

KEY INFORMATION

Ward Claverhouse

Proposal

Change of use and extension to dwelling house to form children's nursery

Address

263 Old Glamis Road
Dundee
DD3 0NR

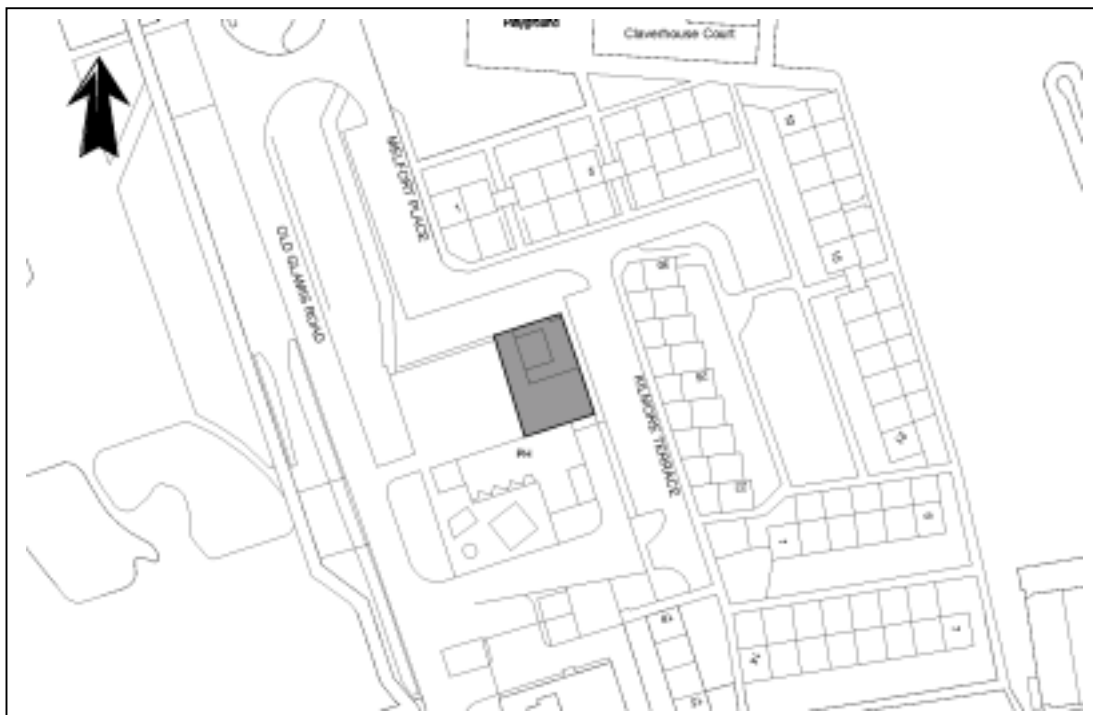
Applicant

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Agent

Registered 1 May 2002

Case Officer C Walker



Additional Children's Nursery Proposed In Old Glamis Road

The change of use and extension to a dwelling house to form a children's nursery is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation.

RECOMMENDATION

The proposed nursery represents an appropriate development at this location and provides adequate parking and open space. The development is therefore recommended for **APPROVAL** with conditions.

SUMMARY OF REPORT

- Planning permission is sought to establish a children's nursery on the site through the change of use and substantial extension of a former dwelling. It is proposed to operate the proposed nursery alongside but separate from the existing nursery with a separate outdoor play area but the access and car park will be shared. The intention is to operate the existing nursery for 44 children over 2 years old and the proposed nursery for 24 children under 2 years old only.
- The provision of outdoor play space falls short of the standard set out in Policy SCE4 and the parking area is shared with another facility. The development has therefore been advertised as contravening the Local Plan.
- No public comment was received.
- The proposed nursery represents an appropriate development at this location. It complements the facilities provided at the existing nursery and provides adequate parking and open space. It should therefore be supported despite the fact that the open space provision is less than that required by Policy SCE4 of the Local Plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought to establish a children's nursery on the site through the change of use and substantial extension of a former dwelling. The resulting building will have a floor area of just over 270 sq. metres, with 170 sq. metres in the new build extension and 100 sq. metres in the original 2 storey house. All the nursery accommodation would be at ground floor level with some storage and staff accommodation on the upper floor. The proposed nursery would accommodate 24 children aged 0-2 years and within the site it is proposed to form an outdoor play area of some 100 sq. metres. Car parking would be shared with the adjoining nursery with a total of 17 spaces and a new improved access provided for both nurseries.

The proposed extension will present blank elevations to the north, east and south with the entrance and windows to the west. It is proposed to finish the extension in wet dash harl and flat grey tiles and to paint both the existing building and the extension in bright primary colours (yellow walls, red windows and blue doors, fascias and bargeboards).

It is proposed to operate the proposed nursery alongside but separate from the existing nursery with a separate outdoor play area and just the access and car park being shared. The intention is to operate the existing nursery for 44 children over 2 years old and the proposed nursery for 24 children under 2 years old only.

SITE DESCRIPTION

The site comprises some 430 square metres of ground currently occupied by a 2 storey dwelling. This house formerly served as a manager's house for the adjoining (former) public house, sharing a common access and with no separate defined curtilage. The public house has since been converted to a children's nursery.

The existing nursery lies to the south and west of the site and the entire compound is enclosed by palisade fencing. There are 2 storey houses to the north and east of the site at

Kilmore Terrace and Melfort Place. To the west is Old Glamis Road and then an area of open space.

POLICY BACKGROUND

Policy SCE4 of the Plan sets out criteria for nurseries. Amongst other matters it sets out requirements for parking and outdoor play space. In this case the provision of outdoor play space falls short of the standard set out in Policy SCE4 and the parking area is shared with another facility. The development has therefore been advertised as contravening the Local Plan.

In May 2000 the Committee reviewed this policy and introduced a requirement that a proposed nursery should not be within 250 metres of an existing nursery.



LOCAL AGENDA 21

The Council's Local Agenda 21 Policies seek to ensure that local needs are met locally, that access to facilities is not achieved at the expense of the environment and that health is protected by creating safe, clean and pleasant environments. It is considered that the proposed development complies with these policies.

SITE HISTORY

In January 2001 planning permission was granted to convert the adjoining former public house to a children's nursery - application ref. no D24971 refers. That consent limited the number of children at the nursery to 50.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was also advertised as contravening Policy SCE4 of the Local Plan. No comment was received.

CONSULTATIONS

No adverse comment on the development was received from Statutory Consultees.

OBSERVATIONS

The determining issue for the Committee in this instance is whether the proposed development complies with Policy SCE4 of the adopted Local Plan, and if not, whether there are any material considerations which would justify the approval of this application contrary to the Plan.

The proposed development is unusual in that although it is a separate nursery, it is linked to the existing nursery by virtue of the fact that it will only take children of certain ages and the arrangements for shared car parking. If the 2 nurseries are looked at as separate units, as proposed by the applicants, then the development fails to satisfy the Policy SCE4 requirements for open space and parking and the separation distance of 250 metres from the nearest nursery contained in the non statutory amendment to Policy SCE4. If they were considered as a single unit then they could satisfy these requirements but would fail to comply with the requirement of the non-statutory policy that nurseries providing more than 50 children will not generally be permitted.

In terms of Policy SCE4 of the adopted Local Plan it is considered that there is a justification for approving the proposed development without complying with the standards of open space and car parking within the curtilage of the site. In terms of open space, Policy SCE4 sets out a requirement of 214 sq. metres for 24 children whereas in this case only 100 sq. metres is proposed. However the nursery will be for babies and children under 2 only and the applicant has indicated a willingness to accept a condition to this effect should consent be granted. It is considered that an

enclosed play space of 100 sq. metres would be perfectly adequate taking into account that many of the children will not be of walking age and that the toddlers will need less space than older children. Indeed this smaller segregated space is likely to be much more attractive and useful for these children than a much larger space shared with older children.

In terms of parking a total of 17 spaces is proposed for both nurseries, which is well in excess of the requirement for both nurseries even if taken individually. The fact that most of these parking spaces fall outwith the curtilage of the site does not change the position (indeed it would be possible to redraw the red edge to increase the application site to include more parking).

In these circumstances it is considered that there is a justification for approving the proposed development contrary to the terms of Policy SCE4 of the Local Plan.

The proposed nursery is within 250 metres of an existing nursery, contrary to the non-statutory review of Policy SCE4. However it is clear that the distance requirement seeks to achieve a range and choice of nursery provision throughout the city. The clustering of a number of nurseries in certain areas of the city would run contrary to this aim. However in this case the proposed nursery effectively complements the existing facility and due to the separate age categories there will be no overlap between them. It is therefore considered that the proposed nursery will fit within the aim of providing a distribution of such facilities within the city and should be approved despite the terms of the non-statutory amendment to Policy SCE4.

In terms of other issues, it is considered that the proposed layout of the site and buildings is satisfactory and that the development will not adversely impact on the amenities enjoyed by surrounding residents. Appropriate conditions can be imposed to restrict the number of children at both nurseries and the nature of the proposed nursery.

Design

The design of the extension to this building is satisfactory. Although there will be blank elevations facing north and east to Melfort Place and

Kilmore Terrace, there is an existing palisade fence at these locations and the scale of the building will not be unduly dominant. The west facing front elevation is of attractive appearance. Finally whilst the use of bright primary colours may not be to everyone's taste, they are certainly appropriate for a children's nursery in this particular location.

CONCLUSION

The proposed nursery represents an appropriate development at this location. It complements the facilities provided at the existing nursery and provides adequate parking and open space. It should therefore be supported despite the fact that the open space provision is less than that required by Policy SCE4 of the Local Plan.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 A maximum of 24 children, none of whom shall be over 2 years old, shall be accommodated within the proposed nursery.
- 3 Details of the proposed access arrangements and the layout of the parking and turning areas shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 4 The proposed nursery shall not be occupied unless and until the arrangements for access and parking approved by the Council under the terms of Condition 3 above have been fully implemented to the written satisfaction of the Council.
- 5 The existing nursery at 261 Old Glamis Road indicated in the plans as being within the applicant's ownership shall accommodate a maximum of 44 children.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to accord with the applicants intentions and because it is considered that the provision of open space is only justifiable based on these limited numbers and age groups.
- 3 In order to ensure adequate arrangements for access and parking.
- 4 To ensure that access and parking facilities are provided prior to the first use of the proposed nursery.
- 5 To ensure that adequate parking and turning facilities are available for both nurseries.