

Application Number

P/2013/0720

Site AddressArtful Dodger
304 Teignmouth Road
Torquay
Devon
TQ1 4RW**Case Officer**

Mrs Ruth Robinson

Ward

St Marychurch

Description

Change of use from Public House (Use Class A4 - Drinking Establishment) to Pre-School (Use Class D1 - Non-Residential Institution).

Executive Summary

This application is for the change of use of a public house (class A4) to a pre-school (class D1). The site lies on a busy traffic junction with limited parking opportunities. To the rear of the site is a small existing car park with access from Happaway Road. There is a playing field to the rear of the site.

The proposed preschool is to have a capacity of 36 children aged 2-5. There will be 3 drop off and pick up times to spread the impact of visits, it will only be open from 9:15 to 16:15 to avoid peak traffic times.

The main area of concern in relation to the proposed change of use is the position of the building on a very busy highway junction with parking restrictions on all frontages. It will require those dropping off or collecting children to park some distance from the premises. Experience elsewhere in the Bay suggests that with nursery and pre schools there is a temptation to park illegally in order to deliver children quickly and to minimise the period that other children are left unattended for. Illegal parking close to the premises could create highway safety concerns.

However, Highways Officers, have visited the site and consider that the scheme is acceptable, subject to requirements in relation to traffic orders/new signage/vegetation trimming and the removal of onsite car parking and management of staff parking through a Travel Plan.

In other respects the building is well suited to the proposed use: It is detached, thus minimising impact on neighbours and within a short walk to the rear is a large public open space which will be accessible for supervised play. The existing car park to the rear of the property will be converted to a small gated play area.

Recommendation

Conditional Approval (suggested conditions at end of report); Subject to S106 to secure highway contributions in order to provide traffic regulation order, signage and vegetation clearance.

Statutory Determination Period

8 weeks expiring on the 31st August.

Site Details

Comprises a vacant public house located on a busy traffic junction and with limited parking opportunities. To the rear of the site is a small existing car park with vehicular access from Happaway Road. The site adjoins a playing field to the rear.

Detailed Proposals

Is a change of use from public house (A 4) to Pre- school use (D 1)

As part of the proposals, the main pedestrian entrance to the building will be relocated to the rear with access from Happaway Road, and the rear car park will be converted to a gated garden area for outside play.

Summary Of Consultation Responses

Highways have no objection subject to the payment of £1500 to cover a traffic order to restrict loading from the front of the building, a replacement sign for the pedestrian crossing and cutting back of vegetation.

Highways also request the removal of onsite parking and the management of parking/access via a Travel Plan to be submitted prior to construction.

Community Safety: raise matters of food safety/waste which are not relevant to planning.

Summary Of Representations

An anonymous e mail has been submitted raising concerns about the busy nature of the road, the lack of parking, the possibility of abuse of parking restrictions, difficulties of picking up and dropping of, danger of park area to the rear through litter and needles.

Ward Members, on being consulted through the SRM procedure, requested that the application be referred to DMC.

Relevant Planning History

None.

Key Issues/Material Considerations

The highway implications of the proposal are the main issue here. The building is located on a busy traffic junction with double yellow lines around the plot and restricted parking opportunities nearby.

The proposed preschool is to have a capacity of 36 children aged 2-5, there will be 3 drop off and pick up times to spread the impact of visits, it will only be open from 9:15 to 16:15 to avoid peak traffic times. The existing preschool, which is based in the Acorn Centre has 41 pupils and only 12 of the families have access to a car for delivery and collection of children. They anticipate a similar pattern at the new school as the children are from a 'deprived area' and as such it is thought that most children will walk to school accompanied by a responsible adult. The supporting information stresses that access by foot will be heavily promoted through the Travel Plan. However, there can be no guarantee that anticipated low levels of vehicular access will continue or that how parents access the school can be fully controlled through a Travel Plan.

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S106/CIL -

There will be a need to secure costs of traffic order/signage/vegetation trimming via either a S106 or unilateral undertaking.

Conclusions

Given Highway Officers support for the scheme and given the appropriateness of the scheme in all other respects, it is considered on balance that permission should be granted subject to the following conditions and a s106 or unilateral undertaking in relation to the highway works.

Conditions:

Hours restriction

The implementation of the garden area and new access

The delivery of the specified traffic orders and vegetation trimming, and; Travel Plan to minimise traffic impacts/parking concerns

Relevant Policies

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