

<b>Item B. 3</b>	<b>05/01168/FUL</b>	<b>Permit Full Planning Permission</b>
<b>Case Officer</b>	<b>Miss Nicola Bisset</b>	
<b>Ward</b>	<b>Clayton-le-Woods North</b>	
<b>Proposal</b>	<b>Erection of single storey extensions to front and rear and single storey porch to side,</b>	
<b>Location</b>	<b>Little Acorns Nursery 34 Sheep Hill Lane Clayton-Le-Woods</b>	
<b>Applicant</b>	<b>Mr P Hindle</b>	
<b>Proposal</b>	<p>The site comprises a two-storey property containing Little Acorns Nursery. The proposal is for the erection of a single storey extension to the south of the building to be used as a playroom, a single storey extension attached to the north of the building to be used as a baby room and a single storey porch to the front of the building.</p> <p>The playroom attached to the south of the building measures 9.77 metres by 3.48 metres. The baby room attached to the north of the building measures 5.5 metres by 6.18 metres. The porch measures 1.9 metres by 1.2 metres.</p> <p>The proposal would enable to nursery to accommodate an increase in the number of children from 42 to 55, which subsequently leads to an increase in the number of staff from 12 to 15.</p>	
<b>Planning Policy</b>	<p>GN5- Building Design and Retaining Existing Landscape Features and Natural Habitats.  TR4- Highway Development Control Criteria  PS4- Pre-school playgroups and day nurseries.  Policy 7- Parking- Joint Lancashire Structure Plan.  Access and Parking SPG.</p>	
<b>Planning History</b>	<p><b>93/00724/FUL-</b> Erection of 3 detached dwellings. Permitted December 1993.</p> <p><b>94/00415/FUL-</b> Amendment to house type, plot 3. Permitted July 1994.</p> <p><b>94/00739/FUL-</b> Erection of a two-storey building for use as a day nursery. Refused for the following reason:</p> <p>‘The proposed development would be detrimental to the amenities which the occupiers of neighbouring property, in particular the future occupants of the dwelling on the adjacent plot, could reasonably expect to enjoy by reason of noise and disturbance resulting from traffic generation and outdoor play.’</p>	

The applicant, appealed this decision, the appeal was dismissed.

**95/00201/FUL-** Erection of a two-storey building for use as a day nursery school. Refused for the following reason:

‘The proposed development would be detrimental to the amenities which the occupiers of neighbouring property could reasonably expect to enjoy by reason of noise and disturbance resulting from the parking and manoeuvring of vehicles on Sheephill Lane.’

The applicant appealed this decision and the appeal was allowed.

**01/00908/FUL-** Modification of condition 3 of planning permission 9/95/00201/FUL (Planning Inspectorate reference T/APP/D2320/A/96/262790/P8) to “no more than 42 children shall be in attendance at the nursery at any one times.” Permitted March 2002.

## **Representations**

**Clayton le Woods Parish Council** objects to the proposal on the following grounds:

- The nursery has already exceeded the recommended original number of children attending and the proposed increase to 55 is totally unacceptable in view of the location, which is quiet, rural and residential cul de sac environment.
- The car park is unsuitable for additional parking.
- Traffic exiting onto Wood End Road is extremely dangerous.
- There is already a substantial noise nuisance to residents and an increase in numbers would exacerbate the problem.
- Two letters of objection have been received from the neighbouring residents raising the following points:
- The premises were built in residential style although the interior was constructed more appropriately for non-residential purposes, which enabled the applicant to apply more easily for business usage on the basis that the premises did not conflict with the surrounding residential property.
- The proposed extensions would substantially alter the residential appearance and make it even more obtrusive and prominent.
- The maximum number of children approved by the Appeal Inspector has already increased and this proposed increase would mean the numbers would have increased by 30%. Far above the volume envisaged and approved by the Appeal Inspector.
- The business already generates considerable noise and there is regularly near collisions between residents and customers.
- The car park was prescribed to be a certain size to accommodate the volume of traffic generated by the

parents of 30 children not 55. The porch extension would reduce the parking.

- The extension at the rear would bring the business premises closer to the residential properties creating more noise and disturbance.
- A play area has been created at the rear of the property contrary to the planning consent and close to the residential properties.

## **Consultations**

**Head of Public Space Services** has no objection to the proposal.

**Lancashire County Council's Highway Section** has no objection to the proposal.

**Head of Environmental Services** have no objection to the proposal in principle, but noise from the play area shown to the south of the building may cause a problem to local residents.

## **Assessment**

The business is located on a triangular plot bordered by three roads frontages. The proposal incorporates two single storey extensions to the existing property to enable the business to accommodate an increased number of children and a porch extension.

The main issues to consider are the impact of the proposal on the highway and the neighbouring residents. The use of the site for a nursery was allowed on appeal in May 1996 following the refusal of planning permission (9/95/00210/FUL) in September 1995. A condition was attached to this approval stating that no more than 30 children shall be in attendance at the nursery at any one time. In March 2002 planning permission was granted (9/01/00908/FUL) for a modification of this permission to allow 42 children to attend the nursery.

The site incorporates off street parking for approximately 11 vehicles and maneuvering areas. The increase in the number of children and staff at the nursery would lead to an increase in traffic to and from the business. The level of parking will be retained at the property and Lancashire County Council's Traffic Engineer considers that the increase in traffic will not cause problems at the junction with Clayton Green Road or with parking on Clayton Green Road. The Head of Public Space Services considers that the proposal will not create concerns on traffic grounds. The road is a relatively short cul de sac with no particular traffic concerns coupled with the fact that nursery start and finish times are variable and well spread out which does not give rise to large vehicle movements at any one time. Also parking on the site is sufficient for the numbers of staff and parking standards are a maximum not a minimum. Therefore there is no requirement to increase the number of off street parking spaces. The proposal is considered to be acceptable in terms of Policy 7, parking, of the Joint Lancashire Structure Plan 2005-2016 and the Access and Parking Supplementary Planning Guidance. A condition will be attached requiring the submission of a travel plan to encourage alternative modes of transport.

The proposed porch extension incorporates a small single storey extension at the front of the property. This extension will not impact on the level of parking at the property or the character of the property and is considered to be acceptable. The proposed baby room will be attached to the north of the property at the corner with Clayton Green Road and Sheep Hill Lane. This location is the furthest point away from the nearby residential properties and it is considered that this extension will not impact on the amenities of the neighbouring residents in terms of noise or disturbance. This extension will occupy part of the outdoor play space although a proportion will be retained. The proposed playroom extension will be attached to the south of the building at the Sheephill Lane junction. This extension will be located approximately 24 metres from the nearest residential property on Sheephill Lane. This extension will be screened by the existing boundary treatment, which includes a 2-metre wall, fence and vegetation. Due to the distance retained a single storey extension attached to the south of the building, as proposed, will not impact on the amenities of the neighbours in terms of noise or disturbance. Environmental Services consider that the proposed extensions will not detrimentally impact on the amenities of the neighbours.

The submitted plans incorporate an additional outdoor play area to the south of the building next to the proposed playroom. This is the closest area to the nearest residential properties and when the nursery was allowed at the appeal stage the main outdoor play area was located to the north of the site and will be retained in this position as part of this application. The proposed play area is relatively small and has existing wall and fence screening. The nearest residential property is located approximately 15 metres away. Taking into consideration the size of the play space and the distance to the residential properties it is considered that this area of play space is unlikely to cause a level of nuisance, which will be detrimental to the neighbouring residents.

It is considered that the increase in traffic will not have a detrimental impact on the highway and the proposed extensions will not impact on amenities of the neighbouring residents. The proposal is therefore acceptable in terms of Policies GN5, PS4 and TR4 of the Adopted Chorley Borough Local Plan Review and Policy 7 of the Joint Lancashire Structure Plan.

**Recommendation: Permit Full Planning Permission  
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

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

2. All external facing materials shall match in colour, form and texture those on the existing building.

*Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

3. Before the commencement of the development a Travel Plan in connection with the business shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include data on travel origins and behaviour, measures, supported by staff, that will enhance accessibility by non-car modes, short and medium term targets for different modes, a scheme of monitoring and enforcement measures if targets are not met. The measures identified shall be implemented within a period of two years from the commencement of the development. Reason: To reduce the need for car travel and to promote alternative modes of transport, in accordance with Policy 7 of the Joint Lancashire Structure Plan.

---