

Reference:	17/01121/FUL	
Ward:	Kursaal	
Proposal:	Erect single storey detached classroom to rear (Class D1), with canopy to the front and rear, decking with balustrade to the front	
Address:	Oak House, 77 Wimborne Road, Southend on Sea, Essex, SS2 4JR	
Applicant:	Oakhouse Montessori	
Agent:	Knight Gratrix Architects	
Consultation Expiry:	27.08.2017	
Expiry Date:	06.10.2017	
Case Officer:	Janine Rowley	
Plan Nos:	010 Revision D, 011 Revision B	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to erect a single storey detached classroom to rear of the existing children's nursery (Class D1), with canopies to the front and rear and decking with balustrade to the front. The overall size of the detached classroom is 10.7m wide x 8.5m deep x 2.6m to 4.5m high. The overall internal floorspace equates to 82.4sqm. The timber decking area is 6.9m wide x 3m deep and balustrade with a height of 1m. The new classroom will accommodate 32 children.
- 1.2 A supporting statement accompanies the application detailing the need for childcare spaces within Southend on Sea Borough as additional free child care becomes available from September 2017.
- 1.3 Currently the number of children on site is 87 per day with the following breakdown:
- 9 under 2 years
 - 30 x 2-2.5 year olds
 - 16 x early 3 years
 - 32 x preschool 3-4 years
- 1.4 The current opening hours are 07:00 hours until 19:00 hours Monday to Friday.
- 1.5 The site benefits from 17 parking spaces and a drop of area to the front of the nursery and the proposal seeks to promote cycle parking with the provision of a new cycle store.
- 1.6 The applicant has provided additional updated supporting information in relation to parking, highway and noise related issues. Since the submission the applicant states there are 33 members of staff, (which has been updated from the original application form). The applicant has confirmed the full time members of staff work on a 4 day shift pattern with only 24 members of staff on site at one time. 10-13 members of staff travel to work by car and the remainder use public transport, walk and cycle to the nursery.
- 1.7 Supporting information for arrival and pick up times for children and associated modes of transport has also been provided as follows:

Arrival Time	7.00am	7.30am	8.00am.	8.30am	9.00am
Car	8	7	9	11	16
Walk	2	3	4	9	18

Pick Up	4.00pm	5.30pm	6.00pm	7.00pm
Car	20	12	13	7
Walk	18	8	6	3

- 1.8 The applicant has confirmed acoustic fencing can be installed to the western and northern boundaries to mitigate against noise. The external area adjacent to the new classroom will not be used as a playground. The children will be within the

classroom but the applicant would use a part of the area as a nature trail into the external area for the children, who would be supervised in small groups of 8 children per session.

2 Site and Surroundings

- 2.1 The existing site is located on the north side of Wimbourne Road. The site includes a large detached two storey building currently used as a children's nursery. To the rear of the site is a garden area for use as part of the nursery. The site to be redeveloped is to the north of the existing car park there is also additional parking to the east. The site includes an in out driveway from west to east. The surrounding includes residential properties to the north, east and west, and a bowls club to the south of the site. There are a number of mature trees to the front of the site covered by a tree preservation order. The trees to the north, east and west of the new classroom are not subject to a tree preservation order.

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on character of the area, traffic and transportation issues and impact on residential amenity, impact on trees and CIL.

4 Appraisal

Principle of Development

National Planning Policy Framework (2012), Core Strategy (2007) policies KP1, KP2, CP4 and CP6; policies DM1 and DM3 of Development Management Document (2015) and the Design and Townscape Guide (2009)

- 4.1 The site situated in a predominantly residential area. The existing site currently operates as children's nursery and this proposal seeks to provide additional accommodation and spaces to children within the surrounding area. Policy CP6 of the Core Strategy advocates the need to improve educational facilities to ensure that the needs of the local community are met.
- 4.2 The building is not situated on an area currently used by children attending the nursery but is vacant overgrown land to the north of the existing car park. Sport England has confirmed the proposed development does not fall within their statutory remit or non-statutory remit in accordance with the National Planning Policy Framework.
- 4.3 The Councils Education Officer supports the application and stated:

“Southend Borough Council has a mandatory duty to secure sufficient childcare places especially for targeted children and working families which plays a major role in helping lift children out of poverty and to narrow the achievement gap. This duty has been further extended to include the duty to ensure there are sufficient childcare places for the new entitlement of 30 hours free childcare for working parents of 3 – 4 year olds from September 2017. The Early Years team have been working over the last year to encourage providers of nursery provision to explore any avenues that they might have to develop new places, expand building and the

provision that they have. This is especially important not just for 3 – 4 year olds of working parents but also to have capacity to deliver for targeted 2 year old children. Oakhouse Montessori have delivered in Southend for many years and the proposed planning application will facilitate the creation of new children's places to assist us in meeting the Local Authority duty of providing services to the town's residents".

- 4.4 The proposed single storey building will provide an additional classroom for the existing children's nursery improving the educational facilities available for children and members of staff, and is thus in accordance with policy CP6 of the Core Strategy in principle.

Design and impact on the character of the area

National Planning Policy Framework (2012), Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1 and DM3, Design and Townscape Guide (2009)

- 4.5 The proposed single-storey building would be located to the north west of the existing main building. The building would be set 34m from the street frontage, and would have limited visibility in the wider streetscene.
- 4.6 The proposed building would be single-storey with an overall height of 2.9m rising to 4.5m high above ground level. The external materials would be timber horizontal cladding and aluminium window and door frames and slate roofs. It would be a standalone building and, as such it is considered that it would be acceptable, providing a contemporary design building with interesting canopy design. No objections are raised to the balustrade and decking area.
- 4.7 The proposed building is considered to be acceptable in terms of size and design in relation to the existing nursery buildings and surrounding locality, to be in accordance with planning policy.
- 4.8 There are a number of trees within the site close to the site for the proposed building and the application is accompanied by an Arboricultural Method Statement carried out by Moore Partners Limited. Two small walnut trees of limited amenity value are to be removed. However, the trees to the north and east of the site will be retained and protected by total exclusion zones, as tree protective fencing is to be installed as illustrated on drawing SG/WR/01. The Councils Arboricultural Officer has raised no objection subject to the application being carried out in accordance with the tree protection measures detailed in the Arboricultural method statement and drawing SG/WR/01. If planning permission is granted a condition for landscaping will be imposed to ensure new planting is carried out.

Traffic and parking

National Planning Policy Framework 2012, Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document policy DM15, and Design and Townscape Guide

- 4.9 The site currently benefits from 17 off street parking spaces with a drop off area to the front of the existing building. The applicant has confirmed 10-13 members of staff drive to work and the remainder walk, cycle and travel to the site via public transport. The current drops off times are between 7am-9am and pick up is between

4pm-7pm. Policy DM15 of Development Management Document maximum standards require 1 space per full time members of staff and waiting facilities for a nursery use. Currently there are 33 members of staff and the staffing levels will remain unchanged for this new development. As stated above the existing site has 17 off street parking spaces, the applicant has confirmed the drop off times are to be increased to 7am-9.30am and 3.30pm-7pm for pick up times. Food deliveries normally take place once a week together with refuse collection.

- 4.10 The applicant has confirmed the full time members of staff work on a 4 day shift pattern with only 24 members of staff on site at one time with 10-13 driving to work and parking on site, thus a worst case scenario there would at least 4-7 parking spaces still be available for parents dropping and picking up children together with a substantial pick up and drop off area to the front of the existing nursery building within the site. The nursery also currently operates a cycling to work/nursery scheme and will provide new bike store facilities available for additional members of staff and parents attending the nursery. In accordance with policy DM15 of the Development Management Document 1 cycle space per 4 staff and 1 one cycle space per 10 child spaces is required to comply with policy and a minimum of 7 cycle spaces would be required to comply with policy and the applicant has confirmed 9 spaces will be provided.
- 4.11 On balance, the applicant has demonstrated the existing parking provision on site available for members of staff and parents together with staggered drop off and pick up times will not compromise vehicle movements in the local highway network or highway safety and subject to a condition requiring the implementation of a travel plan, which would provide measures to encourage more people to walk, cycle and car share and secure the use of staggered drop off and pick times for users.

Impact on residential amenity

National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; Development Management Document (2015) policies DM1 and DM3, and the Design and Townscape Guide (2009).

- 4.12 Policies DM1 of the Development Management Document states that in order to safeguard the character and amenities of residential streets, non-residential uses will not be permitted if the use will adversely affect the residential amenity in terms of appearance, overlooking, outlook, noise and disturbance.
- 4.13 The overall height of the single storey building is 2.9m rising to 4.5m and would be located 14.7m away from the rear elevation of number 73 Wimbourne Road to the west of the site. The building is set 3.5m away from the western boundary abutting number 73, taking into account the overall height and siting of the new classroom separation distance and placement of windows, terrace and balcony it is not considered the development will have any adverse impact on the residential amenities enjoyed by occupiers to the west of the site, in terms of being overbearing or resulting in overlooking.
- 4.14 The new building will be set 5.3m from the northern boundary with a further 20m to the rear elevation of number 10 Branksome Road, which is sufficient to mitigate against any harm to existing residential occupiers.

- 4.15 In relation to noise and activity, the existing nursery outdoor space to the immediate east of the site and nursery has opening hours of 07:00 to 19:00 Monday to Friday. The proposed classroom would operate on the same opening hours and the applicant has confirmed acoustic fencing can be installed to the western and northern boundaries to mitigate against noise. In addition, the external area adjacent to the new classroom will not be used as a playground. The children will be within the classroom but the applicant would use a small section the area as a nature trail for the children, who would be supervised in small groups of 8 children per session. Subject to conditions, taking into account the relevant mitigation measures and separation distances to the nearby residential occupiers, no objection is raised on the grounds of noise, activity or disturbance.
- 4.16 It is likely that there would be an increased level of activity in terms of increased movements associated with additional children attending the nursery, however, taking into account the existing use and the existing bowling green to the south of the site. Whilst vehicle movements will create some noise and disturbance this is not considered to be of such a level that would be materially harmful taking into account the location and nature of the proposal.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.17 The proposed new building equates to less than 100sqm of new floorspace thus the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

Conclusion

- 4.18 The provision of additional nursery accommodation is supported in principle. Having taken all material planning considerations into account, it is found that, the single storey building will provide improved children nursery facilities for children. The building will be sited on an area of overgrown land to the west of the existing outdoor area serving the nursery and would result in the loss of small specimen trees of little amenity value. The proposal would be set 34m from the street frontage and is of an acceptable design. The proposed development will not result in material harm to the amenities of neighbouring occupiers nor result in unacceptable increased parking or highway safety impacts. The application is therefore recommended for approval subject to conditions.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance) CP6 (Community Infrastructure)
- 5.3 Development Management Document policy DM1 (Design Quality), DM3 (Infill development), DM15 (Sustainable Transport Management)

5.4 SPD1 Design & Townscape Guide 2009

6 Representation Summary

Education

6.1 Southend Borough Council has a mandatory duty to secure sufficient childcare places especially for targeted children and working families which plays a major role in helping lift children out of poverty and to narrow the achievement gap. This duty has been further extended to include the duty to ensure there are sufficient childcare places for the new entitlement of 30 hours free childcare for working parents of 3 – 4 year olds from September 2017.

The Early Years team have been working over the last year to encourage providers of nursery provision to explore any avenues that they might have to develop new places, expand building and the provision that they have. This is especially important not just for 3 – 4 year olds of working parents but also to have capacity to deliver for targeted 2 year old children.

Oakhouse Montessori has delivered in Southend for many years and we are excited that they have put in a planning application to create new places to assist us in meeting the Local Authority duty.

Highways

6.2 17 car parking spaces are available on site with a drop of area, cycle parking for staff and parents will also be provided. The additional information provided by the applicant has demonstrated that the proposal will not have a significant impact on traffic movements in the surrounding area. Staggered pick-up/drop-off times help to reduce traffic congestion further. Therefore it is not considered that the proposal will have a detrimental impact upon the public highway.

Aboricultural Officer

6.3 No objections raised. All the identified tree protection measures should be carried out in accordance with the operational plan.

Sport England

6.4 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

Public Consultation

6.5 A site notice displayed on the 28.08.2017 and 12 neighbours notified of the proposal. Four letters of objection received:

- The noise of 32 additional children will be unbearable for nearby residents
- Constant deliveries of food
- Increased traffic and parking implications

- Opening hours may change
- The proposal will reduce the car parking facility available to users of the site
- Parking restrictions along Oak House would further reduce stress
- Children unsupervised in the car park
- People travel at high speed exiting the car park

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case. A more detailed response to these points is provided in the relevant section of the above report.

One letter of representation has been received stating the proposal does not affect the existing bowling club and therefore no objections to the proposal.

6.6 The applicant has provided a detailed response in relation to the neighbour concerns raised above stating:

- All children attending the nursery are well settled and comfortable and not reluctant to come in;
- Food deliveries only take place once a week
- Parents do not exit at high speed as there are speed reduction measures in place
- Accident outside the nursery school was due to a high speed car coming up the road
- All neighbours have been spoken to why the plans are being put forward
- There are no changes to the opening hours
- The new build is not in the car park but on land at the rear of the car park currently fenced off
- Any parking restrictions to the front of the nursery is a matter for highways given it's a public street
- The new build would not affect neighbours due to its siting
- Whilst concerns have been raised about parked cars in the street this is nothing to do with the nursery but residents, commuters or users of the bowling club directly opposite the site
- Children are dropped off in the car park or in the drop off area to the front of the nursery within the site supervised

6.7 Councillor McDonald has requested this application be dealt with by Development Control Committee.

7 Relevant Planning History

7.1 2009- Extend opening hours between 7pm and 9pm Monday to Friday for childcare training and Saturday and Sundays 8:30am to 6:00pm for childcare (variation of condition 4 on planning permission SOS/01/01226/FUL dated 09/01/02 that restricted opening hours)- Refused (09/00586/FUL)

8 Recommendation

8.1 Members are recommended to GRANT PLANNING PERMISSION subject to the

following conditions:

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 010 Revision D, 011 Revision B.**

Reason: To ensure that the development is carried out in accordance with the policies outlined in Development Plan.

- 3 The development hereby permitted shall be used for purposes in connection with the existing nursery including any other use permitted under the General Permitted Development Order (2015) (as amended) or Use Class Order (2015 (as amended) and no other use within Class D1.**

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

- 4 The nursery shall not be open for use outside the hours of 07:00 to 19:00 hours Monday to Friday and shall not be open for use on Saturdays, Sundays or Bank Holidays.**

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 5 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, decking, balustrade, windows and doors have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.**

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

- 6 Prior to first use of the development hereby approved a Travel Plan shall be submitted to and agreed in writing by the local planning authority, and The Travel Plan shall be implemented in full accordance with the approved details from the first occupation of the development. At the end of the first and third years operation of the development hereby approved, reports monitoring the effectiveness of the Travel Plan and**

setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must thereafter be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with Core Strategy (2007) policies KP2, CP3 and CP4, policy DM15 of Development Management Document (2015), and the Design and Townscape Guide (2009).

- 7** The development hereby approved shall be carried out in strict accordance with the mitigation measures and recommendations of the Arboricultural Method Statement dated 16th August 2017 carried out by Moore Partners Limited and the submitted Tree Protection Plan unless otherwise agreed in writing by the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, and Design and Townscape Guide (2009).

- 8** No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-
- i** proposed finished site levels or contours;
 - ii.** means of enclosure, of the site including any gates or boundary fencing;
 - iii.** changes to car parking layouts;
 - iv.** other vehicle and pedestrian access and circulation areas;
 - v.** hard surfacing materials;
 - vi.** minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
 - vii.** details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
 - viii.** details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development

Management Document and Policy CP4 of the Core Strategy.

- 9 Details of an acoustic fence, to be erected along the northern and western boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority in full prior to the first occupation of the development and be retained as such in perpetuity thereafter.**

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

- 10 The development shall not be occupied until details of 9 secure, covered cycle storage spaces have been submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development and shall be permanently retained thereafter.**

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.

Informative

- 1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.**

- 2 In relation to condition 6 the details of a travel plan should include:**
- 1. General provisions- A Travel Plan is a long-term management strategy for the Site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.**
 - 2. The Travel Plan will set the general objective to a) reduce journeys to the site by single occupancy car and all car traffic and; b) not adversely affect parking in the local area c) seek to secure appropriate staggered pick up and drop off arrangements.**

The Travel Plan must be consistent with the objectives of the National Planning Policy Framework, the Local Transport Plan and the Local Development Framework (departures from this will generally be unacceptable); clearly set out the benefits of a Travel Plan including carbon reduction and the health benefits from more active travel; and demonstrate how the travel needs for all users of the new development will be met.