

**5 DCSE2008/1120/F - TWO STOREY EXTENSION TO OAK HOUSE NURSERY SCHOOL COMPRISING A SPECIAL NEEDS AND STAFF TRAINING ROOM AT FIRST FLOOR, AND A BABY ROOM AT GROUND FLOOR, PLUS ENTRANCE LOBBY AT OAK HOUSE NURSERY SCHOOL, BRAMPTON ABBOTTS, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7JD**

**For: Mrs S Marshall per Geoff Jones Architect, 53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY**

Date Received: 24 April 2008

Ward: Old Gore

Grid Ref: 60343, 26523

Expiry Date: 19 June 2008

Local Member: Councillor BA Durkin

### **Introduction**

This application was deferred at the Southern Area Planning Sub-Committee on 25 June 2008 to enable a site visit to be undertaken. Members visited the site on 8 July 2008. Also, Members required details of a travel plan and alternative parking arrangements.

### **1. Site Description and Proposal**

- 1.1 Oak House Nursery is located on the south side of the junction of the C1273 with the unclassified 70419 that leads to St Michael's Church. The village hall is to the north-west, with Luan to the south of the site and Rivendell is on the opposite side of the C1273. A 4 metre high leylandii hedge runs along the boundary with Luan. There is a paddock on the west side of the site. The site is located in open countryside.
- 1.2 This application proposes a 2-storey addition with a pitched roof that will be on the south side of an administration and baby unit building, which is on the western boundary of the site. The extension will provide a baby room and lobby on the ground floor with a staff/therapy room at first floor. Dormer windows are proposed to the east and west elevations. The extension will be constructed in matching materials.
- 1.3 This revised application is a re-submission following the refusal of permission on 18 July 2007.

### **2. Policies**

#### **2.1 Planning Policy Statements**

- PPS1 - Delivering Sustainable Development
- PPS7 - Sustainable Development in Rural Areas

#### **2.2 Herefordshire unitary Development Plan**

- Policy S2 - Development Requirements
- Policy S6 - Transport

- Policy S11 - Community Facilities and Services
- Policy DR1 - Design
- Policy DR3 - Movement
- Policy E6 - Expansion of Existing Businesses
- Policy E11 - Employment in the Countryside
- Policy CF5 - New Community Facilities

### 3. Planning History

- |     |                 |   |   |                      |
|-----|-----------------|---|---|----------------------|
| 3.1 | SH870705PF      | Change of use of former village shop to nursery school.   | - | Approved<br>29.07.87 |
|     | SH980046PF      | Amend condition 3 on planning permission SH950377PF for occasional use of music movement, PE and after school child care.             | - | Approved<br>06.05.98 |
|     | SS980837PF      | Variation of condition 2 of planning permission SH980046PF (whole of Oak House Nursery to be limited to 40 children at any one time). | - | Approved<br>05.02.99 |
|     | SS980938PF      | Conservatory for use by nursery school.   | - | Approved<br>05.02.99 |
|     | SS980838PF      | Use of building for children's nursery.   | - | Approved<br>05.02.99 |
|     | DCSE2007/1324/F | Extension to baby unit.   | - | Refused<br>18.7.07   |

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

#### Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
- 4.3 Children and Family Information Service Manager: This is a good quality day care setting, which is looking to expand. Provision for children with special needs is always welcomed and the need for baby care in more rural areas is highlighted within the sufficiency assessment.

### 5. Representations

- 5.1 The applicant has submitted a Design and Access Statement:
- This application follows a previous one which was refused planning permission;
  - The reason for refusal was related to issues of the design being compromised by a flat roof and a sun screen fence, health and safety on the flat roof, lack of emergency access from the roof and the effect of noise on the nearby dwelling;
  - The proposal is now for a 2-storey extension with a pitched roof to match the existing building, but with a slightly lower ridge line;
  - It will provide additional facilities for approximately 6 babies on the ground floor with a much needed training room and an area for staff, play workers and speech therapists to work with children who have special educational needs and who already attend the nursery;

- We have taken care to overcome the objections of the previous scheme;
- The enclosed upper floor overcomes the perceived problem of noise;
- A second internal staircase provides access to the staff/training room acting as an additional means of escape;
- Materials will match;
- Windows are positioned to gain maximum daylight, and care has been taken not to compromise privacy of the neighbour;
- As some of the babies will be siblings of existing pupils it is expected the proposal will result in no more than 4 additional vehicles visiting the nursery daily;
- Access to the site will be as present. All accesses have shallow ramps to ease the movement of children and pushchairs;
- It is anticipated that there will be need for 1 extra member of staff; and
- This will not affect parking on site as the nursery rents staff parking spaces at the nearby village hall.

5.2 The applicant has said "we have undertaken a nursery traffic survey which led us to extend our drop off and pick up times from 8.00am to 9.30 each morning and from 3.30pm to 5.30pm each afternoon thereby avoiding congestion at any one time".

The applicant has further commented:

- "The original planning permission many years ago was for 40 children – but subsequent planning permissions [for the change of use of the upstairs room to nursery space and the use of former storage areas] REMOVED the child numbers and stated that the numbers would be in accordance with the Ofsted requirements;
- We have 67 children at Oak House at any one. The child numbers would increase slightly – in accordance with Ofsted regulations. It was decreed that Planning Committees throughout the country leave it to the regulations of Ofsted to direct the child numbers that nurseries are registered to accept;
- We have less congestion of traffic than nearly any other nursery or primary school in the County. The most ANY LOCAL car has to wait when passing down the lane would be 30 secs max – and our parents sometimes have to wait for a minute or two [to get into the drive] and that is the honest truth;
- I do believe that they (the Planning Sub-Committee) need to come and see the traffic for themselves at 9 o'clock and 3.30pm – [the main times] we have extended the dropping off times from 8am to 9.15am and the collection times from 3.30pm to 5.30pm so there really is no bottleneck at all."

5.3 Brampton Abbots and Foy Group Parish Council:

"The Brampton Abbots & Foy Group Parish Council opposes the above application for a two-storey extension to house special needs/staff training requirements on the first floor, and a baby room on the ground floor. We do so because of the traffic implications and detrimental effect that any such development would have for the neighbouring area and the negative impact on residents' amenities.

Oak House has established itself as an extremely successful nursery in the 21 years of its existence, currently catering for some 67 children. Unfortunately, given its location, the business has, in our opinion, reached and indeed exceeded, what is an acceptable and sustainable limit.

In support of our position we make the following observations:

1. The nursery occupies a corner site in a rural setting and is approached via a relatively narrow road, either from Ross or from the direction of Garstone Lane. At certain times of the day, other drivers leaving or approaching the parish are frequently faced by a succession of parents' vehicles – many of them 4 x 4s – going to, or coming from, the nursery. Journeys on the lanes are often hazardous because of others excessive speeds, and by heavy goods vehicles, farm machinery and so on. Existing traffic created by Oak House seriously compounds this problem.
2. There are very limited parking spaces available at the nursery itself. Parents delivering or collecting their children usually park their vehicles as near to the nursery as possible. When they move off, they are followed by others. This creates a hazard for residents and other road users who are entering or leaving the village via the T-junction in question [where visibility, at the best of times, is poor, partly because of the boundary hedge of Oak House].
3. Because of the limited car space both in the grounds of the nursery and immediately outside, parents experience difficulty in turning their vehicles. If they cannot do so at Oak House, they then drive towards the village hall where they use the grassed area, with its horse chestnut tree, as a traffic roundabout, again often to the inconvenience of others.
4. The applicant anticipates, on the assumption that some of the babies will be siblings of children already attending the nursery, an increase of 4 vehicles each day. This could, of course, well be an under-estimate. In any case, as has been argued above, any increase whatsoever in traffic is to be deplored.
5. In addition to parents' vehicles, the local roads cope with the traffic created by some 22 staff [whose number, we are told, would grow to 23 if the application were approved]. The cars of those employees cannot be parked at the nursery but are accommodated at the village hall car park – an arrangement on which the nursery is heavily dependent. Should that agreement ever come to an end, then additional problems would be created.
6. Traffic and parking problems are exacerbated whenever the school organises a special event such as the celebration of its twentieth anniversary in 2007.
7. The applicant herself has long ceased to live at Oak House, and perhaps has no real appreciation of the impact of her business on the local community. She previously declined an invitation to discuss the traffic situation with parish councillors.
8. Local residents are often made to feel that they have secondary status as road users. Several parents create the impression of assuming that they have automatic priority when dropping-off and collecting children.
9. Although we note with approval that the residents at the neighbouring properties of 'Luan' and 'Rivendell' have, on this occasion, been apprised of the proposals, we are also aware that those residents continue to have serious concerns. While noise is no longer a serious issue – as it was with an earlier application – those residents remain unhappy about the traffic situation, even at current levels.

10. It is our understanding that a previous extension was approved for storage and other specified purposes. In practice there has been a subsequent partial change of use in the form of office space. In that context, we wonder how confident we could be that if this current application were approved, extra space would not somehow be found eventually for yet more children.

Local residents are overwhelmingly tolerant people with no great urge to air grievances even when their concerns are both heartfelt and reasonable. It is, however, our firm belief that the nursery, even at its current level of operations, has created unacceptable traffic problems for our community.

It is for this reason that we oppose the application and would suggest a site visit at either 8.30am or 3.30pm when the problem is at its worst.”

5.4 Objections have been received from:

Mr G Marsh, Luan, Brampton Abbotts, Ross-on-Wye  
Mrs R Knapp, Towns End Cottage, Brampton Abbotts, Ross-on-Wye  
R and V Coker, Rivendell, Ross Road, Brampton Abbotts

- The extension due to its use generating unacceptable noise and loss of amenity to neighbouring residential property and the unacceptable loss of privacy;
- The massing of the building on the site and further development represents overdevelopment of the site to the detriment of the character of the surrounding area;
- We believe that there are about 60 children who attend the nursery school, which generates a significant amount of traffic in an area where the roads are narrow. We believe that this traffic is a major contributor to the poor state of the road network;
- Adverse impact on traffic, compromising the safety and well being of those using the road network;
- This is an unsuitable location for a nursery that is highly dependant on car borne traffic. Its expansion should not be permitted;
- The facility presents no economic value to the community in this rural location.
- We are very happy for Mrs Marshall's staff to park in the grounds of the village hall as per our long standing agreement;
- However, the hall is now very busy on certain days and her staff have increased over the past few years;
- We are already in a position that we have to ask her to arrange parking elsewhere on 2 days a week and this may increase in the future;
- We are slightly concerned that if this application goes through, there will be a considerable increase in the number of staff needed in the baby unit;
- Naturally the number of parents will also increase;
- At dropping off and pick-up times we already have a potentially dangerous situations occurring and there is a very real concern that an accident is waiting to happen; and
- The increase in cars is a very real worry.

5.5 Rosy Phillips, 31 The Gresleys, Ross-on-Wye comments:

- Oak House is an outstanding nursery which provides excellent quality care for local children;
- I have a child attending the nursery and will no doubt send my future children there;

- As a parent I value the safe, secure surroundings and caring staff;
- The consequences of extending the baby unit will help continue to enrich the children's learning environment; and
- I whole-heartedly support this application as the need for expansion can only enhance what Oak House already has.

The full text of these letters can be inspected at Southern Planning Services, Garrick House, Widemarsh Street, Hereford, and prior to the Sub-Committee meeting.

## **6. Officer's Appraisal**

6.1 Oak House is an established nursery business with a register of 67 nursery places but planning permission SS980837PF restricts the number of children at any one time to a maximum of 40.

6.2 This application is for the replacement of a temporary marquee with a 2-storey addition that will be used as a baby room on the ground floor with a staff/therapy room on the first floor. A previous application, DCSE2007/1324/F, for a similar proposal was refused planning permission on 18 July 2007 for the following reason:

"The local planning authority is not satisfied that the proposed development fully addresses the issues of health and safety for all users, or their reasonable access needs. Furthermore the design and appearance of the building would be compromised particularly by the flat roof design and high level fencing which itself would be an incongruous feature to the detriment of the appearance of the building. The design may also compromise the residential amenity of the nearby dwelling through noise nuisance and overlooking. The proposal is thereby also contrary to policies DR1 and CF5 of the Herefordshire Unitary Development Plan 2007."

6.3 This application proposes an extension that is contiguous with the character of the parent building; the flat roof previously proposed is replaced by a traditional gable roof that proposes a ridgeline that will be lower than the adjoining building. Also, the extension will be set back allowing the extension to be subservient to the scale and form of the existing building. It is considered the bulk and form of the extension is acceptable to the character and appearance of the existing building and does not cause an over-development, in that ample space remains to allow movement around the site.

6.4 The extension has been designed to avoid overlooking of the adjoining dwelling Luan. There is a high leylandii hedge running along the boundary, which effectively screens the site from the adjoining dwelling. The hedge provides an effective dense screen, which prevents overlooking from the site into the garden and living rooms of Luan. Given the height of the boundary hedge it is not considered the extension would be unneighbourly.

6.5 In the matter of highway safety, the Traffic Manager considers the proposed intensification in use would be low-key; the proposal is to provide space for 6 more babies and an additional worker, generating an additional 7 more trips in the morning and afternoon. In view of the traffic generated by the existing facility, which does cause localised congestion at drop off and collection times, the Traffic Manager does not consider this increase in traffic generated by this proposal would provide sufficient grounds to refuse this application for reasons of highway safety. In recognition of the parking situation, the applicant rents part of the village hall car park for staff parking

which parents can also use at drop off and pick up times. Accordingly, the Traffic Manager considers the road network adequate to serve the proposal.

- 6.6 It is considered that this more traditional extension proposal has effectively overcome the reason for the refusal of the previous application and accordingly is recommended for approval.
- 6.7 Following the deferral of this application at the last meeting of the Sub-Committee the applicant has been requested to provide details of a travel plan. Also, at the last meeting it was reported that the Village Hall Committee had withdrawn the agreed parking arrangements at the village hall on 2 days a week which could increase. Members required details of alternative parking during this period. At the time of writing the report the applicant has not provided details of the travel plan or alternative parking proposal. Any further information will be reported verbally at the meeting. Notwithstanding Members' obvious concerns regarding the issue of parking provision, your officers consider that the limited uplift in traffic generated by this proposal is insufficient to warrant refusal of permission with or without the currently available parking area.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1 A01 (Time limit for commencement (full permission))**

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

**2 H27 (Parking for site operatives)**

**Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**3 H29 (Secure covered cycle parking provision)**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**4 H30 (Travel plans)**

**Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan**

**5 G02 (Retention of trees and hedgerows)**

**Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan**

**INFORMATIVES:**

**1 N19 - Avoidance of doubt - Approved Plans**

**2 N15 - Reason(s) for the Grant of Planning Permission**

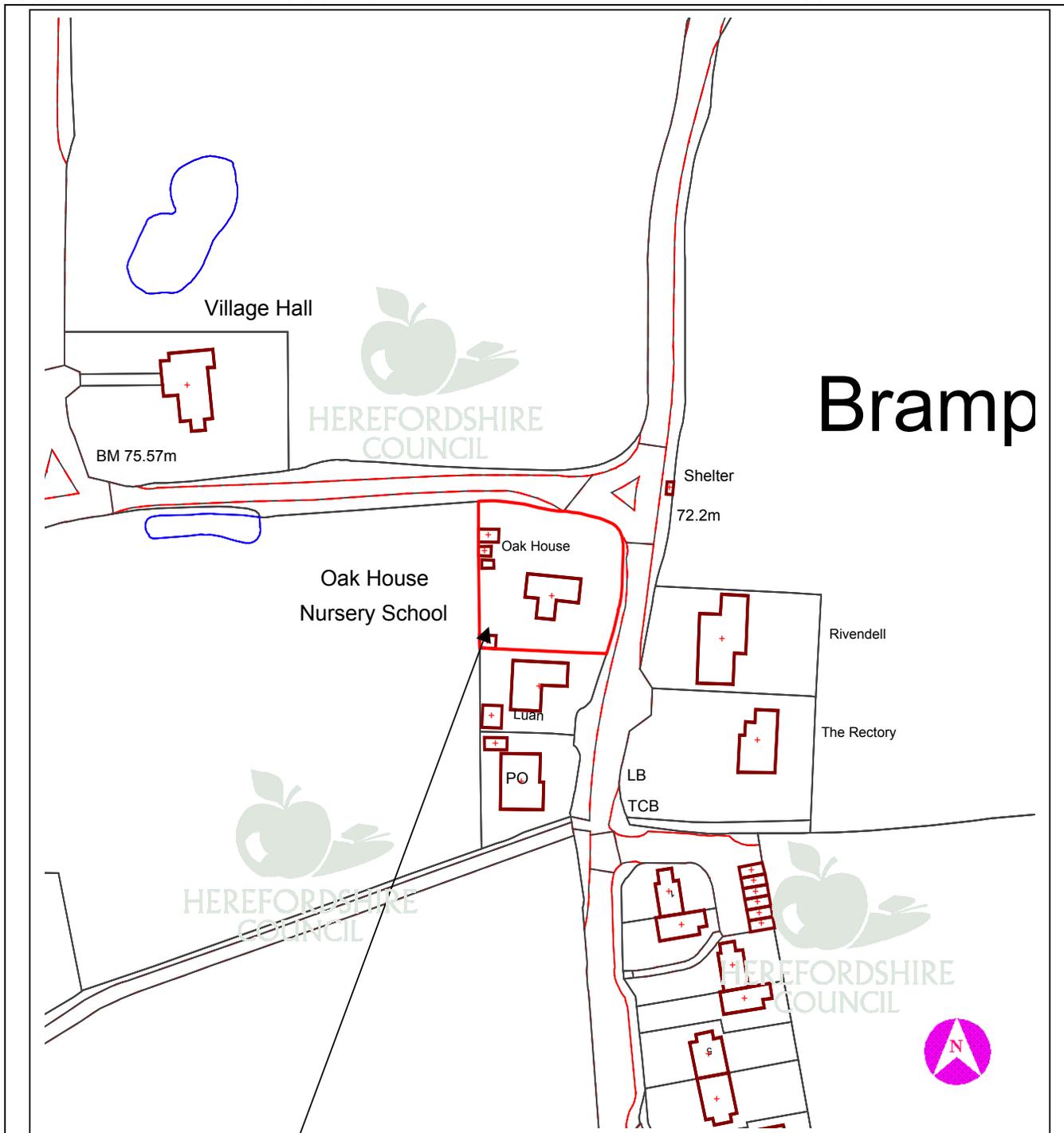
Decision: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2008/1120/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Oak House Nursery School, Brampton Abbots, Ross-on-Wye, Herefordshire, HR9 7JD

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