LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE	**Date :** 24th January 2012

Report of Assistant Director, Planning & Environmental Protection	**Contact Officer:** Aled Richards Tel: 020 8379 3857 Andy Higham Tel: 020 8379 3848 Mr N. Catherall Tel: 020 8379 3833	**Ward:** Haselbury

Application Number : P1200047PLA	**Category**: Other Development

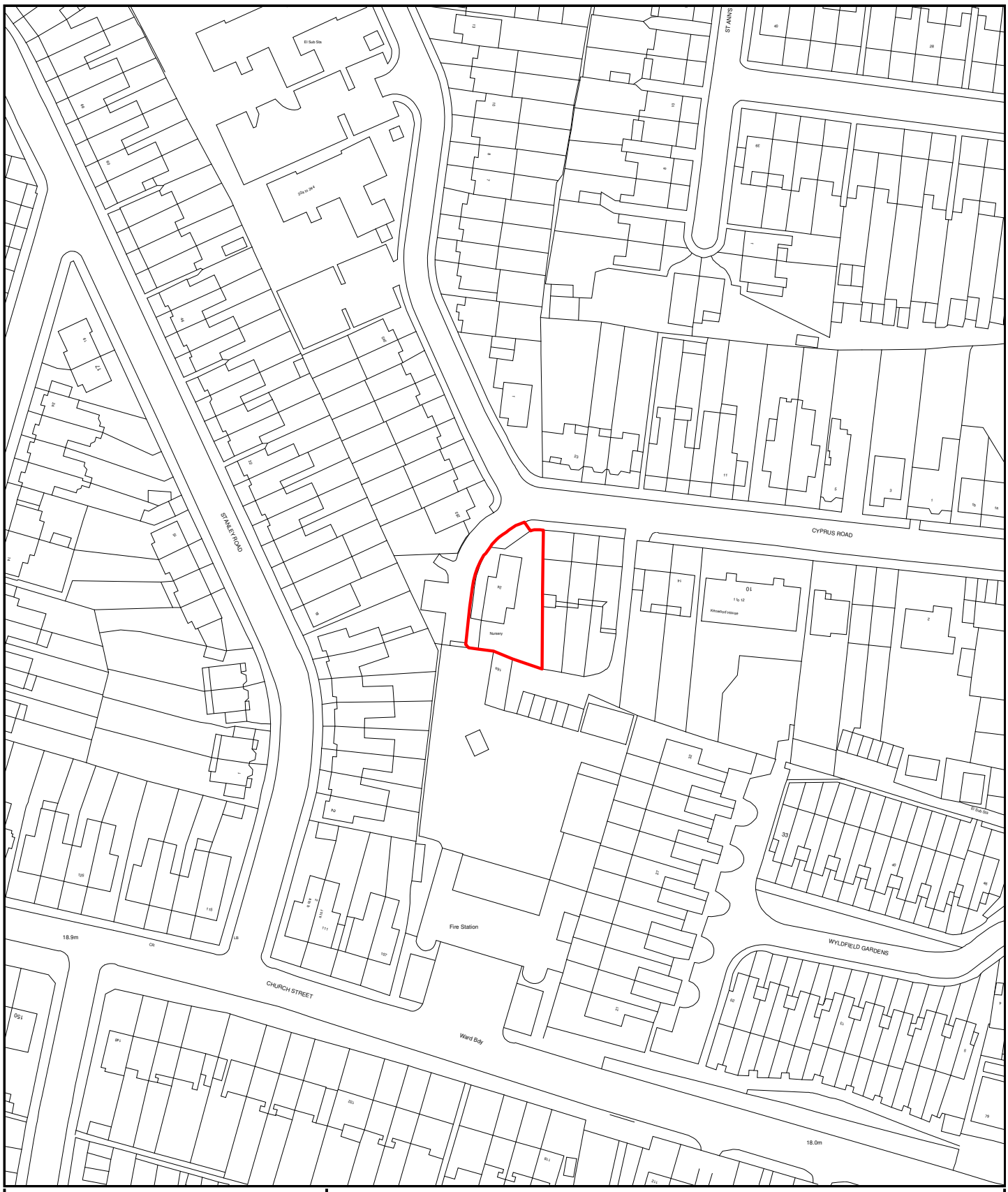
LOCATION: EDMONTON COMMUNITY NURSERY, 24, CYPRUS ROAD, LONDON, N9 9PG

PROPOSAL: Variation of LBE/11/0025 condition 4 & 5 to allow a maximum of 35 learners and 8 staff at any one time and extension of opening hours as follows: 08.00 hrs to 18.00hrs Monday to Friday with occasional use no later than 20.00 hrs and 08.00 hrs to 13.00 hrs on Saturdays.

Applicant Name & Address: Matthew Mulvany, London Borough of Enfield Architectural Services, Po Box 50, Civic Centre, Enfield, EN1 3XB	**Agent Name & Address**: Mark Reeves, Ingleton Wood 10, Lake Meadows Business Park Woodbrook Crescent Billericay Essex CM12 0EQ

RECOMMENDATION:
That in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission be deemed to be **GRANTED** for the variation of Conditions 4 & 5

Application No:- P1200047PLA



ENFIELD Council

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Development Control

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 150m

Scale - 1:1250

Time of plot: 11:44 Date of plot: 11/01/2012

1. Site and Surroundings

1.1 The application site comprises a two storey detached building at the western end of Cyprus Road on the corner where it merges into Streamside Close. The building itself has its flank facing the public highway, with the front of the building facing north onto a short private road which provides a rear entrance and egress to the Edmonton Fire Station. The site is bordered by residential properties immediately to the east of the site, by the Edmonton Fire Station immediately to the south of the site, and residential properties on the opposite side of Cyprus Road and Streamside Close. The approved use is for a Specialist School.

2. Proposal

2.1 Permission is sought to vary Conditions 4 & 5 of LBE/11/0025 which allowed 24 Cyprus Road to be occupied as a specialist school unit.

2.2 The relevant conditions are:

- Condition 4 - The premises shall only be open between the hours of 08:00hrs to 18:00hrs Monday to Friday and 08:00hrs to 13:00hrs on Saturdays and at no other time.

The variation proposed is additional weekday use of the premises between 18:00hrs and 20:00hrs on an occasional basis.

- Condition 5 - The premises hereby approved shall only be occupied by no more than a maximum of 30 pupils and 6 staff at any one time unless permission is otherwise obtained from the local planning authority.

The variation proposed is for an increase in numbers to a maximum of 35 pupils and 8 staff.

2.2 The applicant’s have provided the following information:

3. Relevant Planning Decisions

LBE/88/0049 - Change of use from residential to children's day nursery. Granted with conditions, March 1989.

TP/94/0297 - Erection of single storey extension at side and rear of existing building to provide play/dining area. Granted with conditions, August 1994.

LBE/11/0025 - Use of premises as a specialist school unit for a maximum of 30 students involving erection of a single storey side and rear extension and front access ramp. Granted with conditions, December 2011.

4. Consultations

4.1 <u>Statutory and non-statutory consultees</u>

4.1.1 Any comments from Environmental Health and Transportation will be reported at the meeting

4.2 Public

4.2.1 Consultation letters were sent to thirteen surrounding properties. The consultation period expires on 1st February 2012 and any replies will be reported at the meeting.

5. Relevant Policy

5.1 Unitary Development Plan Policy

(II) GD8 - Access & servicing
(II) CS1 - Community services, full range of services appropriate to needs
(II) CS2 - Development in accordance with Councils' environmental policies

5.2 Core Strategy Policy

CP4 - High quality design and sustainability
CP8 - Education
CP30 - Maintaining and improving the quality of the built and open environment

5.3 London Plan Policy

6.13 - Parking
7.1 - Building London's neighbourhoods and communities
7.4 - Local character

5.4 National and Regional Planning Policy

PPG13 - Transport

5.5 Other Relevant Policy

None

6. Analysis

6.1 Variation of Condition 4

6.1.1 In relation to the proposed Variation of Condition 4 for the occasional ad hoc use of the premises Monday to Friday until 20:00 hours, the applicant's cite potential uses as parental evenings and training events, but it could also be used by the residents of the area for meetings such as Neighbourhood Watch and Council member clinics. It is envisaged that the later use would not be frequent or regular; however the Centre will be an ideal location for such community use in an area that has few amenities.

6.1.2 The proposed school uses are considered to be in keeping with the general function of educational facilities, the character of which has been accepted. The proposed use as a community facility has the potential to provide a resource that is lacking in the area.

6.1.3 Having regard to the building's location in a predominantly residential area, caution must be exercised in allowing use outside of regular working hours, as such a condition will be attached restricting the extended use to no more than 2 occasions per calendar month. On this basis, the limited extension to the hours of use is considered acceptable

6.2 Variation of Condition 5

6.2.1 In relation to the proposed Variation of Condition 5 for an increase in numbers to a maximum of 35 pupils and 8 staff, the applicant's point to the issue that funding for the project was granted on the basis of projected demographic growth of Learners with Learning Difficulties and Disabilities to a figure of 50 learners, with the figure of 50 'on roll' but no more than 35 learners on site at any one time.

6.2.2 As a result, an additional 2 staff places (from 6 to 8) is needed to ensure that the facility and the resources, which includes the increase in learners, can be supported efficiently and staff to learner supervision requirements are met.

6.2.3 In support of the proposed variation of this condition, the Applicant has made the following points:

- Learners will generally access / leave the building at the following times:-
  08:00 – 09:15
  14:45 – 15:00

  In addition, morning and lunch break times will be:-
  10:00 – 10:30
  12:30 – 13:30

- Breaks for learners will be staggered within the delivery plan to effectively make use of facilities and a small outdoor seating area.

- The staggered breaks will involve timetabling groups so that effective room management ensures that the unused rooms are facilitated to accommodate the provision of internal lunch space.

- The vacant room will be switched with classroom 2 to ensure that this larger room with catering facilities is available at break and lunch. Learners will be rotated through a period within this time to access their break and lunch.

- As an example, on a Monday and Thursday when there is no unused classroom the WinWEC learners will experience the community facilities for their break / lunch as part of the Independence Programme and the wider curriculum and so will not be on site throughout the whole day.

6.2.4 A travel plan has also been provided and this indicates

- Only one mini bus will be used to transport learners to the centre and it is anticipated that all learners will undertake Independent Travel

training allowing them to walk to the location from either home or the West Lea main site.

- A maximum of 2 staff cars will be on site at any one time with staff adopting a car share approach from the main West Lea site. One car – Head of Centre - will always be parked on site in the allocated bay.

- It is not anticipated that any learners will cycle to the building, but Plant Lock ® facilities will be available for a maximum of 6 staff cycles within the secure area of the site.

- The site is also only a short walk from Edmonton Green Rail Station and is less than 0.5miles away from West Lea School to which the Centre will be annexed

.6.2.5 One potential concerns regarding this proposal is the effect of the increased number son the residential amenities of the neighbouring properties and the character of the surrounding area. The applicant indicates that:

- Pedestrian general access shall be from the existing public footpath on Cyprus Road to the new path / hard paving to be formed by altering the existing private road line.

- Pedestrian access shall be maintained strictly for Centre access only and will become the dedicated pedestrian entrance for the building as shown on the proposed site plan.

- The private road and car park will be for Centre use, although the existing arrangements of the fire brigade vehicle exit only from the adjacent fire station site will be maintained.

- Learner Access: Access to the building will be via the side gate nearest to Cyprus Road. This gate leads directly into the recreational area at the rear and will be secured by an electronic lock during normal hours to prevent unauthorised access and maintain security.

6.2.6 Furthermore, in order to minimise noise and disruption through the learner entrance to the site being at the back of the building, a covered walk way has been incorporated into the planning, allowing learners to wait in an internal area before accessing any classrooms, so as to safeguard the amenity of the occupiers of adjoining properties. In addition, access for staff and visitors to the building will now be distributed across the site in addition to learner access at the rear.

6.2.7 It should also be noted that the learners' autistic needs are as such that they are required to function within a low-noise environment in small group numbers. This will effectively reduce the internal sound footprint that will benefit the learners and not impact negatively on the amenity. The approved application also incorporates specific features that will reduce the impact of noise and also control learner movement both into and out of the site and building and these will not be effected by the requested variation.

6.2.8 In order to further reduce impact on the adjoining properties, groundwork will include fencing and barrier vegetation as appropriate.

6.2.9 Overall therefore it is considered that the proposed staggered arrival and departure of students, along with the use of staggered lunch breaks, and provision of indoor lunch space will minimise any potential impact on the residential amenity enjoyed at surrounding properties. In additional to this the provision of an enclosed walkway, and the proposed improvement of boundary treatments together with the other aforementioned measures inherent through the management of the premises would further mitigate any potential for additional impact on residential amenity.

6.2.9 Therefore, it is considered that the increase in numbers would not impact upon the existing transport arrangements, having regard to the outlined travel plan.

7. Conclusion

7.1 It is considered that the proposed variation of Condition 4 to allow occasional extension of opening between Monday and Friday to 20:00 hours, and the proposed variation of Condition 5 to allow an additional 8 learners and 2 staff, would not undermine the character and amenity of the surrounding area and neighbouring residential properties.

7.2 It is therefore recommended that planning permission be granted for the following reasons:

1. The proposed extension of opening hours and increase in learner and staff numbers would not detract from the character and amenities of the surrounding area and in particular, the amenity of neighbouring residential properties, in keeping with Policies (II) CS1 and (II) CS2 of the Unitary Development Plan, and Core Policy 8 of the Core Strategy.

2. The proposed extension of opening hours and increase in learner and staff numbers would not give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policy (II) GD6 of the Unitary Development Plan, and Policies 6.11 and 6.13 of the London Plan.

8. Recommendation

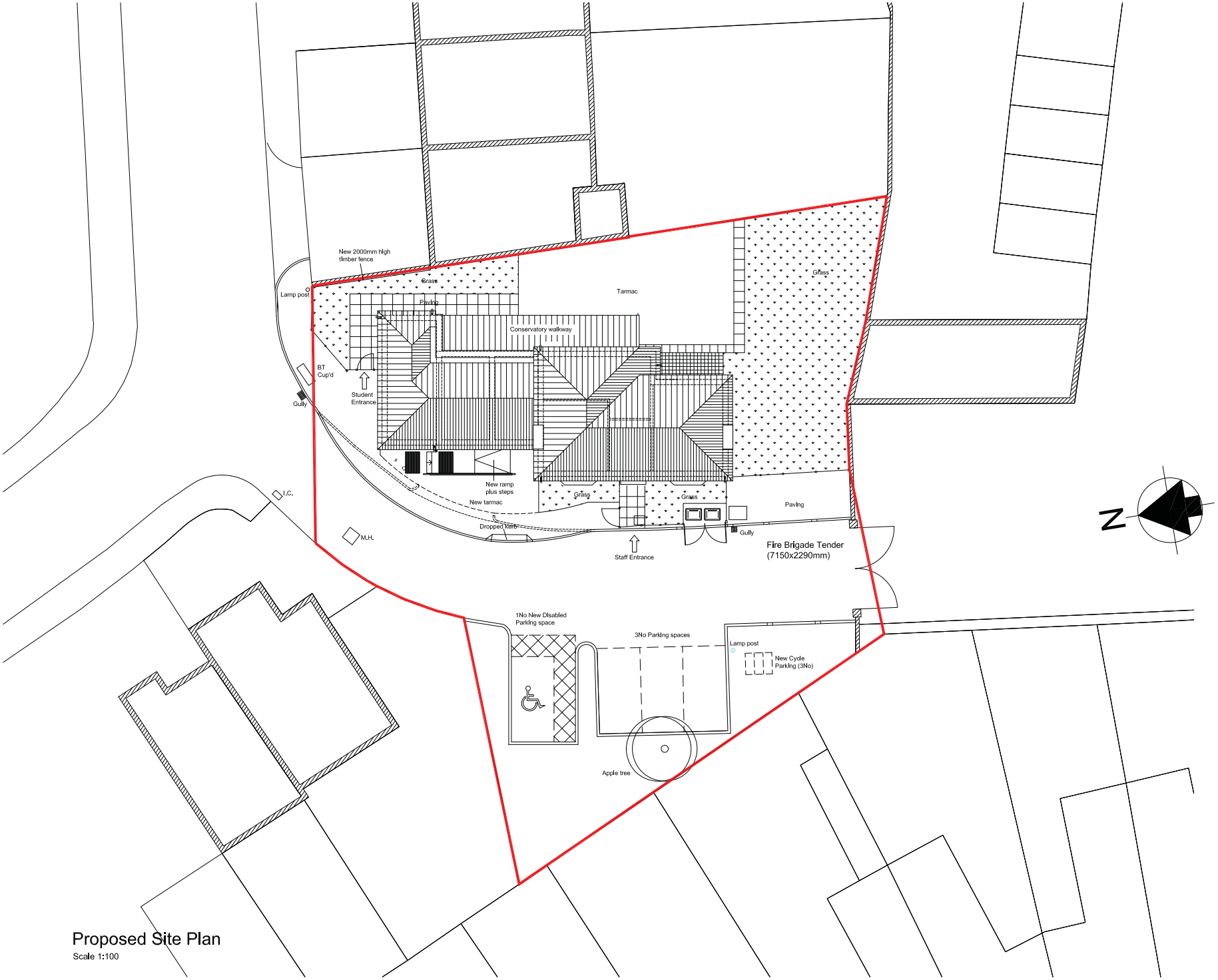
8.1 It is recommended that in accordance with Regulation 3 of the Town and Country (General) Regulations 1995, planning permission for the variation of Conditions 4 and 5 be deemed to be GRANTED subject to the following conditions:

Condition 4: The premises shall only be open between the following hours only: 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs on Saturdays,18:00hrs to 20:00hrs between Monday and Friday on no more than two occasions per calendar month, and at no other time except with the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of the occupiers of adjoining properties.

Condition 5: The premises shall only be occupied by a maximum of 35 pupils and 8 staff at any one time.

Reason: To ensure an appropriate level of use at the site, and safeguard the amenities of the occupiers of nearby residential properties.



Proposed Site Plan

Scale 1:100

All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once.

This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

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LEGEND: DO NOT SCALE

I.C. - Inspection Chamber
M.H. - Man Hole
RWP - Rain Water Pipe
SVP - Soil Vent Pipe

Revision:	Date:	Description:	Drwn:	Chkd:
B	14.12.11	Updated to suit latest GA; boundary revised	PM	MR
A	19.10.11	Issued for Planning	DT	MR

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Drawing Title:
Proposed Site Plan

Client:
London Borough of Enfield

Drawn:	Checked:	Date:	Scale:	Paper Size:
DT	AS	05.08.11	1:100	A1

Job No.:	Dwg No.:	Stage:	Revision:
61458	210	Planning	B