
RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant Ms Mary Haynes
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 10-AP-3503

Case Number TP/2544-196

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a single storey building for use as a children's day nursery for 34 children on the land to the rear of 198, Croxted Road.

At: 198 CROXTED ROAD, LONDON, SE21 8NW

In accordance with application received on 02/12/2010 08:00:47

and Applicant's Drawing Nos. Design and Access Statement, Site Plan, Travel Plan, Travel Plan Statement

Plans:- GA001, GA002, GA003, GA004, GA005, GA026

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

GA002; 003; 004; 005; 0026

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse and recycling have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Saved Southwark Plan Policy 3.2 Protection of Amenity.

- 4 The nursery shall operate only between the hours of 07:30 to 18:30 Monday to Friday and not at any time on Saturdays, Sundays or public holidays.

Reason

The proposed nursery use is within close proximity to residential boundaries and its use beyond the hours specified may give rise to a loss of amenity to neighbouring residential properties contrary to Saved Southwark Plan Policy 3.2 Protection of Amenity.

- 5 The nursery hereby approved shall accommodate a maximum of 34 children at any time.

Reason

The proposed nursery use is within close proximity to residential boundaries and its use for more children or beyond the hours specified may give rise to a loss of amenity to neighbouring residential properties contrary to Saved Southwark Plan Policy 3.2 Protection of Amenity.

- 6 The Green Travel Plan submitted or as updated and agreed in writing with the Local Planning Authority, shall be implemented in full for the duration of the use hereby permitted. An updated travel plan shall be submitted to and approved by the local authority following the first user surveys (within 3 months of opening), and thereafter, surveys to be undertaken annually and results reported to the Green Travel Plan Officer at the London Borough of Southwark.

Reason

In order that the use of non-car based travel is encouraged in accordance with Saved Southwark Plan policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 car parking.

- 7 Before the any work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Saved Southwark Plan Policy 5.3 Walking and Cycling.

- 8 Any deliveries, unloading and loading to the nursery shall only be between the following hours: Monday to Saturday - 08:00 - 20:00, and not at all on Sundays and Bank Holidays.

Reason

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Saved Southwark Plan policy 3.2 Protection of Amenity.

- 9 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Saved Policy 3.1 Environmental Effects of the Adopted Southwark Plan 2007

Reason for Granting Planning Permission

This planning application was considered with regard to various policies including, but not exclusively:

- a] Saved Southwark Plan Policies 2.2 (Provision of community facilities) sets out the conditions where the Council will consider sites suitable for new community facilities, Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity. Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site. Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area.
- b] Policy 3A.24 Educational facilities of the London Plan
- c] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPS 3 Housing
- d] Core Strategy 2011 - Strategic Policy 4 Places to learn and enjoy

Particular regard was had to the loss of garden associated with the existing house and the potential traffic impacts that could result from the proposed use, as well as potential amenity impacts for residential neighbours. It was considered that this would be outweighed by the benefit to the local community provided by the nursery for which there is a high demand. Consideration was given to the mitigation measures put in place within the proposed green travel plan as such it was considered that with conditions the amenity concerns would be reduced. It was therefore considered appropriate to grant planning permission subject to conditions having regard to the policies considered and other material planning considerations.

