

**Change of use from offices (use class B1) to day nursery (use class D1)  
(resubmission 15/03179/FUL)**

**AT 1 Porchester Close, Bletchley, Milton Keynes**

**FOR Mrs Kelly Hope**

**Target:** 22nd July 2016

**Ward:** Bletchley Park

**Parish:** West Bletchley Council

**Report Author/Case Officer:** Angela Brockett

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## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

- 1.1 The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public Access system [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All matters have been taken into account in writing this report and recommendation.
- 1.2 This application has been referred to the Development Control Panel for determination as the application has been objected to by West Bletchley Parish Council.
- 1.3 **The Site**

The unit lies within Whaddon Court which is a small local centre comprising two convenience stores, one containing a post office, a restaurant, a hot food takeaway and a beauty salon. Above these units are maisonettes.
- 1.4 Opposite the site to the south east are the Royal Oak social club and an activity centre also used as a day nursery. Immediately behind the building to the south east is a marked out surfaced car parking area for 23 spaces including 3 disabled spaces. Beyond this and to the north east of the application site is the former site of 22 garages which have since been

demolished and now forms an informal area for parking. This site is owned by Milton Keynes Council and provides additional unmarked car parking which is currently available for public use and located within 100 metres of the application site.

1.5 The application unit forms part of a single storey brick building which also accommodates the community centre. The entrance into the application unit is off Whaddon Court. The unit is currently vacant and was last used as offices for West Bletchley Parish Council.

## 1.6 The Proposal

This application seeks a change of use from offices (use class B1) to a day nursery (use class D1). The application was accompanied by a site location plan, a floor plan, a supporting statement, a car parking survey, a pick up and drop off timetable and a response statement to previous objections.

1.7 No internal or external alterations are proposed to the building.

## 2.0 RELEVANT POLICIES

*(The most important policy considerations relating to this application)*

### 2.1 National Policy

National Planning Policy Framework 2012 paragraphs:

- 6-11 - Achieving Sustainable Development
- 12 - Accordance with Development Plan
- 14 - Presumption in favour of Sustainable Development
- 17 - Core Planning Principles
- 39 – Setting Parking Standards
- 49 – Presumption in favour of sustainable development
- 70 – Delivering services and facilities the community needs

### 2.2 Local Policy

Core Strategy 2013

CSA - Presumption in Favour of Sustainable Development

CS1 - Milton Keynes Development Strategy

CS18 - Healthier and Safer Communities

### 2.3 Milton Keynes Local Plan 2001-2011 (Saved Policies)

Policy C6 – Childcare facilities Appendix C6

T15 – Parking Provision

D1 – Impact of development proposals on locality

## 2.4 Supplementary Planning Document

Parking Standards (2016)

### 3.0 MAIN ISSUES

*(The issues which have the greatest bearing on the decision)*

- 3.1
- Principle of the proposed use
  - Impact on car parking and traffic
  - Impact on neighbouring amenity

### 4.0 RECOMMENDATION

*(The decision that officers recommend to the Committee)*

- 4.1 It is recommended that planning permission be granted subject to the conditions set out at Section 6 of this report.

### 5.0 CONSIDERATIONS

*(An explanation of the main issues that have led to the officer Recommendation)*

#### 5.1 Principle of the proposed use

Saved Policy C6 of the Milton Keynes Local Plan 2001 – 2011 allows for the provision of crèche's, nurseries and similar childcare facilities if they are consistent with the detailed policy guidance in Appendix C6 of the Plan. It states that for childcare facilities provided in non residential locations and outside the workplace, the Council should pay special attention to the following:

- (i) The type of facility, its scale and the proposed method of operations;
- (ii) The character of the surrounding area
- (iii) The detailed relationship with neighbouring properties

- 5.2 The current application has been assessed against the above policy and criteria and providing the facilities accord with this criteria, the principle of the use is acceptable and would accord with saved Policy C6 and Appendix C6 of the Milton Keynes Local Plan 2001 - 2011.

#### 5.3 Impact on car parking and traffic

Saved Policy D1(i) of the Milton Keynes Local Plan 2001-2011 seeks to ensure that development does not cause additional traffic generation which would overload the existing road network or cause undue disturbance, noise or fumes and saved policy D1 (vi) seeks to ensure that there is adequate access to and vehicle movement within the site.

- 5.4 Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 relates to ensuring development proposals meet vehicle parking requirements as laid out in the Parking Standards Supplementary Planning Document 2016 (SPD). The policy states:

*“Development proposals should meet the following vehicle parking requirements: ii) On-site parking should not be reduced below the maximum standard if it would be likely to result in off-site parking causing problems that cannot be resolved by on-street parking controls.”*

5.5 Saved Policy C6 of the Milton Keynes Local Plan 2001 – 2011 sets out the car parking standards that would normally be required for crèche’s, nurseries and similar childcare facilities. Car parking should therefore be provided either:

(i) On site

(ii) A safe and convenient facility for dropping off and collecting children, on the premises or close to it. If this facility is located on the highway, it should be clear of sharp bends, junctions, residents parking reservations or areas where on street parking is already heavy, prohibited or undesirable because of the narrow width of the highway.

5.6 This application has been assessed in accordance with the guidance outlined in this document and saved policy T15 of the Milton Keynes Local Plan 2001-2011.

5.7 The application site is located within Parking Zone 3 as identified in the Parking Standards SPD. Proposed crèche/nurseries in Zone 3 require 1 parking space per 1 Full Time Equivalent staff and drop off space for 1 per 4 children. As a total of 32 children are proposed to be accommodated on the site, there would be a requirement for 8 car parking spaces to serve as drop off spaces.

5.8 There are currently 3 members of staff who are looking after 24 children at the applicants existing premises, so for 32 children there will be a need for an additional 1 member of staff. The Parking Standards SPD requires that there will be 1 car parking space per each member of staff Full Time Equivalent provided. There would be a requirement for a total of 4 parking spaces for staff in addition to the 8 drop off spaces, meaning that 12 parking spaces will be required in total. The Parking Standards SPD requires any alternative parking that is proposed to be provided on neighbouring sites for drop off provision to be sited within 100 metres of the site.

5.9 As a comparison, the car parking spaces that would be required for the existing lawful office use of the building, based on the current office space floor area of 117 square metres would be 4 car parking spaces i.e 1 space per 30 square metres of floor space.

5.10 *Car Parking Surveys*

Parking surveys have been provided by both the applicant and the Parish Council which have been attached in the appendices to this report.

- 5.11 The Highways Officer has also visited the site at different times and spoken to some of the parents whose children attend the activity centre opposite the site. The anecdotal evidence from the parents suggested that they had experienced parking difficulties, especially between 15:15 and 15:30. However, this could not be corroborated by the Highways Officer who also assessed the parking situation at that time of day. In fact fewer cars were witnessed after about 15:15 when the activity centre parents were leaving around this time.
- 5.12 The existing pick up and drop off timetable provided by the applicant is attached as an Appendix to this report. This timetable demonstrates that there is not a single time of arrival. This therefore means that if a similar pattern continues, parking activity is likely to be distributed over a wide time period, rather than focussed all at single peak times. This will lessen the impact from the proposals in terms of traffic to and from the site as well as car parking.
- 5.13 In addition, a pick up/drop off service would be provided by the applicant to reduce traffic at the site and the applicant has confirmed that pick up and drop offs usually take no longer than 5 minutes. Although the Highways Officer cannot insist on the continuation of this it is a useful service to reduce impact.
- 5.14 It is also important to mention activity generated from the social club immediately opposite the application site which also opens for functions sometimes during the day. However, the specific impact of the club on the car parking was not an issue during the times of the surveys and the club was closed during the visits of the Highways Officer and the case officer. Activities and events being held at the club during the school opening times have not been raised as an issue.
- 5.15 Whilst West Bletchley parish Council's objection to the proposal is noted, from their own survey it would appear to demonstrate that there would be spare capacity to accommodate the change of use as the majority of their observations show spare spaces within double figures (about 11 – 20 spare) with just one observation where the car park was close to capacity. Therefore, based on the survey results from the Parish Council, the applicant's surveys and the site visits of both the Highway Officers and the case officer on different days, there does not appear to be sufficient evidence to suggest that the existing public car parking facility in the vicinity of the application site cannot serve the proposed nursery.
- 5.16 The proposed change of use of the application site to a children's nursery will not therefore cause a harmful impact on the existing traffic in the area, the capacity of the existing access into the site or the existing parking provision and would accord with Saved Policies D1(i) and (vi), T15 and C6 of the Milton Keynes Local Plan 2001-2011 and the Parking Standards Supplementary Planning Document 2016.

5.17 Impact on neighbouring amenity

The following parts of saved Policy D1 of the Milton Keynes Local Plan 2001-2011 are applicable to the proposal:

5.18 Planning permission will be refused for development that would be harmful for any of the following reasons:

(iii) An unacceptable visual intrusion or loss of privacy, sunlight and daylight and

(iv) An unacceptable pollution by noise, smell, light or other emissions to air, water or land

5.19 The nearest residential property to the site is number 230 Whaddon Court which is a maisonette above one of the units in Whaddon Court. The entrance to this property is via an external staircase which runs to the side of the property and leads to the entrance door at the rear. The front of the application unit faces onto this staircase. However there are no windows in the side elevation of this property. As all the activity associated with the proposed use will be confined to inside the building and due to the orientation of the maisonette, its height above the unit and the lack of windows in the side elevation it is not anticipated that the occupiers of this property will experience overlooking or any detrimental noise or disturbance as a result of the use.

5.20 The next nearest property is number 196 Whaddon Court which is also a maisonette sited opposite number 230 Whaddon Court. This property is considered to be sited far enough away from the application site and closer to the community centre to experience any undue noise and disturbance from the proposed nursery.

5.21 In addition, all activities will take place from inside the building as there is no outdoor space around the building. It is unlikely that any undue noise and disturbance would emanate from the building that would cause a disturbance to neighbouring properties. There could possibly be some noise disturbance during the times that parents are dropping off and picking up their children, but this is likely to be for short bursts of time and sporadic in nature. There are no objections from the Environmental Health Officer who has acknowledged that as this is principally a commercial area with a community centre and club nearby and with the hours of operation proposed, any noise associated with the use is not likely to be significant or to have a detrimental effect on the local area.

5.22 The proposal is therefore considered to accord with saved Policy D1 (iii) and (iv) of the Milton Keynes Local Plan 2001 – 2011.

## 5.23 CONCLUSIONS AND RECOMMENDATIONS

The proposed change of use from office to a children's nursery at 1 Porchester Close is considered to be an acceptable use within this mixed commercial area. The existing car parking provision is considered to be adequate to serve this use without causing a detrimental impact on the parking provision in the area and the residential amenities of the occupiers of nearby properties will not be detrimentally affected by noise and disturbance due to the hours of operation and the fact that the use will be confined to within the building. The proposal would therefore accord with the relevant local and national planning policies cited above and is recommended for approval.

## 6.0 CONDITIONS

*(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable )*

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004.

2. The premises shall only be used as a childcare/nursery facility and shall not be used for any other purpose within Use Class D1 nor any other Use Class specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order, nor for any other purpose without the prior permission of the Local Planning Authority.

Reason: To ensure that the Local Planning Authority has control over any future use that may have a detrimental impact on the parking provision in the area or the amenities of neighbouring residents.

3. This permission shall enure for the benefit of the applicant only and not for the benefit of the land or any other person or persons for the time being having an interest therein.

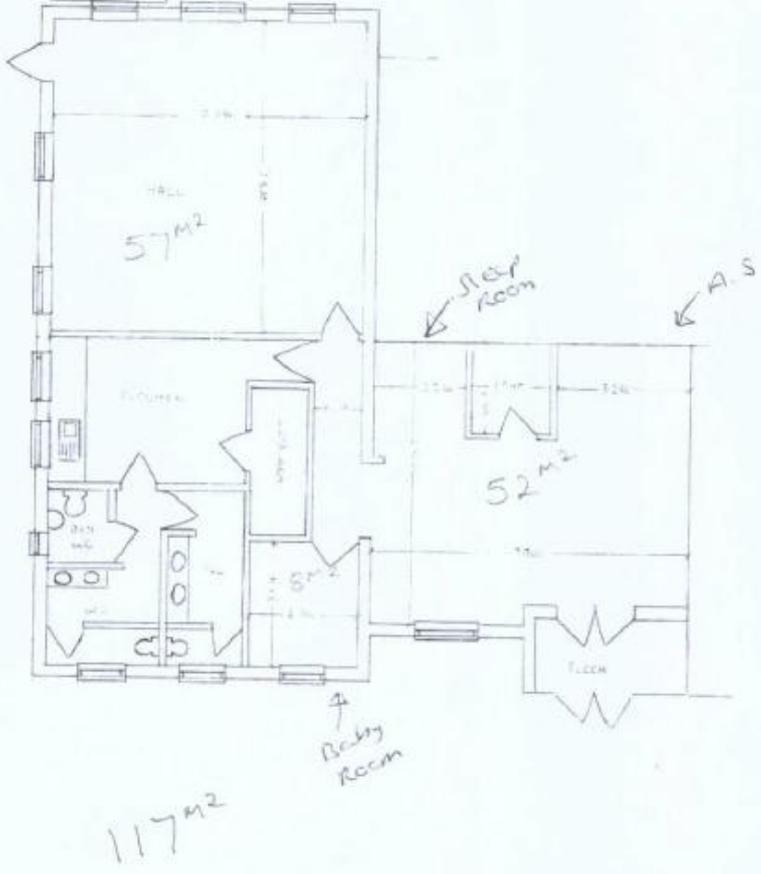
Reason: To ensure that the Local Planning Authority has control over any future occupier of the premises whose operations may have a detrimental impact on the parking provision in the area or the amenities of neighbouring residents.

4. The number of children on the premises at any one time for the purposes of the proposed use shall not exceed 32, unless otherwise agreed in writing by the Local Planning Authority.

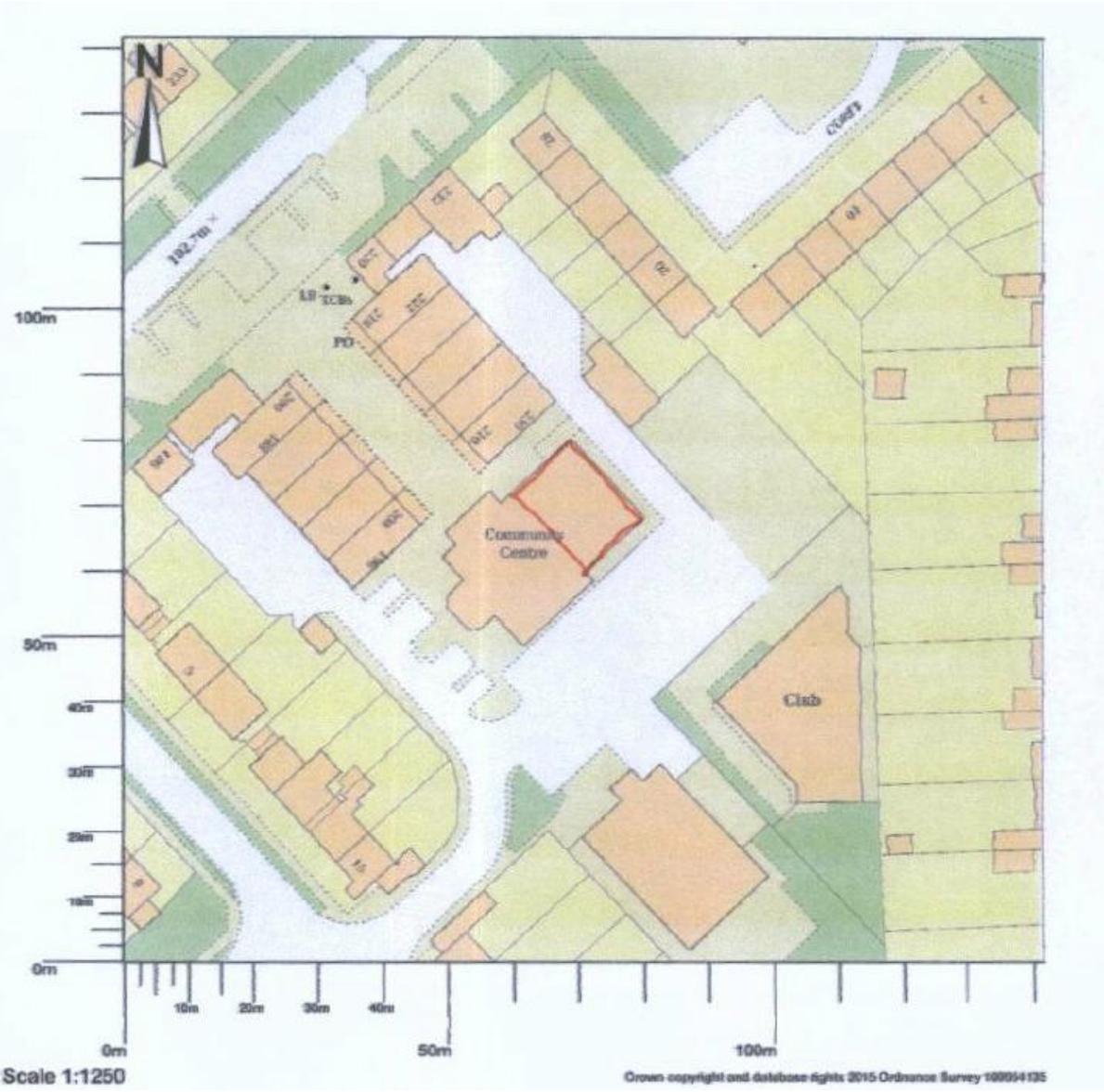
Reason: To ensure control over the scale of the use in relation to the amenities of neighbouring residents and the car parking provision.

DEVELOPMENT CONTROL  
18 DEC 2015  
RECEIVED

24 DEC 2015  
RECEIVED



1 ROCHESTER CLOSE  
BLITCHLEY  
MILTON KEYNES  
MK3 6TF  
SCALE 1:50



## PICK UP AND DROP OFF TIMETABLE FOR KELLY'S LITTLE ANGELS LTD

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Child 1 & 2	8-3	8-3	8-3	8-3	8-3
Child 3	7.30-6	7.30-6	7.30-6	7.30-6	7.30-6
Child 4	8.15-5.45	8.15-5.45	8.15-5.45	8.15-5.45	8.15-5.45
Child 5		8-6	8-6	8-6	
Child 6	8-12	8-12	8-12	8-12	
Child 7 (Uses our pick up & drop off service)	9-3	9-3	9-3	9-3	9-3
Child 8 (Uses our pick up & drop off service)	12-3.30	12-3.30	12-3.30	12-3.30	12-3.30
Child 9 (Days vary usually 2 days per wk)	7.30-3.30				8-5.30
Child 10 (Uses pick up & drop off service, taken to pre-school)	7.45-12 3.20-5.45 Term time only				
Child 11 (Days vary usually 3 days per wk)		8-5	8-5	8-5	

We have 5 children who use our service before and after school. They are dropped off between 7.45-8.00a.m. We collect them from school between the hrs of 3.00-4.00p.m. They are then collected by their parents/carers between the hours of 5pm-5.45p.m.

## West Blechley Parish Council's Own Parking Survey Results

### Car parking rear of Whaddon Way shops (49 parking spaces available)

Day	Date	Time	Space Taken	Spaces Free	Percentage Used	Comments
Fri	4/3/16	9:00 - 9:15am	38	11	77.5%	Grundons waste container lorry arrived at the same time causing some safety issues with amount of pedestrians/traffic and narrowness of the road.
Mon	7/3/16	12:00- 12:15pm	30	19	61.2%	Potential issues with parents collecting young ones at the same time as shoppers/visitors are driving in.
Mon	7/3/16	3:00- 3:15pm	35	14	71.4%	
Tues	8/3/16	9:00- 9:15am	35	14	71.4%	
Wed	9/3/16	9:00- 9:15am	32	17	65.3%	Poor weather
Thur	10/3/16	9:00- 9:15am	33	16	67.3%	Poor weather
Fri	18/3/16	9:00- 9:15am	33	16	67.3%	
Mon	21/3/16	9:00- 9:15am	32	17	65.3%	
Tues	22/3/16	9:00- 9:15am	33	16	67.3%	
Wed	23/3/16	9:00- 9:15am	4	45	8.1%	The preschool was shut due to half term, hence low vehicle count
Thur	31/3/16	12:00- 12:15pm	6	43	12.2%	The preschool was shut due to half term, hence low vehicle count
Mon	11/4/16	9:00- 9:15am	35	14	71.4%	First day after term break, slightly busier. Large delivery lorry arrived at the same time. Some potential safety issues due to the size of the vehicle, poor driver vision, many cars and little ones walking across the road.
Fri	15/4/16	12:00- 12:15pm	28	21	57%	
Mon	25/4/16	9:00- 9:15am	32	17	65.3%	
Fri	29/4/16	9:00- 9:15am	29	20	59%	
Thur	5/5/16	12:00- 12:15pm	25	24	51%	
Mon	23/5/16	9:00- 9:15am	30	19	61.2%	
Wed	8/6/16	3:00- 3:15pm	46	3	93.8%	Very busy? Perhaps due to 2 new shop outlets opening very recently?
Thur	9/6/16	9:00- 9:15am	25	24	51%	
Mon	13/6/16	9:00- 9:15am	35	14	71.4%	Photo taken
Wed	15/6/16	9:00- 9:15am	34	15	69.3%	
Thur	23/6/16	3:00- 3:15pm	40	9	81.6%	Busy, EU voting day.

## Applicant's Parking Survey

Time/Date 18 <sup>th</sup> April	Zone	Empty	Occupied
8:49 am	A	7	3
	B	13	0
	C	6	4
9:00am	C	7	3
9:01am	A	6	4
9:06am	A	3	7
9:06am	C	3	7

Time/Date 18 <sup>th</sup> April	Zone	Empty	Occupied
3:00pm	B	13	2
3:00pm	C	3	7
3:01pm	A	9	1
3:01pm	C	7	3
3:03pm	A	8	2

Time/Date 19 <sup>th</sup> April	Zone	Empty	Occupied
9:04	A	5	5
9:04	B	14	1
9:05	A	4	6
9:12	C	9	4
9:12	A	4	6
9:12	B	13	2
9:16	A	7	3
9:16	C	11	2
9:20	A	6	4
9:20	B	13	2
9:20	C	12	1

Time/Date 19 <sup>th</sup> April	Zone	Empty	Occupied
15:13	A	5	5
15:16	A	3	7
15:16	C	12	1
15:18	B	10	5

Time/Date 26 <sup>th</sup> April	Zone	Empty	Occupied
8:57	A	6	4
9:10	C	6	7
9:10	B	13	2
9:20	C	10	3
9:21	A	8	2

Time/Date 3 <sup>rd</sup> May	Zone	Empty	Occupied
8:57	C	12	1
8:57	A	6	4
9:14	C	4	9
9:14	A	3	7
9:24	B	13	2
9:25	A	7	3

The applicant's parking survey is based on 3 zones as follows:-

Zone A is the row of parking spaces in front of the Royal Oak Club and the Day Centre (the row opposite zone C).

Zone B is the site of the former Council garages and is currently the unmarked/informal car parking area to the end of the cul de sac.

Zone C is the row of parking spaces immediately behind the community centre and the site of the proposed nursery (the row opposite zone A).

## **Appendix to 16/01370/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

A1.1 15/03179/FUL

Change of use from offices (use class B1) to day nursery (use class D1)  
Withdrawn 02.03.2016

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

A2.1 None

### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

##### **A3.1 Highways Development Control**

Parking surveys have been provided by the applicant and the Parish Council. I can also confirm that I have visited the site in the afternoon of 5<sup>th</sup> July at 1500-1530. During this site visit I noted that parking activity was light and this was consistent in terms of volume of cars provided by the applicant. I spoke to some parents of children who attend the existing activity centre and they said that there can be issues with parking. They were somewhat critical of the times that surveys were carried out as they felt it gets busier 1515-1530 whereas the surveys provided by both the Parish and the applicant end before these times. My site visit was up until 1530 and I did not witness any significant changes after 1515 in fact there were fewer cars after about 1515 when the activity centre parents were leaving around this time.

Noted and addressed in paragraph 5.4 of the report

The existing pick-up / drop-off timetable provided shows that there is not a single time of arrival. This means that if a similar pattern continues, parking activity is likely to be distributed over a wide time period, rather than focussed all at single peak times. This will lessen the impact from the proposals. A pick-up / drop-off service is also provided by the applicant and although we cannot insist on the continuation of this it is a useful service to reduce impact.

The Parish Council's surveys would appear to demonstrate that there would be spare capacity to accommodate the change of use as the majority of their observations show spare spaces within double figures (about 11 – 20 spare) with just one observation where the car park was close to capacity. Noting the Parish Council's objection to the proposals, but based on the survey results from the Parish, the applicant's surveys and my own site visit I cannot see there is sufficient evidence to support an objection on highway grounds.

Environmental Health Manager

I would confirm that I had reviewed the above application and concluded there were no issues of concern for Environmental Health.

Noted and addressed in paragraph 5.25 of the report

The proposed opening times are typical business day time hours; there are no outside play areas; this is principally a commercial area with a community centre and club nearby. Although there may be noise arising from activities associated with nursery use, I would not consider it significant or to have a detrimental effect of the local area.

Education Sufficiency And Access

No comments received

Parish - West Bletchley

*Insufficient parking*

It is noted that the parking requirement (as detailed in MKC's Parking Standards) would be higher for a D1 use as a childcare/nursery provision than its current B1 use. Use of

Comments are noted and addressed in paragraph 5.4 of the report

the current parking provision for this site and nearby parking within the 100 metre radius is already beyond capacity at key times. The application site is located in a shopping area with nearby community facilities, including a busy community centre, social club and activity centre. The activity centre already provides a pre school registered for 72 children with 12 members of staff. All available parking in the area is currently utilised by this existing pre school provision at drop off and pick up times with vehicle parking already over spilling into adjacent roads.

#### *Traffic and Congestion*

The additional traffic generated by the change of use would have a detrimental impact on traffic in the area and cause undue disturbance to residents living in roads in close proximity to the site at key times of day in contravention of saved policies D1 and C6 of the MK Local Plan 2001 - 2011. This also compromises the safety of young children with inappropriate drop off points being used in the busy car park and adjoining streets.

*(A car parking survey has also been submitted by the Parish Council as supplementary evidence to the above objections and this is attached as an Appendix)*

#### Ward - Bletchley Park - Cllr Clancy

No comments received

Comments are noted and addressed in paragraph 5.15 of the report

Ward - Bletchley Park - Cllr Wales

No comments received

Ward - Bletchley Park - Cllr McKenzie

No comments received

**Local Residents**

The occupiers of the following properties were notified of the application and no response was received on the resubmitted application:

220 Whaddon Way Bletchley Milton Keynes  
Bletchley Activity Centre Porchester Close Bletchley  
Royal Oak Club Porchester Close Bletchley  
208 Whaddon Way Bletchley Milton Keynes  
196 Whaddon Way Bletchley Milton Keynes  
194 Whaddon Way Bletchley Milton Keynes  
206 Whaddon Way Bletchley Milton Keynes  
192 Whaddon Way Bletchley Milton Keynes  
204 Whaddon Way Bletchley Milton Keynes  
190 Whaddon Way Bletchley Milton Keynes  
200 - 202 Whaddon Way Bletchley Milton Keynes  
188 Whaddon Way Bletchley Milton Keynes  
218 Whaddon Way Bletchley Milton Keynes  
222 Whaddon Way Bletchley Milton Keynes  
224 Whaddon Way Bletchley Milton Keynes  
226 Whaddon Way Bletchley Milton Keynes  
210-216 Whaddon Way Bletchley Milton Keynes  
228 Whaddon Way Bletchley Milton Keynes

230 Whaddon Way Bletchley Milton Keynes  
Car Park 3 Porchester Close Bletchley  
3 Porchester Close Bletchley Milton Keynes  
198 Whaddon Way Bletchley Milton Keynes  
18 Corfe Crescent Bletchley Milton Keynes  
20 Corfe Crescent Bletchley Milton Keynes  
22 Corfe Crescent Bletchley Milton Keynes  
24 Corfe Crescent Bletchley Milton Keynes  
26 Corfe Crescent Bletchley Milton Keynes  
28 Corfe Crescent Bletchley Milton Keynes  
232 Whaddon Way Bletchley Milton Keynes  
220B Whaddon Way Bletchley Milton Keynes  
220A Whaddon Way Bletchley Milton Keynes

No third party neighbour representations have been received.