

AGENDA MANAGEMENT SHEET

Name of Committee **Regulatory Committee**

Date of Committee **15th November 2005**

Report Title **Bedworth Heath Nursery School,
Bedworth - Construction of a Single Storey
Extension to Create a Children’s Centre
with Associated Facilities**

Summary The proposed single storey extension would create a children’s centre that would provide facilities for local children and their parents. This would offer core services such as childcare, early education, health support, family support and employment training.

**For further information
please contact** Lisa Chaney
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**Would the recommended
decision be contrary to the
Budget and Policy
Framework?** Yes/No

Background Papers Planning Application N657/05CC024, supporting statement and plans received 17/08/2005.
Letter dated 17/8/2005 from Highways.
Letter dated 24/8/2005 from Environmental Design.
Letter dated 01/9/2005 from Mr and Mrs Kirk (117 Smorrall Lane).
Letter dated 13/9/2005 from County Archaeologist.
Letter dated 20/9/2005 from Nuneaton and Bedworth Borough Council.
Letter dated 22/9/2005 from County Ecologist.
62 name petition dated 27/9/2005 from those residents on Glebe Avenue, Martins Road and Kathleen Avenue.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

Other Committees

Local Member(s)
(With brief comments, if appropriate)

Councillor F McCarney – No comments received.
Councillor J Haynes – No comments received.

Other Elected Members

.....

Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

.....

Chief Executive

.....

Legal

P Endall - agreed

Finance

.....

Other Chief Officers

.....

District Councils

Nuneaton and Bedworth Borough Council – see paragraph 2.1.

Health Authority

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Police

.....

Other Bodies/Individuals

.....

FINAL DECISION

YES/NO (If 'No' complete Suggested Next Steps)

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by this Committee

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To Council

.....

To Cabinet

.....

To an O & S Committee

.....

To an Area Committee

.....

Further Consultation

.....

Regulatory Committee - 15 November 2005

Bedworth Heath Nursery School, Bedworth - Construction of a Single Storey Extension to Create a Children's Centre with Associated Facilities

Report of the Director of Planning, Transport and Economic Strategy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a single storey extension to create a children's centre with associated facilities, at Bedworth Heath Nursery School, Bedworth, subject to conditions and for the reasons contained in **Appendix B** of the report of the Director of Planning, Transport and Economic Strategy.

APPLICATION NO : N657/05CC024

SUBMITTED BY: Director of Property Services Department on behalf of Cabinet of Warwickshire County Council.

RECEIVED BY: The Director of Planning, Transport & Economic Strategy on 16/8/2005.

THE PROPOSAL: Construction of a single storey extension to create children centre with associated facilities. [Submitted under Regulation 3 of the Town and Country Planning Regulations 1992.]

SITE & LOCATION: 0.15 ha of land at Bedworth Heath Nursery School, Glebe Avenue, Bedworth, Nuneaton, Warwickshire [Grid ref: 342.862].

See plan in **Appendix A**.

1. Application Details

- 1.1 The planning application proposes the extension of Bedworth Heath Nursery School to create a Children's centre that would provide important facilities for local children and their parents. It would offer core services such as childcare, early education, health support, family support and employment training. The new centre would benefit the whole community and would consist of a wraparound unit, information/seating area, children's and disabled toilets, buggy store, as well as a snack/kitchen area.
- 1.2 The new centre would be located in the Northern corner of the Nursery School site and would be a single storey extension. The existing Nursery measures a floorspace of 275m² with the new extension adding floorspace of 76.5m². Combined this will measure 351.5m². The new extension would measure 11 metres by 8 metres and 4.2 metres high. It would stand 0.5 metres higher than existing school building, which measures 3.7 metres high.
- 1.3 The proposed extension would measure, at its closest point, 0.4 metres from the boundary fence of 117 Smorrall Lane and, at its widest, 1.2 metres from 119 Smorrall Lane. On Bellairs Avenue it would measure, at its closest, 1.1 metres from the boundary with number 7 and, at its widest, 2.6 metres from the boundary with number 5. The existing building measures, at its closest point, 0.3 metres from the boundary with number 11 Bellairs Avenue.
- 1.4 The extension has been designed to provide a light, stimulating and welcoming spaces to best suit the services offered. The extension has been carefully considered to respond to the existing site and conditions and existing buildings.
- 1.5 There would be 16 children from the existing Nursery School attending the new centre. No new or additional children would be attending the new centre.

2. Consultations

- 2.1 **Nuneaton and Bedworth Borough Council** has no objection but raised concern that the proposed red brick of the extension does not matching the existing building and that the proposed extension may result in an increase in on-street parking, suggesting that off-street parking is provided within the site.
- 2.2 **Councillor J Haynes** – No comments received.
- 2.3 **Councillor F McCarney** – No comments received.
- 2.4 **County Museum** – Ecological Response – No objection.
- 2.5 **County Museum** - Archaeological Response – No objection.

3. Representations

3.1 One letter of objection have been received in respect of the application. Concerns include:-

- (i) Proximity of the development to residential boundaries.
- (ii) Loss of light to residential properties.
- (iii) Visual Impact.
- (iv) Impact on vegetation.
- (v) Noise.

3.2 A 62-signature petition has also been received in relation to increased car congestion on the street outside, as there is no parking available on site.

4. Observations

Site and Surrounding

- 4.1 The application site is located within a residential area of Bedworth Heath, in the town of Bedworth.
- 4.2 The proposed single storey extension would be located to the north west corner of the school, in the top left hand corner of the application site, closest to Smorrall Lane and Bellairs Avenue. This corner is at present the school's nature area, though it is in an 'unkempt' state and has been left to become overgrown. Some trees and vegetation screen those houses on Smorrall Lane and there is a 1.5 metre high fence on the boundary between the Nursery and those houses on Smorrall Lane and Bellairs Avenue.

Proximity to residential properties and loss of light

- 4.3 One local resident has raised concern over the proximity of the proposed extension to the residential properties on Smorrall Lane and those on Bellairs Avenue. It is accepted that it is close to the boundary, however the proposed extension would measure 29.5 metres from the nearest property on Bellairs Avenue (no 7) and 16 metres from the nearest property on Smorrall Lane (no 117) (The existing Nursery School is 26 metres from the nearest property on Bellairs Avenue). Nuneaton and Bedworth Borough Council's residential Design Guide 2004, states distance standards recommended between residential properties. If this is applied to the development of a single storey extension of a school to the nearest two-storey property, it would use a standard in the guide for a single storey residential extension to the nearest two-storey property. The guide in this instance recommends:-

'In the interests of protecting aspect and light, the blank wall of an extension directly facing the window of a habitable room of the same height shall be a minimum 12 metres apart.....the minimum distance increases to 14 metres where the extension is a storey higher....' (para 9.5)

- 4.4 Therefore the minimum distance in this case would be 12 metres. Both nearest properties on Smorrall Lane (16m) and Bellairs Avenue (29.5m) are outside this distance. The impact of the mass of the extension on the properties should be acceptable. Moreover, the residential design guide refers to a 'blank wall of an extension' where as the proposed extension does in fact incorporate windows on both the North facing elevation (Smorrall Lane) and the West facing elevation (Bellairs Avenue).
- 4.5 The West elevation of the proposed extension incorporates two windows. The top of these windows measure 2.2 metres from the ground. However, these windows would be almost completely obscured by a new 2-metre fence that the architects have agreed to erect on the boundary between the Nursery school and the properties on Bellairs Avenue and Smorrall Lane. A condition has been added requiring the provision of the fence. Therefore it is not considered these windows would overlook or have a detrimental impact upon neighbouring properties.
- 4.6 The North elevation of the proposed extension incorporates one low level window. The top of the window is 1.4 metres from the ground and would be below the height level of the new 2-metre fence. Therefore it is not considered this window would overlook or have a detrimental impact upon neighbouring properties.

Loss of Light

- 4.7 The residents of number 117 Smorrall Lane also believe there would be a loss of light to their property. The height of the new single storey extension would be 4.2 metres and 16 metres away from the two-storey house on Smorrall Lane. As has been stated a 2-metre fence would be on the boundary. It is not considered that the extension would therefore cause an unacceptable loss of light to number 117 Smorrall Lane and should not be 'un-neighbourly'.

Visual Impact

- 4.8 Nuneaton and Bedworth Borough Council also raised concern over the proposed red brick as it would not match the existing building. A condition is proposed requiring submissions of further details of all external finish materials, including samples of external bricks and roof materials to be used on the building submitted prior to construction. Furthermore the applicants have agreed to change the colour of the brickwork to match the existing brick colour on site after comments received by Nuneaton and Bedworth Borough Council.

Impact on Vegetation

- 4.9 Number 117 Smorrall Lane also have concerns over the loss of vegetation on the existing site where the extension is proposed. There are a number of trees on site but the applicants have stated that none would be felled. The proposal itself does not lie within any statutory or non-statutory sites of ecological interest and that the site would appear to be of low parish value or below. The proposed development is very close to the site boundary, therefore there would be potential to damage existing trees and vegetation. However the close proximity of the vegetation to the boundary fence would mean it would be hard to protect vegetation at this location from damage to building work. However the applicants have stated:

'We will endeavour to keep and protect all existing vegetation and wildlife on the perimeter where possible. Allowance has been made in the foundation design of the new extension for existing trees and shrubs to be maintained. We will ensure that appropriate protection and consideration is given to safeguarding the vegetation and wildlife throughout the construction.'

N.B. In amenity terms this vegetation is not considered to be of sufficient merit to justify protection by planning conditions.

Noise

- 4.10 Concern has also been raised from the occupants of 117 Smorrall Lane regarding additional noise coming from the proposed extension once the children are using it. The area of land it is proposed to be built upon was once a recreational amenity space for the children, which would have meant noise coming from children outside as they used this open space to play and learn. The extension would contain any noise in this area inside and, although there are windows that will open, the 2 metre high fence should act as an extra buffer, as well as any vegetation that can be retained. The extension is not significantly closer to properties than the existing building (which in some cases is closer the neighbouring properties than the extension). The proposed extension is incidental to the main nursery building and it is not thought would generate any excessive extra noise.

Increased Car Congestion (No Parking)

- 4.11 A petition has been received expressing the view that an unacceptable increase in car congestion and parking on the street will occur if the new centre were to be approved. Nuneaton and Bedworth Borough Council also raised a concern over this and asked for on-site parking to be investigated.
- 4.12 The applicants have considered the feasibility of on site parking but found the lack of space on site and the potential implications it would have for the safety of the children would mean it would be unachievable.
- 4.13 The new building would extend the hours that the centre opens from 3:30pm to 5pm. The centre would offer 16 places but there would not be an additional 16 children in the nursery school site. These children would simply be staying for a

longer period to meet the needs of working parents. The congestion in Glebe Road would be eased by this provision as there would be a staggering of parents coming to collect their children rather than all arriving at the same time as in the present situation.

- 4.14 The location of the new centre has also been specifically chosen so the majority of potential users are within 'pram pushing' distance and would not require to travel to the site by car.

5. Planning Policy

- 5.1 Policy ER1 of the Warwickshire Structure Plan sets out policies in relation to natural and cultural environmental resources and the protection of the environmental assets of the county. Policy ER2 of the Structure Plan sets out policies in relation to the environmental impact of development on the landscape and material assets of the county. The proposal would not have a detrimental impact on the local amenity and therefore accords with these policies.
- 5.2 Policy Env14 of the Nuneaton and Bedworth Modifications 2005 states the design and material of all development should be of a high standard in keeping with the scale and character of the locality. This proposal is considered to be an acceptable design solution, which accords with this policy.

6. Conclusion

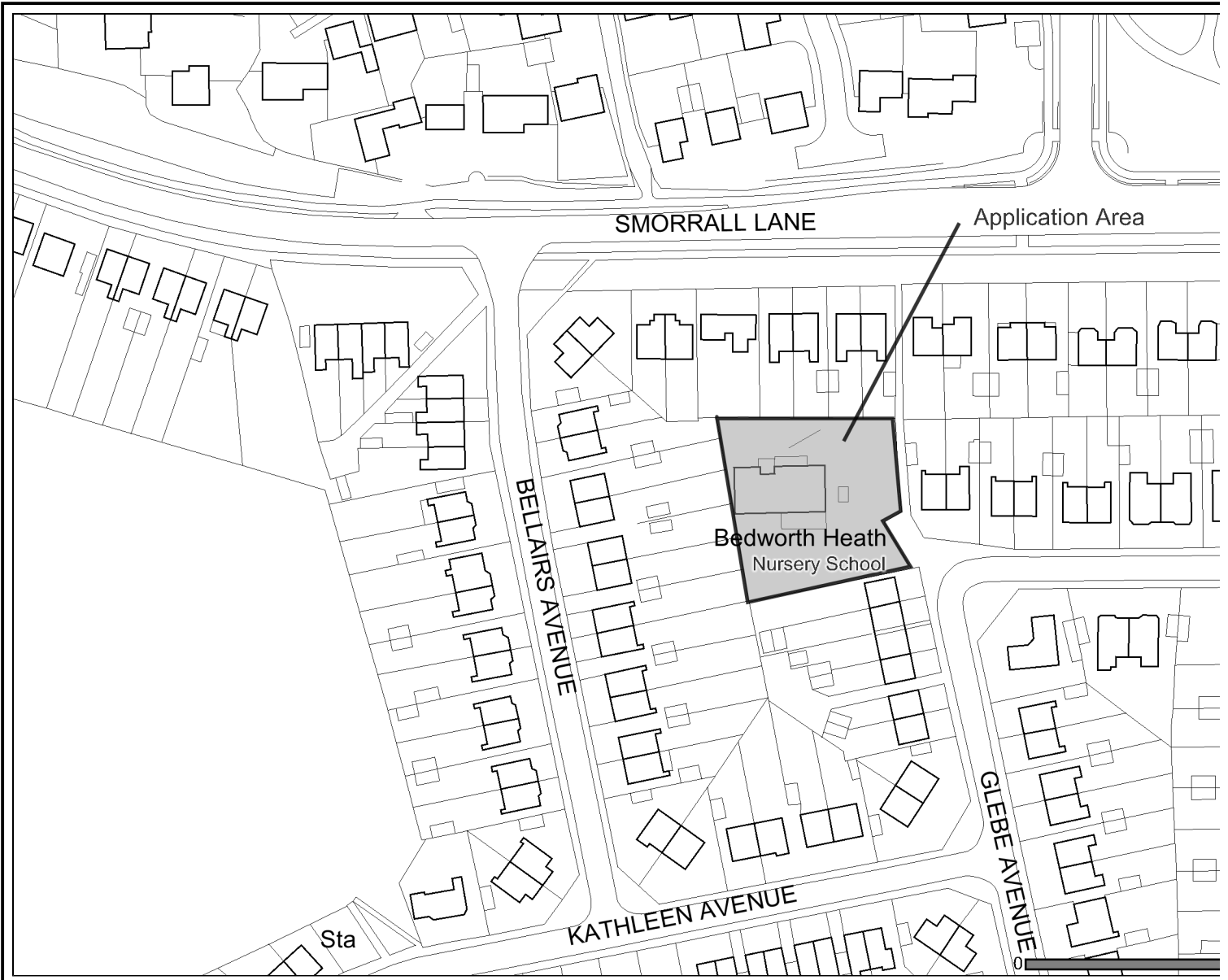
- 6.1 The proposed construction of a single storey extension to create a children's centre with associated facilities, at Bedworth Heath Nursery School, Bedworth, is considered to be acceptable when taking into account all material considerations relating to the development.

7. Environmental implications

- 7.1 The size and scale of the proposed development would have only a limited impact on the visual amenities of the locality. It's height; scale and massing are in keeping with the surrounding area. The distance of the proposed extension from neighbouring properties is considered to have minimal impact, especially if the new fence were to be erected on the boundary. There would not be a significant increase in noise or traffic levels, as existing children at the Nursery would use the proposed extension. Although there would be some ecological impact, the site is of low parish value and because the applicants have stated, where possible, they will protect existing trees and vegetation, it is not thought this should adversely affect the proposal. The proposal would provide a much needed facility for local residents.

JOHN DEEGAN
Director of Planning, Transport and Economic Strategy
Shire Hall
Warwick

31st October 2005



Scale 1: 1400

Ref No. N657/05CC024

Drawn Lisa Cr

Regulatory Committee 15th November 2005

Subject

Single Storey Extension - Bedworth Heath Nursery School

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Regulatory Committee – 15th November 2005

**Bedworth Heath Nursery School, Bedworth - Construction of
a Single Storey Extension to Create a Children's Centre with
Associated Facilities**

Application No: N657/05CC024

General Operations

1. The development hereby permitted shall be commenced no later than 5 years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: N657/05CC024, Supporting Statement and plans 0507/P101, 0507/P102, 0507/P103, 0503/P104, 0503/P105, 0503/P106, 0503/P107.
3. The development hereby permitted shall not be commenced until further details of all external finish materials, including samples of external bricks and roof materials to be used on the building hereby approved have been submitted to and approved in writing by the County Planning Authority. The development should then be carried out in accordance with the said approved details.
4. Before the extension is first brought into use a permanent 2 metre high fence will be erected on the boundary between the Nursery school extension site and properties on Bellairs Avenue and Smorrall Lane. This will extend from Numbers 5 to 7 Bellairs Avenue and numbers 117 to 119 Smorrall Lane and be in accordance with a scheme, which should have first been submitted to and approved by the County Planning Authority.

Reasons

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. To ensure development is carried out in accordance with the planning permission hereby granted.
3. To ensure a satisfactory standard of development in the interest of the visual amenities of the area.
4. To protect the amenity of the area, including visual impact and noise.

Development Plan Policies and Proposals Relevant to the Decision to Grant Permission

Warwickshire Structure Plan 1996 – 2011

1. Policy ER.1.
2. Policy ER.2.

Nuneaton and Bedworth Borough Local Plan 1993

1. Policy E32.
2. Policy L26.

Nuneaton and Bedworth Modifications 2005

1. Policy ENV14.
2. Env 31.

Nuneaton and Bedworth Residential Design Guide 2004

1. Part 9 - Privacy, Aspect and Light.

Reasons for the Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to require refusal.

Note:

Where possible all existing vegetation and wildlife on the perimeter should be kept and protected. As many as possible of the trees are to be retained, these trees should be preserved and protected both during and after development.

Where it is essential to fell or lop trees or shrubs it should be ensured that this work does not disturb nesting birds. Nesting birds are protected under the 1981 Wildlife and Countryside Act, and if they are present, work should not take place during the nesting season, (approximately March-September). *N.B. birds can nest at anytime, and the site should ideally be checked for their presence immediately before work starts.* It is also important to survey any mature trees for bats if they are to be affected, as bats **and** their roost sites are protected under the 1981 Wildlife and Countryside Act.

The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.