

**Full Planning Application 05/03510/FUL  
at  
89 Priestfield Road  
Edinburgh  
EH16 5JD**

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

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**1 Purpose of report**

To consider application 05/03510/FUL, submitted by Ms Pacitti. The application is for: **Part change of use from residential to private day nursery.**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

**2 The Site and the Proposal**

**Site description**

The application refers to a detached bungalow situated on the east side of Priestfield Road. The surrounding area is predominantly residential characterised by similar properties. To the north east lies Prestonfield Golf Course.

The property is neither listed nor lies within a conservation area.

**Site history**

September 05 - application ref. no. 05/02595/FUL - partial change of use from domestic residence to private day care nursery - application withdrawn.

November 1994 - application ref. no. 94/2267/FUL - alter and extend dwelling house (as amended).

### **Description of the Proposal**

The application is for the part change of use of this domestic residence to form a private day care nursery. It is proposed to utilise the ground floor of the property as a day nursery for 16 children. The second floor will remain in residential use, sharing a kitchen at ground floor level.

The nursery will operate between the hours of 8am until 6pm with four members of staff.

There are no physical alterations proposed.

A supporting statement has been submitted by the applicant which is available in the Party Group Rooms.

## **3 Officer's Assessment 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 proposed use of the property as a day nursery is appropriate in this location;
- b) the proposed use will be detrimental to the amenity of neighbouring residential properties;
- c) the proposal will have any road safety or traffic implications.

a) Policy CS3 encourages the provision of childcare facilities where these are well located in relation to access requirements, do not involve a loss of residential accommodation and there would be no adverse effects on residential amenity. The non-statutory guidelines on changes of use to

private day nurseries also states that "the Council's local plan policies support the provision of child care facilities which do not involve the loss of residential accommodation or of amenity in residential areas." The guideline goes on to state "... If acceptable in principle, planning permission may be granted for: the partial change of use of a house to a private day nursery, provided that a minimum of 2 habitable rooms and a bathroom are retained in domestic use."

In this instance the residential use has been partially retained with only the ground floor in use as the day nursery and the second floor providing living accommodation comprising two bedrooms and private bathroom. There will be access between the two uses internally with shared kitchen facilities on the ground floor. Access to the residential accommodation will be via the existing main entrance and as such the property will remain as one planning unit. The proposal will not result in the loss of an entire dwelling house.

The property is located in a residential area. However, it is on a road served by a bus service and is, therefore, accessible, as required by policy and guidelines.

The proposed change of use is acceptable in this location providing there is no loss of residential amenity and no road safety implications.

b) With regard to residential amenity, the property is bounded by residential properties with the exception of Prestonfield House Hotel to the north east. Concern has been raised by neighbouring residents that such a change of use will have a detrimental impact on their residential amenity. Environmental and Consumer Services have recommended that a planning permission be granted for a temporary period to allow an assessment to be made on the impact of this use on the surrounding area. They have also recommended conditions restricting the use of outdoor play areas and only a maximum of 10 children in the garden at any one time be imposed to protect residential amenity.

With these safeguards, residential amenity will be safeguarded.

c) The site is on a public transport route and is located in an area where there are no parking restrictions. There are two car parking spaces within the curtilage of the property. Following the submission of a supporting statement Transport have offered no objections subject to a condition that a planning permission is granted for a temporary period in order that vehicular traffic can be monitored over the next twelve months to assess the impact on road safety.

It is considered that the use of the property as a small scale private day nursery is acceptable and complies with the provisions of the development plan. This, however, should be on a temporary basis to allow the situation to be monitored due to the concerns with regard to the effect on neighbouring residential amenity and road safety issues.

operation and children in the garden, and conditions relating to ventilation and cooking facilities.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Emma Wilson- Wednesday, Thursday And Alternate Fridays Only on 0131 529 3634 (FAX 529 3717)
<b>Ward affected</b>	50 - Prestonfield
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Housing and Compatible Uses
<b>Date registered</b>	27 October 2005
<b>Drawing numbers/ Scheme</b>	01, 02 Scheme 1

### **Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal : [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: [ian.dryden@edinburgh.gov.uk](mailto:ian.dryden@edinburgh.gov.uk).

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application

**Application Address:** 89 Priestfield Road

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## Consultations, Representations and Planning Policy

### Consultations

#### Environmental and Consumer Services

*This Department has some concerns regarding the site for the proposed nursery as it is located within a quiet residential area. The garden is bounded on 3 sides by trees and shrubs, which provides a visual barrier but no acoustic protection is afforded by this greenery.*

*This Department offers no objections subject to conditions allowing a temporary 1 year consent and relating to terms of operation, children in the garden and cooking restrictions.*

#### Transport

*No objections subject to a restricting consent to 18 months*

### Representations

The application was advertised on 11 November 2005. 76 letters of representations have been received, 48 in support of the application and 28 objecting to the proposals. The grounds of objection are summarised as follows:

- noise nuisance;
- road safety and traffic implications;
- over-provision of such uses in the area;
- loss of privacy;
- loss of residential amenity.

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

CENTRAL EDINBURGH LOCAL PLAN - Housing and Compatible Uses.

### Relevant Policies:

Policy H11 (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 to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy CS3 (COMMUNITY SERVICES - GENERAL) supports, and sets out criteria for assessing, development for a non residential medical or educational purpose, including the provision of childcare facilities to satisfy wider commercial demand.

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.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that this application be **GRANTED**

### Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The hours of operation shall be restricted to 8am to 6pm, Monday to Friday.
3. The number of children in the outdoor play areas shall be restricted to 10 at any one time.
4. The hours of operation of all the outdoor play areas shall be restricted to between 10.00 and 16.00 daily.
5. Cooking, heating and reheating operations on the premises shall be restricted to the use of 1 soup kettle, 1 toastie machine and use of microwave ovens only; no other forms of cooking, heating or reheating shall take place without the prior written approval of the planning authority.

### Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. Permission is granted for a limited period of one year from the date of this consent..
3. In order to assess the impact of the development over a trial period.
4. In order to ensure that the nature of the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

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.
6. In order to safeguard the amenity of neighbouring residents and other occupiers.

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**End**

