

Agenda Item 25.

Application Number	Expiry Date	Parish	Ward
180190	29/05/2018	St Nicholas Hurst	Hurst;

Applicant	Dinton Pastures Country Park
Site Address	Dinton Pastures Country Park, Davis Street, Hurst, RG10 0TH
Proposal	Full planning application for the change of use of part of the Emmbrook building from D2 (Country Park) to D1 (Nursery).
Type	Full
PS Category	632
Officer	Katie Herrington
Reason for determination by committee	Applicant is WBC (Dinton Pastures)

FOR CONSIDERATION BY	Planning Committee on Tuesday 17 July 2018
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>This application is before the planning committee as it is the Council's own development and involves an increase in staff and pupil numbers.</p> <p>The proposal seeks to change the use of part of the Emmbrook building and its garden at Dinton Pastures from D1 (Country Park) to D2 (Nursery). No external changes are proposed.</p> <p>The nursery would cater for 24 children at one time over three sessions (all day, morning or afternoon) and will require 6 FTE members of staff. Staff and parents would use the existing Dinton Pastures car park, including picking up and dropping off their children.</p> <p>The proposal would comply with development plan policy and is recommended for approval.</p>

PLANNING STATUS
<ul style="list-style-type: none"> • Countryside • Flood Zone 2 • Great Crested Newt Consultation • Aerodrome Safeguarding for Wind • All other sand and gravel deposits

RECOMMENDATION
<p>That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:</p> <p>A. Conditions and informatives:</p> <p><i>Conditions:</i></p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved details

This permission is in respect of the submitted application plans and drawings numbered 2723/FP/G/01 received by the local planning authority on 3rd April 2018. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. Travel Plan

No part of the development shall be occupied until the approved travel plan has been implemented. The travel plan shall be implemented, maintained and reviewed as approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 4 (Sustainable Transport) and Core Strategy policy CP6.

4. Restriction of number of children and staff

The nursery shall accommodate no more than 24 nursery children and 6 FTE members of staff at one time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of highway safety and avoid issues of parking stress.

Informatives:

1. This permission does not convey or imply any approval or consent that may be required for the display of advertisements on the site for which a separate Advertisement Consent application may be required. You should be aware that the display of advertisements without the necessary consent is a criminal offence liable to criminal prosecution proceedings through the courts.

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- The submission of a FRA

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

PLANNING HISTORY		
Application Number	Proposal	Decision
Various, but the most relevant are:		
21113	Conversion of existing barn to community use building, refurbishment of existing barn and change of use from agricultural to workshop and garage.	Approved. 5 th April 1984. With restrictive condition 2; <i>'Activities undertaken in the community use building shall be directly</i>

		<i>related to country park activities</i> '.
02314	Sports and leisure activities centre	Approved 15 th May 1975. Condition 7 sets out the 'country park activities'.

SUMMARY INFORMATION	
Site Area	800 sqm
Previous land use(s) and floorspace(s)	D1 (Leisure)
Proposed floorspace of each use	86sqm
Change in floorspace (+/-)	None
Number of jobs created	6 FTE
Existing parking spaces	No change
Proposed parking spaces	No change

CONSULTATION RESPONSES	
WBC Drainage	No objection
WBC Environmental Health	No comments received
WBC Highways	No objection
WBC Ecology	No objection
WBC Tree & Landscape	No objection

REPRESENTATIONS
Town/Parish Council: 'The council has no adverse comments'
Local Members: No comments received
Neighbours: No comments received

APPLICANTS POINTS
<ul style="list-style-type: none"> Muddy Ducks Nursery aims to reintroduce Children to the great outdoors, enabling them to readily identify wildlife, blackberries and conkers. They want to offer children the opportunity to explore the great outdoors both within the nursery garden and the wider country park. We will follow the Early Years Foundation Stage (EYFS) curriculum, focussing on active free play, which is essential to healthy growth and progress. Whilst outdoors our children will receive direct experience of weather, the seasons and wildlife; they will assess risks, solve problems and develop their creativity.

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP6	Managing Travel Demand

	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
	CP11	Proposals outside development limits (including countryside)
	CP15	Employment Development
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC08	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB05	Housing Mix
	TB21	Landscape Character
	TB23	Biodiversity and Development
	TB24	Designated Heritage Assets
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4

PLANNING ISSUES

Description of Development:

1. The proposal site is a former barn within Dinton Pastures Country Park. The barn consists of two rooms, the Emmbrook room and the Loddon Room. The proposal concerns the 'Emmbrook Room' and its adjoining garden.
2. The proposal would change the use of the Emmbrook Room (D2) and the garden to D1 (Nursery).
3. The nursery would cater for a maximum of 24 Children in the building at one time and would employ 6 (FTE) members of staff. Sessions would operate between 8.00 – 18.00 for whole days and 8.00 – 13.00 or 13.00 – 18.00 for half-day sessions. The main drop off/ pick up times will be between 8.00 – 9.00, 12.45 – 13.15 and 17.00 – 18.00.
4. No external changes are proposed to the building under this application.

Principle of Development:

5. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
6. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories.
7. The proposal site is located within the countryside and as such Policy CP11, proposals outside Development Limits (including countryside), is relevant. Policy CP11 will not normally permit proposals outside of development unless they meet certain exemptions. These are that;
 1. It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; **and**
 2. It does not lead to excessive encroachment or expansion of development away from the original buildings; **and**
 3. It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; **or**
 4. In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
 5. In the case of replacement dwellings the proposal must:
 - a. Bring about environmental improvements; or
 - b. Not result in inappropriate increases in the scale, form or footprint of the original building.
 6. Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
 7. Affordable housing on rural exception sites in line with CP9.
8. Compliance with criteria 1, 2 and 3 is required for the proposal to be acceptable. Dinton Pastures is a diverse and sustainable rural enterprise and the proposal would contribute towards it through the renting out of part of one of its buildings and as a nursery, and would encourage recreation and enjoyment of the countryside for children attending the nursery, and as such, the proposal would meet criterion 1. The proposal converts part of an existing building and no internal changes are proposed. As a result, the proposal would not result in the excessive encroachment or expansion of development away from the original buildings, and would involve the conversion of an existing building, and therefore the proposal would comply with requirements 2 and 3. As such, the proposal would comply with the requirements of Policy CP11.

Character of the Area:

9. The proposal would not make any external changes to the building. As such, the proposal would not have a harmful impact upon the character of the area, complying with the requirements of Policy CP3 of the Core Strategy.

Residential Amenities:

10. *Noise:* The proposal is for a nursery and includes a garden. Noise may result from vehicles because of the pick-up and drop off times including noise from vehicles (engine and car doors) and chatter.
11. The proposal site would be around 300m from the nearest residential occupiers to the south (separated by the A329M) and some 180 metres from those to the east, separated by a road, trees and other buildings. The proposed pick up and drop off times are 8.00am – 9am, 12.45 – 13.15, and 17.00 – 18.00. A drop off area has not been proposed, and instead parents would need to use the existing car parks within Dinton Pastures. However, these car parks would be in operation regardless of the proposal and give rise to similar noise (engine noise, car door closing and chatter) and the scale of the proposal is not considered to result in a material change to such existing noise levels. In addition, given the small scale of the proposal, the distance between the residents and the proposal site, and the buildings and roads between them, that the proposal would not result in harm by way of noise disturbance.
12. *Overlooking:* Given the distance between the proposal and closest residential occupiers, the proposal would not result in a loss of privacy.
13. *Loss of Light:* The proposal does not involve external changes and as such there would not be a material impact in terms of daylight and sunlight.
14. *Overbearing:* The proposal does not involve external changes and as such there would not be a material impact in this respect.

Access and Movement:

15. *Sustainability:* The proposal is located within the countryside where there is not a good level of public transport. However, the proposal would utilise an existing building and car parks, and would be used for activities with a similar transport demand (D1 usage) within the country park. The result is that the proposal would not be any less sustainable than the existing use, and as such it would not be reasonable to refuse the application on this ground.
16. *Highway Safety:* Given the scale of the proposal, its location within the existing country park, and its utilisation of the existing car park, the proposal would not result in any detriment to highway safety.
17. *Traffic Impact:* Given the scale of the proposal and that it is located within the existing country park that it would not have a material impact upon traffic movements.
18. *Parking:* The proposed nursery would require 6 FTE members of staff. The council's parking standards require 6 car parking spaces for the proposed members of staff. There is sufficient capacity within the existing car parks to accommodate these 6 bays. These bays will not be sectioned off and staff will need to park and pay for such

parking in the same way as other visitors to the Country Park. Similarly, parents who are dropping off and picking up their children will be instructed by the nursery to park in the Dinton Pastures car park in the same way as any other visitor to the country park. This is set out within the travel plan which has been conditioned (**Condition 3**). As such, the proposal would comply in this respect.

19. Sessions would operate between 8.00 – 18.00 for whole days and 8.00 – 13.00 or 13.00 – 18.00 for half-day sessions. The main drop off/ pick up times will be between 8.00 – 9.00, 12.45 – 13.15 and 17.00 – 18.00. Parents would be required to park within the existing car parks within the country park. Given the parking capacity of the Country Park (with overflow car parks) and the size of the nursery the proposal would not result in issues of parking stress or congestion in the surrounding areas. The council's highways officer has raised no objection to the proposal. As such, the proposal would be acceptable in this respect.

Flooding and Drainage:

20. The site is located within flood zone 2. Nurseries are a form of 'more vulnerable' development. According to the EA's Flood Risk Vulnerability Classification demonstrates that more vulnerable development would be appropriate in flood zone 2 and as such, the sequential test is not required in this instance.

21. A Flood Risk Assessment has been submitted with this proposal and has been reviewed by the council's drainage and flooding officer. The council's Flooding and Drainage officer has no objections to the proposal.

22. Policy CC09 of the Core Strategy sets out that in exceptional circumstances, new development in areas of flood risk will be supported where it can be demonstrated that:

- a) The development provides wider sustainability benefits to the community that outweigh flood risk
- b) The development will:
 - a. Be safe for its lifetime, taking account of the vulnerability of its users
 - b. Not increase flood risk in any form elsewhere and, where possible, will reduce flood risk overall
 - c. Incorporate flood resilient and resistant measures into the design
 - d. Appropriate evacuation and flood response procedures are in place to manage the residual risk associated with an extreme flood event.

23. The flood risk as a result of the proposal would be outweighed by the benefits of the conversion of the existing building to a nursery. The applicant has submitted details of flood evacuation and other procedures and as such has taken into account of the vulnerability of its users and would be safe for its lifetime. As the proposal converts an existing building, and given the nature of the site, it would not be reasonable to require additional flood resilient and resistant measures into its design. The applicant has also provided appropriate evacuation and flood response procedures in place to manage the residual risk associated with an extreme flood event.

24. As such, the proposal would accord with policy CC09 of the MDD.

CONCLUSION

The proposal seeks to change the use of part of the Emmbrook building and its garden at Dinton Pastures from D1 (Country Park) to D2 Nursery. No external changes are proposed.

The nursery would cater for 24 children at one time over three sessions (all day, morning and afternoon). The Nursery will require 6 FTE members of staff. Staff and parents would use the existing Dinton Pastures car park to pick up and drop off their children. Staff will also use the existing car park.

The proposal would comply with development plan policy and is recommended for approval.