting and to give parents more choice in how and where their children are educated*."

While there is a loss of a family house, the use does provide a community facility of sorts, widening the type of education provision in the District and, on balance, it is considered that an argument could be made for it meeting the exception set out in Policy 20.

Residential amenity

The use of a terraced house as a school for up to 18 children plus staff has the potential to create disturbance to neighbouring occupiers, particularly for the attached house to the west (219). While there is no Environmental Health objection, the tenant and owners of No. 219 have written to complain about noise during the school day, particularly from activities such as singing. The rear garden is very small and is not suited to accommodating large groups of children. It is noted that active outdoor play takes place elsewhere but there is still the potential for disturbance during break times.

The use would be better suited in a larger detached property but there are no objections from the environmental health officer on noise grounds. The applicant has agreed to a number of conditions, such as ensuring singing and music lessons take place in the classroom furthest from the party wall, that the number of children allowed in the garden at any one time is restricted to a maximum of 6 and for a restriction in the number of children overall to 22. With these conditions in place, it is considered that the use could take place without causing serious harm to the amenities of neighbouring occupiers.

Parking, access and highway safety

An objection has been received about parking problems during drop-off and collection. The applicant has subsequently submitted a traffic management plan

which states that they "*will implement staggered drop-off and pick-up times in intervals of 10 minutes for each class. This means that no more than 6 children will be collected or dropped off at any one time, significantly reducing the likelihood of traffic build-up.*

A substantial number of our students either walk to school, lift share or use public transport. This reduces the number of vehicles arriving at the school site.

Parents who do drive are advised to park further down the road in designated parking spaces. This strategy is intended to prevent congestion directly in front of the school.

All staff members will park on the driveway, keeping the road clear for parents and ensuring that staff vehicles do not contribute to street congestion.

A member of staff will be present during drop-off and pick-up times to supervise and manage the process. This will help ensure that vehicles do not stop inappropriately and that the flow of traffic remains uninterrupted.

We have put up a sign to ensure no parents park in front of any driveways and follow the parking policy outlined above.

We believe these measures will effectively manage the drop-off and pick-up traffic, ensuring minimal disruption to the local traffic flow and maintaining the safety and convenience for both our students and the residents in the area."

The Highway Authority has no objection to the use subject to the traffic management plan being secured by condition.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. The total number of children at the school shall be limited to a maximum of 22.
3. No more than 6 children shall be allowed to use the rear garden at any one time.
4. Noisier activities, such as lessons involving singing and music, shall only take place in Classroom 3 as notated on the approved floor plans.

5. The Traffic Management Plan as set out in the email from Rachel Ammari dated 9th July 2024 shall be adhered to at all times when the school is in use.

Is recommendation contrary to letter(s) of representation Y

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: Peter Barnett Date: 19 August 2024

Authorised by: Jo Morin Date: 23.08.2024