

Item No. 15

SCHEDULE B

APPLICATION NUMBER	CB/11/04334/FULL
LOCATION	54 High Street, Sandy, SG19 1AJ
PROPOSAL	Change of use from office to day care nursery(non residential) for main building and annexed building to rear of site.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	07 December 2011
EXPIRY DATE	01 February 2012
APPLICANT	Mini Explorers
AGENT	Priory Heritage
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Councillor Aldis called the application to Committee on the grounds of concerns relating to pedestrian safety from increased vehicular movements
	Full Application - Granted

Site Location:

The application site is 54 High Street in Sandy a former dwelling most recently used as office accommodation. The site is located at the far end of the High Street towards the railway station. The site comprises of a detached, two storey brick building under a multi-pitched concrete tiled roof. There is an area of hard surfaced parking at the front and side access to a further larger area of parking to the rear. Also located to the rear is an area of soft landscaping and a detached, brick built outbuilding.

The site is surrounded predominantly by residential properties with a new residential development, Greyhound View located to the south east. There are a number of mixed use properties further to the west along the High Street.

The site is located within the settlement envelope, outside of the town centre, and just outside of the conservation area.

The Application:

This application seeks permission for the change of use of the main building and outbuilding from office (B1) to a day care nursery (D1).

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1: Delivering Sustainable Development

PPS4: Planning for Sustainable Economic Development

PPS5: Planning for the Historic Environment

PPS7: Sustainable Development in Rural Areas
PPS5: Planning for the Historic Environment
PPG24: Planning and Noise

Core Strategy and Development Management Policies for Central Bedfordshire (North)

CS1 Development Strategy
CS3 Healthy and Sustainable Communities
CS10 Location of Employment Sites
CS14 High Quality Development
CS15 Heritage
DM3 High Quality Development
DM4 Development within Settlement Envelopes
DM9 Providing a range of transport
DM13 Heritage in Development

Supplementary Planning Guidance

Design in Central Bedfordshire, 2010

Planning History

MB/94/01257/FA FULL: ERECTION OF SINGLE STOREY EXTENSION TO CONFERENCE ROOM WITH NEW KITCHEN EXTENSION AND INTERNAL ALTERATIONS TO TOILETS. **Granted.**
MB/88/00528/FA FULL: CHANGE OF USE FROM RESIDENTIAL TO CLASS A2 (OFFICES). **Granted.**
MB/83/0096A/FA FULL: ALTERATIONS TO EXISTING VEHICULAR ACCESS. **Granted.**
MB/83/00096/FA FULL: SINGLE AND TWO STOREY EXTENSIONS. **Granted.**
MB/76/00570/FA FULL: EXTENSION. **Granted.**

Representations: (Parish & Neighbours)

Sandy Town Council No objection but would like to make the following comments:

- A barrier is required for the safeguarding of children preventing them from going onto the road.
- There should be off road unloading and loading of children to prevent obstruction of a busy pavement.

Neighbours No comments received.

Consultations/Publicity responses

Site notice posted on No comments received.
Highways, Development Management No objection subject to a condition requesting the submission of a travel plan.
Public Protection No objection subject to a condition controlling the hours

of use of the outdoor garden space.

Determining Issues

The main considerations of the application are;

- 1. The principle of the development**
- 2. Impact on the visual amenities of the area**
- 3. Impact on the residential amenity of occupiers of neighbouring properties**
- 4. Any other material planning considerations**

Considerations

1. The principle of the development

This application seeks permission for a change of use of the existing office building (B1) into a day centre children's nursery (D1). The number of children using the nursery would be up to a total of 59, although the applicant has stated that this figure is based on 100% capacity whereas they usually work up to 75% (44 children). The 100% capacity figure has been used to take account of emergencies or lap over where parents may be late picking up their children.

Policy CS1 identifies Sandy as a Major Service Centre where development should meet the needs of the town and the surrounding communities that look to it for goods and services. This policy notes that Sandy is a sustainable location with good access to the A1 and railway line. The policy further states that development should focus on redeveloping existing sites within the town. Policy CS3 promotes the creation of healthy and sustainable communities via the provision of a range of social and recreational facilities which includes the safeguarding and upgrading of education facilities. Policy DM9 is concerned with transport facilities and in particular, the encouragement of accessing new facilities other than by car.

The location of the site is considered to be accessible with good pedestrian access to the railway station and town centre. The proposal would utilise an existing, vacant building on the site and the use would provide a service to the local community. The principle of locating this type of facility in and close to residential properties to provide child care to local residents is considered to be acceptable so long as it does not significantly impact on neighbouring properties in terms of noise and disturbance, and highway considerations are deemed acceptable, in accordance with Policy DM3.

Whilst the site lies within the setting of the conservation area, no material operational development is required to enable the change of use to be carried out. There is therefore no principle objection in this respect.

2. Impact on the visual amenities of the area

The site is located at the south eastern end of the High Street and comprises a large, detached building set back from the highway. The building is visible within the streetscene, although by virtue of its set back, its visual prominence is reduced.

Given the fact that the building and the external area will remain much as at present, it is felt that there will be minimal impact on the visual amenities of the area generally, and the proposal would preserve the setting of the conservation area, and character and appearance of the general streetscene in accordance with Policies DM3, DM13 and CS15, and guidance the Adopted Design Guide, 2010.

3. Impact on the residential amenity of occupiers of neighbouring properties

The site is surrounded by residential properties to the north, south, east and west, with a recently constructed residential development known as Greyhound View, to the south east. There are a number of mixed use properties along the High Street, to the west of the site.

Privacy and Overlooking:

There are no external alterations proposed to the existing building. There are however, three existing first floor windows and three ground floor windows and one door on the rear elevation. These windows overlook the rear garden and parking area of the property.

No. 59a and 59b High Street are located to the east side of No. 54 and these are two storey, semi-detached properties. No.s 11 and 14 Greyhound View are ground and first floor flats and are located adjacent to the south east side boundary of the application site.

The first floor use of the rooms served by these windows would be as an office, store room and staff room and thus it is not considered that the potential for views out of these windows would result in a significant increase in overlooking or loss of privacy afforded to these properties, having regard to the authorised use of the building as an office.

The proposal does not involve any further external alterations to the building and thus there are no issues in terms of outlook, daylight or sunlight or overbearing impact for these properties.

Noise disturbance:

The application property is a detached property so internal noise transmission to neighbouring properties is not considered to be significant. There is the potential however, for noise disturbance from the children as they play in the rear garden and in summer months when windows and doors are open.

The applicant's have however, submitted a Garden Management Plan which outlines how the outdoor area will be used. This document indicates that there would be a maximum of 6 babies in the baby unit garden and 10 children in the main garden at any one time. The garden would not be used all day because the children will participate in other activities, some of which will take place off site. During the winter months, the level of activity in the garden will also be significantly reduced.

The side boundary with No. 52 is well defined by a brick wall and hedgerow

which would provide a good barrier against any noise. The east side boundary is defined by a 1.8metre close boarded fence with semi-mature trees along it. This boundary is more open than to the west, although it still provides a good degree of screening and noise mitigation.

With regard to the potential impact on the amenities of neighbours, the activity is only to take place on week days during working hours and not at all on weekends. In view of these hours, and the fact that there are to be a maximum of 10 children and 6 babies in a relatively large area of garden space, it is considered that the potential impact on neighbours by way of noise and general disturbance will not be sufficient as to justify refusal. It is very unlikely that all of the children would arrive or leave at the same time nor would they play in the rear garden at the same times in the day. It is also noted that the site is located very close to the railway line and the High Street which, because of the consistent flow of vehicular and pedestrian traffic along it, causes a higher level of background noise.

The Council's Public Protection Officer has raised no objection to the proposal subject to the imposition of a condition controlling the hours of use of the garden for external play to only be 10:00 hours to 16:30 hours, Monday to Friday and not at all on weekends, Bank or Public Holidays without the prior agreement in writing by the Local Planning Authority.

Subject to the imposition of this condition, it is considered that the proposal will not result in a significant amount of noise disturbance, and thus there will not be a detrimental impact to the residential amenities of neighbouring properties.

The proposal is therefore considered to be acceptable to preserve the residential amenities of neighbouring properties in terms of amount of daylight and sunlight, privacy and outlook and by not being overbearing, and by not causing an unacceptable level of noise disturbance, in accordance with Policy DM3 of the Council's Core Strategy and Development Management Policies DPD and the Adopted Design Guide.

4. Any other material planning considerations

Highways

The vehicular access into the site would not be altered. The proposal provides a total of 10 car parking spaces on the site which alone, is considered to be insufficient to serve this proposal. There is however, a good provision of on-street parking with a parking bay at the south side of the High Street extending from the northern end of the site's access up to a point in line with the northern boundary of No. 38 High Street and it is acknowledged that the period of time that the parking spaces will be occupied will be short.

It is further noted that the site lies within a very accessible town centre location with good opportunities for walking and access to public transport. It is therefore, likely that many of the children living within Sandy will be taken to the site by foot.

Subject to the submission of a Travel plan which is to be requested by a condition, the proposal is not considered to result in a material impact on the

safe operation of the highway.

There are no further issues.

Recommendation

That Planning Permission be **Granted** subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Before occupation of the development hereby approved, details of a Travel Plan shall be submitted to and approved in writing by the local Planning Authority and the recommendations of the Green Travel Plan shall be implemented in full within 6 months of the development being occupied. In addition, the plan should be monitored and the results of this monitoring be reviewed on an annual basis and further recommendations for improvements shall be submitted to and be approved in writing by the Local Planning.**

Reason: For the avoidance of doubt and to reduce reliance on the private car.

- 3 The garden area shall not be used for external play except between the hours of 10:00 hours and 16:30 hours Monday to Friday and not at all on weekends, Bank or Public Holidays without the prior agreement in writing of the Local Planning Authority.

The car park area at the rear of the premises shall not be used at any time for the purposes of external play.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 4 The use shall only operate between the hours of 08:15 to 18:15 on Monday-Friday, and not at all on Saturdays, Sundays or Bank Holidays. The use shall not operate at any other time without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 1104/4A; 1104/2A; 1104/2B' 1104/2; 1104/3; 1104/4; 1104/5; 1104/6.

Reason: For the avoidance of doubt.

Reasons for Granting

The change of use of the existing office building into a children's nursery (D1 use) has a minimal impact on the residential amenities of nearby occupiers, does not detract from the visual amenity of the surrounding area or setting of the conservation area. The proposal would also have acceptable parking and access arrangements. The proposal is therefore in conformity with policies CS1, CS3, CS10, CS14, CS15, DM3, DM4, DM9 and DM13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005), PPS1 (Delivering Sustainable Development), PPS4 (Planning for Sustainable Economic Development), PPS5 (Planning for the Historic Environment), PPS7: Sustainable Development in Rural Areas and PPG24: Planning and noise. The proposal is also in accordance with the Council's Adopted Design Guide - Design in Central Bedfordshire, 2010.

DECISION

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