
Site Address:	70 Bedhampton Hill, Havant, PO9 3JP		
Proposal:	Change of use (partial) from residential dwelling to children's nursery (use Class D1).		
Application No:	APP/13/00736	Expiry Date:	26/09/2013
Applicant:	Mr Thompson	Team:	Team 1
Agent:	Mr Galloway	Case Officer:	David Eaves
	Peter Galloway Partnership		
Ward:	Bedhampton		

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The site lies on the north side of Bedhampton Hill which forms a cul-de-sac with the application property forming the last house before the end of the road. There is no turning at the end of Bedhampton Hill.
- 1.2 The property itself is a large detached dwelling with 5 bedrooms and a further room at ground floor currently used as a bedroom. There is a large rear conservatory. The property has parking to the front for approximately 7 vehicles on a gravel hardstanding. The site slopes up from the road to the property and up again to the rear. The rear garden has been altered to provide a series of terraces with retaining walls.
- 1.3 To the east and north are other detached residential properties. To the west is a field, part of the field is shown as a preferred housing allocation site UE5 with an indicative net dwelling number of 40.

2 Planning History (Part)

APP/10/00910 Alteration to provide terraced garden to rear incorporating changes in levels to provide 3No. distinct levels incorporating retaining walls. Retention of south west pier to front and part of wall. Construction of 2No. further piers and wall to front elevation. Permitted Jan 2011.

09/53661/006 Detached double garage to front, amendment to first floor roof, new balustrades and new entrance gates. Permitted February 2010

05/53661/004 Erection of a full width canopy roof to the front elevation. Permitted February 2006

03/53661/003 Erection of double garage Permitted October 2003

03/53661/002 Erection of a detached double garage to the south of the dwelling house. Construction of a conservatory to the rear (north) of the dwelling. Split Decision July 2003

03/53661/001 Canopy roof extending the full width of the south (Front) elevation including over the existing single storey front extension. Two storey rear extension incorporating alterations to roofline and provision of dormer windows to north (rear)

elevation. Permitted May 2003

3 Proposal

Change of use (partial) from residential dwelling to children's nursery (use Class D1)

4 Policy Considerations

National Policies

National Planning Policy Statement

Core Strategies 2011 forming part of the HBLDF

CS1	(Health and Wellbeing)
CS16	(High Quality Design)
CS20	(Transport and Access Strategy)
CS7	()
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM6	(Coordination of Development)

Saved Policies of HBDWLP 1996 - 2011 forming part of HBLDF

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health:

Could not see any information submitted and informing on how the noise from the premises will be controlled.

From experience, nurseries accommodating young children can be very noisy places, particularly in times when the children are allowed to go out doors to play.

This resulting to potentially noise complaints from local residents.

Although travel journeys is not really an issues I would usually bring to your attention, in this application however, I understand that 27 children and 14 staff will be on site at anyone time, hence the need for parents/carers to bring the children to the site. This coming and going to and from the proposed site will inevitably create noise from engines, door slamming, kids voices (and parents), car stereos etc... at least 3 times a day every week day, at and around 8am, at the end of the first session/start of the second and again in the evening around 6pm. This will change the character of the area in terms of noise background (particularly at the times given above) and also during the normal day when the children are outside playing.

I am not sure what "entertainment" will be provided but again from experience, outside musicians may be coming in to teach children about music, maybe "shows/plays" will be put up for parents to show off the talent of new knowledge gained by their off spring etc.. so activities that require amplified or acoustic music to be played.

At this moment in time, I would like this application to be refused on noise ground until such a time as the applicant provides further details on how they intend to control noises from vehicular activities (deliveries, parents bringing/taking children to and from the nursery) "play-time" activities that may require music (amplified or acoustic) and noise making activities.

Commercial Team:

Concerned about the provision of WC's. The plan only shows 1, which seems to be for the use of up to 13 staff and 28 children. I would suggest that this is totally unacceptable. Also there is no WC or kitchen shown in the domestic flat at the premises.

Development Engineer:

From the submitted details I would recommend refusal on highway grounds. The applicant has not demonstrated that the use of the premises as a nursery will not cause harm to the Highway Safety network.

In the consideration of other nurses we have insisted on parking for staff and the ability for clients to be able to drive into the curtilage of the property take the child into the nursery and the exit the site in a forward gear. Also a schedule for the dropping off could be established within the Travel Plan and the number of children needs to be known.

The adjacent field has been identified with the LDF as a possible residential site and the road in front of the property could give access to 50 units.

Economic Development:

Economic development would strongly support this application which will create 8 f/t and 8 p/t jobs,. Havant has high levels of unemployment and this sort of work would suit the needs of many residents who are currently workless.

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: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Effect on neighbouring properties
- (iii) Highway and parking implications

(i) Principle of development

- 7.2 The property lies within the built up area and on the edge of the undeveloped gap. To the east is 68 Bedhampton Hill a two storey detached property and to the rear No.1 Firlands Rise.
- 7.3 The property is relatively large with some parking provided to the front with the proposed layout showing 9 parking spaces. The rear garden is stepped in a series of terraces and abuts other residential garden areas.
- 7.4 The proposal shows the retention of a residential use at the site although this would be restricted by the need to share facilities such as the kitchen/utility areas garden and parking. On the basis that a residential use would remain there would be no overall loss of residential unit at the site.
- 7.5 Whilst it is not unusual for nursery uses to be set up in a residential property as a mixed use, and this is not objectionable in principle, in this case the proposal is for a very substantial commercial nursery. The detailed impact of which is considered in the following sections.

(ii) Effect on neighbouring properties

- 7.6 The agent has provided some information in relation to the scale of the proposed use (this information does not always appear to be consistent):

The property would cater for children in three different age groups:

Up to 2 yrs of age	18 + 6 staff (1 per 3 children)
2 to 3 yrs of age	20 + 5 staff (1 per 4 children)
3 to 7 yrs of age	16 + 2 staff (1 per 8 children)

It is stated that the groups of children would never exceed 25 in any area (but there is no clear definition of what constitutes an area).

The agent states that the precise scheduling of sessions is not yet known in detail and would be subject to the operators discretion. An example of the operation is provided as follows:

Morning:

Up to 2 yrs of age	2 sessions of 9
2 to 3 yrs of age	2 sessions of 10
3 to 7 yrs of age	2 sessions of 8

Afternoon

Up to 2 yrs of age	2 sessions of 9
2 to 3 yrs of age	2 sessions of 10
3 to 7 yrs of age	2 sessions of 8

Each of the sessions for all the ages would on the basis of the child to staff ratios given by the agent above require 7 members of staff on site.

- 7.7 It is considered that this level of commercial activity within what is currently a residential property located in a residential area would constitute an intensive

and entirely unexpected level of commercial use. The nature of the children's nursery use is also considered to be particularly intrusive due to the likely turnover in parents arriving/departing from the site to drop off and pick up children and in terms of staff required to serve the use and the different sessions. In principle whilst a nursery use can sometimes be acceptable in a residential property, the anticipated scale of this particular proposal is not considered to be acceptable in principle in this residential area. A more detailed assessment of potential impacts on neighbours and the highway implications of the development are given below.

7.8 In relation to the impact on neighbours there are considered to be three main aspects that could lead to un-neighbourly impacts:

The noise, fumes and disturbance associated with the arrival and departure of parents dropping off and picking up children and from staff vehicular movements.
The impact of the internal use of the building on the surroundings
Finally, small children need to have access to safe, supervised outside play areas.
The use of the outside areas and the consequent impact of that use in terms of noise and disturbance also needs to be considered.

- 7.9 Environmental Health have been consulted in relation to the proposals and have raised objections. The intensity of the use suggests from information provided that there would be 27 children at any one time and 7 staff. This would imply a relatively large number of parents/carers bringing and taking children from the site with particular peaks likely in the morning, middle of the day and late afternoon. These arrivals and departures would be concentrated at the site and in the road outside where vehicle turning is difficult. The arrivals and departures would inevitably create noise from engines, door slamming, conversations and radio noise. This will change the character of the noise background particularly early in the morning from 8.00am and at the end time of 6pm and would lead to an unneighbourly impact on the amenities of the adjacent residents particularly at 68 Bedhampton Hill.
- 7.10 The internal use of the building for nursery school use could have less impact on the surrounding residential amenities although this is difficult to assess from the information provided. It is noted that the rear conservatory would form part of the nursery area and although this is on the north west side of the building away from the neighbours with open windows or doors it could lead to substantial noise transmission from children playing, music or other entertainment provided. There are no details of proposed measures to limit the impact of the commercial use on the existing noise environment.
- 7.11 Access to external play and exercise is an important element for any children's nursery. Whilst there are no details of external play areas proposed nor the proposed management of the play, it is considered that given the number of children proposed to be accommodated at the site the garden will be in regular and relatively intensive use. The rear garden is terraced and abuts two other residential properties. The use of the garden by numerous children and their carers would lead to levels of noise and activity in the rear garden for long periods, this would be harmful to the residential amenities of nearby residents and the character of the area.
- 7.12 The proposal also incorporates parking across nearly all of the front garden. This level of car parking would detract from the character and appearance of the site and the wider area.

(iii) Highway and parking implications

- 7.13 The application site lies at the end of a cul-de-sac with no on street turning. The proposal includes a travel plan which states that there are 7 proposed staff car parking spaces and 2 car spaces provided for the residential occupants. Cycle parking would also be provided although this appears to be uncovered. No drop off/pick up parking appears to be provided and the Travel Plan does not appear to relate to parents/carers dropping or picking up children at the site. The Development Engineer has recommended refusal of planning permission on highway grounds. It has not been demonstrated that the use of the premises would not cause harm to the Highway Safety network.
- 7.14 The proposed development is likely to give rise to a concentration of vehicles and movements on the highway and could lead to highway safety issues with vehicles needing to manoeuvre at and adjacent to the site with young children being dropped off and picked up. Overall it has not been adequately demonstrated that the development could take place without a harmful impact on the highway.

8 Conclusion

- 8.1 In conclusion, the scale of the proposed nursery use is considered likely to have a harmful impact on the residential amenities of nearby residents and the character of the area resulting from noise and disturbance, due to the high number of children, staff and likely vehicle movements, also the large extent of the parking area in the front garden. Furthermore the proposals do not make sufficient provision for dropping-off and turning, so there is concern regarding highway safety. Whilst there is merit in the provision of this facility and new employment, in this case as this is considered to be outweighed by the impacts identified above it is recommended that planning permission be refused.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **REFUSE PERMISSION** for application APP/13/00736

(A) for the following reasons

- 1 On the basis of the information provided it is considered that the proposed nursery use is very likely to give rise to a concentration of activity at the site leading to noise disturbance to existing residents in particular from the vehicles arriving, departing and maneuvering at the site or on the adjacent highway and from the use of outdoor areas, including the rear garden. In addition the development would rely upon an extensive area of car parking in the front garden area. This would be harmful to the character of this predominantly residential area and amenities of nearby residents contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 On the basis of the information available regarding the proposed development the Local Planning Authority is concerned that the proposal, due to the level of activity and likely associated vehicular movements would be harmful to

highway safety. In particular inadequate provision has been made in relation to the drop off and pick up facilities and for the turning / maneuvering of vehicles at this site which lies at the end of a no through road. The proposal is therefore contrary to policies DM11 and DM14 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework 2012.