

Application No: 16/5896M

Location: OAKDENE NURSERY, TUDOR ROAD, WILMSLOW, CHESHIRE, SK9 2HB

Proposal: Demolition of a pre-fabricated building and construction of new nursery and pre-school building.

Applicant: Mrs Evelyn Davies Sippdeal Trustees Ltd & Trustees of AJ Bell, c/o Oaklands Dean Nursery

Expiry Date: 08-Jun-2017

SUMMARY

This application seeks full planning permission for the demolition of an existing nursery building and the erection of a new nursery building.

The development is sustainable development as defined in the NPPF and CE Local plan Strategy policies SD1 and SC3 which support the principle of community uses. It is considered as the proposal has been amended that it complies with saved policy DC45 of the Macclesfield Local Plan as there would be no significant harm to the amenities of local residents and on balance, the highway safety and parking are acceptable.

RECOMMENDATION: Approve, subject to conditions and highway works

REASON FOR REPORT

The application is to be presented at Northern Planning Committee as it has been 'called-in' to committee at the request of Cllr Toni Fox. This is due to the concerns of local residents in respect of;

"Scale of proposal and proximity to adjacent residential properties, Provision of proposed on site parking and access and transport".

SURROUNDING DEVELOPMENT:

The site is located at the end of Tudor Road which connects with Lincoln Road and in turn Dean Row Road. It lies to the south west of Wilmslow Academy and shares pedestrian access with the academy to Dean Row Road. There are residential properties to the northwest and south of the site, which triangular shape with the northwest boundary being the pedestrian footpath to Dean Row Road. The area is north east of Wilmslow town centre and is predominantly residential.

The site currently contains some prefabricated buildings used as a children's day nursery. There is existing car parking to the west of the nursery building and an outdoor play area to the east of the building.

Vehicular access is gained from Tudor Road and pedestrian access is gained from the adjacent footpath connecting with Dean Row Road.

The nursery currently operates from two buildings; one, on the application site, which is proposed to be demolished. The other lies within the grounds of the Academy with access from Handforth Road. There are currently 44 children at the Tudor Road site and 40 children at the school site

DETAILS OF PROPOSAL:

The application seeks full planning permission to demolish the existing pre-fabricated building and construct a new nursery and pre-school building. This would allow for the amalgamation of the two existing sites. It is proposed to not continue the use of the building on the school site for children's care.

The new building would be 9.9 metres deep by 22 metres wide and would be 9.2 metres to the roof ridge and 5.6 metres to the eaves. It would have pitched roof planes sloping away from the northern and southern boundaries. The design of the building is broken into three sections.

The ground floor would provide accommodation for a nursery room reception and WC facilities in the central and southern sections. The northern section would be open and provide 4 undercroft parking spaces for staff.

The first floor would include two nursery rooms in the northern and southern sections and WC/cloak rooms and kitchen facilities in the central section. The roof space would contain a staff room in the central section due to the steeply sloping roofs the northern and southern sections would be small class rooms.

16 car parking spaces are shown within the site (including the 4 in the undercroft area). 8 spaces would be required for staff and 8 are proposed for drop off or visitors. The play area would remain located to the rear of the building.

Some off site works are proposed in the form of a Priority/Give way system on Tudor Road.

The application has been amended during its life to reduce the scale of the building in terms of its physical mass and therefore its capacity for numbers of children. Parking spaces have been increased from 9 spaces originally proposed to 16 spaces within the site. The off site works on Tudor Road are proposed to provide some traffic calming. In addition the gable end of the building has been hipped to reduce the impact upon adjacent neighbours.

APPLICANTS SUBMISSION

The applicant has provided the following information in support of the application:

- Oakdean Nursery has provided a much valued service to families in the local community, in particular to working parents and children, for 17 years;
- It is an extremely popular setting and provides a vital contribution to the local economy. The nursery offers a local service which enables parents to access employment throughout the local area and in central Manchester. Parents work in a wide range of occupations, including Manchester University, health professionals in the city's or local hospitals, large and small private enterprises. The nursery also cares for the young children of a number of local teachers
- Oakdean nursery currently provides employment to 20 full and part-time staff, however not all these are on site at the same time.
- The proposals are to provide places for 3-4 year olds for more than 30 hours a week in line with the government's new childcare and anti-poverty strategy, helping parents into work and to make work pay. (Currently government funding is for 15 hours per 3-4 year old child).
- The number of places needed locally is based on up to date sufficiency requirements calculated by the Cheshire East Council (CEC) Early years team and based on local population numbers.
- The local authority has a statutory duty ensure sufficient places are available in the community to accommodate the numbers of children who are eligible for government funded childcare
- There appears to be confusion between the development proposal for Oakdean Nursery and the recent proposals communicated to local residents by the neighbouring school - Wilmslow Academy (previously Dean Oaks School). The school has very recently (January 2017) put forward proposals to open a nursery in an existing classroom for 26 children for 30 hours a week. This could also be 26 in the morning and another 26 in the afternoon depending on the requirements of parents.
- The school plans to use existing accommodation for its proposal and therefore does not need to apply for planning permission. It does however need to make a case for extending its age range to the Regional Schools Commissioner and this requires consultation.
- The school sent letters about their nursery plans to 100 local residents, resulting in the current confusion between the two proposals
- A number of local residents attended the schools consultation meeting "and raised their concerns regarding parking. Currently the school does not provide any parking or drop off arrangements on its site resulting in problems for parents and this results in the parking problem for residents.
- Oakdean nursery has never has a problem or complaint about parking
- Oakdean nursery used to be part of the infant school which was sold off for a housing development the access to the infant school was down Tudor Road. The level of vehicular movement would have been significantly greater than is proposed under this application.
- Staff car share schemes are already in place at the nursery and a number of staff who are local residents who walk to work. A main bus route is very close by. A significant number of parents with children/buggies walk to the site. Part time staff job share and are not all in the building at the same time.

- The nursery provides a drop-and-go facility and parents arrive in one or tow cars at a time and o not require parking for very long. Once drooping children parent who work drive to their place of employment or park at Handforth Train station car park to take the train to central Manchester.
- The drop off and pick up times are different from the schools and are staggered over a period of 2 hours at the beginning and end of the day or over an hour at lunchtime

A transport statement was submitted during the life of the application. This has been superseded by ongoing discussions with the Authority's highway officers and the applicant who submitted spread sheets detain two options for lower number of children.

RELEVANT PLANNING HISTORY:

None relevant to the current application

COMMENTS FROM PARISH / TOWN COUNCIL / NEIGHBOURS:

Three rounds of consultation were undertaken;

- 1) On the original submission
- 2) On the reduction in height of the mass of the building
- 3) On the increase in number of parking spaces, off site works and reduction in numbers of children

Wilmslow Town Council -

First consultation

Objected on grounds that it is too large and would cause loss of amenity to neighbours and unacceptable traffic movements.

Second consultation

Strong concerns as to the additional parking requirements of the proposal, in relation to current on-street parking issues in the vicinity.

Final consultation

Raised no objections

Highways – No objection subject to conditions for off site works, amended plans and reduced number of children.

Environmental Health – No objection

REPRESENTATIONS

52 Comments were received. 33 raised objections and 18 supported the proposal 1 was unknown. Comments were received from local residents, parents of children attending the nursery and staff and also, from the adjacent academy.

The concerns raised primarily related to highway safety and parking matters, which in summary are as follows;

- Significant increase in the number of vehicles and therefore an increase in the volume of traffic resulting from increase in number of children
- Insufficient parking on site
- Potential problems with access for emergency vehicles
- Existing problems involving parking on adjacent roads, such as blocking driveways sometimes resulting in damage and altercations and damage to green verges
- The access and egress to the site is too small
- No traffic survey included in submission
- Safety risk to pedestrians including children walking to school
- Previous concerns have been raised with the adjacent school
- Poor existing infrastructure

Other concerns raised;

- Loss of privacy for adjacent dwellings
- Loss of light/overshadowing
- Increase in noise
- Building not in keeping with the area enough out
- Not enough outdoor play space
- Internal layout not appropriate for toddlers/babies
- Noise and pollution during construction phase
- This in addition to changes to Academy would make the existing situation worse
- Residents currently pay for the maintenance of footpath

The comments supporting the proposal include the following;

- The existing nursery is of a good standard
- There are no existing parking problems associated with the nursery due to the staggered drop off and pick up times
- The existing building requires constant maintenance whereas money could be spent on equipment for children
- Potential loss of jobs if the building is not renewed
- There is confusion between the school and the nursery in respect of existing parking problems
- The new building would result in a better environment for the children

Further comments were received on the second and third consultation from the same addresses. These reiterated the same objections and stated that the amendments and additional information had not overcome potential issues.

POLICIES

Cheshire East Local Plan Strategy – Adopted July 2017 (CELPS)

Policy MP1 - Presumption in favour of Sustainable development

Policy SD1 - Sustainable development in Cheshire East

Policy SD2 - Sustainable development principles

Policy SC3 - Health and well being

Policy SE1 - Design

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There is however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Macclesfield Borough Local Plan - saved policies (MBLP)

Policy DC3 Protection of the amenities of nearby residential properties

Policy DC6 Circulation and access

Policy DC38 Space light and privacy

Policy DC45 Play groups and nurseries

Other Material Considerations

National Planning Policy Framework (2012)

National Planning Practice Guidance

Cheshire East Design Guide

OFFICER APPRAISAL

Background

The applicant has been successful in bidding for a capital grant from the government (DFE), and was supported in their application by Cheshire East Council. The grant would support the extra spaces needed based on up to date sufficiency requirements calculated by Cheshire East's early years team.

SOCIAL SUSTAINABILITY

Principle of development

The principle of redeveloping an existing nursery site with a new nursery facility is acceptable in principle provided all detailed matters have been fully addressed.

Policy SD1 of the CE Local Plan Strategy states that sustainable development should wherever possible contribute to the creation of sustainable communities and provide appropriate infrastructure to meet the needs of the local community including: education; health and social care; and also provide access to local jobs, services and facilities, reflecting the community's needs;

Policy SC3 of CE Local Plan Strategy advises that the council will ensure new developments will improve education and skills training and encouraging life-long learning and protect existing community infrastructure and ensuring the provision of a network of community facilities, providing essential public services together with private and voluntary sector facilities, to meet the needs of the local community.

Saved policy DC45 of the Macclesfield Local Plan advises planning permission will normally be granted for pre-school playgroups and nurseries provided that the amenity of local residents would not be seriously harmed, there would not be a problem of highways safety and on site car parking should be provided in accordance with car parking standards.

Impact on residential amenity

The distance between the proposed dwelling and the nearest adjacent dwelling to the south east is 14 metres. This accord with the privacy standards of policy DC38 of the MBLP as the roof slopes away from the rear of the dwelling and the elevation of the nursery facing these houses is a two gable containing no windows.

A cross section of the site has been provided and indicates that the roof ridge of the proposed nursery would be slightly lower than that of 9 Turning Drive, which lies adjacent to the site. The houses closest to the site, lie to the south, therefore it unlikely that there would be any significant overshadowing resulting from the new building.

In respect of noise, there is an existing nursery on site which will already generate a degree of noise. The outdoor play area will be similar in size to the existing and many of the children's activities will take place indoors. Environmental Health has been consulted and has raised no objection.

Any approval granted could be subject to an hours of operation condition to prevent late nights or weekend use if members have particular concerns in this respect.

Therefore it is considered that the proposal complies with saved policies DC3 and DC38 of the Macclesfield Local Plan.

Highways safety and car parking

Significant concern was raised by residents in respect of the potential to increase highway safety issues particularly in relation to parking. The site currently has parking and a dropping off point.

Negotiations with the applicant have taken place and a revised scheme was discussed that would reduce the number of nursery places from a maximum of 116 children to 87 to 95 children of mixed age range. This revised scheme entails the reconfiguring of the parking and drop off arrangements which would provide sufficient staff and visitor parking and adequate drop off facilities to service the reduced proposal.

Site Access

The principle of serving the site from Tudor Road, a private cul-de-sac, was raised as an issue previously by highway officers due to its constrained geometry and lack of forward visibility. The revised scheme proposes a traffic management feature on this road which will allow vehicles entering the site sufficient visibility to give way to emerging traffic;

Given the revised number of nursery places and associated reduction in traffic movements and the low levels of existing traffic this scheme is deemed, on balance, to make the proposed access road capable of accommodating this development hence allowing no objection from a highway/transport perspective. This would be subject to a condition to implement the traffic scheme for a improvement priority/giveway scheme being implemented prior to the occupation of the development.

The parking proposed complies with Appendix C of the CELPS as the 19 space requirement can be achieved within the site for between 8 and 14 staff, dependant upon the age of the children. It also complies with saved policy DC6 of the Macclesfield Local Plan.

As the proposal has ben amended it is considered that it now complies with saved policy DC45 of Macclesfield Local Plan as the amenity of local residents would not be seriously harmed and on balance there would not be a problem associated with highway safety and on site car parking.

The proposal would be socially sustainable as it accords with policies SD1 and SC3 by contributing to the creation of sustainable communities by providing education and care for children through a community facility.

ENVIRONMENTAL SUSTAINABILITY

The removal of the existing portakabin and the replacement with a modern purposed built building for use as a nursery is considered to be environmentally sustainable.

Design / Character

The design of the building has been amended during the life of the application to reduce its overall scale and impact upon adjacent neighbouring properties. It is now of a scale which is appropriate to its setting.

The building is visible from the adjacent dwellings to the south and west and from the public footpath running between the school and the nursery. The area is predominantly residential and the surrounding houses are mostly two to three storeys high.

The quality of the building would be much higher than the existing portakabin building which is in poor condition and is not a suitable environment for a modern day nursery.

The proposal therefore accords with design principles of Policy SE1 of CELPS.

Ecology

The proposed development is unlikely to have any impact upon nature conservation therefore it accords with SE3 of CELP

Trees / Landscape

There are only three trees on site, which are relatively small and would be unlikely to be affected by the development as they lie adjacent to the existing car parking area. The applicant proposes metal fencing, however it is felt that a softer landscaping alternative should be considered and therefore it is suggested that a landscaping condition should be imposed particularly along the shared boundaries with residential properties. The proposal accords with the principles of policy SE5 of the CELP

Flood Risk

The applicant advises that it is proposed that surface water and foul water connect with the mains sewerage system. There is no watercourse within 20 metres of the site. Therefore

there are no flood risk issues and the proposal accords with saved policies DC19 and DC20 of the Macclesfield Local Plan

ECONOMIC SUSTAINABILITY

The proposal contributes to the economic well being of the Borough through the employment of staff at the nursery and also providing quality child care to allow residents to be able to work and contribute to the economy.

PLANNING BALANCE

Whilst all the objections are acknowledged the amended scheme is now considered to be of appropriate proportions to the site and highway and parking matters have been addressed. The proposal now complies with the NPPF and policies SD1 and SC3 of the CE Local Plan Strategy and saved policies DC3, DC6, DC38 and DC45 of the Macclesfield Local Plan. In such circumstances para 14 of the NPPF requires development proposal that accord with the development plan to be permitted without delay and therefore this application is recommended for approval subject to appropriately worded conditions being attached to any grant of permission.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Provision of car parking
5. Submission of landscaping scheme
6. Landscaping (implementation)
7. Highways off site works
8. Dust control details to be submitted
9. Floor floating - noise and vibration -details to be submitted
10. Lighting details to be submitted

11. Contamination - scope of works to be submitted
12. Imported soil to be tested
13. Unforeseen contamination

