



# REGULATORY SERVICES COMMITTEE

5 March 2015

# REPORT

**Subject Heading:**

P1745.14 – 6 Cottons Approach, Romford  
– Variation of conditions 2 and 3 of  
planning application L/HAV/1021/80 in  
order to extend the opening hours and  
amount of children accommodated at any  
time in order to utilise the premises as a  
day nursery during the week and  
children's parties over weekends  
(received 08/01/15)

**Ward**

Brooklands

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input checked="" type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

## SUMMARY

This application is put before Members as the premises relates to a Council owned building. The planning application is for permission for the variation of conditions 2 and 3 of planning application L/HAV/1021/80 in order to extend the opening hours and amount of children accommodated at any time in order to utilise the premises as a day nursery during the week and children's parties over weekends. Staff consider the proposal to be acceptable.

## REPORT DETAIL

That the planning permission be granted subject to the following conditions:

1. Time Limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

**Reason:** To comply with the requirements of section 91 of the Town and Country Act 1990.

2. Opening hours: The premises shall not be used for the purposes hereby permitted other than between the hours of 07:00 and 19:00 Monday to Friday and from 9:00 to 17:00 on Saturday and Sunday, without the prior consent in writing of the Local Planning Authority.

**Reason:** To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. The number of children accommodated within the premises hereby approved shall not exceed 65 at any one time, including the applicants own children without the prior consent in writing of the Local Planning Authority.

**Reason:** To enable the Local Planning Authority to retain control and to avoid disturbance to adjoining residents, and that the development accords with Development Control Policies Development Plan Document Policy DC61

## INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has

been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site comprises a two storey building situated close to the eastern boundary of Cottons Park close to the corner of Cottons Approach and Pettley Gardens. The site is bordered to the west and south by Cottons Park and to the north and east by residential development. The site is Council owned land.

### **2. Description of Proposal**

- 2.1 A previous application under L/HAV/1021/80 was approved on 20/08/1980 for a morning playgroup. This application seeks planning permission for a variation of Condition 2 and 3 of planning permission L/HAV/1021/80 which reads as follows:

Condition 2: The premises shall not be used for the purposes hereby permitted other than between the hours of 9am and 12 noon on Mondays to Fridays and not at all on Saturdays and Sundays.

Condition 3: The number of children accommodated at any one time shall not exceed 25 including the applicants own children

- 2.3 The applicant would like to vary the condition in order to open from 7am to 7pm, Mondays to Fridays and 9am to 5pm, Saturdays and Sundays. The applicant would also like to increase the number of children accommodated at any given time from 25 to 65.
- 2.4 The premises would be utilised from Monday to Friday as a day nursery and out of school provision for children from birth to 11 years old. The premises would be used on Saturdays and Sundays for children's parties from 9am to 5pm for children from 1 year to 11 years old.
- 2.5 The nursery would utilise a small part of the ground floor for a kitchen, store room and lobby and the whole of the first floor for a play area, toilets and store rooms.

### **3. History**

- 3.1 L/HAV/1021/80 – Morning playgroup - Approved

#### **4. Consultation/Representations**

4.1 Notification letters were sent to 67 neighbouring properties, 3 letters of representation were received raising the following concerns:

- potential noise as a result of children's parties over weekends

4.2 Highways has raised no objection to the proposal.

#### **5. Relevant Policies**

5.1 Policies CP8 (Community facilities), DC55 (Noise) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.17 (Health and social care facilities), 6.10 (Walking) and 6.13 (Parking) of the London Plan and Chapter 8 (Promoting healthy communities) of the National Planning Policy Framework is relevant.

#### **6. Staff comments**

6.1 *Impact on Local Character and Street Scene*

6.1.1 There would be no impact on the local character and streetscene as there are no external changes proposed.

6.2 *Impact on Amenity*

6.2.1 Policy DC26 supports community uses which do not have a significant adverse impact on residential character and amenity.

6.2.2 Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan (DP) seeks to ensure, amongst other matters, that development would not result in unacceptable loss of residential amenity.

6.2.3 The subject premises is situated to the eastern side of Cottons Park with the nearest residential properties situated approximately 17.5m to the east along Knightsbridge Gardens.

6.2.4 Although there would be some noise and disturbance associated with the development Staff do not consider it to be unacceptable given the close proximity of the premises to a playground to the south and various sports field located in Cottons Park. The playground and park can be used during all hours of the day every day of the week and would generate a certain amount of noise and disturbance. The proposed opening hours are considered reasonable and would not be unacceptable given existing noise levels in the surrounding area.

## 6.6 *Highways / Parking Issues*

6.6.1 The application would not raise highways or parking concerns as there is a Council pay and display car park in front of the subject building with 26 parking spaces.

## 7. **Conclusion**

7.1 Having regard to all relevant factors and material planning considerations staff are of the view that this proposal would be acceptable. Staff are of the view that the proposal would not have an impact on the streetscene and surrounding area or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted.

## **IMPLICATIONS AND RISKS**

### **Financial Implications and risks:**

None.

### **Legal Implications and risks:**

This application is considered on its own merits and independently from the Council's interest as owner of the site.

### **Human Resource Implications:**

None

### **Equalities and Social Inclusion Implications:**

The Council's planning policies are implemented with regard to Equalities and Diversity.

## **BACKGROUND PAPERS**

1. Application forms and plans received 8/01/15