## DELEGATED APPLICATIONS

## ASSESSMENT SHEET

APPLICATION NO./ADDRESS

WB/ 09/0189/FULL

The Nook Nursery
10 The Glen
Worthing
West Sussex

DESCRIPTION OF DEVELOPMENT

Single storey extension and covered area to rear of existing day nursery.

This entails demolishing an existing shelter on the north side of the rear elevation and building 4.5 metres deep single storey extension across the width of the chalet bungalow and part of its flat roofed side extension, some 10.6 metres wide. It is flat roofed and 2.6 metres tall with blank north elevation (side) and high level windows on the south (side) elevation. An open shelter with very shallow roof would extend beyond the new extension a further 2.8 metres and to the south (side) to connect with an existing out building, currently used as a store. The shelter is open and supported by poles. The extension is rendered white to match the existing dwelling and would have a felt roof with two skylights. The extension is shown as used for play school and will also the provision of a disabled WC and the sheltered area is an outdoor play area.

No additional child places to the 16 allowed under the 2002 appeal is proposed. Approved hours of 9am to 4.30 pm Monday to Friday are unchanged.

DATE OF SITE VISIT: 21.5.09

NEIGHBOURS CHECKED : Y / ~~N~~

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES):

SITE AND SURROUNDINGS:

The nursery dated back to 1989 and occupies the ground floor of a chalet detached bungalow in a quiet suburban street comprising a mix of detached chalets, bungalow and houses in leafy spacious plots. It was expanded in 2002 to a maximum of 16 child places, following a successful appeal.

The upper floor is an unrelated flat. Access is from the side and it enjoys its own garden in the forecourt of the property . The nursery benefits from a large – wide and deep – verdant, garden which is bounded by a number of outbuildings and dense

hedges and /or tall timber fences. There is a chalet bungalow to the north with rear extension and garage on the common boundary and house to the south. Access to the nursery is by means of a gate to the garden between the side extension and the garage on the south side of the plot. There is parking for two cars in the front garden. Parking in the street is unrestricted. However, the site is remote from shops and good public transport.

RELEVANT PLANNING HISTORY:

| Application Number | Development Description | Decision | Decision Date | Appeal Decision | Appeal Decision Date |
|---|---|---|---|---|---|
| 00/00709/FULL | Variation of Condition 1 of Planning Permission WB/91/0025, to permit use as a nursery school for up to 16 children aged 2 1/2 to 5 years and to operate between 9.00 a.m. and 4.30 p.m. | GRANT CONDITIONAL CONSENT | 05-09-2000 | | |
| 01/01133/FULL | Variation of condition 1 of Planning Permissions WB/91/0025 and WB/00/709/FULL to allow use as a Nursery School for up to 16 children aged 2 1/2 to 5 years and to operate between 9.00am and 4.30pm Mondays to Fridays inclusive. | REFUSE THE APPLICATION | 17-12-2001 | APPEAL ALLOWED - CONDITIONAL CONSENT | 07-11-2002 |
| 09/0189/FULL | Single storey extension and covered area to rear of existing day nursery. | PENDING | | | |
| 1533/88 | CHANGE OF USE TO A NURSERY SCHOOL FOR A MAXIMUM OF 12 CHILDREN AGED 3-5 YEARS BETWEEN THE HOURS OF 9AM TO 1PM, TOGETHER WITH OWNERS LIVING ACCOMMODATION. 10 THE GLEN. | APPROVED WITH CONDITIONS | 31-01-1989 | | |
| 72/90 | APPLICATION FOR THE RENEWAL OF A TEMPORARY PERMISSION FOR THE CONTINUED USE OF PROPERTY AS A NURSERY SCHOOL & LIVING ACCOMMODATION (WB/1533/88 REFERS) (PERMANENT PERMISSION SOUGHT) *EXPIRY DATE 06.03.91* . 10 THE GLEN. | APPROVED WITH CONDITIONS | 06-03-1990 | | |
| 91/0025 | APPLICATION FOR RENEWAL OF PLANNING APPROVAL WB/72/90 FOR USE OF PROPERTY AS A NURSERY SCHOOL FOR 12 CHILDREN AGED 3-5 YEARS, FROM 9AM TO 1PM ON A PERMANENT BASIS. 10 THE GLEN | APPROVED WITH CONDITIONS | 19-02-1991 | | |

RELEVANT PLANNING POLICIES:
(Refer to national, structure and local plan policies where relevant)

Saved Worthing Local Plan Polices BE1, H18, TR9, SC8
Planning Policy Statement 1: Delivering Sustainable Development
PPG13: Transport

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES :

Highway Authority : No objections

The Executive Head of Health and Community Safety: No objections, except require precautionary land contamination condition

Objections from four neighbours – 4, 9, 12, and 17 The Glen raising the following concerns:

a) Would increase permanent accommodation and allow possibility of increasing numbers of children.
b) Allows children outside even in bad weather and so increase risk of disturbance .
c) Nursery a is now run as a business in a residential area.
d) Poor condition of building .
e) Car parking problems will increase.
f) Works out of charter for residential area .
g) Will lead to loss of light to No 12.
h) Consider work would not be undertaken unless future expansion was contemplated.
i) Marr views form upstairs of No 12.
j) Disturbance from construction works.
k) Cumulative expansion.
l) Property is an eyesore

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT: (Include any impact on Crime & Disorder and Issues identified above)

The principal issue raised by this proposal is whether continued use is acceptable in the light of :-

- Community Need and compliance with standards
- Impact on the amenity of neighbours
- Design quality and visual impacts
- Access & parking impacts

**Community Need and compliance with standards**

The nursery is well established and the need it meets was acknowledged by the Inspector at the 2002 Appeal. It appears to be a popular and important community facility. The rear garden is very generous for the 16 children attending and well screened and meets the tests of Saved Worthing Local Plan policy SC8. The proposal will also allow the business to offer a better quality of internal space as well as replace an outdoor sheltered play area and improving disabled facilities. Certainly the works would physically help facilitate any future expansion but any such proposal would be considered on its merits at that time and it is not approximate to speculate on or prejudge any such proposal. Conditions restricting operational times and numbers of children are already in place.

**Impact on the amenity of neighbours**

The nursery is relatively small in terms of child places and the business appears to be a relatively low key operation. The adjacent dwellings are well screened by the hedges and fence and outbuildings placed on the boundaries and the upper floor flat is not seriously affected by the works or the activities. No intensification of use would occur, other than the opportunity for outdoor play in poor weather and no additional places are sought, nor longer trading hours. The marginal increase in outdoor play expected would not be significant in amenity terms.

**Design quality and visual impacts**

The extension is utilitarian in design but not tall or overbearing and inconspicuous from the street and not in appropriate for a residential area.

**Access & parking impacts**

Whilst the site is not sustainably located, the adequacy of existing parking and access facilities was accepted at the 2002 appeal and no intensifications of use is expected.

RECOMMENDATION:

Grant permission subject to time; materials to match existing ; precautionary contaminated land and reproduce existing conditions on numbers and trading hours

REASONS FOR RECOMMENDATION:

Whilst located in a quiet suburban residential area, the nursery is well established and a relatively low key business. Although utilitarian in design, the proposal is modest in scale and well separated and screened from neighbours and the street and would not result in any significant intensification of use likely to cause significant harm. No additional numbers of children .nor longer trading hours are sought. Notwithstanding local residents' concerns, the proposal is acceptable, subject to suitable safeguarding conditions.

The proposal accords with the relevant policies of the Development Plan.

**Saved Worthing Local Plan Polices**

BE1, H18, RES7, TR9, SC8

**National Policy**

Planning Policy Statement1: Delivering Sustainable Development
PPG13:Transport

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION?
Y / ~~N~~

**DELEGATED**

Case Officer sign..... [redacted] .....Date.....2.6.09.....

Authorising Offi sign..... [redacted] .....Date.....3.6.09.....