

Application Number:	P/FUL/2021/04102		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Pear Tree Nursery School Parley First School, Glenmoor Road Ferndown BH22 8QD		
Proposal:	Demolition of existing nursery structures and construction of replacement nursery building.		
Applicant name:	Mrs Tina Hemming-Stevens		
Case Officer:	Diana Mezzogori-Curran		
Ward Member(s):	Cllr Parry		
Publicity expiry date:	14 December 2021	Officer site visit date:	23 November 2021
Decision due date:	13 January 2022	Ext(s) of time:	TBA

1.0 The application relates to land owned by Dorset Council. The application is reported to Committee in accordance with Dorset Council's Constitution

2.0 Summary of recommendation:

2.1 GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 15 at end

- The proposal will be of public benefit by replacing the existing prefabricated nursery building with a more modern structure
- The location is considered to be sustainable, and the proposal is acceptable in its scale, design, materials and visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no adverse landscape impacts.
- There will be no additional traffic movements generated by the development.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Both paragraph 11 of the NPPF and KS1 of the Local Plan place a presumption in favour of sustainable development. This site is located within the urban area of West Parley, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. The site is therefore a suitable location for development
Scale, design, impact on character and appearance	The building will be appropriate in scale and design in relation to the existing buildings. Its form and materials are similar to the existing nursery building.
Impact on amenity	The existing use of the site will not be changed and on account of the separation distances and intervening uses, the proposal is unlikely to result in an increase in noise and disturbance that would harm neighbouring amenity.

5.0 Description of Site

- 5.1 Pear Tree Nursery School comprises of main prefabricated nursery building with a UPVC canopy to the south west elevation, a cabin and a shed. It is located on land adjacent to Parley First School and within a residential area.
- 5.2 Vehicle access to the site is from Glenmoor Road with on-site parking provided both within the school site, along the access route and in front of the site. The site can also be accessed via public footpaths from Glenmoor Road and Wollaton Road to the north west.
- 5.3 To the south west of the application site, separated by a approx. 2m high close board fence, a footpath and a high hedge is a Parley First School play area. It should be noted, this play area benefits from planning consent for additional classroom (application no. 3/19/1463/FUL). To the north/north east of the nursery is the parking and service area to a small parade of shops, with residential flats above in Glenmoor Road. To the north west and west of the site are the rear gardens to residential properties in Wollaton Road and Glenmoor Road.
- 5.4 Within the site itself, there is a small hard surface play area towards the front of the site to the south east and small green space area (laid to artificial grass) to the rear towards the rear gardens of residential properties on Glenmoor Road cul-de-sac to the north west. The proposed single storey nursery building would

9 March 2022

be located in the same position as the building it replaces. The existing play areas will be retained.

5.5 The site boundaries are screened by 2m high close board fencing. There are no trees or any vegetation within the site boundaries. There are trees to the north/north west corner and a mature hedge to the south/south west, outside the site boundaries.

6.0 Description of Development

6.1 The site history is set out in full at paragraph 7 of the officer report. A 3 year temporary permission granted in 2009 3/09/0573/FUL for the retention of a mobile classroom in this location has lapsed. This application seeks approval for permanent replacement for that pre-school building with covered external play area on a similar footprint and in the same position on site.

6.2 The proposed replacement building is single storey. It would be finished in European larch horizontal cladding in light colour with a tilted flat roof finished in metal sheeting.

6.3 Internally the building provides an matwell entrance leading to clothes pegs/storage area, an open plan classroom area, an office, kitchen area, washroom with three toilets and separate toilet for disabled users. The proposal retains two play areas, cabin and the shed.

7.0 Relevant Planning History

App No	Proposal	Decision	Date
3/09/0573/FUL	Continue temporary siting of mobile classroom building for nursery school	Granted	24.08.2009
3/05/0148/FUL	Renewal of temporary permission (3/95/0310) for unit as Montessori Nursery School	Granted	19.05.2005
03/02/1541/FUL	Installation of covered area to rear of existing classroom	Granted	28.01.2003
03/02/0164/FUL	Extension of pre-fabricated building to provide additional nursery school place	Granted	25.04.2002
03/95/0310/FUL	Temporary unit for use as Montessori Nursery School	Granted	28.06.1995

8.0 List of Constraints

- Heathland 5 km zone
- Urban Area of Ferndown and West Parley

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

Dorset Council - Highways (comments received 8.12.2021) - No objection

West Parley Parish Council (comments received 2.12.2021) - No objection

West Parley Ward Councillor - No comments received

Dorset Council - Building Control East Team (comments received 26.11.2021) - No comments to make a building regulations application will be required for this proposal.

Representations received

Three site notices were posted on the site and surrounding area on 23.11.2021 with an expiry date for consultation of 14.12.2021.

No letters of representation from third parties have been received.

10.0 Relevant Policies

10.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan Part 1- Core Strategy 2014 (CEDLP) and saved policies of the East Dorset Local Plan 2002 (EDLP)

Adopted Christchurch and East Dorset Local Plan:

The following policies are considered to be relevant to this proposal:

- KS1 - Presumption in favour of sustainable development
- HE2 Design of new development

10.2 Other Material Considerations

National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

9 March 2022

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:
- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

National Planning Practice Guidance

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

9 March 2022

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

- In this respect the building has level access and provides accessible toilet. Furthermore, there are no steps proposed on site to ensure that people with disabilities or mobility impairments and those pushing buggies are accommodated.
- Building Regulations approval will be required; however, the proposed windows are not fixed shut offering adequate air circulation for the proposed building.

13.0 Financial benefits

Not applicable

14.0 Climate Implications

14.1 The proposed replacement building will help to future proof the pre-school in terms of facilities/capacity it provides for families in the local area, maintaining it as a viable and accessible educational facility to serve the local community. The proposal is small scale, and sustainable in terms of both its construction and location. For these reasons the proposal it is not considered to have a significant impact on climate change.

15.0 Planning Assessment

The main considerations relating to this application are:

- The principle of development
- Scale, design, impact on character and appearance
- Impact on amenity

These considerations are set out, together with any other material considerations, under the headings below

Principle of development

15.1 Both paragraph 11 of the NPPF, and KS1 of the Local Plan place a presumption in favour of sustainable development. This site falls within the urban area of West Parley, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. The site is therefore a suitable location for development.

Scale, design, impact on character and appearance

15.2 The proposed replacement building will not be readily visible from the public realm and will have negligible impact on the appearance of the site or locality.

- 15.3 The building will be appropriate in scale in relation to the existing buildings. The design and the use of external materials (European larch horizontal cladding) differs to the main school building, however there is another timber building within the school range. Given its unobtrusive siting and form, the proposed building will not detract from or have an adverse impact on the character and appearance of the site or the wider area.

Impact on amenity

- 15.4 No letters or representations have been received from third parties and West Parley Parish Council has raised no objection to this proposal.
- 15.5 The siting, scale and form of the proposed building will ensure that the occupants of the neighbouring residential properties will not experience a loss of light or privacy and the proposal will not appear visually intrusive.
- 15.6 The Montessori pre-school has its main building, external play spaces and parking directly adjoining residential gardens. The nursery operates daily from 8am-6pm providing for children below school age. The existing use of the site will not be changed and on account of the separation distances, the proposal is unlikely to result in an increase in noise and disturbance that would harm neighbouring amenity.
- 15.7 For these reasons the proposal is considered to be acceptable in accordance with policy HE2 of the CED Local Plan and unlikely to result in an increase in noise and disturbance to occupants of neighbouring residential properties.

16.0 Conclusion

- 16.1 Taking into account the considerations set out above, the application is found to accord with the development plan and national planning policy and guidance.
- 16.2 This site falls within the urban area of West Parley, identified as a main settlement in Policy KS2 of the Local Plan, being a sustainable location where development is supported. The site is therefore a suitable location for development
- 16.3 The building will be appropriate in scale and design in relation to the existing buildings
- 16.4 The existing use of the site will not be changed and on account of the separation distances the proposal is unlikely to result in an increase in noise and disturbance that would harm neighbouring amenity.
- 16.5 For these reasons the application is considered to accord with policy HE2 of the Local Plan. There are not considered to be any matters which would warrant a refusal of planning permission in this case and the application is therefore recommended for approval.

17.0 Recommendation

Grant subject to the following conditions:

- 1.The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2.The development hereby permitted shall be carried out in accordance with the following approved plans:

- 0064-001 Location plan
- 0064-003a Proposed site plan
- 0064-005b Proposed floor plans
- 0064-007a Proposed elevations

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

- 3.The development hereby permitted shall be constructed using the materials as set out in the application form and plan no. 0064-007a

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing

Informative Notes:

1. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case: -The application was acceptable as submitted and no further assistance was required.

Background Documents:

Case Officer: Diana Mezzogori- Curran

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the Council's website.