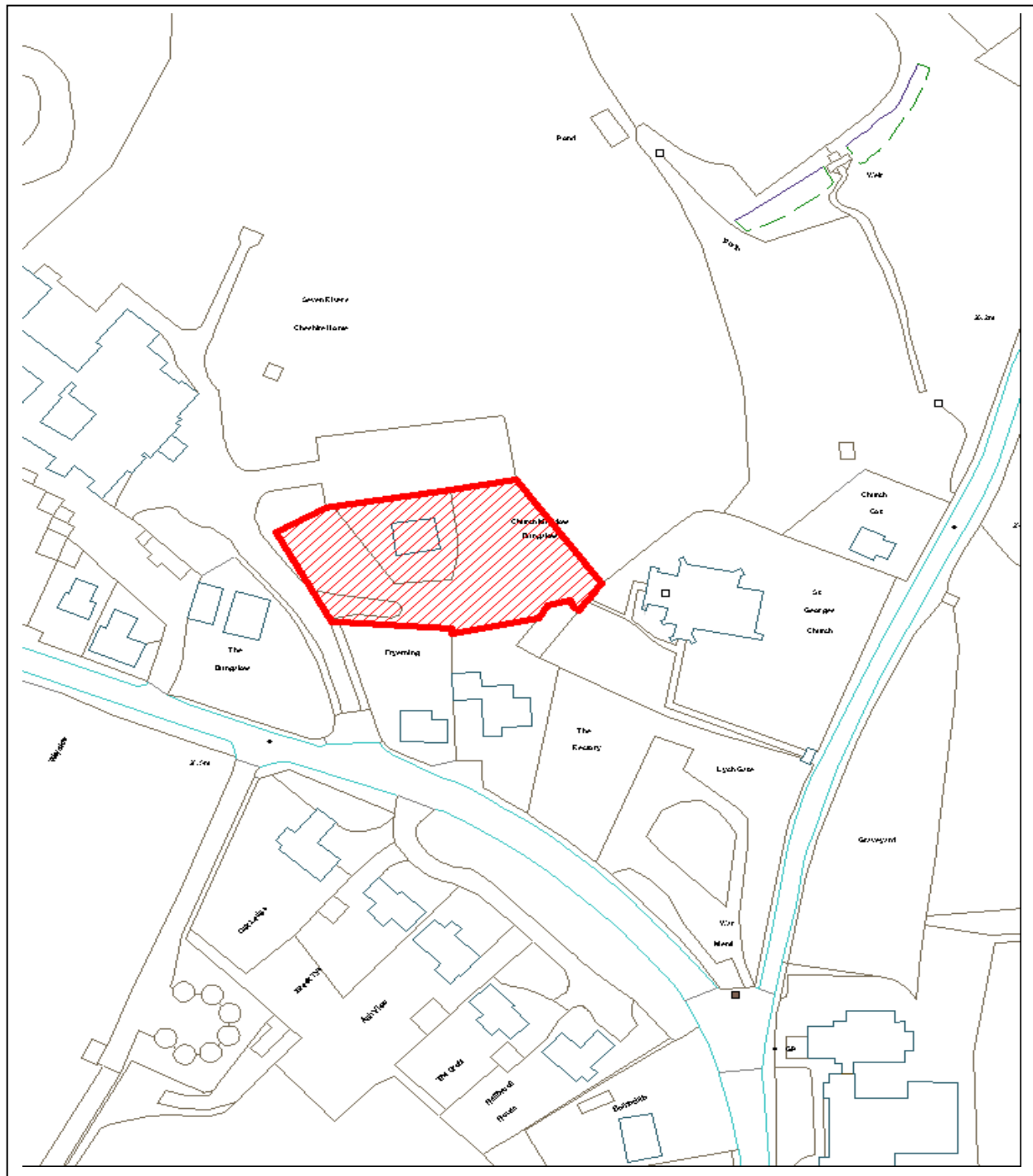


PLANNING COMMITTEE

15 NOVEMBER 2011

REPORT OF THE TEMPORARY HEAD OF PLANNING

A.3 PLANNING APPLICATIONS - 11/00900/FUL - CHURCH MEADOW BUNGALOW, HALL ROAD, GREAT BROMLEY, ESSEX, CO7 7TR



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Application:	11/00900/FUL	Town / Parish: Great Bromley Parish Council
Applicant:	Little Dragons Pre-School	
Address:	Church Meadow Bungalow Hall Road Great Bromley, CO7 7TR	
Development:	Change of use from dwelling to pre-school premises and extension and alterations.	

1. Executive Summary

- 1.1 The application is for the change of use of a bungalow to a pre-school premises (maximum of 24 children) and extensions and alterations. The application falls to be considered under policy COM4 (New Community Facilities) of the adopted Tendring District Local Plan (2007).
- 1.2 The application site is located outside but directly adjacent to the defined development boundary of Great Bromley. The site is therefore readily accessible to local people and served by public transport in the form of a bus service that stops outside St. Georges School.
- 1.3 The pre-school currently operates from Great Bromley Village Hall, which is located a significant distance outside of the development boundary. The village hall cannot therefore be considered sequentially preferable, as it is located further away from the development boundary of Great Bromley than the proposed site.
- 1.4 Essex County Council (Early Years and Child Care) have confirmed a need for the facility in this location.
- 1.5 The proposed alterations and extensions would not adversely impact upon the character of the area or the setting of the nearby Grade I Listed St. Georges Church. Furthermore, the development would not significantly impact upon the residential amenities of nearby neighbouring residents, due to the siting of car parking and play area being located at the northern end of the site.
- 1.6 Essex County Council Highways have confirmed that they have no objections to the development and that the site can accommodate 4 no. parking spaces for staff and a dropping off/picking up area for parents.

Recommendation: Approve

Conditions:

- **Time Limit**
- **Hard/Soft landscaping scheme**
- **Implementation of landscaping**
- **Restriction of use to pre-school (D1 use)**
- **Restrict number of children to 24**
- **Hours of operation – 8am - 5:30pm (Monday to Friday)**
- **Permeable/porous driveway**
- **Lighting scheme**

- Construction of parking areas prior to occupation
- Approved plans

Reason for Approval:

The proposal, for the change of use from dwelling to pre-school premises with extensions and alterations, is considered to be in accordance with the provisions of the Tendring District Local Plan (2007). The Local Planning Authority, having had regard to all planning considerations material to the determination of this application, including particularly the design and impact of the development on the character of the area and adjacent listed building, the impact upon residential amenity and highway safety and all consultations and representations made in connection with the application, conclude that the proposal accords with the provisions of the development plan as applicable to it, including the policies and proposals noted below, and in the absence of any material adverse impact resulting from the development consider that there are no material grounds which justify its refusal.

2. Planning Policy

National Policy:

- | | |
|------|--|
| PPS1 | Delivering Sustainable Development |
| PPS4 | Planning for Sustainable Economic Growth |
| PPS7 | Sustainable Development in Rural Areas |

Local Plan Policy:

Tendring District Local Plan 2007

- | | |
|-------|---|
| QL1 | Spatial Strategy |
| QL9 | Design of New Development |
| QL10 | Designing New Development to Meet Functional Needs |
| QL11 | Environmental Impacts and Compatibility of Uses |
| COM1 | Access for All |
| COM4 | New Community Facilities |
| COM22 | Noise Pollution |
| EN23 | Development within the Proximity of a Listed Building |
| TR1A | Development Affecting Highways |
| TR7 | Vehicle Parking at New Development |

Core Strategy and Development Policies Proposed Submission Draft (2010)

CP4	Transport and Accessibility
CP20	Community Facilities
DP1	Design of New Development
DP8	Development Affecting Listed Buildings

Other guidance:

Essex County Council Car Parking Standards – Design and Good Practice

3. Relevant Planning History

02/01649/FUL	Continuance of use of bungalow approved under planning consent TEN/670/74 without complying with condition 3 - occupation restricted to staff	Approved	10.12.2002
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4. Consultations

- 4.1 Public Experience (Environmental Health) – Had no comments to make upon the application.
- 4.2 Regeneration Service – Application is supported fully by Regeneration. They have stated that this is a highly valued local community facility and its relocation is based on a sound and balanced business case. The proposal also secures 4 full time jobs.
- 4.3 Essex County Council Highways – The Highway Authority raises no objection subject to a condition relating to the parking areas being constructed prior to occupation of the building.
- 4.4 English Heritage – Do not wish to offer any comments on this occasion. They state that the application should be determined in accordance with national and local policy guidance.
- 4.5 Essex County Council Early Years and Childcare – They state there is support for this proposal linked to ensuring sufficient childcare and parental choice. Furthermore, they identify that;
 - there is a sufficient need for childcare/parental choice and that their expansion will result in increased places for out of school provision and extended sessions for 0-5's;
 - the proposed move will have increased sustainability and provide a service fit with local need and demand;
 - the preschool will be next to the school and therefore offers convenience for the parents; and
 - the preschool children will benefit from improved facilities, outdoor area and transition.

5. Representations

62 letters of support (35 from the local area) and 10 letters of objection have been received. A petition supporting the application with 123 signatures has also been received. A summary of the content of the letters and the Officer response (on objections letters) is set out below:

Support Letters

- Current premises not fit for purpose
- Breakfast and afterschool facilities much needed
- Proximity to school allows for seamless transition for the children
- Secures local jobs
- Allows for more suitable opening hours than existing accommodation
- Cuts down vehicle movements through the village

Objection Letters

- Loss of affordable property
Officer Response – the existing bungalow is market housing and not owned by a Registered Social Landlord.
- Inappropriate hours of operation
Officer Response – the hours proposed of 8am-5:30pm (Monday-Friday) are considered to be acceptable and would ensure that the amenity of nearby residents is not adversely affected.
- Church Meadow Car Park is not to be used
Officer Response – the Church Meadow Car Park does not have the benefit of planning permission and therefore cannot be relied upon as a car parking facility to serve this proposal.
- Property is too small to accommodate nursery
Officer Response – This is not a material planning consideration and is covered by other regulations/legislation.
- Building could be used for alternative D1 uses
Officer Response – a condition will be attached restricting the use of the building to that of a pre-school.
- Increase in traffic and dual use of access used for emergency vehicles to care home
Officer Response – Essex County Council Highways has no objections to the development and the use of the private drive.
- Noise pollution
Officer Response – The car parking and soft play area are located to the northern end of the site away from the residential properties to the south of the site. Furthermore, Environmental Health has no objections to the development and restricting the hours of use of the building will safeguard the residential amenity of local people to an acceptable level.
- Outside of development boundary
Officer Response – Although the site is outside of the development boundary it is located directly adjacent to it and therefore in a more sustainable location than the village hall currently used by the pre-school.
- Light pollution
Officer Response – A condition will be attached to ensure submission of a detail lighting scheme, which does not adversely impact upon neighbouring resident's amenity.
- Impact upon St. Georges Church (Grade I Listed Building)
Officer Response – Due to the modest nature of the additions to the building and the fact that English Heritage have not objected, it is not considered that the development would have an adverse impact upon the setting of the adjacent listed building.

6. Assessment

The main planning considerations are:

- Policy Context;
- Design/Impact upon Character of the Area;
- Residential Amenity; and,
- Highway/Parking Considerations.

Context

6.1 The application site is located off Hall Road and to the west of St. George's Church (Grade I Listed Building). The site is accessed via the driveway leading to the Seven River Cheshire Home. The site abuts the defined development boundary of Great Bromley. The site accommodates a bungalow of 1970's construction that was formerly in the ownership of the Seven Rivers Cheshire Home and used in connection with that facility. Immediately to the south of the site are the rear gardens serving residential properties fronting Hall Road. The southern boundary of the site is predominantly marked by a 2/3m high hedgerow, which effectively screens the residential dwellings from view. On the northern boundary of the site is a 7/8m high conifer hedge that runs along the whole boundary. The eastern boundary of the site is open in nature, apart from timber post and rail fencing, allowing views to the churchyard beyond. The area around the bungalow is largely laid to grass.

Proposal

6.2 This application proposes the change of use of the bungalow to a pre-school premises, the construction of a conservatory to the eastern side of the building and a porch to the western elevation. The conservatory would measure 4.2m in width, 3m in depth and 3.3m to ridge height. The porch would measure 3.2m in width, 2.5m in depth and 3.1m to ridge height.

6.3 The application also proposes 5 car parking spaces to the north-western corner of the plot, an area for cycle storage and an in/out access arrangement to facilitate a dropping off area for parents. A soft play area would be located to the northern side of the bungalow and a grassed area enclosed by a 0.9m high picket fence to the south-west of the bungalow.

Policy Context

6.4 The policy relevant to the consideration of new community facilities is policy COM4 of the adopted Tendring District Local Plan (2007). This policy states that permission will be granted for appropriate community uses provided the facility is; readily accessible to local people and ideally served by viable public transport, is not detrimental to the character and amenities of the area, will not lead to unacceptable parking or traffic problems and does not compromise a site with overriding planning or infrastructure constraints.

6.5 In addition, for sites outside of a defined development boundary there needs to be a proven local need for the facility and no suitable alternative site located within the settlement.

6.6 In this instance, whilst the site is located outside of the development boundary it is located directly adjacent to it and within the main cluster of buildings that make up Great Bromley. The site is therefore readily accessible given its central location and served by public transport in the form of a bus service that stops outside St. Georges School.

6.7 Having regard to the issue of whether there any other suitable sites within the settlement, the pre-school currently runs from Great Bromley Village Hall, which is located a significant distance outside of the development boundary. The village hall cannot therefore be considered sequentially preferable, as it is located further away from the development

boundary of Great Bromley than the proposed site. Due to the nature and residential use of the buildings within the development boundary it is not considered that there any other suitable sites available within the settlement for the use proposed.

- 6.8 Essex County Council (Early Years and Childcare) have confirmed the need and demand for such a use in this location. Furthermore, they support the re-location of the pre-school as they consider the pre-school children will benefit from improved facilities, an outdoor play area and better transition.
- 6.9 Having established the need for the development and the lack of suitable alternative sites within the settlement, the principle of a change of use is acceptable. Matters therefore now turn to the details of the scheme and the impact upon the character of the area, the adjacent listed building, residential amenity and highway safety.

Design/Impact upon Character of the Area

- 6.10 The exterior changes proposed to the building involve the construction of a conservatory to its eastern side, the construction of a porch to its western elevation and a window enlargement on its northern elevation. The extensions to the property are subservient in nature and relate appropriately to the character and style of the building. Due to the modest nature of the additions and the backland setting of the site the visual impact of the proposals upon the character of the area and the setting of the adjacent St. Georges Church is minimal. English Heritage has been consulted during the course of the application and has confirmed that they have no comments to make regarding the proposals.
- 6.11 The surface materials to be used in the construction of the driveway and details of the fencing will be secured by way of condition to ensure the character of the area and the setting of the church is protected.
- 6.12 The Council's Trees and Landscaping Officer has stated that the proposed change of use and extensions to the existing bungalow will not cause harm to any of the protected trees on the land adjacent to the application site.

Residential Amenity

- 6.13 The site is located to the north of two residential properties to the south and a property to the west. The proposed layout has been designed to take into account the amenities of the residents of these properties by locating the car parking and soft play area to the northern end of the site furthest away from the rear gardens serving these dwellings. In addition, the southern boundary of the site is marked by 2m high hedgerow acting as a buffer to any potential noise.
- 6.14 The noise emanating from the site would therefore be negligible and would not adversely impact upon the residential amenities of nearby residents. Public Experience (Environment Health) has not raised any objections. Furthermore, the hours of operation will be restricted to 8am-5:30pm (Monday to Friday) in line with the applicant's supporting statement. This will further protect the amenities of the nearby residents.

Highway/Parking Considerations

- 6.15 Essex County Council Highways has no objections to the development providing that conditions are attached requiring the car parking area to be constructed prior to occupation of the building and the erection signage relating to traffic flow at the entrance to the pre-school.

- 6.16 The adopted Parking Standards state that a child care environment requires a maximum standard of 1 space per full time member of staff, 1 disabled bay and a drop off/pick up facility. The application forms indicate that 4 full time members of staff will be employed at the pre-school. The plans show that 4 spaces and 1 disabled bay are proposed ensuring compliance with the parking standards.
- 6.17 In regard to the required dropping off/picking up facility, Essex County Council Highways are satisfied that this can be provided within the site, due to the modest number of children attending the pre-school and the size of the driveway area to the front of the building. Whilst it is acknowledged that there are other areas used for parking in the vicinity of the site these areas are not within the ownership of the applicant or are not recognised as lawful car parking areas. Originally the applicant stated parents could park on the Church Meadow area to the south-east of the site. However, this area was subject to a refused lawful use certificate in 2009 (09/00212/LUEX - Certificate of lawfulness for an existing use of land as a public car park). Therefore, whilst parents may still use this area for the dropping off and picking up of children in association with St. Georges Primary School, it cannot be relied upon as a parking facility serving this development.

Background Papers

None.