

**P/16/1185/CU**

MRS CAROLINE DUDDRIDGE

**PARK GATE**

AGENT: MRS CAROLINE  
DUDDRIDGE

CHANGE OF USE FROM A RESIDENTIAL DWELLING (USE CLASS C3) TO A MIXED USE COMPRISING OF A RESIDENTIAL DWELLING (USE CLASS C3) WITH PROVISION FOR THE CARE OF CHILDREN (USE CLASS D1) BETWEEN MONDAY TO FRIDAY. (UP TO 15 CHILDREN BETWEEN 07.30 AND 08.30, UP TO 5 CHILDREN BETWEEN 8.30 AND 15:45 AND UP TO 15 CHILDREN BETWEEN 15.45 AND 18.00).

118 COLUMBUS DRIVE SARISBURY GREEN SOUTHAMPTON HAMPSHIRE SO31 7NJ

***Report By***

Rachael Hebden. Direct dial 01329 824424

***Amendments***

The application originally included no's 116 and 118 Columbus Drive as the applicant intended to live at no. 116 and use 118 solely for the care of up to 32 children (with 9 members of staff). The application has subsequently been decreased in scale and no longer includes the use of no. 116. The number of children to be cared for has also been significantly decreased (as described in the description of the proposal).

***Site Description***

No. 118 Columbus Drive is a detached, three storey property with a detached, double garage and a private rear garden. The ground floor and garden has previously been used by the applicant both as part of her family home and for the care of up to 15 children.

The applicant did not have planning permission for the previous use of the property for childcare purposes, however it is not currently being used for childcare purposes.

The site is located within a residential area, however there is only 1 dwelling immediately adjacent to the site: no. 116 to the north west. To the rear of the dwelling lies Coldeast Mansion with an area of open space to the north and the south east. No. 69 is located on the opposite side of the road and is separated by a distance of 24 m. No. 124 is located to the side (south east) of the site but is separated by a distance of 25m.

***Description of Proposal***

The applicant seeks planning permission for the change of use of no. 118 from use as a residential dwelling (use class C3) to a mixed use as a residential dwelling and for the care of children (use class D1). The applicant proposes the care of up to 15 children between 07.30 and 08.30, up to 5 children between 08.30 and 15.45 and up to 15 children between 15.45 and 18.00 from Monday to Friday.

***Policies***

The following policies apply to this application:

National Planning Policy Guidance

Residential Car and Cycle Parking Supplementary Planning Document

**Approved Fareham Borough Core Strategy**

CS17 - High Quality Design

CS5 - Transport Strategy and Infrastructure

CS9 - Development in Western Wards and Whiteley

### **Development Sites and Policies**

DSP1 - Sustainable Development

DSP2 - Environmental Impact

DSP3 - Impact on living conditions

### ***Representations***

50 representations were received in response to the application as originally submitted of which 12 were against and 38 were in favour.

The letters of support made the following points:

- Parents can be considerate when parking to avoid obstructing the road
- Staggered drop off times will prevent congestion
- The childcare provided is of a high quality and provides jobs for local people

The objections raised the following concerns:

- Inadequate parking in the area would be exacerbated by the proposal
- The nursery would be better suited within Coldeast Mansion
- The dwellings in the estate have a covenant which restrict the use of the dwelling as a business
- A nursery should not be provided in a residential area and would set an undesirable precedent
- The land to the front of the substation is needed for access and can't be used for parking
- Noise concerns
- No. 118's bins are kept on the driveway and not put away out of site after they've been emptied
- No. 118's recycling bins are often overflowing
- Inadequate infrastructure for a business use
- The premises are not large enough for 32 children
- Parking at Coldeast Mansion will not be practical

Letters of support were received from 6 households in response to the amended proposal.

Objections were received from 3 households in response to the amended proposal. No additional issues were raised, however it has been pointed out that the estate management company has written to residents to remind them to park considerately or they may have to introduce parking enforcement measures which residents would be liable to fund

### ***Consultations***

INTERNAL

Environmental Health: No objection

Highways: No objection subject to conditions and the permission being for a temporary period of one year.

### ***Planning Considerations - Key Issues***

## Principle of development

No. 118 is a dwelling located within the settlement boundary of Park Gate. The proposed mixed use of the building as a dwelling and for the provision of childcare is therefore acceptable subject to satisfying the requirements of the aforementioned policies.

## Impact on neighbouring properties

Concerns have been raised regarding the potential noise disturbance from children using the garden at no. 118 and from increased activity associated with the arrival and departure to/from the site. Policy DSP2 states that development proposals should not have a significant adverse impact on neighbouring development or the wider environment by way of noise pollution.

No. 118 is located within a residential area, however it is unusual in that there are areas of open space to the north, east and west of the property with Coldeast Mansion located to the south. No. 116 is therefore the only property located directly adjacent to the site. Other than no. 116, the gardens of neighbouring dwellings are to varying degrees separated from the site: no. 124 's garden is approximately 22m from the site, no. 69's garden is approximately 27m from the site and no. 67's garden is approximately 31m from the site.

The proposed business would consist of the care of up to 5 children during the day, with up to 15 children cared for before and after school. The potential for disturbance due to noise would therefore vary depending both on the time of day and the time of year. Children could arrive from 7.30 onwards. According to the applicant, the morning routine would typically involve the children having breakfast on arrival with children of school age then leaving to either walk to Sarisbury Infant or Junior Schools or to be driven to schools within Locks Heath.

During the day there could be up to 5 children being cared for. The applicant has explained that although there would be elements of 'free play' the children would often be involved in activities within the garden and that when engaged with activities they generally produce less noise. Notwithstanding the way in which the children use the garden, it is not considered that the noise generated by 5 children would be any more significant than that which could be generated by a large family.

During the summer months, when children return from school they would be able to access the garden from 3.45 pm for the purpose of playing and also for eating their evening meal. The use of the garden by up to 15 children would generate more noise than would typically be expected from one family dwelling, however it would be for a very limited period of time (3.45-6pm).

The neighbours at no. 116 have written in to support the application, however concerns have been raised by other neighbours in the area regarding the potential for noise disturbance. The care of up to 5 children during the day is unlikely to generate levels of noise above what would be expected to be generated by a large family and it is considered that the use of the garden by up to 15 children after school is unlikely to have a significant adverse impact on the neighbouring residential properties given the limited periods of time and the separation distances between the site and neighbouring properties.

## Parking and Highways Safety

Policy CS5 states that The Council will permit development which does not adversely affect the safety and operation of the strategic and local road network, pedestrian and cycle routes. Policy CS17 states that development must be designed to provide appropriate parking for intended uses taking account of the accessibility and context of a development and tackling climate change.

The site contains 4 car parking spaces which would be used for parking by the family and members of staff. The applicant has explained that the maximum proposed number of children to be cared for at any one time would require up to 3 members of staff (including herself). Parking within the site would be required for use by the family and members of staff therefore parents driving to/from the site would have to park either in the nearby lay by or on the road close to no. 118. The number of staff required to care for children depends on the age of the children and the requirements of Offstead. Should Planning Permission be granted it would therefore be necessary to restrict both the numbers of children and staff to ensure that the likely number of trips to the site by car does not exceed an appropriate level.

The location of the site within a residential area is sustainable in that some parents could walk or cycle with their children to/from the premises. It is however recognised that many working parents would find it more convenient to drive to/from the site. The applicant has explained that the arrival and departure of children is typically staggered and that dropping off/picking up by parents who drive to/from the site is therefore unlikely to result in the blocking of the road. It is also recognised that the business has been operation for approximately 2 years with up to 15 children being cared for before the business ceased to operate at the site. While it is acknowledged that no complaints were received prior to the submission of the application and that the drop off and pick up times are in practice likely to be staggered, the proposed care of up to 15 children could potentially result in inconvenience to other drivers if a high proportion of parents choose to drive to/from the site at similar times at the start or end of the day. The proposed mixed use is not expected to generate such a significant number of vehicle movements that there would be an adverse impact on the safety of the road, however the nature of the proposed use is such that it is not possible to predict the exact number of trips or at what time they would occur.

Section 72 of the Town and Country Planning Act 1990 enables the Local Planning Authority to grant Planning Permission for a specified temporary period. The National Planning Policy Guidance states that one of the circumstances where the granting of Planning Permission for a temporary period may be appropriate is when a trial run is needed in order to assess the effect of the development on the area.

Given the level of concern expressed by residents regarding the potential impact that parking by parents could have in terms of noise and disturbance and on the safety of the road it is recommended that a temporary permission for a period of 1 year is granted. The granting of a temporary permission for a period of 1 year would allow the proposed impact on the road to be monitored during the trial period and would require the applicant to re-apply for permanent Planning Permission should she wish to continue with the care of children of the scale proposed at this site on the basis that the mixed use does not have any adverse impact.

## Conclusion

The two main issues for consideration in the determination of this application are the impact the mixed use would have in terms of noise and disturbance and the effect on the safety of

the road. While the proposed childcare element of the proposal is not expected to have a significant adverse impact in terms of noise and disturbance, it is not possible to predict the exact impact that the proposed childcare element of the proposal would have on the road. It is therefore recommended that a temporary Planning Permission is granted for a period of 1 year to enable the situation to be monitored. Should the proposed mixed use have a significant adverse impact on the amenity of neighbouring properties or on the safety of the road the applicant would have to look for alternative premises for her business, the mixed use would cease and the building would revert to use solely as a dwelling.

### ***Recommendation***

TEMPORARY PERMISSION subject to conditions:

1. The childcare element of the mixed use hereby permitted shall be for a limited period of one year from the date of this decision after which the mixed use hereby permitted shall cease and the land reinstated to its previous use as a single dwelling house unless a further planning permission has been granted before the expiry of such period.

REASON: To enable the circumstances leading to the grant of planning permission to be reviewed; in the interests of highway safety.

2. The development shall be carried out in accordance with the following approved documents:

Location plan

REASON: To avoid any doubt over what has been permitted.

3. The childcare element of the mixed use hereby permitted shall be for the care of up to 15 children between 07.30 and 08.30, up to 5 children between 08.30 and 15.45 and up to 15 children between 15.45 and 18.00 from Monday to Friday.

REASON: In the interests of the amenity of the neighbouring properties and highway safety.

4. The childcare element of the mixed use hereby permitted shall employ no more than three members of staff (including the applicant) at any one time.

REASON: In the interests of the amenity of the neighbouring properties and highway safety.

### ***Background Papers***

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# FAREHAM

BOROUGH COUNCIL



118 Columbus Drive  
Scale 1:1250



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