

PLANNING STATEMENT

37 Park Lane, Hornchurch, RM11 1BD

August 2024



Figure 1. 37 Park Lane, Hornchurch

INTRODUCTION

The JTS Partnership has been instructed to make an application seeking planning permission to change the use of 37 Park Lane, from residential (Class C3) to a day nursery (Class E) and to erect a ground floor rear extension.

This submission follows on from a refusal (ref. P1074/23) for the same proposal. It includes evidence (provided in a Noise Assessment, a Transport Statement and this Statement) to support the scheme. It demonstrates that the proposal will not have an adverse impact upon the amenity of neighbours; the predominantly residential character of the area; or due to increased vehicle movements.

The Applicants are confident that the site fully meets their requirements for establishing a registered full day care nursery that will operate from 07.30 – 18:30, with a maximum capacity of 25 children (ages range from 0-5) on-site at any one time, and a total of 6 members of staff. The Applicants are also confident that the proposal will contribute positively to the area and to the local community.

This revised scheme is further supported by a Travel Plan Statement, that has been prepared to encourage sustainable travel options.

THE SITE AND SURROUNDING AREA

37 Park Lane is an end of terrace, two-storey, dwelling located on the corner of Park Lane and Clifton Road. The front garden has been paved to provide one parking space, accessed via a dropped kerb. There is an additional parking space, garage and small garden to the rear. The property has been extended and it is bordered by residential properties to the north and east. The Raphael Independent School (permanently closed) lies on the other side of Clifton Road.

The site is centrally located within an area, south-east of Romford Town Centre, which predominately consists of residential dwellings and is, therefore, well located for the needs of the business and to encourage both staff and customers to travel by sustainable transport modes, specifically walking and cycling. There are shops and services within close walking distance from the site.

The closest bus stop is Albert Road Romford (Stop G), which is approximately 3 minutes' walking distance and provides services to Romford, Havering Park, Harold Wood, Noak Hill, Rainham and Abbey Wood Lane. The nearest train station is Romford, which is 4 minutes' drive.

The site is neither listed nor within a Conservation Area. It is located within Flood Zone 1; an area with the least risk of flooding.

Planning History

The planning history of the site, as it is available on the Council's website, is set out in the table below.

Application ref.	Proposal	Decision	Decision date
P1074.23	Change of use from residential to childcare/nursery, and ground floor rear extension.	Application Refused	31 st August 2023

Application P1074.23 concerned the change of use of the site from residential to childcare/nursery, with a ground floor rear extension. It was refused planning permission for the following reasons:

- In the absence of any evidence to the contrary the nature of the proposed use, with associated activities in comparison with the lawful use of the existing premises as a single dwelling house would adversely affect the predominately residential character of the area and therefore, would be contrary to Policies 16 and 17 of the Havering Local Plan 2016-2031*

which amongst other things requires uses as that proposed not to adversely impact on residential character and amenity.

- 2. In the absence of evidence to the contrary the proposed use of the site, external areas and increased comings and goings including vehicle movement, and the noise from activities associated with the proposed use, from the proposed scheme would be detrimental to the amenities of the surrounding neighbouring dwellings and hence the proposed development would accordingly be contrary to Havering Local Plan 2016-2031 Policies 6, 7, 16, 17, 26 and 34 which seek amongst other things high-quality development that ensures that the amenity and quality of life of existing residents is not adversely affected. These aims are reflected in the National Planning Policy Framework at Para 130(f).*
- 3. In the absence of evidence to the contrary the proposed change of use would lead to increased vehicle movement to and from the site over the existing lawful use. Whilst there are existing restrictions in place there would be increased demand for limited on-street parking which would increase parking pressure and congestion at peak times to the detrimental of surrounding neighbouring amenity and the safe and free flow of traffic with potential impact upon highways safety for both pedestrian and vehicular traffic and would therefore be contrary to Havering Local Plan 2016-2031 Policies 16, 17, 23 and 24 in addition to Paragraph 111 of the NPPF.*

Importantly, the grounds of refusal do not raise an objection to the loss of residential use, the principle of introducing a day nursey in this area, or the proposed ground floor rear extension. The concerns that are highlighted relate to the impact that nursery use may have:

- upon the predominantly residential character of the area (ground of refusal 1);
- upon the amenity of neighbours (ground of refusals 1 & 2);
- and due to the lack of on-site parking (ground of refusal 3).

THE PROPOSALS

The revised application seeks planning permission to change the use of 37 Park Lane from residential (Class C3) to a day nursery (Class E) and the erection of a ground floor rear extension.

The proposed access arrangements for pedestrians and cars will be the same as existing. Staff and visitors will access the site via the entrance from Park Lane, whilst a total of 2 parking spaces will be provided on-site for staff. One from Park Lane and one at the rear of the site from Clifton Road. The existing garage will remain but may be used as storage or another activity room, possibly an indoor play area for the children, if the weather is bad.

The revised proposal also includes a new electric vehicle charging point to be installed at the front of the property, two Sheffield cycle stands located in existing front paving, and a new double wheelie bin storage chest for two bins. The existing garage and shed to the rear of the site will remain and will be converted into an additional activity room / indoor play area for the children to use when the weather is bad.

The proposals are for a day nursery with a maximum capacity of 25 children (ages range from 0-5) on site at any one time, with a total of 6 members of staff, who will be encouraged to travel to and from site by sustainable travel modes.

The nursery day will commence at 7:30am and finish at 18:30pm, Monday to Friday, only with three sessions available as detailed below:

- Morning Session (half-day) – 07:30am – 13:00pm

- Afternoon Session (half-day) – 13:00pm – 18:30pm
- Full Day – 07:30am – 18:30pm

It is anticipated that 50% of children will be on site for the full day, with 50% attending either a morning or afternoon session only.

The submission is accompanied by the following documents:

- This Planning Statement incorporating Design & Access.
- Completed Application Forms & Certificate.
- Covering Letter, dated 1st August 2024.
- Drawing 100-00 Site Location Plan
- Drawing 101-00 Proposed Site/Block Plan
- Drawing 200-02 Existing and Proposed Ground Floor Plan
- Drawing 201-00 Existing and Proposed First Floor Plan
- Drawing 202-00 Existing and Proposed Loft Plan
- Drawing 203-00 Existing and Proposed Roof Plan
- Drawing 204-00 Existing and Proposed Front and Rear Elevations
- Drawing 205-00 Existing and Proposed Side Elevation (Left)
- Drawing 206-00 Existing and Proposed Side Elevation (Right)
- Noise Assessment, prepared by Hepworth Acoustics
- Transport Statement, prepared by Cottee Transport Planning
- Travel Plan Statement, prepared by Cottee Transport Planning

PLANNING POLICY CONTEXT

As is set out in the updated National Planning Policy Framework (NPPF), the proposals are to be determined in accordance with the terms of the development plan, unless material considerations indicate otherwise. The development plan includes the following documents:

- The London Plan (2021).
- Havering's Local Plan 2016 – 2031 (adopted November 2021).

Among other matters, the Local Plan seeks to remedy deficiencies in services and facilities provision, including spatial inequalities in the distribution of facilities in different parts of the borough and especially in those areas with poor educational attainment. It also seeks to ensure that there is no net loss of dwellings and that new development is in keeping with the character of an area and does not harm the amenity of neighbours or cause highway safety issues.

RELEVANT PLANNING POLICIES

The site lies in a predominantly residential area, within defined settlement limits. The delegated report for application ref. P1074/23 identifies the development planning policies that are relevant to

the proposal, whilst the grounds of refusal set out the policies where, in the Council's view, there is a conflict.

It is noted that no conflict, or objection, is raised with respect to Local Plan Policy 3 Housing Supply, or in respect of any London Plan policies.

The grounds of refusal do, however, identify a potential conflict with Local Plan Policies 6, 7, 16, 17, 23, 24 and 26. These policies are summarised below and are discussed in the following sections of the report.

- **Policy 7 Residential Design and Amenity** provides that, to protect the amenity of existing and future residents, the Council will support developments that do not result in:
 - i. Unacceptable overlooking or loss of privacy or outlook;
 - ii. Unacceptable loss of daylight and sunlight; and
 - iii. Unacceptable levels of noise, vibration and disturbance.
- **Policy 16 Social Infrastructure** provides that the Council will make sure that new and existing residents will have access to a range of social infrastructure facilities by supporting proposals for new and extended social infrastructure provided that they:
 - a. *are accessible by public transport and active travel;*
 - b. *are located within the community that they are intended to serve and incorporate an inclusive design;*
 - c. *do not adversely impact on residential character and amenity;*
 - d. *ensure highway safety, especially in regards to pedestrians and cyclists;*
 - e. *explore the possibility to co-locate in multiuse buildings with complimentary services; and*
 - f. *are provided in flexible, adaptable and 'healthy' buildings.*
- **Policy 17 Education** provides that the Council seeks to safeguard existing education provision. Proposals that result in the net loss of education facilities will be resisted unless it can be robustly demonstrated that there is no current or future need.

Development proposals for childcare facilities, primary and secondary schools and further or higher education facilities will be supported where it can be demonstrated that the proposals:

- i. *Contributes to the delivery of the Council's agreed Commissioning Plan for Education Provision and the Schools Expansion Programme;*
- ii. *It located within the community it is intended to serve and is accessible by public transport, walking and cycling;*
- iii. *Is of a high quality design and provides a safe environment; and*

- iv. *Provides, private, secure and safe outdoor amenity and playing space in line with Government building guidelines, which is located away from busy roads.*

The policy also adds that development proposals for nurseries will also be expected to demonstrate that:

- v. *They meet the floorspace requirements as set out in the statutory framework for the early years' foundation stage;*
- vi. *Drop-offs and pick-ups can be catered for safety; and*
- vii. *There is no significant adverse impact on the amenity of existing residents.*

- **Policy 23 Transport Connections** provides that the Council will support and encourage developments in the locations that are accessible by a range of transport options.

It will also support development that ensures safe and efficient use of the highway and demonstrates that adverse impacts on the transport network are avoided or, where necessary, mitigated.

When bringing forward a planning application full Travel Plans or Travel Plan Statements will be required for development reaching certain thresholds as set out in Transport for London's (TfL) latest Guidance on Travel Plan requirements.

- **Policy 24 Parking Provision and Design** provides that London Plan maximum standards apply across the Borough.
- **Policy 26 Urban Design** states that the Council will promote high-quality design that contributes to the creation of successful places by supporting development proposals, including those that:
 - are informed by, respect and complement the distinctive qualities, identify, character and geographical features of the site and local area;
 - are fully integrated with neighbouring developments, existing path and circulation networks and patterns of activity particularly to accommodate active travel;

The second ground of refusal also cites Policy 6 Specialist [residential] Accommodation. It is not, however, relevant to the proposals as it concerns the provision, or loss of, specialist residential accommodation.

PRINCIPLE OF DEVELOPMENT

The Officer Report for planning application P1074.23 (page 4) indicated that the LPA is mindful of the benefits associated with the proposed use. It comments that the proposals would be for the purpose of providing Social Infrastructure, which is recognised to take in early years provision.

Additionally, on the same page, the Officer Report confirmed that the Council's Commissioning Plan for Education supports the set-up of new early years provision, particularly in areas of place pressure. The change of use would be in, and within walking distance, of the community that it will serve and is consistent with the objectives of Policies 16 & 17.

IMPACT ON RESIDENTIAL CHARACTER AND RESIDENTIAL AMENITY

The Officer Report (page 4) raised no objection to the infill extension at ground floor level as it was considered that, whilst it would be visible in the street, the overall visual impression would not be far enough removed from the existing for this element to be opposed.

The Officer Report did, however, raise a concern that the increased comings and goings to the site would also amount to an intensification in use that would be likely to result in additional noise and disturbance over and above that generated by the lawful use as a single dwelling house. Whilst there will be greater activity, this doesn't mean that this proposal will harm the amenity of neighbours.

The Applicants have confirmed that the opening hours are 07.30 – 18:30, with a maximum capacity of 25 children (ages range from 0-5) on-site at any one time, with a total of 6 members of staff. It is anticipated that 50% of children will be on-site for the full day, with 50% attending either a morning or afternoon session only. The morning session (half-day) will be from 7:30am – 13:00pm and the afternoon session (half-day) will be from 13:00pm – 18:30pm.

The Officer Report (page 6) raised a concern regarding potential noise disturbance from external activities and play, in the same way that the playground of a school may give rise to such noise and disturbance. The Report also raised a concern that the increased traffic flow to/from the site would create noise and disturbance to neighbours associated with the arrival and collection of children.

Although the Officer Report accepted that the use of the adjacent former School premises would have brought with it noise from outside play, it considered that as the subject dwelling is part of a terraced row and due to the proximity of sensitive receptors (page 6 of Report), there is greater potential for harm to be caused. It also considered that even if the School use is reinstated/reopened, the impacts would not lessen or mitigate those from the subject proposals. It provides that the proposal would represent the introduction of a noise generating use in far closer proximity to residential uses than the School.

The Applicants have instructed Hepworth Acoustics to undertake a Noise Impact Assessment to assess the impact of the proposals in relation to noise. The Noise Impact Assessment is included as a separate document and predicts that the use of the external play area and amplified vehicle movements is unlikely to result in an unacceptable increase in noise at the nearest residential properties. It concludes that no special noise mitigation measures are necessary, beyond limiting the hours of opening and limits the nature of children using the outside play area to a maximum of five. The proposals, therefore, complies with Policies 7 and 34 of the Local Plan.

HIGHWAY/PARKING

The Officer Report (page 7), raised an issue that those attending the site may park inconsiderably and use marked bays. It also stated that based on observations made by the Officer, there appears to be a high uptake of the spaces. The LPA added that the convenience of waiting on the highway etc, is a consideration for Officers as in the absence of any evidence to the contrary, this may potentially give rise to issues relating to highway safety and the free-flow of traffic.

As a result of the above concerns, the Applicants instructed Cottee Transport Planning to undertake a Transport Statement to assess the impact of the proposals in relation to the highway safety and the free-flow of traffic. Sufficient information has now been provided to accurately predict trip generation, associated with staff and parents dropping and collecting children. The Transport Assessment has been included as a separate document.

The report concludes: -

“The development will generate a low number of vehicle movements with a total of 7 vehicle movements (4 arrivals and 3 departures) during the AM peak hour, 6 vehicle movements (3 arrivals and 3 departures) during the PM peak hour and 34 (17 arrivals and 17 departures) throughout the day.

The drop-off and pick-up times are staggered throughout all time periods as parents / carers are able to drop-off and pick-up their children at any time during their session. During the busiest periods (AM and PM peak hours) there are 3-4 cars accessing the site during each 1-hour period. It is therefore likely that there will be a maximum of 2 cars waiting on-street to drop-off and pick-up at any given time.

During the PM period permit holder restrictions are in effect (until 18:30pm) however waiting is permitted with restricted zones for loading and to drop-off and pick-up passengers. Parents / carers will be waiting for a short period of time whilst drop-off occurs and therefore waiting within the permit holder areas for short periods of time is considered to be acceptable.

This TS demonstrates that there is significant spare on-street capacity during the peak morning and evening drop-off / pick-up times and as such the proposals are not considered to have a material impact on the capacity or operation, and therefore safety, of the surrounding highway network.

A total of 2 car parking spaces (including one disabled bay) and 4 cycle parking spaces will be provided on-site. The proposals include one Electric Vehicle Charging Point (ECVP) to encourage staff to use electric and ultra-low emission vehicles."

A separate Draft Travel Plan Statement has been prepared to support the proposals and encourage sustainable travel options from the outset (specifically walking and cycling).

The Transport Statement demonstrates that the site can be accessed and serviced in a safe and convenient arrangement and that the transport impacts of the proposed scheme are not significant and that the proposals should not be refused on highway grounds.

It is also important to note that the site is capable of accommodating two car parking spaces (including one disabled bay) and four cycle parking spaces, as shown in the Proposed Site/Block Plan.

The proposed change of use of the property and external works would, therefore, not result in an unacceptable impact on highway safety and the free-flow of traffic or create any conflict with Policies 16, 17, 23 and 24 of the Havering Local Plan.

SUMMARY

This revised application seeks planning permission to change the use of 37 Park Lane from residential to a children's day nursery.

This application follows on from a previous application, determined in August 2023, for the same / similar proposal.

Changes to the scheme include using the additional parking space to the rear of the site for staff parking only with the revised application being supported by Noise and Transport Statement.

The evidence provided in the Noise Assessment concludes that the use of the external play area and activity associated with vehicle movements are unlikely to result in an unacceptable increase in noise at the nearest residential properties. Therefore, no special noise mitigation measures are necessary, beyond the limit of five child playing outside and the proposed operating hours.

Similarly, the evidence provided in the Transport Statement concludes that the site can be accessed and serviced in a safe and convenient manner and demonstrates that the transport impacts of the proposed scheme are not significant and that the proposals should not, therefore, be refused on transport grounds.

A Travel Plan Statement has been prepared to support the proposals and encourage sustainable travel options, specifically walking and cycling, which will be promoted from the outset with all new staff and customers provided with a welcome pack upon starting. All measures including cycle parking and the electric vehicle charging point will be implemented prior to the occupation of the site. Evidence will be provided to the Council that all measures have been implemented within three months of occupation.

It is considered that this proposal accords with the NPPF and relevant Local Plan policies.