

**Variation of opening hours at New Romney Children's Centre, Craythorne Lane, New Romney – SH/11/911**

A report by Head of Planning Applications Group to Planning Applications Committee on 06 December 2011.

Application by Kent County Council for a Section 73 Application for the variation of Condition 5 of planning permission SH/07/1496, to extend opening hours from 08.00 to 18.00 hours on weekdays, to allow opening on Saturday from 09.00 to 16.00 hours and opening on the occasional evening (SH/11/911).

Recommendation: Planning permission to be granted, subject to conditions.

**Local Member(s): Ms C Waters**

**Classification: Unrestricted**

**Site**

1. New Romney Children's Centre is located within the grounds of St Nicholas' Primary School. The school is located to the north-west of New Romney, and accessed off Fairfield Road where it has its main pedestrian entrance. The vehicular entrance to the school is via Craythorne Lane and this is shared the nursery. The Children's Centre is located to the north east corner of the school's site and has a separate pedestrian access off Craythorne Lane, which is the only access point to the Centre. The school site contains a variety of current uses, comprising a day nursery, family centre, the main buildings of St Nicholas' Primary School and the Children's Centre. The school site is surrounded by residential properties, many of which are single storey bungalows.

**Background**

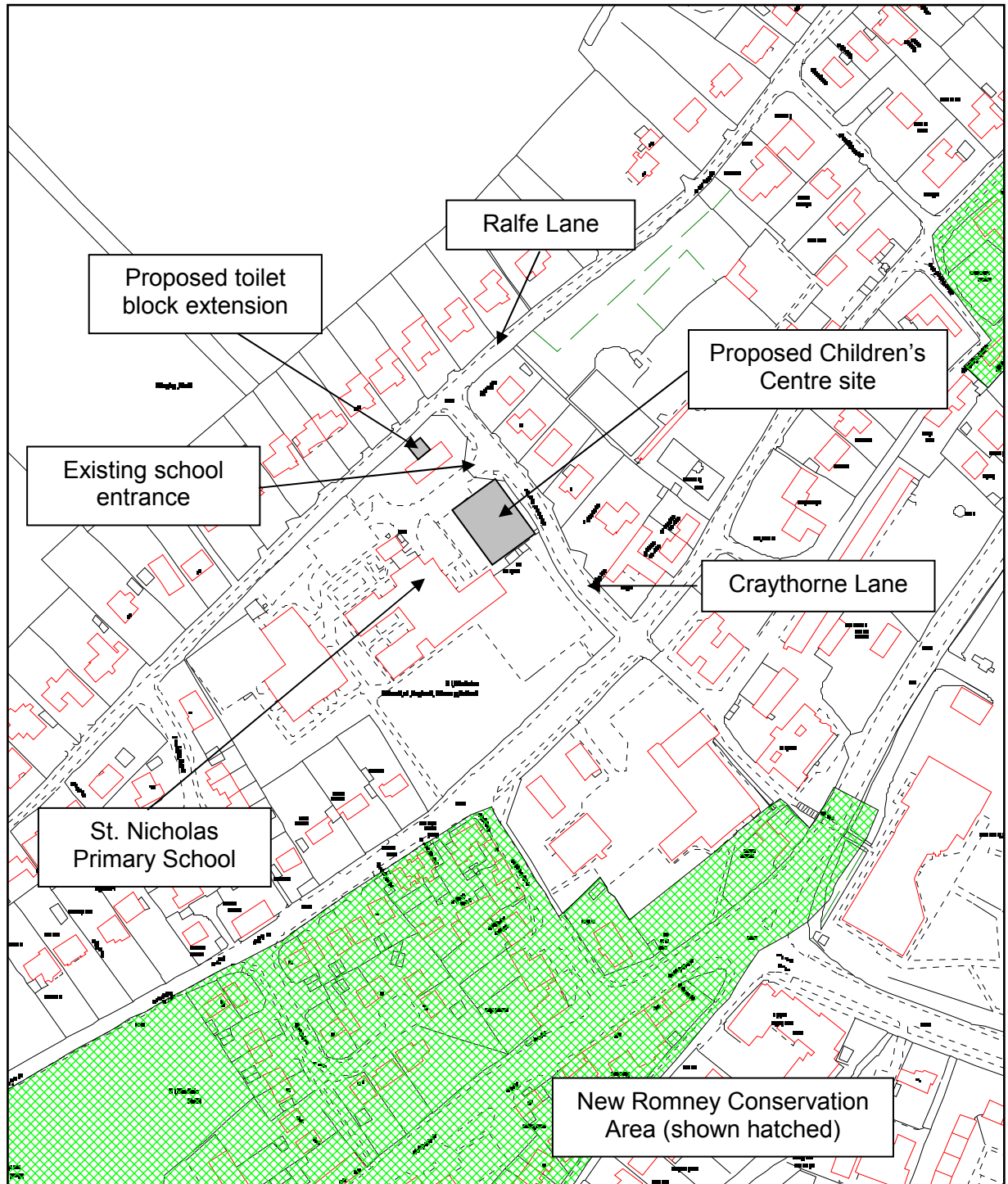
2. The County Planning Authority granted planning permission for the Children's Centre in 2007, under planning reference SH/07/1496. The application was reported to the Planning Applications Committee on 18 March 2008, where the recommendation was to grant planning permission subject to conditions, and Members agreed with the officer's recommendation. Various planning conditions were attached to the planning permission, including one restricting the hours of opening of the Children's Centre between 08.00 and 18.00 hours Monday to Friday. It is this condition only that the applicant is requesting to change.

**Proposal**

3. This Section 73 planning application is to vary condition 5 of planning permission SH/07/1496 (the application that approved the building of the Children's Centre) to extend opening hours from the currently approved hours of 08.00 to 18.00 hours on weekdays and to allow additional opening on Saturday from 09.000 to 16.00 hours and opening on the occasional evening.
4. This application has come about because the Children's Centre was irregularly opening on a Saturday when the current manager was on secondment. Following clarification of the restrictions and the return of the Centre Manager, the Centre has not opened at weekends or in the evenings since 1 April 2011.

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**Site Location Plan**



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5. The reason why this extension of hours has been applied for is because an Equalities Impact Assessment, carried out by the Network Manager for Lydd and New Romney Children's Centres, has highlighted that certain target groups are being directly excluded from services that the Children's Centre can provide. Current restrictions upon opening hours prevent the Centre from opening on a Saturday and at evenings. This directly excludes some of the priority groups that have been targeted by the Centre. An example of these priority groups are fathers, teenage parents, and mothers, both ante-natally and post-natally, who are in paid employment. The impact of this can be demonstrated thorough the Centre's attendance monitoring, feedback from service users and feedback from the midwifery team that use the building.
6. The Children's Centre is tasked with demonstrating how effectively they reach under represented target groups in any OFSTED inspection and not being able to run any services except during the prescribed hours and days, directly impacts upon the Centres to reach fathers, the self-employed and those on low incomes. The Centre has provided some data about its usage:
  - 20 candidates access Lydd Children's Centre on a Saturday to do an NVQ qualification of which 13 have to travel from New Romney.
  - 26 fathers accessed the centre prior to 31 March 2011 (when it was opening on a Saturday without permission) and since 1 April 2011, only 1 father has accessed the Centre.
  - The midwives have stated that all of the couples who attend the midwifery clinic, have requested that ante-natal classes are provided on a Saturday. Unfortunately there is no alternative venue available to provide these classes.
  - 2 Saturday events where held in March and a total of 10 fathers attended.
  - It was found that more volunteers could attend evening and weekend volunteer events as they were often when the children were in bed and partners where able to look after them. These sessions have proved to be harder to arrange due to childcare issues during the week.
7. If the Children's Centre was able to open on a Saturday and the occasional evening, then it could provide services such as midwifery clinics, NVQ training and free access to crèche facilities, access to jobs information, and free training for work related training. There is a lot of interest within the community to extend the opening hours of the Centre and the level of service that is can provide.
8. As with any Children's Centre that serves a local community, visitors are expected to walk to the Centre. As currently happens, any visitor coming to the Centre during these extended hours will be asked to walk where possible and to car share, or to avoid all parking outside the Centre if they wish to extend an activity.

**Planning Policy**

9. The Development Plan Policies and Guidance/Statements summarised below are relevant to the consideration of the application:

- (i) **Planning Policy Guidance and Statements**

**PPS1**                      Delivering Sustainable Development

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**PPS4** Planning and Sustainable Economic Growth

**PPG13** Transport

**PPG24** Planning and Noise

**Policy Statement – Planning for Schools Development** 15 August  
2011

(ii) The adopted **South East Plan 2009**:

**Policy CC1** seeks to achieve and maintain sustainable development in the region.

**Policy CC4** Refers to sustainable design and construction.

**Policy CC6** Refers to sustainable communities and character of the environment.

**Policy CC7** States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of the development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.

**Policy BE1** Local Authorities and their partners will use opportunities associated with new developments to help provide significant improvements to the built environment.

**Policy S6** Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.

**Policy W2** Encourages sustainable design, construction and demolition.

**Important note regarding the South East Plan:**

*Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. Members will note that the Localism Bill has now been enacted; however the SEP remains in effect until such time as the Government complete the formal process of revoking the Plan.*

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- (iii) **Shepway District Local Plan Review** adopted March 2006:
- Policy SD1** All development proposals should take account of the broad aim of sustainable development.
- Policy BE1** A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Building form, mass, height and elevational details should be considered.
- Policy SC2** The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal would be compatible with surrounding land uses, acceptable in highway, infrastructure and environmental terms, accessible by a range of transport alternatives to the car and includes adequate provision for access for disabled persons.
- Policy TR6** New development will not be permitted unless provision is made for the needs of the pedestrians. The layout and design of development should provide for safe, attractive and convenient pedestrian routes, particularly to public transport routes.
- Policy TR12** New development will only be permitted if it makes provision for off street parking on or near the site, unless the location is well served by public transport and there would be no adverse effect on road safety or traffic management.
- Policy TR13** Where development proposals are considered less likely to have significant transport implications, a travel plan should be submitted with the planning application.

**Consultations**

10. **Shepway District Council** – Raises no objection subject to a condition limiting the evening opening to 6 events per calendar year.

**New Romney Parish Council** – Raises no objection but recommends that action should be taken to ensure that parking does not cause problems to residents in Craythorne Lane, who have already made complaints about parking.

**Development Planning Manager (Highways and Transportation)** – Does not recommend refusal on the grounds of on-street parking, and makes the following comments:

“The current indicative parking demand figures for the Children's Centre submitted by the applicant, together with on-site observations suggest that the majority of on-street parking taking place in the streets around the site is not related to the

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Children's Centre, but rather to the school, nursery and other factors. The limited amount of on-street parking associated with the Children's Centre does not itself appear to create a particular highway issue and this limited parking demand is unlikely to have any greater impact on a Saturday or occasional evening when the school and nursery are closed. I would therefore not recommend refusal of the application on the grounds of on-street parking".

**St Nicholas CE Primary School** – The School has raised concern about the Children's Centre opening on Saturdays and evenings when the school is shut since the Children's Centre fire alarm system is linked to the school's fire alarm system. If there was to be an incident in the Children's Centre, the Fire Service would not be able to access the school's fire panel. Also in the event of an incident, if the Children's Centre had to be evacuated from the rear of their building and garden, they will then be trapped within the school site, as all the school gates are locked when the school is not in use.

The School was also asked by the applicant if the school car park could be used out of school hours by the Children's Centre and this is the response received:

- "It compromises site security on Saturdays as the site would be unmanned.
- The school car park is already in use every weekday evening and we have no spare capacity".

#### Local Member

11. The local County Member, Ms C. Waters, was notified of the application on the 16 September 2011.

#### Publicity

12. The application was publicised by posting a site notice at the main entrance to the Children's Centre and the individual notification of 30 neighbouring residential properties.

#### Representations

12. I have received 9 letters of representation to date objecting to the application. Additionally, 3 letters of representation have been received in support of the application as well as a petition containing 80 signatures. The petition was signed by users of the Centre who wished to see the opening hours extended. The following comments raised by local residents are summarised below:

##### Objections

- Object to the unacceptable difficulties the parking situation would create. There is already an on-going battle for parking spaces in and around the area of St Nicholas Primary School.
- There is not sufficient car parking down this small lane and they do not use the school car park for their overspill. Monday to Friday the residents endure traffic parking in the most ridiculous positions, endangering pedestrians, other road users and the residents and school children.

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- I get trapped on my own driveway through inconsiderate parking of both parents dropping off and collecting from the school and also from staff members and visitors to the school, nursery and Children's Centre.
- We want double yellow lines on opposite side of the road to prevent people parking and causing obstructions. It is not just an issue during drop off and pick up time as parents leave their cars and go shopping in Sainsbury's.
- Since the Children's Centre been open the traffic situation has made the road impossible for 2 way traffic. When the Children's Centre operated out of the hours permitted the traffic situation never eased.
- Residents have experienced the upheaval, loss of privacy from noise, cars and parents leaving the Centre to smoke and drink coffee outside our properties.
- Outraged to think that the Centre could possibly consider extending the hours, since it is in such close proximity to the local residents. The original restrictions placed upon opening hours were permitted to ensure minimum disturbance and avoidance of nuisance to the local community and this should still stand.
- Kent County Council should have considered all the conditions for the Children's Centre before it was built. It would have been better sited in a road capable of taking the volume of traffic and not in a lane.
- The proposed Travel Plan is nonsense as most people do not walk to the Centre. We feel conned and misled by Kent County Council as we did not object to the original application due to the original opening hours.

#### Support

- We support the application because of the enhanced services to be offered to the community.
- I support the extension of hours as it will allow my husband to come to the Centre with our Children and enjoy the facilities that are free of charge.
- The Centre is of great benefit and we would love to be given the chance to attend events at the weekend with our entire family.
- We would greatly benefit from the Centre being able to extend their opening hours.

### **Discussion**

#### Introduction

14. The Section 73 planning application is seeking permission to vary condition 5 of planning permission SH/07/1496 to extend the opening hours from the currently approved hours of 8.00am to 6.00pm on weekdays and to allow additional opening on Saturday from 9.00am to 4.00pm and opening on the occasional evening. The application is being reported to the Planning Applications Committee as a result of the amenity objections received from nearby local residents. There is also support to the proposed extended hours from users of the Centre and an 80 signature petition has been received in support of the application.
15. In considering this proposal, regard must be had to the relevant Development Plan Policies outlined in paragraph (9) above, unless other material considerations are of overriding importance. Therefore the proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations, including those arising from consultation and publicity. In this particular case, the determining issues would therefore include the relevant Development Plan policies, plus traffic, parking and amenity considerations.

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Development Plan context

16. The Children's Centre is already developed and operating and most of the relevant Development Plan policies relate to new development proposals, rather than variations of the terms of an existing planning consent. However, there are Local Plan policies relating to sustainable travel and parking provisions, although the currently proposed revisions to hours of operation do not conflict with these policies insofar as the Children's Centre was assessed for its parking needs at the time of its initial consent, and a Travel Plan was prepared to manage travel demands as far as practicable. In particular, the Travel Plan for the site as a whole addressed the travel patterns of the Children's Centre as follows:

'As part of the Children's Centre's commitment to supporting the local community, they will be encouraging both staff and clients to walk and/or car share whenever possible, or to use the nearby supermarket and local town car parks. The Children's Centre is a single storey building with only one main multi-function room and medical room, with space for limited number of families to access the Centre at any one time. The Centre will be open Monday – Friday from 9am to 5pm, and used by families with children aged 0-5. It will also be manned by 9 permanent staff. Visiting agencies, such as health partners including child and adolescent Mental Health (CAMHS) and Speech Therapy will also use the Centre. However, as outreach work is a key part of the role of the visiting agencies, the presence of car users will be staggered.'

Traffic and parking

17. The Children's Centre was granted planning permission with no new additional car parking facilities at St Nicholas' Primary School for the Centre. That was because the existing car parking provision on-site was sufficient for the school needs with surplus capacity to absorb the needs of any additional staff parking in association with the Children's Centre. It was also noted at that time that there would be 3 full-time members of staff employed at the Centre and that they would come from within close proximity of the site.
18. The application also made no provision for visitor car parking facilities. This was because all Children's Centres had been strategically located to minimise travel distances for the majority of the residents that they were intended to serve. Emphasis was placed on 'buggy pushing distances' with the users of the Centre encouraged to walk. The Divisional Transportation Manager was consulted on the original planning application and raised no objection but recommended that the School, in conjunction with the Children's Centre prepare, implement and maintain a School Travel Plan.
19. This latest application to extend the opening hours to include Saturdays and the occasional evening has generated a number of objections from local residents based on the current level of parking experienced around the site, and in particular in Craythorne Lane. However it must be noted that Craythorne Lane serves a long established school of 400 plus children, as well as a nursery and the Children's Centre. It must also be noted that both the school and the nursery are substantially larger than the Children's Centre, and their impact upon the traffic is therefore much greater than the Children's Centre. Traffic patterns associated with schools and nurseries result in large numbers of vehicles turning up at the same time to drop off

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or collect children, whilst the traffic pattern for a Children's Centre is more spread out during the day as well as involving much less movements overall. Many of the letters of objection received from the local residents refer to the inconsiderate parking by parents either dropping off their children or waiting to collect them, which implies the parking problem is more associated with the school and the nursery. Although the Children's Centre would ensure that visitors would walk where possible, or car share where otherwise not possible, the Centre's proposed extension of hours actually covers times when both the school and nursery are closed and when there is less overall traffic in the roads.

20. The Children's Centre has a signing in book which families as well as visitors are required to record their registration plates if they have driven in. This demonstrates the usage of the Centre and makes it easier to identify any users who may have driven and caused a parking obstruction. The Centre has confirmed that to date they have received only one phone call about a driveway being obstructed by a vehicle, however the driver in question was not a user of the Centre. A copy of the Centre's parking log between 26 September 2011 and 14 October 2011 can be viewed in Appendix 1, which records and identifies the origin of parked vehicles in Craythorne Road, where the sole access to the Children's Centre is.
21. There is a perception that a large proportion of the vehicles parked outside in Craythorne Lane are related to the Children's Centre. However the parking log that the Centre is keeping, which shows usage and also number of attendees car sharing or walking, demonstrates that this is not the case and that the Centre is making efforts to ensure that where possible visitors do not travel in by car. The Centre's staff also check the parking situation when the Centre has more visitors, to ensure that none of the vehicles are causing an obstruction or contravening parking regulations, and also ask all their staff, volunteers and visitors to be considerate of the neighbours.
22. The Development Planning Manager (Highways and Transportation) was consulted on the planning application and has also visited the site on a number of occasions and at different times of the day. Together with the parking log and site observations, the Development Planning Manager has concluded that most of on-street parking taking place in the streets around the site is not related to the Children's Centre, but rather to the school, nursery and other factors. Moreover, the limited amount of on-street parking associated with the Centre does not of itself appear to create a particular highway issue, and this limited parking demand is unlikely to have any greater impact on a Saturday or the occasional evening when the school and nursery are themselves closed.

**Amenity Considerations**

23. The Centre has also requested permission to open on the occasional evening, to host events not capable of being arranged during the normal daytime opening hours. Whilst being mindful of the local residents and their concerns about parking, I would propose to restrict the times the Centre can open during the evening to no more than 6 occasions during one year. That restriction could be controlled by the imposition of a planning condition if consent were to be granted. I consider that this would achieve an appropriate balance between enabling best use of the Centre and protecting the amenities of neighbouring residents in terms of disturbance during the customary quieter times of the day.

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24. The fire safety concerns of the School, though well intentioned, are somewhat exaggerated and likely to provoke undue consternation. In particular, the Children's Centre is already open throughout the year and on many days and times that the school is not, so the issues highlighted are already being experienced and are unlikely to be any more of a significant risk with the proposed marginally longer hours. The dual alarm system for the site is a technical matter capable of being satisfactorily addressed and a Fire Safety Officer could advise the School in that regard if necessary. In the unlikely event that the Children's Centre needed to be evacuated other than via its front gate, ie. over its rear fencing into the fenced school site, then the occupants would still have reached a safe refuge from where the Fire Brigade would have little difficulty in assisting their further escape.

**Conclusion**

25. Having regard for the Development Plan Policies, in addition to the material considerations raised by several local residents and users of the Centre, I consider that the proposed extension of hours would allow the Centre to deliver a wider service to the local community. In particular, the wider benefits of an enhanced community facility here, that helps to meet the needs of traditionally hard to reach groups, do need to be balanced against the impacts on local residential amenities. Whilst I do understand that the on-street parking congestion will be a regular nuisance and source of irritation for the neighbouring residents, the main nuisance is actually of short duration and not a reason on its own for overly restricting the successful operation of this valued community asset. Furthermore, the public highway is not the sole preserve of the residents who happen to live next to it and to prevent other public road users from parking there is an unreasonable expectation, unless there was some serious road safety risk identified by the Highway Authority. However, through the Centre's parking management and request to extend their hours of opening when the school and nursery are closed, I consider that there should not be any significant increase in traffic and parking in the neighbouring streets. In particular, this planning proposal and its decision will have little direct bearing on the existing school related traffic and parking congestion that the local residents are primarily concerned about.

**Recommendation**

26. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO CONDITIONS, including conditions to cover the following aspects:
- the hours of use of the Children's Centre on no more than 6 evenings during one calendar year;
  - the hours of use are varied to include Saturdays between 09.00 and 16.00hrs; and
  - the re-imposition of all other conditions on the earlier planning consent where still relevant.

Case officer – Lidia Cook	01622 221063
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Background documents - See section heading
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**Appendix 1**

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**Outside vehicle registration log**

<b>W/B 03.10.11</b>	<b><u>Date</u></b>	<b><u>8.45am</u></b>	<b><u>9.15am</u></b>	<b><u>2.30pm</u></b>	<b><u>3.30pm</u></b>
	<b><u>03.10.11</u></b>				
Cars in Craythorne Lane		6	13	11	3
Cars using the centre parked in Craythorne Lane		0	2	2	0
	<b><u>04.10.11</u></b>				
Cars in Craythorne Lane		10	14	12	3
Cars using the centre parked in Craythorne Lane		1	3	3	1
	<b><u>05.10.11</u></b>				
Cars in Craythorne Lane		9	12	8	1
Cars using the centre parked in Craythorne Lane		0	2	3	0
	<b><u>06.10.11</u></b>				
Cars in Craythorne Lane		9	11	8	3
Cars using the centre parked in Craythorne Lane		2	3	4	0
	<b><u>07.10.11</u></b>				
Cars in Craythorne Lane		11	11	12	4
Cars using the centre parked in Craythorne Lane		1		3	1
					0

**Craythorne Lane Daily vehicle log**

<b>W/B 10.10.11</b>	<b><u>Date</u></b>	<b><u>8.45am</u></b>	<b><u>9.15am</u></b>	<b><u>2.30pm</u></b>	<b><u>3.30pm</u></b>
	<b><u>10.10.11</u></b>				
Cars in Craythorne Lane		8	10	15	3
Cars using the centre parked in Craythorne Lane		0	2	3	0
	<b><u>11.10.11</u></b>				
Cars in Craythorne Lane		16	18	16	9
Cars using the centre parked in Craythorne Lane		1	4	1	0
	<b><u>12.10.11</u></b>				
Cars in Craythorne Lane		5	15	12	7
Cars using the centre parked in Craythorne Lane		0	1	2	0
	<b><u>13.10.11</u></b>				
Cars in Craythorne Lane		14	9	13	6
Cars using the centre parked in Craythorne Lane		2	2	1	0
	<b><u>14.10.11</u></b>				
Cars in Craythorne Lane		11	11	14	5
Cars using the centre parked in Craythorne Lane		1	3	0	0

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**Outside vehicle registration log**

<b>W/B 26.09.11</b>	<b><u>28.09.11</u></b>	<b><u>8.45am</u></b>	<b><u>9.15am</u></b>	<b><u>2.30pm</u></b>	<b><u>3.30pm</u></b>
Cars in Craythorne Lane		11	14	10	8
Cars using the centre parked in Craythorne Lane		0	3	2	1
	<b><u>29.09.11</u></b>				
Cars in Craythorne Lane		15	9	16	9
Cars using the centre parked in Craythorne Lane		0	3	2	2
	<b><u>30.09.11</u></b>				
Cars in Craythorne Lane		8	16	11	8
Cars using the centre parked in Craythorne Lane		0	4	0	1