

**Full Planning Application
at
50 Howden Hall Road
Edinburgh
EH16 6PJ**

**Development Quality Sub-Committee
of the Planning Committee**

Proposal: Childrens day nursery
Applicant: Mr + Mrs Nicoll.
Reference No: 04/00753/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Cooking, heating and re-heating operations on the premises shall be restricted to the use of two microwave ovens, a soup kettle and toasting machine. No other forms of cooking, heating or re-heating shall take place without the prior written approval of the Planning Authority.
3. The hours of operation of the nursery shall be restricted to 0700 hours until 1830 hours Monday to Friday only.
4. The number of children accommodated in the garden shall not exceed 10 at any one time.
5. The number of children in the nursery shall be restricted to 60 at any one time.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.

2 Main report

Site description

The application site is on the west side of Howdenhall Road. This is a busy through route. The area is residential in character, dominated by large detached villas along the road frontage. The application site is occupied by a large detached villa. The property has a stone frontage, other walls are finished in roughcast. The roof is hipped and finished in slate. There is a parking area to the front and side (south) of the property. The applicant has stated that 8 cars can be parked on the site. The area to the side of the house cannot be freely accessed, as there is insufficient space for two cars to pass one another.

The side (north and south) boundaries of the rear garden are formed by a 1.5 metre high brick wall. There are residential gardens to both the north and south. To the rear (west) of the property there is also a 1.5 metre high brick wall, this is topped by a further 1.5 metre high close boarded fence, to the neighbouring garden, which is at a high level to the application site.

Site history

2000: Planning Permission Granted for the erection of a conservatory to the rear elevation of the property.

Development

The application is for the change of use of the property from residential to form a children's day nursery. The intended hours of operation are 07:30 hrs to 18:30 hrs.

Eight off-street parking spaces are provided.

Consultations

Environmental and Consumer Services

This department has no objection to this proposed development subject to the following conditions:-

Cooking, heating and re-heating operations on the premises shall be restricted to the use of two microwave ovens, a soup kettle and toasting machine. No other forms of cooking, heating or re-heating shall take place without the prior written approval of the Planning Authority.

The hours of operation shall be restricted to 0700hours until 1830hours Monday to Friday.

The number of children accommodated in the garden shall not exceed 10 at any one time.

Transport

No objections.

Representations

Four letters of objection have been received from local residents. Stated reasons for objection are:

Noise and disturbance
Impact on privacy
Road safety implications

Policy

South East Edinburgh Local Plan

The site is within a mainly residential area, where the residential character and amenities will be safeguarded.

Draft replacement South East Edinburgh Local Plan

The site is within the Urban Area.

The following draft policies apply in this case:

H3 Retention of existing housing
H6 Protection of amenity
H13 Community facilities

Relevant Policies:

Policy H5 presumes against the establishment or extension of a non-residential use likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

Non-statutory guidelines on 'PRIVATE DAY NURSERIES' supplement local plan policies on community services and provide policy guidance in areas where local plans do not contain appropriate policies; they provide guidance on when planning permission is required and set criteria for assessing proposals.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

-do the proposals comply with the local plan?

-if the proposals do comply with the local plan, are there any compelling reasons for not approving them?

-if the proposals do not comply with the local plan, are there any compelling reasons for approving them?

ASSESSMENT

In order to address these determining issues, it must be considered whether:

a) the use is appropriate and will safeguard the character of the area

b) the proposed development will have a detrimental impact on the residential amenity of the occupiers of any neighbouring property or on road safety.

a) The application is for change of use only. The area is mainly residential in character and a residential element will be retained in the property. Policy H13 of the draft replacement South East Edinburgh Local Plan is supportive of new community services in this area, where they do not have a detrimental impact on residential amenity. The proposed use is acceptable within this location.

The proposed development will have no detrimental impact on the character or appearance of the property or the wider area and the use is acceptable in principle.

b) The area is mainly residential in character. The site fronts onto a major road. During the day the noise levels in the rear garden are relatively high due to the level of road noise. The additional noise created by the proposed nursery will have no additional impact on the amenity of the occupiers of any neighbouring property. Environmental and Consumer

Services have raised no objections to the proposed development, but recommended that any grant of consent include a number of conditions which will safeguard the amenity of the occupiers of any neighbouring property.

The property is on a straight stretch of road and off street parking will be provided. Transport have no objections.

In conclusion the proposed formation of a nursery in this location is generally acceptable and will have no detrimental impact on the character or appearance of the property or the wider area. The background noise levels are relatively high and the additional noise generated by the nursery will have no detrimental impact on the amenity of the occupiers of any neighbouring property or on road safety.

The proposed development is in compliance with Local Plan policy and the Council's non-statutory guidelines.

It is recommended that the Committee grant planning permission, subject to the conditions stated.


PP **Alan Henderson**
Head of Planning and Strategy

Contact/tel Peter Jones on 0131 529 3770 (FAX 529 3706)

Ward affected 54 -Kaimes

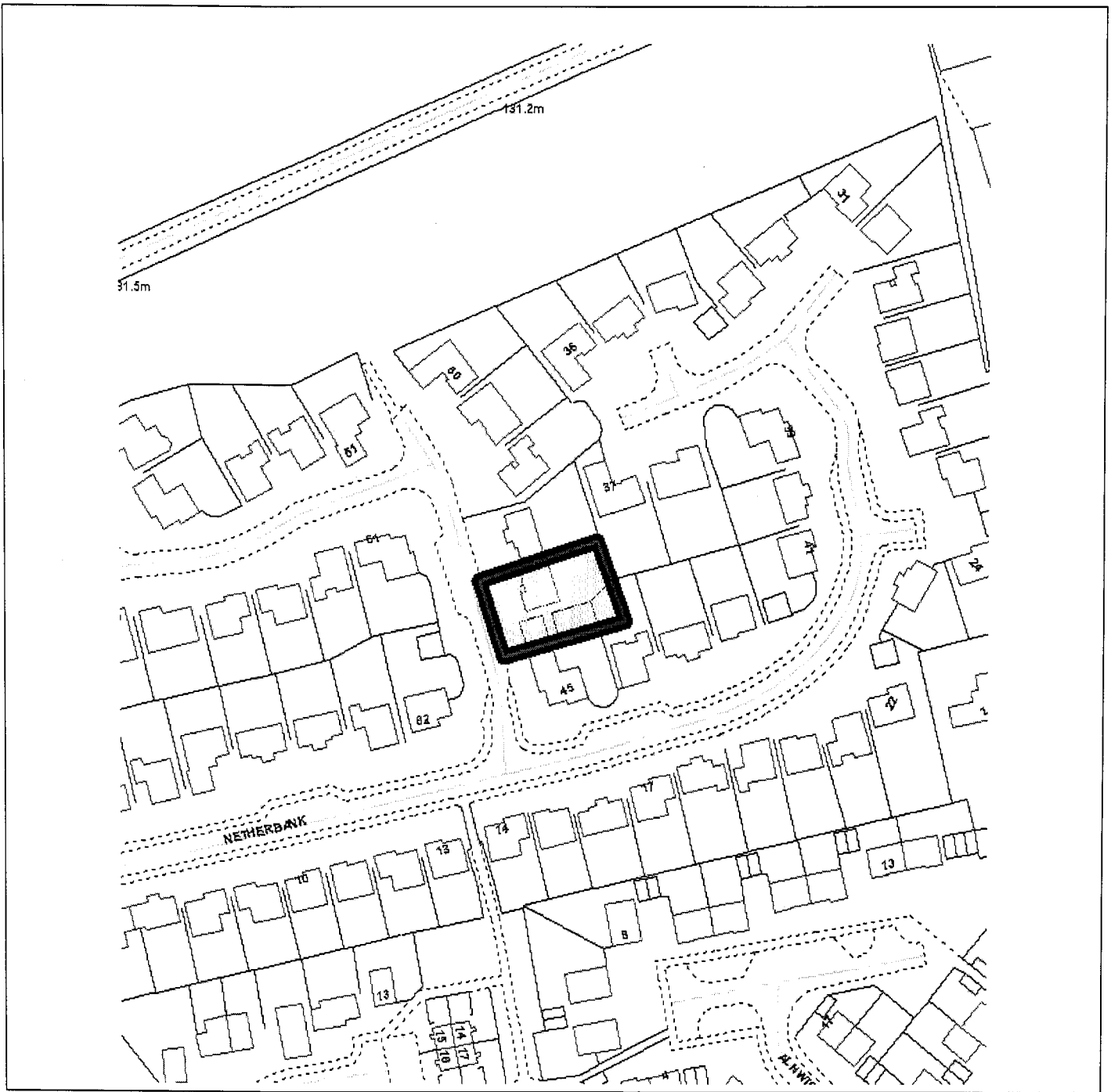
Local Plan South East Edinburgh

**Statutory Development
Plan Provision** Mainly Residential

File

Date registered 19 March 2004

**Drawing numbers/
Scheme** 1-3
Scheme 1



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PLANNING APPLICATION

Address	50 Howden Hall Road, Edinburgh, EH16 6PJ		
Proposal	Childrens day nursery		
Application number:	04/00753/FUL	WARD	54- Kaimes
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			