

Agenda Item A14	Committee Date 20 September 2010	Application Number 10/00725/CU
Application Site 27 Regent Park Avenue Morecambe Lancashire LA3 1AT		Proposal Change of use from former maisonette to day care centre for children (aged from birth - 2 years) (Use Class D1)
Name of Applicant Mr Martin Shenton		Name of Agent
Decision Target Date 6 September 2010		Reason For Delay N/A
Case Officer		Mr Daniel Ratcliffe
Departure		No
Summary of Recommendation		Approval

1.0 The Site and its Surroundings

- 1.1 The application is one which would normally be determined under delegated powers but has been placed on Committee as the applicant is Councillor Shenton. The application site is a three storey end terrace located at the corner of Regent Road and Regent Park Avenue. The existing property is a two bedroom maisonette split over two floors with external space to the front and side of the terrace.

2.0 The Proposal

- 2.1 The application proposes its change of use from a residential maisonette to a day care centre. Both ground and first floors and including the basement will be converted to cater for day care. The front and side yard are proposed to be used as outdoor play space. There is a 1 metre high wall surrounding the yard. A further 1 metre high railing has already been erected above the wall. The steel railing is painted black and line the entire perimeter of the site.

3.0 Site History

- 3.1 None.

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
County Highways	No objections.
Environmental Health	No objections to the proposal subject to the following conditions: <ul style="list-style-type: none"> Hours of opening restricted 0700 to 1900 hours Use of outside play space to between 1000 and 1600 only

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| <ul style="list-style-type: none"> • Scheme for Noise Assessment to be submitted • Scheme for Odour Control to be submitted |
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5.0 Neighbour Representations

5.1 None received.

6.0 Principal Development Plan Policies

6.1 Lancaster District Local Plan (LDLP): None specific to the proposal but the development should suitably located in a sustainable location, be adequately and safely serviced and not be unduly detrimental to neighbouring amenity.

6.2 Lancaster District Core Strategy (LDCS): Policy **SC1**: 'Sustainable Development' seeks to ensure new development proposals are sustainable in terms of both location and design.

7.0 Comment and Analysis

7.1 The applicant seeks to utilise a property that has sat vacant for approximately the past 12 months. The proposal seeks to develop essential community facilities in a location which is conveniently located. The applicant has confirmed that Ofsted have assessed the premises and concluded that due to its size the building can cater for up to 16 children. However due to staff resources the applicant will offer only 14 places children at any one time. The centre will look after children up to the age of two years old and the 14 places will be a range of babies and toddlers. The application states that the new use will employ up to 8 people.

The steel railings have already been mounted on top of the existing boundary wall at the site. The railing detail and finish is satisfactory in this location and appropriate to the use.

7.2 Parking is restricted to the front of the property by way of both double yellow lines and a bus stop. However, to the side there are no restrictions and dropping off or picking up would be an option. Further parking is available to the rear of the property at the nearby public house/hotel. County Highways have confirmed there are no concerns regarding this element.

7.3 There will inevitably be noise issues associated with the proposed use. Environmental Health have raised no objections but have requested that the opening hours be restricted as well as the use of the outdoor play area with the intention of minimising noise impact on neighbours. Furthermore, the play area will need to be conditioned to the hours of use of 10.00 to 16.00 to minimise potential impact, most significantly noise, on neighbouring properties. A scheme for both noise and odour control will be required to be submitted to the planning authority and details agreed, once again to minimise likely impact on neighbouring residents.

8.0 Planning Obligations

8.1 None .

9.0 Conclusions

9.1 The proposal is considered to be a suitable use in sustainable location. The application is recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year time limit
2. Development carried out in accordance with approved plans
3. Hours of use 0700 to 1900 Monday to Saturday
4. Use of outdoor space restricted 1000 to 1600
5. Noise Assessment to be submitted
6. Scheme for Odour Control

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.