

PLANNING APPLICATION NUMBER:P10/1605

Type of approval sought	Temporary Application
Ward	Norton
Applicant	Mrs Sharon Ramsey, Little Hands Day Nursery
Location:	47, PRINCES ROAD, NORTON, STOURBRIDGE, WEST MIDLANDS, DY8 3ED
Proposal	CHANGE OF USE FROM C3 TO C3/D1 TO CARE FOR UP TO 7 CHILDREN (RESUBMISSION OF REFUSED APPLICATION P10/1178)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is a semi-detached house located in an exclusively residential area characterised by 1950's housing. The property has a single car driveway to the front.

PROPOSAL

2. The property is currently used by the applicant to look after 6 children on weekdays between the hours of 07.30 am and 6.00 pm.
3. Planning permission is sought to increase the number of children to 7. This would be for a temporary period only until September 2011 as the 'extra' child has a sister who is already cared for at the property who will begin to attend school in September. The 'extra' child would only be at the property on Thursdays and Fridays. The applicant has advised that the child will be registered with Ofsted and no other child can use this additional place at the property i.e. if he/she was on holiday no other child would be taken to fill the place.
4. However as planning permission has not previously been given for the use of the property to look after the 6 children currently cared for after this application is being

treated as a proposal to change the use of the property from a residential dwelling to a dwelling and child minders to look after up to seven children, rather than as an application to look after one additional child.

HISTORY

5.

APPLICATION	PROPOSAL	DECISION	DATE
P10/1178	Temporary Change of Use from C3 to C3/D1	Refused	October 2010

6. Permission was sought to increase the number of children looked after at the property from 6 to 9. The application was refused for the following reason:

'The proposed increase in numbers of children at the property would be likely to have an adverse effect on existing residential amenity, resulting from additional noise disturbance from children's activities and increased traffic generation in the vicinity of the application site, contrary to Policy DD4 of the UDP.'

PUBLIC CONSULTATION

7. A total of nine notification letters were sent to the occupiers of neighbouring properties and as a result letters of objection have been received from, or on behalf of, three properties on Princes Road, in addition to an anonymous objection, raising the following concerns over the proposal:

- Exacerbation of existing on-street parking problems caused by the current use of the property;
- The property is too small to accommodate the numbers of children proposed;
- Loss of privacy at neighbouring properties;
- Noise disturbance.

8. Councillors Attwood and Adams have objected to the proposal on the grounds that the property is not suitable for the numbers of children looked after, traffic generation/congestion, and noise disturbance to existing residents.
9. Letters of support have been received from the occupiers of two other properties on Princes Road, in addition to two anonymous letters of support which state that the traffic generated by the existing use is no worse than the existing on-street parking problems caused by other residents and visitor parking to those properties and that there is no noise disturbance. The author of one of the letters also claims that the use of the building is fully certified by Ofsted. An additional letter of support has also been received from a parent of one of the children attending the property.

OTHER CONSULTATION

10. Group Engineer (Development): The Group Engineer is concerned regarding this proposal. Princes Road is very narrow with on street parking. This type of development will create many more trip movements than a normal dwelling and will exacerbate the parking issues with picking up and dropping off in mornings and evenings.

He considers the use as unsuitable for a residential area. He is minded to recommend the application be refused, however, there have been no recorded injury accidents in the area in the last 5 years and therefore on balance it would not be unreasonable to allow the use as a temporary measure to allow the applicant to find more suitable premises for the business.

This on balance view is made on the basis that the Group Engineer will not support any further applications, full or temporary beyond September 2011.

11. Head of Environmental Health and Trading Standards: No objection.

RELEVANT PLANNING POLICY

12. Saved Unitary Development Plan

- Policy DD4 (Development in Residential Areas)

ASSESSMENT

13. Policy DD4 of the Saved UDP seeks to ensure that new developments do not have an adverse impact on the character of the area, residential amenity or highway safety.
14. Planning Application P10/1178 was refused on the basis that the Group Engineer (Development) was of the opinion that the increase in vehicular traffic that would occur as a result of the increase in the number of children being cared for at the property from 6 to 9 would exacerbate the existing on-street parking problems to the detriment of the safe and efficient operation of the highway. The reason for refusal also highlighted concern about the impact on residential amenity from the increase in children's activities at the site.
15. The applicant is now requesting planning permission to allow for up to 7 children to be cared for at the property. The applicant has stated that the mother of one of the children who attends the property has recently had a baby and that she now needs to return to work. The child that currently attends the property is due to start school in September and will not attend the application property after that date. Permission is therefore being sought for up to 7 children to be looked after at the property until September 2011. In addition the applicant has also stated that the seventh child would only attend on a Thursday and a Friday.
16. As the additional child is a sibling of one of the children already attending the property it is not considered that this proposal will result in an increase in vehicular traffic visiting the property over and above the existing situation. However as stated above

this application is being considered as a change of use from a dwelling rather than purely as an application for one additional child.

17. The applicant has also stated that it is their intention to look for an alternative property for the business to move into and although such a property has not yet been secured it is considered that a degree of weight should be attached to their intention to move and it is therefore considered appropriate to use planning conditions to limit the proposal until September 2011.
18. This would provide a reasonable amount of time for an assessment to be made as to whether the use of the building as a dwelling and child minders for up to seven children would cause highway problems or amenity problems. In addition a temporary consent would provide them with sufficient time to relocate to other more suitable premises without having to close. If the applicant was unable to find an alternative premises within that time a further planning application would be required for the dwelling to be used as a dwelling and child minders beyond September 2011.
19. It is apparent from the nature of the objections received from local residents and the comments of the Group Engineer on the previous application that there are already on-street parking problems along Princes Road, primarily due to the lack of off-street space at a number of properties. However the letters of support that have also been received from residents of Princes Road state that the existing problems are at least partly caused by residents and visitors parking in the highway.
20. On balance it is considered that due to the temporary nature of the proposal and as it would effectively only apply for two days per week in comparison to the existing situation the proposed increase in the number of children at the property would not have a detrimental effect on the amenities of the occupiers of nearby properties, either by reason of noise disturbance from the children themselves or from increased vehicular activity.

CONCLUSION

21. Whilst the use of the property does have an adverse effect on residential amenity and highway safety contrary to Policy DD4 of the UDP, it is considered appropriate to enable the use to continue for a temporary period until September 2011 so that the applicant can find alternative premises in the interim period and so that any impacts can be assessed.

RECOMMENDATION

22. It is recommended that the application be approved subject to the following conditions:

Conditions and/or reasons:

1. The use hereby approved shall cease on or before 11th September 2011 after which date the property shall be used for no other use than as a dwellinghouse (C3 Use).
2. For the lifetime of this consent, no more than seven children shall be looked after at the property at any one time.

