

Town and Country Planning Act (1990) (As Amended)

PLANNING STATEMENT

Change of Use of First Floor from Residential
Accommodation to Class E- Childrens Day Nursery

At

Flat 1 (First Floor of Premises), London House, High
Street, Staplehurst, Kent. TN12 0AB

November 2023

Consilium Town Planning Services Limited
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Client: Mr A Tavani

Project: Flat 1 (First Floor), London House, High Street, Staplehurst, Kent TN12 0AB

Date: November 2023

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SECTION 1: INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Mr A Tavani ('the Applicant') and is submitted in support of a full planning application for a change of use of an existing residential flat to Class E Childrens Day Nursery.
- 1.2 As stated in the covering letter this is a change of use application only. There are no external or internal works proposed as part of the scheme. The property is a Grade II listed building but **no** works are proposed necessitating the need for the submission of a separate listed building consent.
- 1.3 The site lies within the administrative boundaries of Maidstone Borough Council and is located within the village settlement of Staplehurst. The village is categorised as a Rural Service Centre (RSC) in the adopted local plan. The property is within a grouping of eight buildings that are Grade II listed.
- 1.4 The proposal is for the extension of children's day nursery facilities on the site. Previously, planning permission has been allowed for the ground floor to be used as a children's day nursery (see MA/10/0960) that was implemented and has been in operation over the past 13 years. This application is an extension of the existing nursery facilities on the site to include the first floor of the premises.
- 1.5 This report continues in Section 2 by providing a summary of the site's location and its context, with a brief summary of the planning history for the site within Section 3. Details of the proposal are set out in Section 4. A detailed summary of the planning policy position at national and local level is contained within Section 5. Section 6 sets out the justification for the proposal in the context of national requirements, local need, and the policy position with the conclusions finally drawn in Section 7.

2 SECTION 2: SITE AND SURROUNDING AREA

- 2.1 The site is located within the centre of Staplehurst. The site has a frontage to the High Street (A229) and is on the western side of the highway. As well as being a Grade II listed building the site is also within the Staplehurst Conservation Area.
- 2.2 The site comprises the ground floor of a two-storey terraced building with existing residential accommodation at first floor level (accessed via a separate front door entrance) and a garden to the rear.

- 2.3 The ground floor of the property is currently in use as a children's nursery (see planning permission MA10/0960) granted in June 2010. The nursery has been in continuous use or operation for over 13 years.
- 2.4 The existing first floor level is in residential use. The property has no front garden although it is set back from the highway by approximately 4 metres from the rear of the footway.
- 2.5 The building is one of a terrace of eight buildings, all of which are Grade II listed except the northernmost. The other properties in the terrace are in residential use, with the exception of the northern most building which is in use at ground floor level as a pharmacy.
- 2.6 The southern end of the terrace adjoins the village Post Office which is located outside the defined Local Retail Centre.
- 2.7 Within the local area there is a mix of uses at ground floor level including existing Class E uses and C3 residential uses.

3 RELEVANT PLANNING HISTORY

3.1 The following application is relevant to this proposal:

- MA/10/0960- Application for change of use from A1 (hair and beauty salon) to D1 (day nursery).

Note: This relates to the Ground Floor Only.

Approved 22 June 2010

4 PROPOSALS

- 4.1 The proposal is a change of use only to the first floor of the property to a childrens' day nursery from residential use. As stated, no external or internal works are proposed as part of this proposal.
- 4.2 The first floor will provide nursely accommodation for up to 12 children between the ages of 0-5 with four adults supervising the first floor area. This figure is regulated by OFSTED and is the recommended child to adult ratio.
- 4.3 The hours of use will be the same as the previously approved in 2020 for the ground floor nursery which is 07:30 to 18:30 Monday to Friday. The Nursery will be closed Saturday and Sunday and on Bank and Public Holidays.

4.4 The nursery is OFSTED regulated. The most recent OFSTED inspection rated the nursery as outstanding (report 23 February 2023).* *Check is this for both sites?*

5 RELEVANT PLANNING POLICIES

5.1 The relevant development plan is the Maidstone Borough Local Plan adopted in 2017. The relevant policies are as follows:

- Policies SP5 (Rural Service Centres);
- SP10 (Staplehurst)
- SP21 (Economic Development)
- DM1, (Good Design)
- DM4 (Development affecting heritage assets)

5.2 Policy SP5 (Rural Services Centres) states in section 2 that the Council will

'Retain and improve existing employment sites and encourage new employment opportunities provided the site is in an appropriate location for, and suited to, the use;

5.3 It continues:

'Resist the loss of local shops, community facilities and green spaces whilst supporting ne retail development, community services and green spaces to meet local need.'

5.4 Policy SP10 relating to Staplehurst adds:

'The loss of local shops, community facilities and green spaces will be resisted, and new retail development, community services and open space will be supported to meet local needs in accordance with policy SP5(3).'

5.5 Policy SP21 (Economic development) has similar objectives. The application which provides for the needs of an existing business in a Rural Service Centre is supported subject to its impact on the character and appearance of the building/wider area as well as amenity impacts and its impact on the highway network.

5.6 Policy DM 1 relates to good design principles that include the protection of amenity for neighbours and the need to address highway/car parking issues. Policy DM4 set out policies relating to designated heritage assets (i.e. listed buildings)

6 PLANNING APPRAISAL

Principle

- 6.1 The proposal is compliant with strategic policies SP5, SP10 and SP21 as set out in the adopted Maidstone Local Plan (2017). Clearly, the principle of the proposal is agreed by the Local Planning Authority as set out in the pre-application response letter.
- 6.2 Furthermore, a precedent has already been set for a children's day nursery at the ground floor of the property as planning permission was previously granted for the use in 2010. The nursery has been operating on the ground floor of the premises for 13 years.

Heritage Impact

- 6.3 The proposals submitted do not involve any external or internal works. The proposal is merely a change of use to the first floor to a children's day nursery. The proposal is therefore compliant with policy DM4 and there is no heritage impact.

Amenity Impacts

- 6.4 During the determination of the earlier planning application in 2010, that granted consent for the ground floor to be converted to a nursery, it was confirmed at the time there were no amenity issues in terms of impact on the neighbouring properties from noise and disturbance and loss of privacy. The Council's Environmental Health Officer raised no objection to the proposal on the grounds of noise and no mitigation measures were considered necessary.
- 6.5 The nursery will be open weekdays between 07:30 and 18:30 and closed on weekends.
- 6.6 The maximum number of children that will be on the first floor at any one time is 12, as regulated by OFSTED. As mentioned, function of the space available and the child to adult ratio currently will be four additional staff (the criteria set out by OFSTED may change or, for example, and the number of staff may increase).

Highways and Car Parking

- 6.7 Local plan policies require development to provide adequate parking arrangements for proposal DMI. There is currently no parking provision on site and the proposal does not include the future provision of any on site parking.
- 6.8 On street parking at the front of the property is restricted in the immediate vicinity of the site by double yellow lines and zig zags associated with the pelican crossing approximately 20 metres to the north of the site.
- 6.9 There is sufficient car parking available elsewhere in the village. The nearest public car park (a free car park) is located approximately 200 metres to the south on Bell Lane.
- 6.10 The applicant has an operational plan in place for the nursery set up since 2010. The plan details relating to the functioning of the proposed facility and include details of the registration and pick up procedures in place for children. The plan states that drop off and pick up can take up to 25 minutes to complete.
- 6.11 It is important to note that the operation of a day nursery differs to a school as drop off and pick up times are staggered. Drop off for children can take place from 07:30 Hrs onwards. Last collection can take place in the afternoon up to 18:30 Hrs. Some children are also part time attending either in morning or afternoon sessions.
- 6.12 The operation of a children's day nursery differs significantly from an infant and junior school where the school day starts and ends at a set time that can cause local disruption. This will not happen in this case.
- 6.13 As part of the enrolment process, parents and guardians are asked to confirm they will not park on the highway outside the premises and will use identified car parking areas in the village. This operational procedure has worked successfully for over 10 years with no complaints. Staff also comply with the same procedures.
- 6.14 Should the Council wish to see a copy of the Operational Plan for the nursery this can be provided,
- 6.15 Therefore, there will be no impact on the highway network as a result of this proposal.

7 CONCLUSION

- 7.1 In summary, there is policy support for the change of use of the first floor to a nursery. There is policy support (policies SP5, SP10 and SP21) for the development which provides for the needs of an existing business in a rural service centre.
- 7.2 The parking arrangements for dropping of and picking up children clearly are set out for parents and staff and follows the same procedure as the ground floor nursery which has been in operation for over 13 years. Therefore, there will be no impact on highway safety and there is provision locally for car parking. The scheme is compliant with policy DM1.
- 7.3 The number of children expected as a result of this application is up to 12 and the proposal will generate additional work in the local area for 4 additional staff.
- 7.4 As mentioned no physical alterations are proposed internally or externally to the building. There will be no harm on the listed building or the conservation area as a result of this proposal.
- 7.5 We trust this proposal meets with your approval.

