

APPLICATION NO	PA/2016/1253
APPLICANT	Mrs Sharon Watson, Little Frogs
DEVELOPMENT	Planning permission to change the use of existing outbuilding and rear garden to form children's nursery with associated outdoor play area and on-site parking
LOCATION	Building to the rear of 10 Queen Street, Winterton, DN15 9TT
PARISH	Winterton
WARD	Burton upon Stather and Winterton
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest

POLICIES

National Planning Policy Framework (NPPF): Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment, general amenity and the sensitivity of the area or development to adverse effects from pollution should be taken into account.

Paragraph 123 aims to protect health and quality of life by avoiding or mitigating noise impacts.

North Lincolnshire Local Plan: Policies DS1, DS4, T2 and T19 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2 and CS3 apply.

CONSULTATIONS

Highways: Comment that an intensification of use in this location is not acceptable in highway terms. There are insufficient parking facilities within the site and the layout shown would be unworkable as vehicles will be blocked in, unable to turn within the site and forced to reverse out of an access that has restricted visibility, onto a narrow road adjacent to a junction. To this end it is highly likely that parents will choose to park on the street to drop off children. Therefore recommend refusal of this application.

Conservation: No objection subject to a condition regarding drawings of windows and doors.

Environmental Health: Hours of opening should be limited to 7am to 7pm Monday to Friday.

TOWN COUNCIL

No objection, but aware of the concerns of local residents over parking and access to their properties.

PUBLICITY

Neighbouring properties have been notified by letter, and a site and press notice posted. Thirty-two letters of support and six letters of objection have been received. Many of the points raised are not material considerations and relate to the quality of the childcare. The following material issues have been raised:

Support

- supports the local community
- there is suitable off-road parking within the proposal – would ease congestion
- a good location, within walking distance of schools
- there is no parking problem
- some of the noise is from the adjacent school.

Objection

- parking difficulties: double yellow lines and no loading signs are often ignored by users of the nursery
- blocking of garage door/access
- staff parked in Chapel Lane despite a non-parking at work policy
- highway safety with congested cars, especially as children nearby
- noise and disturbance throughout the day
- there is some noise from the school although this is for short periods at set break and lunch times; this property is noisy at all times
- objection to alterations to boundary
- cannot accommodate four visitor vehicles and be able to manoeuvre safely
- not an appropriate location for this business.

ASSESSMENT

This application was deferred at the last meeting of the Planning Committee to enable members to visit the site prior to making a decision.

This application seeks the change of use of an outbuilding and external areas of the site to a children's nursery. The outbuilding is associated with a dwelling which is also currently being used for the applicant's childminding business. The current business sees a maximum of 14 children in her care. This does not include any children the applicant may have. It should be noted that the existing use is unlawful as planning permission is required for such a business when the number of children cared for exceeds 6 (including any children of the applicant). The proposed nursery would allow for up to 23 children. The proposal would also include the use of the courtyard for parking/dropping-off and an outdoor play area. The site is within a residential area with Winterton Junior School to the east. The site is also located within the Winterton conservation area.

The main issues in determining this application are whether the proposed development would have an adverse impact on the character of the area, amenity of neighbouring properties or highway safety.

The main concerns raised relate to access and parking. The access to the site is on a narrow road close to a junction. Along this road there are some restrictions including double yellow lines and 'no loading' restrictions. The proposal would include parking spaces for the applicant's car and mini-bus and a 'pull-in' system for dropping off. There are concerns, which Highways have confirmed, that vehicles will be blocked in and unable to turn in the site, forcing them to reverse out of an access with poor visibility onto a narrow road, close to a junction. It is thought that this would encourage on-street parking. Whilst dropping off may only take 'a few minutes', the number of drop-offs and pick-ups each day would lead to an adverse impact on highway safety.

Some of the letters of support feel that the proposal would ease congestion due to the provision of off-street parking, however, as discussed above, it is not considered that the arrangement is appropriate or safe.

Concerns have also been raised regarding noise and disturbance from the proposed use, particularly with regard to outdoor play. The letters of support state that the adjacent school already causes noise from children playing, however it is considered that noise and disturbance would be increased from a nursery. The school field is only used at set times such as morning and afternoon break, and lunch time. There would also be no use of this in school holidays. However, the proposed use would have the potential to create noise at any time when the facility is open and in a more confined space. Noise would likely be increased during school holidays and after school as it is proposed to provide an after-school club as well as a day nursery. As the site is located within a residential area, it is considered that this would lead to an adverse impact on amenity.

Supporters of this application state that the proposal is in a good location, close to local schools and is a well needed facility. Whilst the location may be good in terms of proximity to schools and services, and it would be a benefit to have such a use within Winterton, the location is not considered to be appropriate for the reasons set out above.

The site is located within the core part of the Winterton conservation area where design and materials should be traditional and in keeping with the historic character of the area. It

is not considered that the proposal would have an adverse impact on the character or appearance of the conservation area.

Policy C4 of the North Lincolnshire Local Plan relates to Children's Day Care Provision. This policy states that there should be on-site provision for residents' and staff cars, and satisfactory vehicular access and turning within the site. It also states that there should be adequate space within the highway or the site for a drop-off zone to allow vehicles to park without causing a hazard to other users in the highway, and not alter the character of the area by way of visual impact or cause undue disturbance to neighbours.

The proposal is considered to be contrary to this policy due to the inadequate parking and drop-off facilities, impact on highway safety and adverse impact on the amenity of neighbouring properties. As such the proposal is not considered to be acceptable and is recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

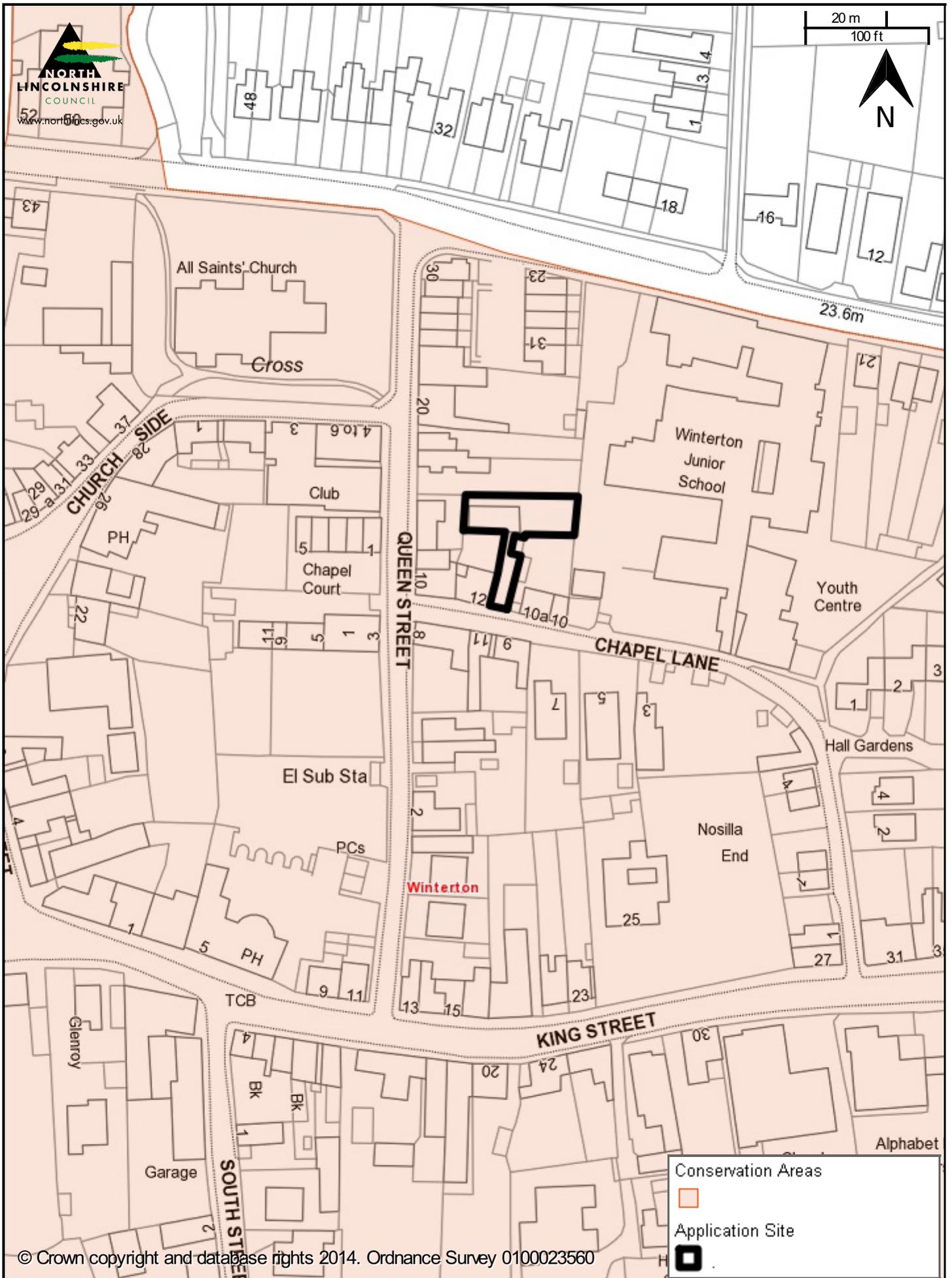
The proposal, if permitted, will lead to an unacceptable increase in uncontrolled turning movements around an access and junction that have restricted visibility and emerge onto a road with restricted width. Furthermore, by virtue of the limited on-site parking facilities, there is the potential for an unacceptable level of on-street parking in the vicinity of the road junction. The proposal is therefore contrary to policies C4, DS1 and T19 of the North Lincolnshire Local Plan.

2.

The proposed change of use would lead to an unacceptable level of noise and disturbance to the amenity of neighbouring properties, over and above what would be expected within a residential area. The proposal is therefore contrary to policies C4, DS1 and DS4 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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PA/2016/1253 Proposed Block Plan - Not to scale

