
Site Address:	Cherry Park Nursery, Langstone Technology Park, 2B Langstone Road, Havant, PO9 1SA		
Proposal:	Variation of Condition 1 of Planning Permission APP/11/01297 (which varied condition 3 of original Planning Permission APP/10/00272) to remove restriction on catchment area.		
Application No:	APP/14/00631	Expiry Date:	17/10/2014
Applicant:	Mr Rolfe Nursery Rhymes Ltd	Team:	Team 1
Agent:		Case Officer:	Sally Smith
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The nursery permitted under APP/10/00272 has been erected and is sited on the southern side of the main building of the Langstone Technology complex. There is an allocated parking area on the west side and the remainder of the car parking for the site is to the west and south. The access to the site is taken both from Langstone Road and Southmoor Lane but vehicle movements are subject to the S106 limitation re ability of LTP employees to access the site from Langstone Road.

2 Planning History

There is a lot of history regarding LTP under the 50238 series. Of particular relevance is the legal agreement of 9/11/82 which restricts the number of vehicles entering the site at peak time to 250 employees per hour from the southbound carriageway of Langstone Road and with no more than 500 employees issued with stickers at any one time.

APP/10/00272 - Demolition of existing steel clad building and two portacabins and replacement with a single storey timber framed building to house a 52 place nursery school. Permit 10 Sept 2010

Condition 3 requires that the nursery shall only be attended by the children of people employed within the area outlined blue (the LTP area) as defined on Plan 1, Nursery Rhymes Ground lease, received 18 Aug 2010. It is requested that a register is kept of all employees with children attending the nursery so it may be inspected with reasonable notice.

The reason for the condition was to ensure that there will be no more additional traffic impact on the adjacent highway network in the interests of highway safety.

APP/11/01297

Variation of Condition No. 3 of Planning Permission APP/10/00272 relating to extending the childcare facilities to non LTP employees (using the access via the western access road).

Permit subject to:

The development hereby permitted (the nursery) shall only be attended by the children of people who are employed within (i) the area outlined in blue, (the LTP area), as defined on Plan 1, Nursery Rhymes Ground Lease, received 18th August

2010 and

(ii) the Broadmarsh area to the south of the A27 and which is accessed from the Harts Farm Way junction with the A27 and Brockhampton Road.

Note: A register should be kept of the business address of all the employees with children attending the nursery. The register should be available for inspection, with reasonable notice, by the Local Planning Authority.

Reason: To ensure there will be no additional traffic generation or traffic impact on the adjacent highway network in the interests of highway safety and having due regard to policies CS16, CS20 and DM14 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

APP/12/00467 - Restaurant and Budget Hotel. Permit 14/6/13. Deemed by HCC that traffic generated would be outside peak hours. No restrictions to prevent customers accessing during the peak hours.

3 Proposal

- 3.1 To remove the condition on APP/11/01297 in order to remove restriction on catchment area.

4 Policy Considerations

National Policies
NPPF 12

Core Strategies 2011 forming part of the HBLDF

CS16 (High Quality Design)

CS20 (Transport and Access Strategy)

DM14 (Car and Cycle Parking on Development (excluding residential))

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer - Originally concerned that there would be a contravention of the S106 agreement regarding traffic entering the site at peak time am but having been advised that LTP (Fasset) has provided 16 unallocated spaces to the nursery for dropping off that Fasset must have taken their restriction into account in granting this provision.

Environmental Health Manager, Community Group - No response received

Crime Prevention -Minor Apps - No response received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 4

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: One from Langstone Residents Association.

Summary:

1. There was a reported shortage of nursery places in Hayling island at the time of the initial application and there are now more families in locality that might benefit.
2. Allowing the nursery to expand to its designed capacity will ensure finance is available to improve its grading by OFSTED.
3. Subject to HBC confirmation the application states there will be minimal additional traffic to and from the nursery.

7 Planning Considerations

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Traffic impact

- (i) Principle of development

- 7.2 As the nursery is in place there is no objection to the nursery itself. The issue to be addressed is the impact on the traffic issue on Langstone Road at peak times.

- (ii) Traffic Impact

- 7.3 This issue is a little complex. The consideration around the client restriction condition on both the original permission and the variation permission was informed by the S106 restriction on the LTP site with respect to vehicles entering the site at peak times with there being a limit to 250 entering the site from the southbound carriageway per hour during peak times with there being a limit of 500 'stickers' being issued to 'control' such access/movements.

- 7.4 The applicant would find it acceptable to have a 60% restriction on the origin of children being tied to the area of the LTP site and the Broad marsh area. On the basis that the nursery has space for 58 children this approach would provide for 23 children outside of this area being able to attend the nursery. Not all of the 23 would come from the southbound carriageway of the Lang stone Road; a high proportion could come from Hayling Island/Langstone and not conflict with the original agreement on traffic movement. Others may arrive from the western entrance. In addition we have had the change in circumstances that the restaurant permitted under APP/12/00467 do not have restrictions preventing opening over the peak time. (They do not do so at present). Against this background the number of additional vehicles accessing the nursery from the southbound carriageway is likely to be less than the potential 23. In addition the Dev Engineer considers that Fasset must have allocated the nursery with its dropping off spaces in the full knowledge of its S106 commitment.

On this basis it is considered that it would not be reasonable to refuse this change in the source of the children so that 40% may come from beyond the defined site of LTP and Broadmarsh.

8 Conclusion

- 8.1 In order to ensure the business viability of the nursery and on the basis that the impact on the highway will be limited the proposal is considered acceptable subject to the condition proposed.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00631 subject to the following conditions

- 1 A minimum of sixty percent (60%) of the children attending the nursery shall be the children of people who are employed within either:
(i) the area outlined in blue, (the LTP area), as defined on Plan 1, Nursery Rhymes Ground Lease, received 18th August 2010 in connection with Planning Application APP/10/00272; or
(ii) the Broadmarsh area to the south of the A27 and which is accessed from the Harts Farm Way junction with the A27 and Brockhampton Road.
Note: A register should be kept of the business address of all the employees with children attending the nursery. The register should be available for inspection, with reasonable notice, by the Local Planning Authority.
Reason: To ensure there will be limited traffic impact on the adjacent highway network in the interests of highway safety and having due regard to policies CS16, CS20 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The development hereby permitted shall be carried out in accordance with the following approved documents:

Application form

Email from Nigel Rolfe of 15th September 2014

Reason: - To ensure provision of a satisfactory development.