A/4/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Use of ground floor room for applicant's business purposes as office Mill House Croft, Station Road, Angmering

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	This application is to use one ground floor room as an office for both the existing nursery and also for the applicant's other business of building management service.
SITE AREA	0.0924 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Mostly flat, property up slightly on rising ground from the road.
TREES	N/A
BOUNDARY TREATMENT	Fencing to side, hedging to front.
SITE CHARACTERISTICS	Day nursery, 2 storey building with residential above. Car park to the front.
CHARACTER OF LOCALITY	Mostly residential.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/110/05	Part change of use of ground floor to provide child day care.	Approved Conditionally 21/12/05

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Angmering Parish Council	Objection. The nature of the business Reactive Maintenance has provided insufficient information regarding types of vehicles using the site. Orange Notice not displayed correctly.
Local Groups	None
6 letters of objection	The business will result in more traffic, use not suitable in residential area. The map is out of date. The existing nursery allows children to be dropped off before the start time. Most parents turn into the site or walk into the site from the very busy Station Road. Five maintenance men regularly visit the premises, these park in the lay-by. Will these visitors be vetted for using the same building as the children. There will be increased deliveries. Existence of a refuse tip on site. Existing traffic congestion which will be made worse. Frequent commercial waste collections.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

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POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Class A Road Permitted Development Restriction

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1
Arun District Local Plan : GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the development control criteria against which all proposals will be determined by the authority particularly with regard to the effects on neighbours.

COMMENT ON CONSULTATION RESPONSES

None

COMMENT ON REPRESENTATIONS RECEIVED

The proposal is for administrative purposes only, with engineers operating from their own homes, visiting the site only once in 2 weeks approximately. The lay-by to the front of the site is a public parking area. There is also parking to the front of the site. The applicant is the husband of the owner of the nursery, who lives on site. Estimate vehicular activity is 2-4 per week which is low key.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

The proposal is considered to comply with relevant Development Plan policies in that the use of 1 room as an administrative office would not have an adverse impact on neighbours as the use is low key and will be shared by both the existing nursery and Reactive Maintenance Limited. Visits to the office from engineers working for Reactive Maintenance is stated to be limited to once every two weeks.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

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CONCLUSIONS

The site currently operates as a childs nursery at ground floor, with residential above. The property is a large building. Mrs. Pointon runs the nursery whilst Mr. Pointon operates his own business Reactive Maintenance which provides maintenance services such as plumbing, electrics etc.

It is intended that both these operations will be administratively served by this proposed office. Under the approval A/110/05 for the change of use, the proposed office was a store. Therefore the change of use from a store to office would not adversely impact on the nursery use.

Therefore the issue to consider is what harm would the use of the former store as an office cause as a result of any additional vehicular activity to the premises. Representations appear to indicate that commercial parking and storage has taken place at the premises. However there is no evidence directly relating this to the office use now proposed because building renovations/conversion work has recently taken place at the site. The letter accompanying the application states that the maintenance company engineers all work from home and would only visit the office on average once every two weeks. Currently the nursery has 18 children who are dropped off/collected at staggered times. Therefore, additional visits outside the core drop off/collection would not cause any adverse impact. There are sufficient parking spaces available to the front of the site and also at the lay-by to the front of the site.

It is considered that provided there are no materials stored on site and the vehicular activity is monitored over a period of 1 year to determine if there are any adverse effects it is recommended that the application is approved for a temporary period to monitor the vehicular activity.

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RECOMMENDATION

Approve Conditions

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The use of the groundfloor room for the applicant's business purposes as office shall be discontinued permanently on or before the expiration of the period ending on 5th April 2008.

Reasons: To enable the Local Planning Authority to review the vehicular activity to the premises in order to ascertain the effects on neighbouring properties and with the existing use of the childrens nursery in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time approved by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

REPORT UPDATE

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Reason for the Update/Changes

- Conditions

  It is recommended that the following condition be added to the proposal. This is to separate the proposed use from the existing nursery use.

  The change of use hereby approved shall not take place until details of a security fence/gate to prevent access to the rear garden area have been submitted to and approved by the Local Planning Authority. The approved fence/gate shall be constructed in accordance with the approved plans and maintained for the life of the nursery use.

  Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- Representations

  To remind the Committee they have a duty of care to parents and children and a moral duty to the wider community what happens after the initial 12-month period. Will a further application be required? How do the Council plan to monitor the vehicular activity?

Officer Comment :

- Representations

  The care of children at the nursery is controlled by the Play School Registration Unit who will look at all aspects of their social wellbeing. The recommendation is for a 12-month period and if the office use is required to be continued, a new application would be required. At the submission of any renewal application, County Highways would be re-consulted.

Notes: Changes to recommendations, conditions and/or reasons for refusal will always be accompanied by a new replacement recommendation sheet.

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