

HAVANT BOROUGH COUNCIL

MEMORANDUM

From:	Environmental Health	To:	Development Services Manager
		FAO:	Mr S Cantwell
Our Ref:	EH/LTG/ltg	Your Ref:	APP/14/00523
Ext. No:	446668	Date:	8 July 2014

**Re: St Clare's Pre-School, Strouden Court Precinct, Strouden Court, Havant
Change of use from public amenity land to use as playground for pre-school enclosure with 2m high boundary fence.**

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment (received 8 July 2014).

The applicant states: *"The pre-school can currently accommodate up to 65 children (internally) but our garden area for this number of children is relatively small which means we have to put restrictions in place for how many access it and for how long to ensure all children have the opportunity. If we were successful in our application all of the children would be able to access all the outside area and we would be able to increase our learning opportunities for planting, growing, nature, physical exercise to list just a few."*

The implication is that if this application is granted potentially all 65 children, or at least a substantially greater number than at present, could be outside playing at the same time. Whilst it is impossible to quantitatively predict how much noise might be generated, I believe that it is quite likely that a loss of amenity, if not nuisance could be caused to adjacent residential properties.

I note your comments about your site inspection and your concern about proximity to neighbouring flats and that you are due to ask for the applicant to reduce the area so that the space which is within say 3-4m of neighbouring windows (i.e. the area at the top of the bank) is removed from the proposal. However, I do not believe that this would materially reduce the level of the noise that would be experienced by occupiers of the adjacent flats.

I too am concerned about the potential for noise disturbance. I recall that in the past, conditions have been applied to applications for a change of use to operate playgroups such as limiting the number of children that can play outside at any one time, limiting the duration and frequency of outside play periods and prohibiting outside play at certain times to give neighbours quiet breaks, and you

may wish to consider such conditions in this case if you are of a mind to recommend approval. I would add that without the imposition of such conditions, in the event of nuisance being caused by noise, it is unlikely that we would be able to take any action to impose such restrictions via our statutory nuisance enforcement powers under the Environmental Protection Act 1990.

A handwritten signature in dark ink, appearing to read 'L.T. Glass', on a light-colored rectangular background.

L.T. Glass
Environmental Health Team Leader (Environment)