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| Committee | PLANNING COMMITTEE C | |
| Report Title | 129 WOODYATES ROAD SE12 9JH | |
| Ward | Lee Green | |
| Contributors | Stephanie Gardiner | |
| Class | PART 1 | 8 NOVEMBER 2012 |

Reg. No. DC/12/79857

Application dated 26.03.2012, completed 27.04.2012 and revised 10.8.2012

Applicant Mr Charles Kijambu on behalf Little Pumpkins Nursery.

Proposal The alteration and change of use including the garage at 129 Woodyates Road SE12, from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of single storey extensions to the side and a disabled access ramp to the front.

Applicant's Plan Nos. CK-LP 50 Rev A, 51 Rev A, 52, 53 Rev A, 54, 55 Rev A, 57 Rev A, 58, 60 Rev B, 61 Rev A, 62 Rev A, 63, 64 Rev A, 65 Rev A, 67 Rev A, 70 Rev A. Site Location Plan, Supporting Letter, Planning, Design & Access Statement, Traffic Assessment & Travel Plan, Introduction Supporting Document, Lewisham Maternity Pathway Profile 2011, CIL Documentation (Dated 27/4/12) and Noise Statement (Dated 10/8/12)

Background Papers

- (1) Case File LE/371/129/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Adopted UDP - Existing Use

1.0 Property/Site Description

1.1 This application relates to 129 Woodyates Road which is a detached, two-storey single family dwelling. It is located on a large corner plot on the north-eastern side of the intersection of Woodyates Road and the South Circular Road (Westthorne Avenue).

- 1.2 The property is aligned to face Woodyates Road. A 1.8m boundary timber fence separates the property from the South Circular (Westthorne Avenue). The frontage of the property is southwest facing and the rear southeast facing.
- 1.3 The plot is bounded to the north and rear by the gardens of other residential dwellings. The area is predominantly residential in character with the majority of houses being double storey terraced houses.
- 1.4 Approximately 30m away is 88 Woodyates Road, this is a similar building to the application property and is also operating as a nursery (Use Class D1).
- 1.5 The site is not within a Conservation Area, nor within the vicinity of any listed buildings and Woodyates Road is not a classified Road.

2.0 Planning History

- 2.1 Planning Permission was granted in November 1984 for the erection of a car port at the front of 129 Woodyates Road.
- 2.2 Planning Permission was granted on 17 December 2007 for the alteration and change of use including the garage at 129 Woodyates Road SE12, from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of a single storey extension to the side and a disabled access ramp to the front. This permission was not implemented.
- 2.3 Relevant to the application site, is the opposite property at 88 Woodyates Road SE12. On the 17 January 2005, planning permission was granted for the use of the dwelling house as a nursery together with a single storey extension to the side and a conservatory to the rear.

3.0 Current Planning Applications

The Proposals

- 3.1 The proposal is for the alteration and change of use including the garage at 129 Woodyates Road SE12, from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of a single storey extension to the side and a disabled access ramp to the front.
- 3.2 The proposal is for the conversion and change of use of the application site into a day nursery catering for 21 babies (13, 3-8 months and 8, 8 months to 2 years).
- 3.3 There would be up to 8 staff, and the centre would operate between the hours of 08:00-18:00 Monday to Friday. The use of the external play area will be between the hours of 10:00 -12:00 and 14:00-16:00 only.
- 3.4 A residential unit would not be retained within the property.
- 3.5 The proposal also includes external alterations to the existing dwelling. The existing garage would be extended by 2.2m towards the front elevation but would have a set back of 0.2m. The front garage door would be replaced by double Upvc windows. The extension to the south of the site would be almost flush with the front elevation and would measure 4.4m in depth, 2.6m in height at the eaves and 4m to the ridge. It would have a pitched roof that is of a similar style to the host building.

The proposed materials would include brick, painted rendering and tiles that match the existing dwelling.

- 3.6 The existing hard landscaping and parking to the front is to be maintained. The existing hard and soft landscaping to the rear of the site will also remain unaltered.
- 3.7 Two car parking spaces are proposed to be retained on the front drive and one would be a dedicated pick up/drop off bay for parents. 5 secure cycle parking spaces are also proposed

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 During the initial consultation process in May 2012, a site notice was displayed outside the application building and letters were sent to neighbouring properties. Ward Councillors were also consulted.

Written Responses received from Local Residents and Organisations

- 4.3 14 Letters were received from residents of 85 & 105 Woodyates Road, 122 & 130 Pitfold Road and 1, 2, 3, 4, 5, 16, 17 & 20 Pitfold Close objecting to the proposals on the following grounds:
- The proposed external alterations are out of character to the surrounding area.
 - Noise will be generated from the use and be above what is normally associated with residential areas, which will be a nuisance to neighbours.
 - Unacceptable to have two commercial premises of similar use so close together within a residential area.
 - Congestion and traffic caused by existing nursery.
 - There is no space for parents to drop off and pick up children so close to the South Circular.
 - Dangerous location in terms of increased traffic and parking.

Written Responses received from Statutory Agencies

Highways and Transportation

- 4.4 The proposed change of use would result in an increased frequency of arrivals and departures from the site when compared to the existing use. It would also result in an increase in car trips and associated parking demand when compared to the existing residential use.
- 4.5 The parking demand generated by the staff at the proposed use could be accommodated in the streets surrounding the site and the start/end times at the nursery (8am-9.30am and 5pm – 6pm) are not fixed, so the arrivals/departures at the site will be staggered, which will minimise the impact of the proposed use.

- 4.6 However, I do have concerns about the impact of additional short term parking adjacent to the site, particularly given the site's proximity to Woodyates Road/Westhorne Avenue junction.
- 4.7 Additional vehicles stopping adjacent to the site, close to the junction (Woodyates Road/Westhorne Avenue) would reduce the width of carriageway on Woodyates Road creating a pinch point close to the junction with Westhorne Avenue which is considered unacceptable as it would have an impact on traffic flow and on highway safety. Vehicles stopping on Woodyates Road (adjacent to 129 Woodyates Road) close to the junction would displace traffic bound for Westhorne Avenue onto the right hand side of Woodyates Road which would increase the risk of collisions with vehicles turning left from Westhorne Avenue into Woodyates Road.
- 4.8 The London Road Safety Unit's database was checked for recorded accidents occurring adjacent to the site (Woodyates Road/Westhorne Avenue junction) and there were 3 recorded accidents in the last 3 years adjacent to the site. The introduction of additional vehicles stopping adjacent is likely to exacerbate the safety record adjacent to the site.
- 4.9 Given the highways safety issues, the proposal would only be acceptable if the existing waiting restrictions on the junction of Westhorne Avenue/Woodyates Road were extended to improve visibility and reduce the potential for accidents at the junction.
- 4.10 The applicant would also be required to submit and implement a Travel Plan. The plan should include measures and targets that encourage parents and staff to use sustainable modes of transport to travel to and from the site.

Transport for London

- 4.11 The site at 129 Woodyates Road is located less than 15 metres from the A205 Westhorne Avenue, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN, and are therefore concerned about any proposal which may affect the performance and/or safety of the TLRN.
- 4.12 In this instance, the extent of the TLRN extends beyond the A205 into Woodyates Road, and these roads form part of the Red Route where no parking, loading or waiting is permitted at any time. Beyond this, TfL note there are no parking restrictions on Woodyates Road. Given the proximity of the site to a fast moving road, parked vehicles may cause an obstruction and a safety risk to users of the nursery. As a result, TfL request the submission of a Car Parking Management Strategy, which addresses the challenges of the location and measures to mitigate these challenges; measures may include the use of car parking stewards at times of the day when pick ups and drop off's occur as well as the issuing of information as part of the enrolment process to remind parents of local parking restrictions and advise of safe areas to park for pick up and drop off. TfL request this is secured by condition.
- 4.13 Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

5.0 Policy Context

Introduction

- 5.1 In considering and determining applications for planning permission the local planning authority must "have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations" (Section 70 (2) of the Town and Country Planning Act 1990). Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework does not change the legal status of the development plan.

National Planning Policy Framework (NPPF)

- 5.2 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. In summary, this states, that for a period of 12 months from publication of the NPPF decision takers can give full weight to policies adopted since 2004 even if there is limited conflict with the NPPF. Following this period weight should be given to existing policies according to their consistency with the NPPF.
- 5.3 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, 214 and 215 of the NPPF.

London Plan (July 2011)

- 5.4 The London Plan policies relevant to this application are:

Policy 3.18 Education facilities
Policy 5.3 Sustainable design and construction
Policy 7.4 Local character
Policy 7.6 Architecture

Lewisham Core Strategy (June 2011)

- 5.5 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Objective 9: Transport and accessibility
Objective 10: Protect and enhance Lewisham's character
CS Objective 11: Community Well Being.
Spatial Policy 1 Lewisham Spatial Policy
Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Unitary Development Plan (2004)

5.6 The saved policies of the UDP relevant to this application are:

STR URB 1 The Built Environment
URB 3 Urban Design
URB 6 Alterations and Extensions
ENV.PRO 11 Noise Generating Development
HSG 1 Prevention of Loss of Housing
HSG 4 Residential Amenity
LCE 1 Location of New and Improved Leisure, Community and Education Facilities

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are the loss of the residential unit and the principle of the change of use to a nursery, the acceptability of parking demand and the potential effect on highway safety, the effect on residential amenity and the suitability of the proposed extensions in relation to the property and streetscene.

Change of Use.

6.2 In 2007, planning permission was granted for the alteration and change of use including the garage at 129 Woodyates Road SE12, from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of single storey extension to the side and a disabled access ramp to the front. This permission subsequently expired in December 2010.

6.3 Core Strategy Policy 19 encourages the provision and maintenance of community and recreational facilities. UDP Policy HSG 1 Prevention of Loss of Housing states that the Council will prevent the loss of housing by change of use except, inter alia, where a change of use to an essential local community service including day nursery is proposed. The policy also states that when permission for a change of use of a dwelling is granted, where possible, part of the premises should be retained as residential accommodation.

6.4 The applicant has provided information indicating that there is a shortage of childcare places within the Borough. The applicant states that there is currently a waiting list for places within Little Pumpkins nursery at 88 Woodyates Road, and that this is anticipated to increase by September 2012. It is asserted within the application that the location is appropriate and although there is a child care facility directly adjacent to the site at 88 Woodyates Road, the age group differs and

therefore the proposed change of use will still be satisfying a demand within the area, which is well served by public transport and is within walking distance of Lee Railway Station.

- 6.5 Policy HSG 1 aims to prevent the loss of housing by demolition, redevelopment or change of use. However, exceptions can be made where there is a change of use to an essential local community service or facility including a day care nursery. In this instance, officers raise no objection to the principle of the loss of the residential unit as the proposal is moderate in scale and involves a change of use to a day nursery.

Highways and Traffic Issues

- 6.6 The Council's Highways Department has stated that the proposed change of use would result in an increased frequency of arrivals and departures from the site when compared to the existing use. It would also result in an increase in car trips and associated parking demand when compared to the existing residential use.
- 6.7 Officers noted on a site visit that Woodyates Road is not heavily congested with parked cars, and it is considered that there is adequate daytime capacity for additional vehicles. Additionally, Lee Station is within walking distance from the property and a local bus route passes the property, therefore alternative and more sustainable forms of transport are available.
- 6.8 The parking demand generated by the staff could be accommodated in the streets surrounding the site and the start/end times at the nursery (8-9.30 and 17.00 – 18.00) are not fixed, so the arrivals/departures at the site will be staggered, which would minimise the impact of the proposed use.
- 6.9 One area of objection from local residents and concern for the Councils' Highways Department is the impact of additional short-term parking (pick up/drop off) adjacent to the site, particularly given the site's proximity to Woodyates Road/Westthorne Avenue junction.
- 6.10 The proposed facility will have two on-site parking spaces. It is important that there is provision for safe access by parents who choose to deliver their children by private car; one of the two car parking spaces has been designated as a bay for parents collecting and dropping off children, to ensure that highway flow is not impeded.
- 6.11 The Council's Highways Officer has requested that the applicant enter into a S278 Agreement of the Highways Act 1980 with the Highway Authority, to secure Double Yellow Lines to ensure that the proposal would not have an impact on highway safety at the Westthorne Avenue/Woodyates Road Junction.
- 6.12 Transport for London have also commented on the application and have stated that given the proximity of the site to a fast moving road, parked vehicles may cause an obstruction and a safety risk to users of the nursery. As a result, TfL have requested the submission of a Car Parking Management Strategy which addresses the challenges of the location and suggest measures to mitigate these challenges.

- 6.13 Officers considered that the potential parking and traffic concerns could be mitigated with the submission of an appropriate Travel Plan which could potentially reduce any potential highway issues. The travel plan may include the use of car parking stewards at times of the day when pick ups and drop offs occur as well as the issuing of information as part of the enrolment process to remind parents of local parking restrictions and advise of safe areas to park for pick up and drop off.
- 6.14 Due to the number of objections received in relation to the application it was necessary to hold a local meeting. During the meeting concerns were raised in relation to road safety, in particular one traffic incident, where a car collided with the boundary wall of the application property. Suggestions were made by the residents about the possibility of erecting a crash barrier that would front Westhorne Avenue. However, officers consider that this would be an onerous condition that would need to satisfy both crash safety standards and be aesthetically acceptable. Many business premises, including nurseries are located on busy roads and do not have crash barriers. Officers consider that the same risks would still apply to a residential dwelling and that this could have been a one off incident.

Design

- 6.15 The proposed side extensions would be constructed in the same materials as the main building, at single storey level, thus maintaining a subordinate appearance. The existing garage would be extended by 2.2m towards the front elevation but would have a set back of 0.2m. The front garage door would be replaced by double Upvc windows.
- 6.16 The proposed single storey extension that would be located on the southeast facing flank elevation would also be set back from the front elevation by 0.2m and will remain subordinate to the host dwelling. Although the roof pitch is different to that of the steeply pitched main roof, it is considered to be an appropriate addition. With regard to the impact to Westhorne Avenue, the location of the extension means that only the roof of the extension would be visible from Westhorne Avenue and would not be considered to have a negative impact on the character or appearance of the property or the streetscene.
- 6.17 A new ramped approach will be located on the front elevation to enable wheelchair access and to comply with DDA requirements. Officers consider that there will be no significant harm to host dwelling or street scene. Therefore in terms of design, the scheme is considered to be unobtrusive and thus acceptable.

Impact on Adjoining Properties

- 6.18 The property is a detached house and shares no internal walls with neighbours, therefore the potential for disturbance is substantially reduced. Furthermore, by the very nature of such day care provision, the use as a nursery would operate during the day and cease in the early evening and would be closed at weekends. The applicant has confirmed that the hours of use are 08:00 to 18:00 Monday to Friday. As the property is located on a corner (which will minimise disturbance to neighbours) at a junction with a major highway artery, the scheme is considered to be appropriate to its mainly residential environment in this instance.

- 6.19 With regard to use of the garden, the applicant states that its' use will be between the hours of 10:00-12:00 and 14:00 – 16:00. It is considered that this would be restricted by condition in order to minimise the impact to neighbouring dwellings in order to comply with Policy ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity.
- 6.20 Levels of sunlight/daylight, outlook and privacy would remain similar to existing and as such the proposed extensions would not have a detrimental impact on the amenity of neighbouring properties.

Planning Obligations

- 6.21 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:
- (a) Necessary to make the development acceptable
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development
- 6.22 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.
- 6.23 The applicant has provided a Unilateral Undertaking outlining the obligations that they agree are necessary to mitigate the impacts of the development. This covers a Traffic Regulation Order Contribution and the Waiting Restriction Contribution for the installation of double yellow lines outside 88 Woodyates Road and 129 Woodyates Road. It also includes the applicant covering the Council's legal and monitoring fees.
- 6.24 The Unilateral Undertaking covers the following obligations:
- to pay the Traffic Regulation Order Contribution (£2500) to the Council upon the Date of the Deed
 - to pay the Waiting Restriction Contribution (£500) to the Council upon the date of the Deed
 - The Owner shall on the date of the Deed pay to the Council's legal fees in the sum of £1,500 towards the cost of preparation and completion of the Deed
 - The Owner shall on the date of the Deed pay to the Council's Monitoring Contribution of £250 towards the costs it incurs in employing the Monitoring Officer .

6.25 Officers consider that the obligations outlined above are appropriate and necessary in order to mitigate the impacts of the development and make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

7.0 Conclusion

7.1 This application has been considered in the light of policies set out in the development plan and other material considerations including policies in the adopted Core Strategy.

7.2 The proposed change of use is considered acceptable. To ensure there is no adverse impact on neighbouring amenity a condition is required to restrict the hours of operation of the premises and use of outdoor play space. To also address concerns relating to highway safety a condition is required to be attached to the permission for the submission of a Travel Plan prior to occupation. The proposed external alterations would not have a detrimental impact on neighbouring amenity.

7.3 On balance, Officers consider that proposed alteration and change of use from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of single storey extensions to the side and a disabled access ramp to the front would be acceptable, subject to the Unilateral Undertaking outlined above.

8.0 Summary of Reasons for Grant of Planning Permission

8.1 It is considered that the proposal satisfies the Council's Land Use and environmental criteria and is acceptable in principle, being in accordance with Objective 11: Community Well Being, Policy 8 Sustainable Design and Construction, Policy 15 High quality design for Lewisham and Policy 19 Provision and Maintenance of Community and recreational facilities in the adopted Core Strategy (June 2011), and saved Policy URB 3 Urban Design, URB 6 Alterations and Extensions, ENV.PRO 11 Noise Generating Development, HSG 1 Prevention of Loss of Housing, HSG 4 Residential Amenity and LCE 1 Location of New and Improved Leisure, Community and Recreation Facilities in the adopted Unitary Development Plan (July 2004).

8.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area, or the amenities of neighbouring occupiers. The proposal is thereby in accordance with Objective 11: Community Well Being, Policy 8 Sustainable Design and Construction, Policy 15 High quality design for Lewisham and Policy 19 Provision and Maintenance of Community and recreational facilities in the adopted Core Strategy (June 2011), and saved Policy URB 3 Urban Design, URB 6 Alterations and Extensions, ENV.PRO 11 Noise Generating Development, HSG 1 Prevention of Loss of Housing, HSG 4 Residential Amenity and LCE 1 Location of New and Improved Leisure, Community and Recreation Facilities in the adopted Unitary Development Plan (July 2004).

9.0 **RECOMMENDATION**

9.1 Upon the submission of a satisfactory Unilateral Undertaking in relation to the matters set out above in paragraph 6.24 authorise the Head of Planning to Grant Permission subject to the following conditions:-

- (1) No new external finishes, including works of making good, shall be carried out other than in materials to match the existing, unless the local planning authority agrees in writing to any variation.

Reason

To ensure that the proposed development is in keeping with the existing building and does not prejudice the appearance of the locality and to comply with Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

- (2) The use hereby permitted shall not operate on any Saturday, Sunday or Bank Holiday and after the hours of 18:00 pm and before 8:00am on Mondays to Fridays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

- (3) The maximum number of children on the site at any one time shall not exceed 21.

Reason

To ensure that the intensity of the use does not cause an unacceptable loss of amenity to neighbouring residential properties, and to comply with saved policy HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

- (4) The premises shall be used as a day nursery for children aged between 3 months -2 years and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason

To ensure that any other use of the building would be suitable in this predominantly residential area and to protect the amenities of the occupiers of neighbouring premises and the area generally and to comply with saved policies ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

- (5) A Travel Plan for the school shall be submitted to and approved in writing by the Council prior to the commencement of the nursery use (Class D1) hereby approved and the approved Travel Plan shall be complied with. The Travel Plan shall include a car parking management strategy, specify initiatives to be adopted by the new development to encourage access to the site by a variety of non-car means and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.

Reason

To protect the amenities of neighbouring residents, ensure traffic safety and to promote 'Green' travel.

Appendix 1:

Minutes of Local Meeting.

Local Meeting DC/12/79857 129 Woodyates Road SE12

On the 14 August 2012, a local meeting was held at the Civic Suite Lewisham Town Hall, regarding the submission of a planning application proposing:- The alteration and change of use including the garage at 129 Woodyates Road SE12, from residential (Use Class C3) to a Day Care Nursery (Use Class D1), together with the construction of single storey extensions to the side and a disabled access ramp to the front.

14 letters received objecting to the proposal.

The panel comprised of:

Cllr Mallory (Chair) **(CllrM)**

Anita Modi (Applicant – Little Pumpkins Nursery) **(AM)**

Dean Nicol (Applicant) **(DN)**

Charles Kijjambu (Agent) **(CK)**

Michelle Leadbeatter (Little Pumpkins Nursery) **(ML)**

Stephanie Gardiner (Planning Officer) **(SG)**

Tabitha Lythe (Planning Officer) **(TL)**

Three local residents signed the attendance sheet **(R)**

7.00pm

Cllr opened the meeting by explaining the procedures of the local meeting. He invited the planning officer (SG) and Applicants to present the application.

Dean Nicol and Charles Kijjambu provided a detailed history to the application submission setting out the development of Little Pumpkins Nursery and the work that has been done preparing for submission of the application (Looking at alternative D1 sites, Travel surveys with nursery users, assessment of local need). They outlined that a previous application for a change of use to a nursery at 129 Woodyates Road had been approved in 2007 and this was a reapplication.

The applicants outlined the main areas of objection from local residents (Traffic, noise and safety). The applicants explained the OFSTED inspection and that their approval considered areas such safety. The applicants then focuses on the nursery opposite at 88 Woodyates Road, which is also owned by Little Pumpkins. They achieved OFSTED approval in 2007.

(R) Does inspection from OFSTED include environmental safety and child safety?

(DN) Both – Children and the Environment. No objections raised previously in the 2007 application about noise, parking and safety.

(R) Was application at 129 made after 88 Woodyates?

(DN & AM) Yes – Explained the reasons needed for expansion to 129. Increased waiting list. Government cuts to sure start have increased demand in the local area, more space was needed for younger children.

(R) Have you reduced prices?

(AM) Yes – We're lowest priced nursery in the local area. We're parents ourselves and understand the local need.

(R) In terms of your catchment, where does the closest child come from?

(AM & ML) Gavestone Road. Most children come from the local area.

(R) How many children would the nursery have?

(AM) 21 babies between 3-24months. 88 Woodyates has children between 2-5years.

(Cllr M) Would the youngest at 88 be moved over to 129 to make room for older children?

(AM) Yes. We have looked at alternative D1 uses within the area but none were suitable.

(R) Concerns about two commercial premises so close together. Parking is already an issue with parents parking across drives and very close to the junction. The road is a rat run and the corner is dangerous with fast moving traffic coming off Westhorne Avenue. Staff parking could also be a problem.

(AM) We are changing our prospectus to ensure parents are aware of parking and to be mindful of our neighbours. My job is to ensure there is no dangerous parking by staff. Three members of staff drive. Parent pick up and drop off times are staggered between 8-10am and 4-6pm. We can look at erecting signs/notices outside the property to make people aware.

(Cllr M) Stopped questions as discussions had started before the presentation by the applicants had been completed.

(CK) Outlined methods for noise mitigation. The outdoor play time can be staggered. The property has good insulation/doubled glazed. A residential unit could have babies anyway.

Traffic concerns: There is already considerable traffic noise from Westhorne Avenue and at peak times there are tailbacks that pass Woodyates Road. Carried out surveys at peak times and observed traffic flow.

(R) Where you there during mornings and afternoons? After 4pm?

(CK) Yes – Our Surveys have shown 70% of nursery users travel on foot.

(R) Where is the furthest child located?

(AM) Eltham – Outlined directions parents travel from. Parents are having to travel further because of funding cuts to Sure Start.

(Cllr M) How do you market?

(AM) Leaflets and Google.

(R) Parking is an issue, they park close and on the red lines.

(Cllr M) Planning can't take into account irresponsible parents.

(DN) We're keen on looking into new signage to stop irresponsible parking.

(R) There is information from schools that show parents will drop off their children by car if it is easier. Even if they live close by. Traffic has increased over the past few years and many people use the road as a rat run. The traffic calming measures don't do anything. Many lorries and cars along Westhorne Avenue exceed speed limit and there have been accidents. One car went into the boundary wall of 129 Woodyates. If a lorry is travelling at speed and hits the wall, debris could be propelled through the window or serious damage could be done to the house and children.

(R) What about a camera?

(Cllr M) Even as Red Route, TFL are unlikely to fund that.

(DN) I see your point about location of property and potential for accidents. We could look at a protective barrier.

(Cllr M) Further details about a protective barrier may be needed at a later stage.

(SG) A barrier or wall would need a separate application and design would be a major consideration.

(R) We don't want parking restrictions in the area as parking is already a problem.

(SG) If the application were to be approved then a Travel Management plan could be conditioned before the use commenced.

(R) Is it possible parking to change to allow two wheels on the pavement?

(Cllr M) It would be a new consultation exercise by Highways.

(R) What about white lines?

(Cllr M) This still doesn't stop irresponsible parking in front of schools.

(AN, CK & DN) We can look/think about safety and management improvement.

(Cllr M) I don't oppose the idea of a nursery, but do have concerns about parking and safety especially regarding the wall accident. Would this have to be a separate application?

(SG) Yes and design would be an issue.

(R) Still not happy about the safety being so close to such a busy road.

- (TL) They could have used another D1 premises and that location could have been unsafe but the use class is there.
- (DN) We have looked at other alternatives – none were suitable.
- (CK) There is nursery on St Mildred's that is right on the busy road and is not set back. We have a good set back from the road.

8.00pm

Cllr Mallory closed the meeting.