

Full Planning Application
at
9 Granton Road
Edinburgh
EH5 3QJ

Development Quality Sub-Committee
of the Planning Committee

Proposal: Permission sought for increase in permitted children from 26 to 36 by extending into adjoining property (previously a workshop/office)

Applicant: Mrs Kane

Reference No: 03/04662/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. The number of children accommodated in the extended nursery not exceeding 36 at any one time.
3. The hours of operation being restricted to 8.00am to 6.00pm, Monday to Friday.
4. The maximum number of children permitted in the existing and proposed outdoor play areas being limited to 10 in each area at any one time.

5. Two secure cycle parking spaces shall be provided within two months of the date of consent. The detail of these spaces shall be submitted to and approved in writing by the Head of Planning and Strategy before they are implemented.

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. To ensure there are adequate parking facilities.
-

2 Main report

Site description

The application site comprises a single storey, flat roof, prefabricated building situated on the east side of an enclosed yard, which is accessed via a private lane from Granton Road. This application relates to the south wing of the building, which was formerly in office use, and a small open area on the south end of the building, together with two parking spaces at the entrance on the west side of the building. The north wing and garden and a further three parking spaces are in use as a children's day nursery.

There is a row of lock up garages on the west side of the yard and a commercial repair garage located adjacent to the mutual access. There are residential properties to the north and east and a warehouse to the south.

Site history

1 March 1995: One year temporary consent granted for the part change of use from office to nursery for 26 children, subject to the access lane being cleared of vehicles and the hours of operation being from 8am to 6pm, Monday to Friday.

17 July 1996: Renewal of consent granted on a permanent basis for the nursery use, subject to conditions covering hours, numbers and parking and that the development be fully accessible by car at all times.

29 April 2002: Application Ref: 02/00139/ful for the increase in numbers of children from 26 to 36 withdrawn to allow discussions with Transportation.

Development

This application is for the extension of the nursery use into the south wing, to occupy the full building and to increase the number of children from 26 to 36. Five parking spaces will be available for use by the nursery and the area at the south end of the building will be used as a second garden for outdoor play. Internally two new playrooms, a changing area, a sleeping area and two toilets are to be formed.

Applicants' Supporting Statement

The applicant has submitted a supporting statement which is available for inspection in the members rooms. This states that the applicant has had discussions with Transport. Concern was expressed in the past because three businesses used the lane. Now there are only two. A survey by the nursery showed that 54% of children came on foot or by bike and that there were 7 or 8 siblings at any one time, together with neighbours that share cars. As it is a private nursery everyone does not arrive or leave at the same time. The Care Commission has stated that the accommodation is suitable for 46 children, but the applicant only wants to increase to 36.

Consultations

Transport

No objections subject to the provision of 2 secure cycle spaces.

Environmental Services

There have been no complaints regarding noise from the existing nursery but this department would wish to restrict the number of children using the outside garden areas. This Department therefore has no objections to the increase in numbers, subject to the following conditions:

1. 1 The number of children attending the nursery shall not exceed 36 at any one time.
2. The number of children allowed in the existing garden shall be restricted to 10 at any one time.
3. The number of children allowed in the proposed garden shall be restricted to 10 at any one time.

Representations

Following neighbour notification two letters of objection have been received. One is from an owner of one of the lock up garages and one is from the adjacent repair garage. The lock up owner questions the neighbour notification (not required because application relates to one end of the site only) and both he and the garage owner object on the following grounds:

1. There is an existing problem with traffic congestion in the lane which will be made worse.
2. Access to the lock ups and the garage will be restricted further and affect trade.
3. The speed of nursery traffic is unacceptable.
4. 4 The conflict between cars and pedestrians is detrimental to road safety.
5. The junction onto Granton Road, particularly when cars have to reverse out of the lane, is dangerous.

Policy

The application lies within a Residential and Compatible Uses policy area in the adopted North East Edinburgh Local Plan. It is just outside the boundary of Inverleith Conservation Area.

Relevant Policies:

Policy ED5 (BUSINESS DEVELOPMENT WITHIN HOUSING AREAS) sets out criteria for assessing business and industrial development in defined Housing and Compatible Uses policy areas.

Policy H7 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy H11 (COMMUNITY FACILITIES - SAFEGUARDING) seeks to safeguard existing community facilities where there is a demonstrable need for the service they provide.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

a) The proposals will be detrimental to residential amenity.

b) The proposals will be detrimental to road and pedestrian safety.

a) There have been no complaints regarding noise from the nursery and the local plan policy supports the provision of community facilities unless contrary to other objectives of the plan, in this case if the proposals were detrimental to residential amenity. Environmental Services is satisfied that with controls on the external play areas the additional child numbers will not create problems for surrounding residents through noise from vehicles or from within the nursery. The proposals will not be detrimental to residential amenity.

b) There have been ongoing problems with the management of vehicles along this lane for some time. Legal action is currently underway between the Nursery and the Repair Garage. The issue to be considered in this case is whether the addition of 10 children will exacerbate existing problems to such an extent that it will be detrimental to road safety.

The applicants have been in discussion with Transport for some time, resulting in the submission of a supporting statement regarding the number of car trips to the nursery and the number of siblings/neighbours which travel in the same car. On the basis of this information and visiting the site, Transport is satisfied that there will not be a road safety problem as a result of the increase in child numbers.

The proposed extension into the adjoining offices and the increase in child numbers will not be detrimental to road safety.

It is recommended that the Committee approves this application, subject to the conditions stated.



Alan Henderson
Head of Planning and Strategy

Contact/Tel Wendy McCorriston on 0131 529 3594 (FAX 529 3706)

Ward affected 11 -Trinity

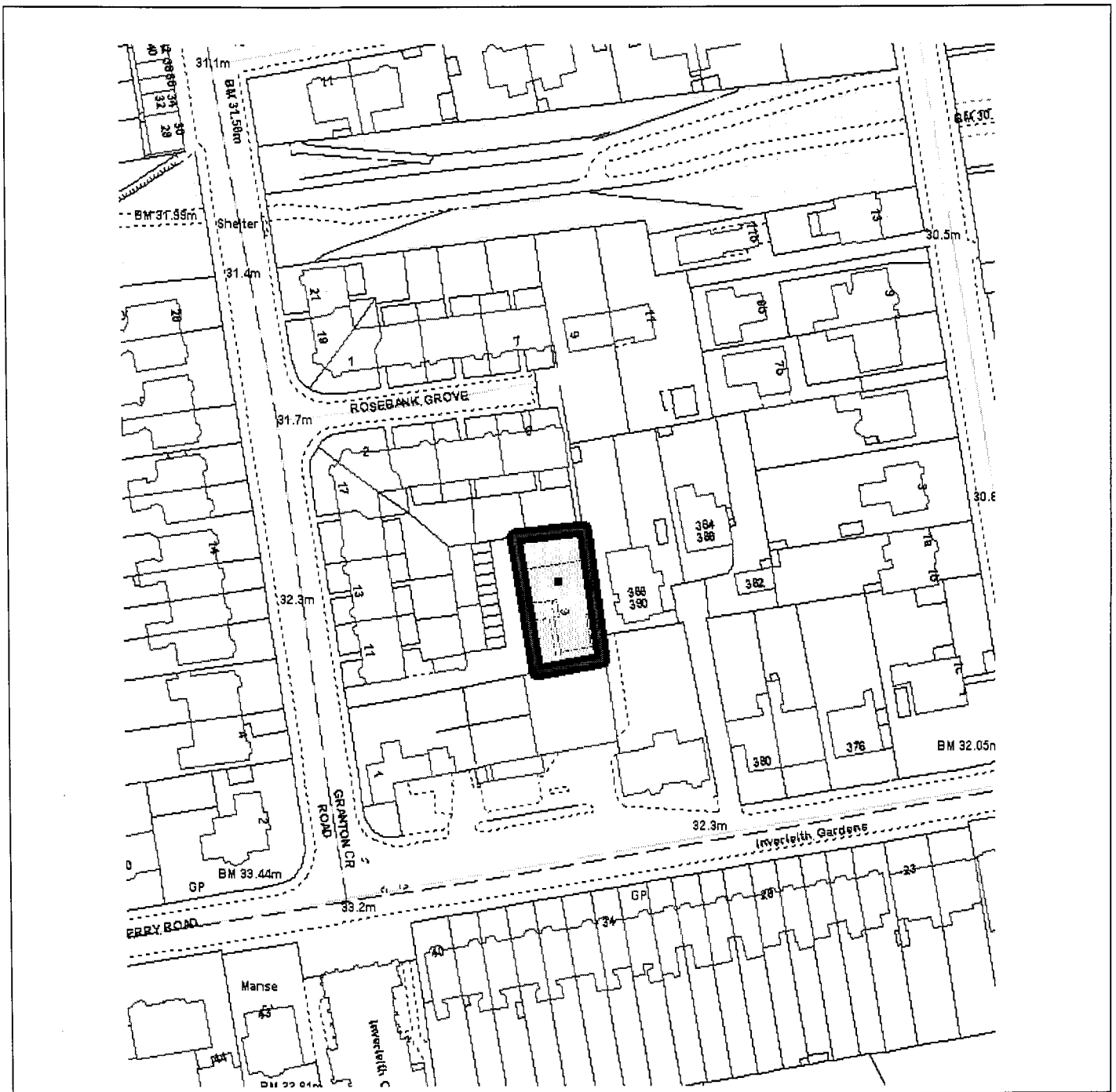
Local Plan North East

**Statutory Development
Plan Provision** Residential and Compatible Uses

File af

Date registered 19 January 2004

**Drawing numbers/
Scheme** 01-02
Scheme 1



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.

PLANNING APPLICATION

Address	9 Granton Road, Edinburgh, EH5 3QJ,		
Proposal	Permission sought for increase in permitted children from 26 to 36 by extending into adjoining property (previously a		
Application number:	03/04662/FUL	WARD	11- Trinity

THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY