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2nd September 2021

Eric Boon
Aysgarth
Station Road
Angmering
BN16 4HY

Case Officer: Mrs A Gardner
Telephone: 01903 737529
Email: Anita.Gardner@arun.gov.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No: A/159/21/PL
Site Address: Mill House Croft Angmering Day Nursery Station Road Angmering BN16 4HY
Description of works: Continuance of use without compliance with condition 3 imposed under A/110/05/ relating to hours and number of children for outside use/play.

Thank you for your internet representation made on 1st September 2021 which has been recorded as an objection with the comments as follows:

OWPC40063

I object to this proposal on the grounds of significant loss of amenity due to the noise impact of up to 24 children, having unlimited outdoor access 8am to 6pm Monday to Friday. My wife and I are retired. We moved here 5 years ago feeling comfortable that the impact of noise from the nursery would be limited by the consent in force. It's not just the squeals of delight but inevitably, children get upset, scream and cry from time to time and there is, understandably, the constant audible interaction with staff in all its forms.

The impact of Covid is cited as context for the application. We have had to spend more time at home and in the garden. Whilst we have a subjective assessment of increased noise from the nursery, in the context of Covid, I wouldn't have considered complaining. So I am tolerant of our neighbours and put up with the regular inconsiderate parking by parents in front of our drive. Lack of complaints arising from breach of planning conditions does not therefore support the application. Neither has the breach been where 24 children are playing outside from 8am to 6pm. (NOTE-At the time of writing I have not had a response to my enquiry of ADC, re governing planning consent. That is, I believe the maximum number of nursery child places allowed is 24, ages 2-4. However, Ofsted reports 2014 and 2018 refer to 30 'Places'. Also, Angmering Day Nursery website offers 'Private day nursery for children '2-5' years'. I am therefore unclear on what basis the business is operating.) The applicant says the reason for the request now is, in part, due to new legislation (Statutory Framework) coming in to force on 1st Sept. This refers to the 2019 UK Chief Medical Officers report. This says that children 2-4yrs should spend at least 3 hours a day, on average over the week in a variety of physical activities (Page 25). It says that this should 'include' outdoor play, not that this activity needs to be outdoor. The CMOs report was not specifically commissioned for Early Years providers. Reference to the CMO report in the Statutory Framework document says providers 'MAY WISH to refer to' (note 6 - 'The Chief Medical Office has published guidance on physical activity that providers may wish to refer to... page 8}. 69 children were on the roll at the time of the 2018 Ofsted inspection and I believe there are only a maximum of 24

children allowed at any one time. This means that not all children are full time. I know this is still the case from observed drop off and pick up activity. Given that children will engage in 'physical activity' when not at the nursery and that not all the children fall in to the 3-4 age group and are not all there full time, then I believe the minimum 1hour 'vigorous activity' guideline for 3-4 year olds in the report, can be met within the existing planning conditions. The latest Ofsted Report was classified 'outstanding' with the permitted activity regime operating. Neither the applicant nor the operating entity - Excellence4children Ltd, provide numbers or age profile of the children currently on the roll. The new Framework is given as part of the reason for applying for removal of condition 3 but no other relevant reason is given. We have not been approached by the applicant prior to the application, as stated by Dr Martin Jeffery in his letter of comment, nor have any of the neighbours that I have spoken to. I understand that there is no requirement to do so but given the potentially very significant impact on the immediate community, prior approach would have been welcome. I believe the LPA should reject the application because of loss of amenity to neighbours including myself and that the case made by the applicant does not provide grounds for removal of the restriction.

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at :<https://www.arun.gov.uk/what-happens-next>.

Some applications will be determined by the Planning Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/planning-application-search>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Planning Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website <https://www.arun.gov.uk/privacy-policy/>

If you have provided an email address, all correspondence including the decision notice will be sent by email.

It is therefore important that you keep us informed if this changes during the course of this application.

To register to receive notification of planning applications in your area, please go to

<https://www1.arun.gov.uk/planning-application-finder>