

4/03028/18/FUL	TEMPORARY CHANGE OF USE TO NURSERY AND CONSTRUCTION OF SINGLE-STOREY SIDE/REAR EXTENSION
Site Address:	6 ALSTON ROAD, HEMEL HEMPSTEAD, HP1 1QU
Applicant:	Flower Pots Day Nursery – Mr Ben Whitlock
Case Officer:	Martin Stickley
Referral to Committee:	Call-In by Councillor Janice Marshall

1. Recommendation

1.1 That planning permission is **GRANTED** subject to conditions set out in this report.

2. Summary

2.1 The principle of change of use from residential (C3) to a nursery (D1) is considered acceptable. The proposed internal/external amenity areas for the children and the car parking arrangements are considered sufficient. There would be no severe impact on the local road network. The living conditions of neighbouring residents would not be compromised. A two-year temporary permission is proposed to ensure that if any issues do arise, the Local Authority has control to re-assess the proposal. Only modest external alterations are proposed and as a result no detrimental impact to the visual amenity of the street scene would result.

2.2 As such, the proposal is therefore considered acceptable in accordance with Policies CS4, CS11 and CS12 of the Dacorum Borough Core Strategy (2013); saved Policies 23 and 69 of the Dacorum Borough Local Plan (2004) and Paragraph 92 of the National Planning Policy Framework (2019).

3. Site Description

3.1 The site is located on Alston Road, around 1km to the west of Hemel Hempstead's town centre. A single-storey building exists on the site, which was previously used as a Social Centre for the Blind. This use has now ceased and the building is now under new ownership.

3.2 The site is bound by dwellings backing onto the east and west boundaries. The immediate area around the site is generally residential. However, it is noted that there is a primary school approximately 200m to the north of the site and an infant's school some 200m west of the site.

4. Proposal

4.1 The proposed development comprises the construction of a single-storey side/rear extension and change of use of the building to create a children's nursery. The nursery would accommodate for up to 45 children (up to five years of age) and up to 11 members of staff. The proposed opening hours are 07:00-19:00, Mondays to Fridays.

5. Relevant Planning History

4/0455/77 – Single-Storey Extension – Granted (02.06.77)

4/0191/85 – Two Dwellings (Outline) – Granted (31.10.85)

4/0411/86 – Two Dwellings – Granted (17.06.86)
4/1984/87 – 8 One-Bedroom Residential Units – Refused (04.02.88)
4/0537/88 – 8 One-Bedroom Houses, Parking Area – Refused (02.06.88)
4/0884/88 – Single-Storey Day Centre for the Blind – Granted (05.08.88)

5.1 It should be noted that the previous use (Social Centre for the Blind) has the same planning use class (D1) as the proposed nursery. However, a condition was placed on the previous permission (4/0884/88), which states:

5.2 *“This permission shall not enure for the benefit of the land and the use hereby permitted shall cease when the Hertfordshire Society for the Blind ceases to use the premises for the purposes of a day centre for the blind.”*

5.3 The Hertfordshire Society for the Blind no longer operate from the building and therefore the use has technically reverted to residential (C3) i.e. the original land use.

6. Relevant Policies

6.1 National Planning Policies

National Planning Policy Framework

- Section 8 - Promoting healthy and safe communities
- Section 12 - Achieving well-designed places

6.2 Local Planning Policies

Dacorum Borough Core Strategy

- NP1 - Supporting Development
- CS1 - Distribution of Development
- CS4 - The Towns and Large Villages
- CS8 - Sustainable Transport
- CS9 - Management of Roads
- CS10 - Quality of Settlement Design
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS13 - Quality of Public Realm
- CS29 - Sustainable Design and Construction

Dacorum Borough Local Plan (Saved Policies)

- Policy 51 - Development and Transport Impacts
- Policy 57 - Provision and Management of Parking
- Policy 58 - Private Parking Provision
- Policy 69 - Education
- Policy 129 - Storage and Recycling of Waste on Development Sites
- Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents

- Accessibility Zones for the Application of Car Parking Standards (2002)
- Area Based Policies, Residential Character Area HCA7: Boxmoor (2004)
- Refuse Storage Guidance Note (2015)

7. Constraints

- Residential Area

8. Representations

Consultation Responses

8.1 These are reproduced in full in Appendix A.

Neighbour Notification/Site Notice Responses

8.2 These are reproduced in full in Appendix B.

9. Considerations

Key Issues

9.1 The main issues of relevance to application are as follows:

- The policy and principle justification for the proposed nursery;
- The impact on residential amenity;
- The impact on highway safety and car parking; and
- The quality of design and impact on visual amenity.

Principle of Development

9.2 The application site is located within a residential area, wherein accordance to Policy CS4 of the Core Strategy and saved Policy 69 of the Dacorum Borough Local Plan, the principle of reusing a vacant building to small-scale social/community uses is acceptable subject to local impact and compliance with the relevant national and local policies. Saved Policy 23 encourages new social infrastructure.

9.3 It is acknowledged that the property functioned as a day centre for people with disabilities from for over ten years but the use became unviable due to the limited number of blind and visually impaired people visiting the centre. In this regard the change of use to a nursery could be seen as regenerating the site for a use that incorporates social benefits.

9.4 Paragraph 92 of the National Planning Policy Framework (the 'Framework') states, To provide the social facilities and services the community needs, planning decisions should:

a) plan positively for the provision and use community facilities and other local services to enhance the sustainability of communities and residential environments;

- b) take into account and support the delivery of local strategies to improve health and social well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of and community facilities and services.

9.5 Taking the above into account, it is considered that the principle of a new nursery on the site is considered acceptable as long as the loss of previous use can be justified. The benefits of the scheme (i.e. social infrastructure) must also be weighed up against the other material planning considerations associated with the development.

9.6 There has been a fairly large number of objections from neighbouring residents and the impact of the development on highway safety, parking and noise levels have been main topics of concern. All of these issues will be discussed within this report.

Loss of Social Centre for the Blind

9.7 Herts Vision Loss, formerly known as the Hertfordshire Society for the Blind, identified that the Social Centre for the Blind was not cost effective. Its annual operating cost exceeded the income that it attracted by over £3,000 per annum. The centre is run down and requires refurbishment as well as a range of works being completed to the external structure. The Charity anticipated that over £20,000 would have been required to be spent on the facility to ensure that it could remain open. This was as a result of both safety and security. Herts Vision Loss have confirmed that the Centre was causing financial damage to the charity and they would have been unable to fund the works to upgrade/maintain the facility (see letter from Herts Vision Loss, dated 24 April 2017).

9.8 The centre was manned by an outreach support worker and although a range of initiatives to increase the use of the facility were undertaken to encourage the blind and visually impaired, these did not have a sufficient impact to justify the retention of the use. Therefore, to reach the blind and visually impaired population of Boxmoor and Hemel Hempstead, the Charity needed to operate from alternative facilities at an additional cost.

Building Utilisation

9.9 A number of initiatives were undertaken in an attempt to boost the usage of the centre. Some of these initiatives included coffee mornings; volunteer forums, sight information points, yoga sessions, hearing advisory services, stroke support groups, etc.

9.10 A full list of these initiatives can be found within the supporting letter. The letter explains that there was extremely poor attendance from the blind and visually-impaired community, highlighting that the social centre is not on any direct public transport routes and therefore *“getting to the centre has been a continual issue reported by*

service users.”

Alternative Facilities

9.11 A survey carried out by Herts Vision Loss reported that the service users favoured the South Hill Centre. This is located in Hemel Hempstead Town Centre and is easily reached.

Loss of Residential Use

9.12 As mentioned in Section 5, the historic condition put on the Social Centre for the Blind ensured that when the use of the centre by the Hertfordshire Society of the Blind ceased, so did the permitted use. The site therefore currently falls under the previous planning use, residential (C3).

9.13 The site was previously granted permission for the construction of two residential dwellings (see application 4/0411/86). Considering the Government’s pressure to boost the supply of housing, circumstances seldom warrant the release of residential sites to other uses. Dacorum’s Local Plan (saved Policy 15 – Retention of Housing) sets out where exceptions can be applied. The Policy states, *“the loss of housing and dwellings will not be permitted except...within a residential area where: (i) essential small-scale social, community or leisure facilities would be provided; and (ii) suitable alternative non-residential properties are not available.”*

9.14 Hertfordshire County Council’s (HCC) Childcare Sufficiency Report (April 2019) states, *“A new provider will be supported to open a new day nursery in the Chaulden area of Hemel Hempstead. This setting will provide much needed additional places for two year olds in the immediate area.”* The Applicant has confirmed that the two other nurseries they run in the Borough have waiting lists. Thus, it appears that there is a need for new nurseries in the area.

9.15 Flower Pots Day Nurseries state that they have been actively looking for a suitable premises for three years and have lost several sites to developers. Taking this into account and the fact that Hemel Hempstead is in need of additional childcare facilities, it is considered that loss of a small residential site is acceptable due to the overriding social and community benefits that would accrue from the proposal.

Impact on Residential Amenity

9.16 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. Considering the proposed use, the issue of noise must also be assessed.

Noise

9.17 The issue of noise has been highlighted as a concern by the neighbours. The Applicant was contacted with regard to this and a noise impact assessment was submitted to the Council (see Sound Solution Technical Report 31852 R1).

9.18 Following consultation on this document, Dacorum’s Environment and Community

Protection Department (ECP) did not raise any concerns over noise associated with vehicle drop-off/pick-up, nor did they raise concern over noise emissions when averaged over the operating period and compared to background levels. However, ECP raised concerns that sudden, impulsive noise associated with children shouting/crying during outdoor play would be more likely to cause disturbance and subsequent noise complaints.

9.19 The Applicant suggested that outdoor activity is limited to 2 x 1 hour sessions to mitigate concerns. ECP raised concerns with this, stating that if all of the children are outside for a short-period, excitable and difficult to control, it may result in increased noise levels. Instead, it was suggested that small groups not to exceed 12 are allowed outside for multiple short durations throughout the day, thus affording staff greater control and the option to bring inside upset or uproarious children.

9.20 The noise assessment also suggests limiting outdoor play to 09:00–17:00 hours, Monday to Friday. If this planning application is successful, a condition would be placed on the permission in this regard.

9.21 Noise mitigation relies heavily on good management/childcare methods. This can vary dependent on management. ECP made the strong suggestion to reduce children numbers or award temporary consent to enable the Local Authority to monitor for noise complaints over a 2-year period. Should significant noise issue arise during this period, this would be governed by Dacorum's Environmental Health Department. The Applicant has agreed to both of ECP's recommendations by reducing the number of children from 60 to 45 (20%), which would subsequently bring the number of staff down to 11, and by also implementing the proposed 2-year temporary permission condition.

9.22 As an extra precautionary measure, ECP requested a 'Noise Management Plan' for the control of children noise in external areas. Such plan would show actions taken to mitigate numbers of children outside at any one time, staffing ratios and control measures to limit or remove noisy children from the external environment. The Applicant has confirmed that if the application is approved, a Noise Management Plan condition can be added and subsequently approved prior to first use of the building.

9.23 In summary, it is felt that the concerns raised with regards to noise can be overcome with the implementation of the aforementioned planning conditions. Therefore, it is not felt that the issue of noise should inhibit the development proposals.

Visual Intrusion, Loss of Light and Loss of Privacy

9.24 The plans submitted with the application originally included proposals for the first-floor enlargement of the building. This proposal would have increased the scale and bulk of the building considerably. Following a number of objections from the neighbours, the Applicant decided to scale-back the works to a modest single-storey extension. Following these amendments, it is not felt that the proposed works would result in any significant impacts in terms of visual intrusion, loss of light or loss of privacy to the surrounding residential units.

Space Standards

9.25 The Applicant has informed the Local Authority that indoor space to serve the

nursery would meet EYFS (Early Years Foundation) standards, which requires:

- 3.5sqm for 0-2 years;
- 2.5sqm for 2-3 years; and
- 2.3sqm for 3-5 years.

9.26 There appears to be no official guidelines for how much outdoor space children should have, however, it is felt that the garden/terrace area to the rear would provide an adequately sized space for small groups of children. A condition would be added, if approved, to ensure that this space is landscaped sufficiently. In addition to the details provided, the proposed nursery would also need to adhere to Ofsted requirements in regards to indoor and outdoor amenity provision.

Impact on Highway

Accessibility, Safety and Capacity

9.27 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety.

9.28 A number of the neighbour letters raised road safety concerns relating to the arrival and collection of children. It appears that there would be a greater number of vehicular journeys when compared to the previous use.

9.29 HCC as the Highway Authority have assessed the proposal and consider that it would not have an unacceptable impact on the safety and operation of the surrounding highway network. Therefore, no objections were raised on highway grounds, subject to the inclusion of several planning conditions.

Parking

9.30 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.31 Dacorum's local parking standards (as set out in saved Appendix 5 of the Local Plan) require, as a maximum, nursery schools to provide 1 space per 4 children. Therefore, the maximum parking standards for a nursery of this size (45 children) equates to 11.25 parking spaces.

9.32 The submitted Transport Statement (dated 11 February 2019) states that the peak parking accumulation is estimated to be 8 spaces, which would occur between around 8.10am and 8.20am. The proposal provides a total of 15 spaces (2 disabled) all of which meet Dacorum's minimum space standards of 2.4m x 4.8m. Up to 11 of these spaces may be taken by staff members and therefore, at peak times, there may be potential for a small number of parents to rely on the on-street parking.

9.33 Alston Road is situated within a Controlled Parking Zone (CPZ) and has three parking bays reserved for permit holders or available to others for 30 minutes with no

return permitted within 30 minutes. The supporting parking survey data found that the parking bays are very busy between around 8.40am and 9am and again between 2.50pm and 3.10pm. At other times the parking bays are lightly used and there is ample spare capacity. The observed peaks in existing parking demand coincide with drop-off and pick up times of the nearby St Rose's Infants School.

9.34 The Transport Statement also provides other data linked to Flower Pot's existing 80-child nursery in Adeyfield, making comparisons to the proposed. Key findings include:

- For the existing nursery, main traffic flow for the morning peak hour occurs between around 8am and 8.20am when parents drop-off children as part of their commute to work. This period does not coincide with the existing school traffic activity that occurs on Alston Road, which occurs between around 8.40am and 9am. The nursery's traffic during this period is light.
- Similarly, the peak evening period for the nursery is between 5pm and 6pm as parents collect children as they travel home from work. This occurs long after the school pick-up period that currently generates parking demand on Alston Road.

9.35 From the data provided, it is clear that the proposed nursery's peak periods do not coincide with the maximum on-street parking demand periods. Nursery traffic tends to occur earlier than school drop-off traffic during the morning and well after school pick-up times in the afternoon/evening.

9.36 In summary, the traffic associated with the proposed development would generally occur when on-street parking is available on Alston Road. The proposal provides 15 parking spaces, which is above the maximum standard for a nursery of this size. Any shortfall of spaces during peak times could be easily accommodated on Alston Road. As such, the proposed development would provide a satisfactory number of parking spaces. The parking layout is also adequate. There would be no significant adverse impacts on highway safety or the free flow of traffic on the local highway network.

Impact on Visual Amenity

9.37 Policies CS11 and CS12 seek to ensure that any new development/alterations respects or improve the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height. The Framework states that permission should be refused for developments of poor design which fail to improve the character and quality of an area.

9.38 The modest external alterations (i.e. single-storey extension) would have an extremely limited impact on the visual aesthetics of the building and surrounding area. The proposed materials would match the existing building. As a result, it is not felt that there would be any significant harm to visual amenity.

10. Other Material Planning Considerations

Waste Management

10.1 Within the site there should be space for at least two 1100ltr Eurobins, one each

for residual waste and recycling. Details of these have been provided on Drawing wren naj 57e 2018. These are found to be acceptable in accordance with Dacorum's Refuse Storage Guidance Note.

Trees and Vegetation

10.2 No trees of significant landscape value or amenity will be detrimentally affected by the development. There are some small trees located near the proposed single-storey extension. These act as a visual and noise buffer between the site and properties on Sebright Road. It is unlikely that the ground-works would impact these trees but the Architect has agreed that we can place a condition on the permission if approved to ensure that a tree protection plan is provided prior to commencement.

Response to Neighbour comments

10.3 The points raised by neighbours have been addressed within this report.

11. Conclusions

11.1 There is sufficient evidence to demonstrate that appropriate alternative provision has been made for the blind community and that the Social Centre for the Blind is no longer really viable.

11.2 The loss of a small residential site is considered acceptable when compared to the overriding social and community benefits that would arise from the proposed nursery.

11.3 The proposal in its context and would not compromise the characteristics of the locality and would not give rise to significant highway safety or parking concerns.

11.4 Issues surrounding noise can be adequately addressed through the use of planning conditions. A two-year temporary permission is suggested to allow the Council to monitor the operation and safeguard the neighbours in this regard.

11.5 Overall, the proposal to construct a single-storey extension and change the use to a nursery would represent appropriate development. As such, the development would be in accordance with the aims of Policies CS4, CS11 and CS12 of the Dacorum Borough Core Strategy (2013); saved Policies 23 and 69 of the Dacorum Borough Local Plan (2004) and Paragraph 92 of the National Planning Policy Framework (2019). The proposal is therefore recommended for approval subject to the conditions listed below.

13. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions/Reasons for Refusal

No	Condition
1	The use hereby permitted shall expire 2 years from the date that conditions 5, 6 and 7 are fully discharged and on or by that date the nursery use hereby permitted shall be discontinued.

	Reason: This permission is for a limited period and is granted only in order that the Local Environmental Health and Planning Authority may review the matter at a later date once the impacts can be fully reviewed.
2	<p>The hours of site operation shall be restricted to Monday-Friday (07:00 – 19:00 hours. No site activity on Saturday, Sundays or Bank Holidays. No external amenity use outside of 09:00 – 17:00 hours.</p> <p>Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p>
3	<p>The number of children using the nursery hereby approved shall be limited to 45 in total.</p> <p>Reason: In order to protect the amenities of adjoining occupiers and to ensure adequate parking provision, having regard to saved Appendix 5 of the Dacorum Borough Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p>
4	<p>A Noise Management Plan shall be implemented. A log of periodic monitoring and actions be kept. Together with a log of complaints; together with corrective actions undertaken.</p> <p>Reason: To protect the residential amenities of the locality, having regard to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).</p> <p>NOTE: This will be reviewed at the end of the two-year temporary permission.</p>
5	<p>At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The Travel Plan Statement should include a Parking Management Plan to ensure that on-street parking in the vicinity of the site is minimised and that sufficient provision is made for safe pick up and drop off. The approved Travel Plan Statement shall be implemented at all times.</p> <p>Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
6	<p>The use hereby permitted shall not commence until a plan indicating the positions, design, materials and type of boundary treatment to be erected around the play area, details of any landscaping works to the proposed play area and details of cycle parking facilities has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented fully in accordance with the approved details prior to first use of the building.</p> <p>Reason: To ensure a satisfactory appearance to the development in order to safeguard the visual character of the immediate area and children's' safety; in accordance with policy CS12 of the Core Strategy (2013).</p>
7	Prior to the commencement of development hereby approved, a Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to

	<p>design, demolition and construction) setting out how the trees on the development sites boundaries shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.</p> <p>Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>wren naj 57d 2018 - Proposed Floor Plans wren naj 57e 2018 - Proposed Elevations</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>INFORMATIVES</p> <p>1). Un-expected Contaminated Land Informative</p> <p>Considering the nature of the proposed end use with; the site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., there is a possibility that this may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.</p> <p>2). Construction Hours of Working – (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>3). Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p>

<p>4). Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>
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Appendix A

Consultation Responses

Environmental Health

Thanks for contacting the Pollution and Environmental Protection Team in respect of the above planning application 4/03028/18/FUL for the change of use to nursery, ground floor extension as well as construction of first floor extension.

Please be advised that, we have no objection to the proposed development in relation to Air Quality and Land Contamination.

However, contrary to the applicant alluding there will be only the first floor extension, we observed some level of extension work are also going to be done on the ground floor.

Therefore, with the proposed development site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., the following planning condition and informative are recommend should planning permission be granted.

1). Un-expected Contaminated Land Informative

Considering the nature of the proposed end use with; the site within 116m of a former contaminated land uses which includes a coal yard, former garage and tank etc., there is a possibility that this may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

2). Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site

demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

3). Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Environmental and Community Protection

Notice is hereby given that the Environmental and Community Protection Environmental Health Department: advises that any permission which the Planning Authority may give shall include the conditions overleaf, on the grounds of 'noise'.

ECP Comments:

- This Memo follows, a technical review of the applicant's noise impact assessment, together with associated comments from the applicant.
- It is important to understand that unlike say, the introduction of mechanical plant to a nearby noise source, or say a residential dwelling to an existing noise source, there is no set noise criteria to assess the change of use of a building to a children's nursery.
- It is considered that the acoustic report has determined the local noise climate with good accuracy and the calculations of noise emission and resultant calculations with acceptable accuracy.
- ECP does not have concern over noise associated with vehicle drop-off/collection, nor does it have particular concern regarding noise emissions when averaged over the operating period and compared to background. However, concern exists when considering instantaneous peak levels (e.g. LAMAx), associated with outdoor play.
- ECP has concerns regarding the applicant's proposal to planning officer, to limit outdoor activity to just 2 x 1hour sessions, it is expected that such a proposal would make staffing and controlling external impact of noise from all children being outside for a short-period, excitable and difficult to control; together with potential health impacts to children. Instead, the noise impact assessments report recommendation to limit outdoor play to 09:00 – 17:00 hours, Mon-Fri is considered more sensible. This it is anticipated would allow small groups, say

not to exceed 12, to utilise the outdoor space, for multiple, short durations throughout the day. Thus affording staff greater control and the option to bring inside upset or uproarious children.

- The applicant's suggestion to reduce the children attending the nursery to no greater than 40 on any one day, gives greater confidence, that if the application were given planning consent it would be unlikely to cause a noise nuisance.
- Another option would be to give a temporary planning consent for a period of say, 2-years to enable ECP to monitor the impact to nearby residential.
- The following conditions are recommended to be applied to any planning consent given, where necessary, please amend wording to suit planning condition.

1. Business Hours Restriction

The hours of site operation shall be restricted to Monday-Friday (07:00 – 19:00 hours. No site activity on Saturday, Sundays or Bank Holidays. No external amenity use outside of 09:00 – 17:00 hours.

Reason: To protect local residential amenity

2. Noise Management Plan

A Noise Management Plan shall be implemented. A log of periodic monitoring and actions be kept. Together with a log of complaints; together with corrective actions undertaken.

Reason: To protect local residential amenity

This department advises that any permission which the Planning Authority may give shall include the conditions above, on the grounds of 'noise'.

Further comments

We'd support the temporary consent of application with attachment of conditions to not exceed 45 children, two year trial period and supply of noise management plan.

Hertfordshire County Council – Highways Department

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

CONDITIONS: Hertfordshire County Council (HCC) as Highway Authority does not wish to raise an objection to the proposed development, subject to the following conditions:

1. Construction Management Plan: No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the

Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Traffic management requirements c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); d. Siting and details of wheel washing facilities; e. Timing of construction activities; f. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Travel Plan Statement – Requested Prior to Use: At least 3 months prior to the first use of the approved development a detailed Travel Plan Statement for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The Travel Plan Statement should include a Parking Management Plan to ensure that on-street parking in the vicinity of the site is minimised and that sufficient provision is made for safe pick up and drop off. The approved Travel Plan Statement shall be implemented at all times. Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Cycle Parking: Prior to the first use of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

COMMENTS / ANALYSIS: The application comprises of the change of land use at 6 Alston Road, Hemel Hempstead. The changes involve converting the current Social Centre for the Blind at the site to a nursery school, which is proposed to include an extension to add an additional storey to the existing building. These changes were outlined in drawings submitted with the application form. However, Hertfordshire County Council (HCC) notes that in the application form, notably section 5, there is no mention of the change in land use, but only the extension. The nursery is proposed to hold 60 children at various times throughout the day, between 07:00 and 19:00. Existing and proposed layout plans for the site have been provided alongside the application for the site.

ACCESS ARRANGEMENTS: There are no proposed changes to the existing access to the site as part of the application. The site's only access point is from Alston Road, which lies to the north of the site. Alston Road is an unclassified 'U' local access road that lies to the west of Hemel Hempstead town centre and to the north of the railway station. The site is otherwise bound by residential properties and associated land to the west, south, and east. The site is also accessible by foot and by bicycle from Alston Road. Alston Road has a speed limit of 30mph and is highway maintainable at public expense. The access to the proposed site is considered to be acceptable by HCC.

PARKING AND MANOEUVRABILITY: HCC received information via email from Martin Stickley at Dacorum Borough Council (DBC) regarding the proposed parking provisions at the site provided by the applicant, which outlined that there will be eight parking spaces and three disabled parking spaces. The applicant also noted that 15 parking spaces are required for a nursery school with an intake of 60 children. There are also proposed to be 14 full-time staff members. Notably, the parking proposals will not provide suitable provision for the size of the development, however DBC notes that this is unavoidable due to the size of the site. In order to avoid on-street car parking, the applicant has stated to DBC that they will stagger the times at which children arrive at and leave the site, similar to a method used at a nursery school on Adeyfield Road, which is also owned by the applicant. The applicant also stated to DBC that they aim to recruit staff that live locally, promote car sharing, and install bicycle racks at the site, with the intention of encouraging sustainable modes of travel and reducing congestion. HCC as Highway Authority recognises that providing more parking at the site is not possible due to the size of the site. However, HCC notes that in order to ensure that there are no detrimental impacts on the highway network occur as a result of the proposals, a Travel Plan Statement is required as a condition, as stated above.

EMERGENCY VEHICLE ACCESS: No details have been provided to HCC regarding emergency vehicle access to the site. The frontage of the site onto Vicarage Road would enable emergency vehicle access to be within 45 metres from all dwellings. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'.

REFUSE / WASTE COLLECTION: Provisions for on-site refuse stores within 30m of the nursery school building and within 25m of the kerbside are not identified in the information provided to HCC at present. The collection method must be confirmed as acceptable by DBC waste management.

TRIP GENERATION AND DISTRIBUTION: Information regarding the proposed number of trips has not been outlined in the documentation provided to HCC. HCC recognises that the site will generate a number of trips, however if a Travel Plan Statement is provided with the application it is likely that the proposals will have minimal impact on the highway network.

ACCESSIBILITY AND SUSTAINABILITY: The pedestrian infrastructure in the vicinity of the site is of a good standard, with footpaths on both sides of Alston Road and most roads in the surrounding area. There are no designated cycleways in close proximity to the site. The closest bus stop to the proposed site is on Green End Road approximately a 2-minute walk away, which is served by the H10 and H11 services. The H10 serves the stop hourly between approximately 08:00 and 15:00, with an additional later service at 17:30. The H11 serves the stop hourly between approximately 10:00 and 13:00. Both services have local routes that serve other areas of Hemel Hempstead, such as the town centre and Adeyfield, but not areas further afield. Hemel Hempstead bus station and town centre are approximately a 20-minute walk or an 8-minute cycle from the proposed site. The site is within close proximity to Hemel Hempstead railway station, which is approximately a 10-minute walk or a 4-minute cycle from the site. Hemel Hempstead railway station has regular and direct services to London Euston, East Croydon, Milton Keynes, Tring, Birmingham New Street, and other locations in between. The agent for the proposed site has informed

DBC that car-sharing and walking to the site will be encouraged where possible.

CONCLUSION: HCC as Highway Authority considers that the proposal would not have an unacceptable impact on the safety and operation of the surrounding highway network. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.

Comments on additional information

I would not have any specific additional comments to those as submitted in the response.

I still think it would be reasonable to ask for a travel plan condition particularly due to the number of trips proposed during peak hours.

Trees and Woodlands

According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. I have examined the information and have no objections to the application being approved in full

Appendix B

Neighbour Notification/Site Notice Responses

3 Bulbourne Close

We have had constant problems with parking that have only just been resolved with the parking scheme. Although many people still violate this as it is not manned enough by traffic wardens - such a shame people don't think that double yellow lines means no parking and that school parents feel they have a right to park in the parking bays with out permits. There is limited parking on this site and as they propose to operate from 7am to 7pm which is outside of the current parking restrictions this will undoubtedly cause the problems that residents faced prior to the parking scheme. It would render the whole scheme useless and a waste of money and residents would again have to petition to change the hours of the scheme to include the operating hours of this business in a residential area, so that residents are not affected. The site it's self is on a blind corner and the entrance is already at a disadvantage in that cars can not exit safely - there have been many times when cars have blindly pulled out into oncoming cars -how would the council rectify this would they provide mirrors at strategic places to avoid this and how would they get the residents permission for where they would need to be situated as it would be on their property? Finally above all, this is a residential area and to grant a business licence gives way for this to be used in other areas should this first business not survive.

1 Bulbourne Close

We have just been informed the Blind Centre building, 6, Alston Road Boxmoor, is to be turned into a nursery. We are pleased the building will be given a new life but have to express some concern about the parking. The current car park is not big enough for staff and parents and as I'm sure you are aware, this area has just been granted a parking zone after waiting for 3 years. Our concern is parents dropping off and

collecting their children from 7am to 7pm will not adhere to the parking zone and residents will be back to square one with inconsiderate parking as before. Please take our and other residents concern into account when this application is looked into.

10 Alston Road

1. Despite Application 4/03028/18/FUL being summarised on the Planning Portal as a proposal to "Change of use to nursery and construction of first floor extension" the formal Application Form at section 5 "Description of Proposal" merely says it concerns an "extension to building erecting first floor" with no mention of a change of use being required. So the Application should be rejected on the grounds of incompleteness.

2. Consent to a change of use is required because the property was originally erected under permission 4/00884/88/FUL which at Condition 5 stated "this permission shall not enure for the benefit of the land and the use hereby permitted shall cease when the Hertfordshire Society for the Blind ceases to use the premises for the purposes of a day centre for the blind." So there is no full D1 consent which the Flowerpot Nursery or anyone else can inherit.

3. Any application for such a change of use would need to address the fact that this site is in a populous residential area and this would necessitate the opening hours being limited to 8am to 5pm.

4. Details should be required about how staff parking for 14 employees (there are currently 11 parking spaces on site) plus parental drop-off needs are to be accommodated, particularly bearing in mind the recently introduced Controlled Parking Zone provisions. Despite the CPZ we still suffer two peak periods when parents park to drop off their children at St Roses School and Boxmoor School, and this will be exacerbated by any nursery. It must be remembered that the access to the property is at a right angled bend in Alston Road that has always proved dangerous to negotiate.

5. There is also a need for the containment of the inevitable noise and curtailment of the increased pollution brought about by the massive increase in car movements.

6. Evening and weekend activity would need to be prohibited.

7. Turning specifically to the subject application, at question 10 it should be noted that there are mature trees immediately adjacent to the current building. Also at Question 17, the (ground floor) existing building is shown as 183 square metres yet the first floor extension is shown as 262 square metres.

8. On the merits of the subject application, it substantially increases the bulk of the existing already large building; raises the roof line considerably above what was a carefully agreed height when application was made for the 1988 permission; and changes the shape of the roof line to a style which is out of character in the residential environment in the locality.

9. As a result all the adjacent properties including our own will suffer a loss of daylight and be overshadowed by the proposed development; we will be overlooked with the consequent loss of privacy.

10. On the details of the application, were it eventually to be granted permission we

would ask that obscured glass is used in the mansard windows overlooking our garden at 10 Alston Road (which is one of the adjacent buildings).

Further comments

I have read with interest the comments of Hertfordshire County Council and would observe they include:

"HCC notes that in the application form, notably Section 5, there is no mention of the change in land use" which causes me to reemphasise the same point made in my earlier objection.

"The applicant noted that 15 parking spaces are required for a nursery school with an intake of 80 children... Notably the parking proposals will not provide suitable provision for the size of the development; however, DBC notes that this is unavoidable due to the size of the site. In order to avoid on-street parking, the applicant has stated to DBC that they will stagger the times at which children arrive at and leave the site."

This causes me to re emphasis my objection that this is an over development of the site, which if scaled back would enable the appropriate on site parking provision to be delivered. If the applicant is unable to comply with the on site parking standard the application should be refused. And if the applicant is making assurances to the DBC about staggered start and end times they should form part of the documentation on the public record so it can be accessed and commented on by local residents.

Further comments

With regard to the revised proposed elevation we note that the mass of the proposed extended building has not been diminished at all; there has been a (welcome) move of the trash bins to the other side of the plot and there is a re arrangement of the car parking spaces, shown on a larger scale on drawing 19004/SK1. So in short nothing is contained that mitigates our concern that the proposed extension does in fact represent a gross over development of the site. The revised drawing does take cognisance of the felling of the silver birch tree presumably to create two more minimum size car spaces, which might be strictly legal but does nothing to commend this development to the local residents, destroying a healthy and beautiful tree.

As far as the Traffic Survey is concerned, it grossly overstates the journeys made to the Day Centre for the Blind by equating this use to that of a "Community Centre." There were in fact no permanent staff employed at the Day Centre, and its peak traffic demands occurred when a local charitable organisation had use of the Centre for a meeting. Apart from these there was no vehicular activity generated, and a "Community Centre" should not be used as the base of comparison to the proposed nursey use. Even so, the consultants are of opinion that the traffic movements will increase from 48 per day to 87.5 ie an 80% increase. And their assessment of the ability of the local parking regime to accommodate this is predicated on the vast majority of nursery children being dropped off before and picked up after the "school run" for St Roses, which means the mayhem we currently experience during these periods will be extended both earlier and later in the day in a way which is deleterious to the quiet environs of Alston Road. The Consultants seem to have blithely ignored that most if not all of the on site car parking will be required for staff and thus not

available to the parents for drop off and collection, a huge distinction between this site and the functioning nursery in Adeyfield Road. At Alston Road, parents will need to park and then manoeuvre their vehicles to leave the premises; at Adeyfield Road there is a wide curved driveway with separate "In" and "Out" points which enables a smooth flow of parental traffic. Not only will the parental traffic create noise (see also below) it will also bring more pollution, exacerbated by the need for parental traffic to manoeuvre in order to exit the proposed car park at Alston Road. Furthermore the consultants seem to have taken no cognisance of delivery traffic providing groceries, cleaning equipment and other provisions etc to the nursery, all of which require a greater space for manoeuvre of their vehicles. The outcome will be that parents and delivery vehicles will park on the double yellow lines only recently introduced to reduce the noise, pollution and general parking nuisance in Alston Road. The Consultants have also not recognised the degree to which the parking bays are occupied by vehicles from Grosvenor Terrace during the unrestricted parking times.

The Noise Impact Assessment references at the outset the 2010 DEFRA Noise Policy Statement for England and the policy that "existing businesses wanting to develop in the continuance of their business should not have unreasonable restrictions placed on them." But the planning application is not for an existing business on the site; it relates to the first time ever that a business use has been proposed for the site and so the strictures in the 2010 Policy do not apply. The assessment of the noise generated by drop off and pick up activity explicitly states that the base assumption is that this occurs "at the local of the drop off/collection bays at the front of the development" whereas we know from the staffing level estimates that all these bays will be required by staff; indeed their tandem configuration points up the fact they must be for staff and only rarely available to parents. Turning to the proposed rear play area, paragraph 4.21 points up that the proposed play area is too small to accommodate all the children and necessary supervising adults at any one time, which means that in order to provide outdoor recreation for the children, playtimes would need to be staggered and thus the times the play area is used would increase. There is likely to be appreciable impact on the living conditions within the houses at 25 Sebright Road and 47 Puller Road (has the latter been included in the consultation?); not only would their gardens be even more adversely impacted and quiet enjoyment substantially diminished, but the same goes for our garden at 10 Alston Road which has the whole of its rear boundary abutting the play areas. To mitigate this, were planning permission granted then a substantial restriction on the times the play area can be used together with the best of boundary acoustic treatment would be needed.

In conclusion it is noted that the Planning Application still does not seek a change of use on the face of it, and were it to be granted it would need to be both conditional with appropriate restrictions on the size of the development to minimise the impact on local residents, and personal or in some other manner apt prevent the D1 use becoming established despite being non conforming in a residential neighbourhood.

Further comments

In response to the comments of the Environmental and Community Protection Unit of the Environmental Health Department, we note they have concerns over the level of noise emanating from outdoor play. There seem now to be two suggestions from

Borough officials as to how to ameliorate the effects - either limiting outdoor play to two one hour sessions per day, or more continuous outdoor play activity but limited to twelve children or less at any one time. The difficulties of the Council being able to monitor either suggestion are obvious. However, we as neighbours, together with local residents, believe these suggestions to be a false choice - there is no D1 permission extant, any such permission would be a non-conforming user, and local residents should not be expected to accept any level of noise beyond that which would be generated by normal domestic residential activities. It is to be remembered that not only are there legitimate concerns about the noise generated by outdoor play, there is also the noise that would be generated by sixty children within the premises that are close to the boundaries of both ourselves and the homes in Sebright Road. We know from experience noise from within the Blind Centre impacted the quiet enjoyment we should expect in our own home, but at least this was for a limited duration two or three times a week, an hour at a time - a Children's Nursery would greatly compound that problem both in noise level and its duration throughout every working day.

Furthermore there is the noise, danger and pollution that would be generated by parental vehicles dropping off and picking up children, delivery vans and other trades people and the impact of staff parking in the vicinity. Local schools already have difficulties parking and the road would be reduced at peak times to once again being dangerous as parents abandon their cars, park across residents' driveways and prevent access for the emergency services.

This Application is for a commercial children's nursery, running five days a week except for Public Holidays, in the heart of a compact residential area, and not at all akin to the activities undertaken by the Hertfordshire Society for the Blind which was a charitable organisation that negotiated with and largely kept their undertakings to the local residents about hours of use, activity levels etc. It was because we as local residents accepted the bona fides of the Society that the then Planning Committee permitted a personal planning permission rather than accept the then Planning Officers' recommendation for refusal. There is no parallel acceptance of a Commercial Children's Nursery by the local residents and we maintain our objections to the planning application. It should have been refused at the outset and not left residents having to live with the nightmare scenario which would come to pass if the planning application was permitted.

Further comments

This is a response to the applicants' statement that "We have taken on board the neighbours concerns and have decided to minimise the nursery as much as we can. We have submitted new plans and are not going to proceed with the first floor extension.

We are also going to reduce the number of children by 25% from 60 to 45 per day. This will also reduce the number of staff from fourteen to approximately eleven." It is worth noting at the outset that the Application Form of 20th November 2018 proposed "extension to building erecting first floor" and if this proposal is now withdrawn then on the face of it the application falls.

Although the decision not to proceed with the first floor extension is naturally to be welcomed, we note that it has been replaced by a ground floor extension to the western side of the building, resulting in the bulk of the building being very close to the boundary fence on that side in the same way as it unfortunately already is on our (eastern) side. The impact of the side extension also reduces the number of onsite car parking spaces to sixteen, thus placing more pressure on the already congested on-street parking bays. The entrance to the car park is narrow and once all the spaces are taken the manoeuvrability within the car park is particularly limited. This inevitably means that double parking and parking on the double yellow lines would be almost continuous. The access to 6 Alston Road is situated on a right angle bend with poor visibility and once again emergency vehicles, deliveries, etc. would not be able to access our road and roads nearby, a position we experienced before the introduction of Controlled Parking Zone.

The reduction in the "number of children" is imprecise in its terminology. Does this mean 45 places - which could be divided between morning and afternoon sessions to cater for 90 clients, resulting in 180 traffic movements as parents drop off and pick up - or does it mean a roll of 45 children. Although the latter would be only half the problem in respect of traffic movements, it would still be enough to dangerously congest, pollute and raise the level of noise beyond reasonable and acceptable levels for the local residents in a residential neighbourhood. Details should be required about how staff parking plus parental drop-off needs and the delivery of supplies are to be accommodated, particularly bearing in mind the recently introduced Controlled Parking Zone provisions. Despite the CPZ we still suffer three peak periods when parents park to drop off their children at St Roses School and Boxmoor School, and this will be exacerbated by any nursery. It must be remembered that the access to the property is at a right angled bend in Alston Road that has always proved dangerous to negotiate. The local police report that they have not been consulted at all and would expect a nursery to further deteriorate an already difficult parking and through traffic problem.

The level of noise from the proposed play area would still also unreasonably and unacceptably impact the local residents, particularly those whose gardens are adjacent to the proposed play area. It remains the case that there are two suggestions from Borough officials as to how to ameliorate the effects - either limiting outdoor play to two one hour sessions per day, or more continuous outdoor play activity but limited to twelve children or less at any one time. The difficulties of the Council being able to monitor either suggestion are obvious. However, we as neighbours, together with local residents, remain of opinion that these suggestions are a false choice - there is no D1 permission extant, any such permission would be a non conforming user, and local residents should not be expected to accept any level of noise beyond that which would be generated by normal domestic residential activities. The fact that the applicant was not aware of the true planning position when he purchased the property is no reason to disadvantage the neighbours. It is to be remembered that not only are there legitimate concerns about the noise generated by outdoor play, there is also the noise that would be generated by the children within the premises that are close to the boundaries of both ourselves and the homes in Sebright Road. We know from experience that noise from within the Blind Centre impacted the quiet enjoyment we should expect in our own home, but at least this was for a limited duration two or three times a week, an hour at

a time - a Children's Nursery would greatly compound that problem both in noise level and its duration throughout every working day.

This Application is still one for a commercial children's nursery, running twelve hours a day five days a week except for Public Holidays, in the heart of a compact residential area, and not at all akin to the activities undertaken by the Hertfordshire Society for the Blind which was a charitable organisation that negotiated with and largely kept their undertakings to the local residents about hours of use, activity levels etc. It was because we as local residents accepted the bona fides of the Society that the then Planning Committee permitted a personal planning permission rather than accept the then Planning Officers' recommendation for refusal. There is no parallel acceptance of a Commercial Children's Nursery by the local residents and we maintain our objections to the planning application. It should have been refused at the outset and not left residents having to live with the nightmare scenario which would come to pass if the planning application was permitted, and what it could grow in to if a full D1 permission be granted.

1 Alston Road

I am objecting to the proposed planning application at Flowerpots Nursery at 6 Alston Road, Boxmoor. There is only a small car park at the above address. There is already traffic congestion at school time due to Saint Roses School. Some parents still park on permit bays and on pavements. With another nursery there will be more parking problems with fourteen staff the car park will only be large enough for staff, with extra noise and car generated pollution. Rubbish collection on Thursday would be affected by illegal parking.

29 Sebright Road

I strongly object to the planning application for the following grounds:

- Nurseries should not be put in a high/close by residential area, which is going to disrupt/destroy people's home life, which they have every right to be peaceful.
- Children's voices as they scream and shout or even talk are very high pitched and carry a considerable distance.
- A former attempt to put a children's nursery in a house in Alston Road was rejected by the Planning dept. some years ago.
- The nursery parking area only has 8 spaces and 3 disabled spaces, which is not even enough for the staff.
- The nursery would be situated on a nasty 45 degree bend in the road and as there would be no room for a turning area in the parking area and the parents would have to park and manoeuvre on the very narrow roads, which could prove rather dangerous.
- Parents will be parking on the roads before 7am and causing disturbance and pollution – damaging to our health.

Further comments

DBC Noise, Pollution & Housing

'It is important to understand that there is no set criteria to assess change of use of a building to a children's nursery'

Environmental & Community Protection Environmental Health Department (ECP)

'does not have concern over noise i.e. drop-off/pick-up when averaged over operating period compared to background' Yes, well!! What sort of background noise are they using for their standard control in order to be able to make this conclusion/statement. I assume they have one!

Para 6. But the (ECP) does have concern over noise with children playing outside. The applicant says he will only allow 12 children at any one time outside. This is still going to be excessively noisy. We all know from experience, even when 2-3 children are playing together how their high pitched voices get louder and louder as they play and get excited. Also, what about the noise emanating from the children inside the building, these are 3 months to 5 yr olds. They won't be sitting quietly learning lesson's. Walls don't stop noise.

Para 8. 2yr temporary planning consent? Once planning permission is given no amount of monitoring is going to stop it! It's here. Also if the change to DI occurs, who knows what other dreadful possibilities may happen in this highly residential area with narrow roads.

It should be as was the case before the Blind Centre, a bungalow which didn't interfere in any-body else's life.

1. Business Hours Restriction

9am-5am is better than 7am-7pm, but it is not protecting 'local residential amenity.' It may be better for people who go to work. But doesn't it matter then about people who may be at home all day? The ill, people retired, people who have a day off from work, or people who work night nights and Hanover House for Seniors, just down the road and well within ear-shot.

2. 'that sufficient provision is made for safe pick-up and drop-off'

That can't happen given the situation.

Parking and Manoeuvrability

The nursery says it will stagger the times children arrive. Really, surely the parents must dictate rather a lot. They have to get to work and from here quite possibly to London. Are the nursery really going to turn people away if the clients can't fit in the with the nursery times.

People will cycle, walk, car share, etc.

If only. A good example recently in the local Gazette paper. When the Forum was proposed, 'most people will be cycling, walking, public transport, etc. so no need for lots of car parking.' The reality dawns. The Council are now taking over the top floor of the car-park in the Waterhouse St for Council workers. It all looks good on paper but in practice – no.

Emergency Vehicle Access

'Frontage of site onto Vicarage Road would enable emergency access to be within 45 metres of all dwellings'

Vicarage Road? I think they may be looking at the wrong map!!

It is good that the applicant has decided not to go ahead with the 2nd level of building as it would have overlooked us and withheld light.

But a great concern, is over the fact that the extension on the ground floor to the west (not north as on plans) and the rear of 29 & 27A Sebright Road will only be 1 metre away from the fence. Both gardens have larger trees and attendant root systems, just our side of the fence. Any digging of foundations and/or pipe work etc. could cause significant damage to the roots and therefore the trees.

12 Wrensfield - Councillor Janice Marshall

I am Cllr Janice Marshall and, as one of the DBC councillors for Boxmoor, I have been contacted by several residents expressing concern at the proposed extension of 6 Alston Road and change of use to nursery and I share many of the concerns expressed. My specific concerns are as follows:

- (1) Due to particularly difficult problems with on street parking in Alston Road, Green End Road and roads off, a CPZ was implemented in these roads on the 30 April 2018. Nevertheless, parking problems persist, particularly arising from the parents of children using St Rose's Infant School which is only two minutes' walk away from this application site. The change of use to nursery will inevitably increase the demand for parking and traffic generally in what is essentially a residential area.
- (2) The site is on a corner and access is difficult. This needs to be addressed, particularly in the light of the forgoing comments.
- (3) The site is located in a residential area, surrounded by houses. The noise from the nursery's "clients" together with the inevitable noise and disturbance arising from running the business is of great concern to residents. On the basis of the ratio of places to staff at the Flowerpot nurseries in Adeyfield and Apsley, I assume that it is planned to have 60 places at Alston Road. In view of the location of the site, I would argue that this high number of places (with the associate noise and disturbance, including that arising from vehicular traffic) is entirely inappropriate.
- (4) On the same principle, the proposed hours of operation from 7 a.m. to 7 p.m. to be inappropriate and excessive because of the location of the site.
- (5) Should DBC conclude that planning permission be granted, the hours of operation

and places permitted must be stipulated as conditions of the planning permission.

(6) The windows of the first floor extension will overlook the houses in Sebright Road. This is an unnecessary infringement of privacy and can be overcome by the installation of Velux type windows instead.

Further comments

As Cllr Janice Marshall, one of the DBC councillors for Boxmoor, I am writing to comment on the Traffic survey report and Noise Impact Assessment. Whilst obviously desiring more would walk or cycle, the reality is that due to the location of the site, it will be used greatly by road & rail commuters dropping off and collecting children en route to the railway station and to the A4146 and A41 roads. This adds up to a lot of motor traffic. Re the buses, the ARRIVAL times for the nearest bus stop for the H11 is 10.20 to 13.20 and for H10 is 9.50 to 14.50 - thus the bus service would be of such limited use to both staff and clients of the nursery, it should be discounted as irrelevant. Due to the layout of the site and location, access to & from the site would be immensely difficult, unlike the Adeyfield nursery and the on-street car parking is time limited, not all day. The Noise Impact Assessment states the play areas would be used between 10.00 and 16.00 - this should be made a planning condition if permission is granted.

Further comments

Some comments of my own on the traffic/transport survey:

- (3) The report understandably places a lot of focus on walking. I wish. But the reality is, due to the location of Boxmoor close to HH railway station, the perception of many commuters is that the whole area is a car park for the station. The proposed site is also close to the A4146 and near to the junctions with the A41 bypass and A414. All these points mean that the proposed nursery will be ideally situated for commuters (road and rail) to drop off and pick up their children. This adds up to a lot of motor traffic.
- (4) The report refers to the bus services H10 and H11. During the week, the hours of operation are (taking the arrival times for the nearest bus stop), for the H11 service 10.20 to 13.20 and, for the H10 service 9.50 to 14.50 plus a service at 17.30. Consequently, the bus service would be of such limited use to both staff and "clients" of the nursery, that it should be discounted as irrelevant.
- (5) I appreciate why the Adeyfield nursery was used to demonstrate the vehicle movements because of its very good forecourt which enables parents to drop off and pick up children and it is easy therefore to count the number of movements. I note that there was negligible vehicle movements after 6.15 p.m. This could demonstrate that it is not necessary, from a commercial viability point of view, to have the proposed nursery open until 7 p.m.
- (6) Not directly related to the traffic/transport survey but worth reiterating – the Adeyfield nursery does have good facilities for parents to drop off and pick up children. The Alston Road site does not.
- (7) The report advises that there is on-street parking in the vicinity, including Alston Road. Yes, there is but it is time-limited for non-residents. It is not all-day parking. Staff will inevitably have to park on the site. The topography and location of the site does not lend itself to easy access from and egress onto

Alston Road.

Regarding the Noise Impact Assessment, the Report states that the developer has advised that the play areas will most likely be used between 10:00 and 16:00 each day. If this was made a planning condition (if the application is granted), this will help ameliorate the impact of the nursery business on the adjoining residents.

Residents continue to be greatly aggrieved at this application and, in view of the significant public interest and concern in this matter, I hope that this application is referred to the Development Management Committee if you are of the view that permission should be granted.

Further comments

I am Cllr Janice Marshall, one of the DBC councillors for Boxmoor, and am responding to the amended plans and information regarding this application.

I welcome the addition of 3 further on site car parking spaces and the efforts of the applicants to deal with the objections. However, even with a possible reduction in the hours of operation and limitations on the hours of outside playtime, there still remains the significant problem of noise and disturbance to residents arising from parents dropping off and collecting up to 60 children per day in a quiet residential area, with the added problems that the site is on a corner of a local access road of modest width, close to three road junctions. The hours of operation of the local bus service will be of very limited use to both parents and staff and would have negligible positive impact.

I continue to support the many residents who have objected to this application and repeat my request that the matter is referred to the Development Management Committee should you be minded to grant permission.

27A Sebright Road

From the look of the extension and the change of use this will impede on the quality of life for the neighbours. Change of use to a nursery will mean a much noisier environment whilst open then it is currently. The side extension will bring this very close to the boundary of our property and number 27. The height of the first story extension will also mean this will overlook a number of properties.

31 Sebright Road

Objection to extension and usage of 6 Alston Road - reference: 4/03028/18/FUL
These objections are on behalf of the residents at 31 Sebright Road

Overlooking/loss of privacy

- The new windows may be overlooking our garden and the upstairs rear bedrooms. The plans are not of sufficient detail to judge this accurately, however, one window at height will overlook our property.
- If the trees at the rear of the garden of 29 Sebright Road were removed by the owner the intrusion and visibility of our garden and house will increase.

- The additional height will reduce light, especially in the morning.

Adequacy of parking/turning

- This property is located in a residential area which already suffers from extensive problems as a result of the arrival and collection of children from nearby schools. The development of the nursery will lead to significant increases in noise, pollution and the risk of traffic accidents. This would be significantly greater than when the building was used as a social centre for the blind as it will increase from a few hours a week operation to one of at least 60 hours.
- The car park at the business location is small with limited room for parents. It is not even sufficient for the number of staff indicated. Consequently, there will be cars queueing for access or stopping nearby, increased noise, and disruption while parents wait to deliver and then collect their children. The movement of cars in a small space on a bend is likely to be chaotic.
- They will, at times, be competing with parents from the two existing schools and other local nurseries at drop off and collection times.
- They will be competing with local residents too, especially when we arrive home from work.
- The business is located on a bend, which makes the traffic conditions more awkward and dangerous. There is no obvious area/space to turn around.
- The application does not indicate the number of children that will be catered for by the nursery, however, it is likely to lead to a substantial increase in traffic, noise and pollution. For example, the Ofsted report published in January 2017 for the company's nursery on Adeyfield Road indicates 40 places with a roll of 90. This means that the number of places provided maybe half the actual attendance each week.
- The ratio of staff to children in their Apsley nursery is 18:80. This suggests the ratio of staff to children proposed here would be 14 staff to 60 children. This would mean a minimum of 30 cars arriving to deliver children as early as 7am and collection up to 7pm each day but, potentially, as many as 120 daily movements.
- The application states that there will be no alterations to vehicular or pedestrian access, which appears to indicate that planning for traffic has not been included.

Noise & Disturbance resulting from proposed use

- It's unclear what time staff will arrive and depart. However, it is likely that staff will arrive before 7am and not leave until after 7pm. As the roll is likely to be more than the number of places there are also likely to be drop-offs and collections of children during the day, for example, those who stay for half a day and after school finishes.
- In addition to the traffic, noise and pollution created by the childcare staff and parents/carers, this will be further increased by cleaning and catering staff, commercial refuse collections, etc.
- The intrusion caused by the increase in noise will be even worse in the warmer months when we would want to open doors and windows at the rear of the house. This will be more difficult and potentially damaging to health as the pollution increases. There is an increasing body of evidence demonstrating the damage caused by traffic around schools. This business is likely to increase the potential for harm to local residents and the children. Recent publications by UNICEF and Queen Mary University demonstrates the increase in tiny black carbons caused by the school run resulting in

serious long-term health problems and shortening of lifespans. This proposal will increase the pollution in and around our house and garden.

- The noise early in the morning is highly likely to affect our sleep, especially when we would like to have our windows open.
- Nurseries are noisy environments. It is impossible, and unreasonable to expect, children to be kept quiet throughout the day. This means that the increase in noise and disturbance is likely to be continual and not limited to arrival and departure times.
- Children should be able to play outside. However, this will further increase the noise during the day.
- As stated, the impact will be even worse during the warmer months when residents will have their house windows open, but will also like to use their gardens.

Other objections

In our view, the application to increase the size and change the use to a nursery should be rejected for the above reasons. However, should this not be the immediate decision then the existing plans should be rejected and re-submission required for the following reasons:

- The applicant details are incomplete.
- There are errors. For example, the direction of North on the proposed building changes is in the wrong direction.
- The proposal states that vehicle parking is not relevant. This is clearly incorrect.
- The application indicates a change of use, but insufficient information is provided about this.
- It is not clear where children will play outside.
- The number of staff indicated is 14, all of whom will be full-time. It is difficult to believe that there will be no part-time staff, which again would increase the traffic. However, it is also unclear whether the 14 members of staff is at the point the nursery commences business or when it is at full capacity.
- The diagrams have insufficient dimension data making it hard to fully understand the implications of this development. There is also no diagram of the outside area and its use. Therefore, we cannot fully assess the impact on us or the relationship between their use of space and ours.
- It is unclear whether the application was developed taking into account of the new controlled parking zone.
- It is unclear what insulation against noise will be provided. Brick and cedar cladding are likely to be insufficient.
- We are concerned by how waste water will be managed. The location of the soakaway is unclear. The building is located on a steep slope increasing the risk of flooding.
- We are also concerned by about the management of foul sewage. This is likely to increase substantially when compared to that created by the blind centre. The existing location and capacity of the mains sewer may be problematic and insufficient. Negotiations for access to residential land for works maybe required.
- Given the paucity of information in the plans and the inaccuracies it is impossible to assess the extent of the loss of privacy, and increase in noise; adequate information should be provided before a final decision is made.

Further comments

These comments are in addition to the earlier objections and are provided following the publication of the noise impact assessment. The assessment is, in our view, flawed and not accepted for the following reasons:

1. The noise has only been measured at the site and not in the locations where residents will be affected. Had permission been requested to measure noise levels at our property this would probably have been agreed. This would also have provided a baseline for future measurement.

2. Reference is made to the WHO guidance in relation to Community Noise and there is a reference to impact on sleep, but no explicit sleep related conclusions. This is important because the houses surrounding the building all have overlooking bedrooms, which will experience increases in noise, especially those alongside the roads which will be used by parents/carers. The WHO guidance in relation to night noise which includes the impact on sleep, states, "Sleep disturbance is one of the most serious effects of environmental noise, causing both immediate effects and next-day and long-term effects on mental and cardiovascular health". The experience of noise will vary at different times of the year. For example, during warmer months the impact of noise will be greater when we are likely to have our windows open.

3. Sound is louder at night. This is important because the proposal is to open from 7am with, presumably, staff arriving earlier. For many months, it will be dark, effectively night-time at opening and closing times. The last member of staff may not leave until 8pm.

4. Sound is also louder in warmer temperatures. This survey was undertaken over three days in January. The weather conditions are not indicated, for example, temperature, wind speed and direction.

5. The survey was undertaken from 7.30am - 6.30pm. However, children will arrive from 7am and, presumably, staff will arrive earlier to open the building. It is likely, therefore, that there is a critical hour of potential noise disturbance on sleep from 6.30 to 7.30am not considered in the report. The last member of staff may not leave until 7.30pm or later. This is also not considered.

6. The report guesses at the number of arrivals and departures from 7.30am. Whilst it is reasonable to make an estimate, this might be completely wrong. They should, as well as estimating the likely flow, consider the impact of the worst possible scenario. This would be 60 children arriving between 7 and 8am, and departing between 6 and 7pm.

7. Basing the estimate on 11 arrivals between 7.30 and 8am is disingenuous. With the indicated staff number alone this number will double. Given the proximity of Hemel Hempstead station it is likely that the business will target commuters. They are more likely to arrive early and collect late. (I understand the employer has stated that staff will be local and encouraged to walk and cycle. Whilst this is a good policy it is no guarantee about what will actually happen. In these circumstances the worst-case scenario should be considered.)

8. It has also been predicted that 70% of parents will arrive by car. This may be true overall (which I doubt), but is unlikely to be consistent throughout the day. For example, the early morning and later evening pick-ups and drop-offs are likely to be by commuters and working parents who are more likely to drive. There will, therefore, be greater noise levels at these times. This impact is significantly underestimated in the report.

9. Table 4.12 provides estimates of noise change; however, they have no accurate baseline as they did not start their measurement until at least 7.30, probably an hour after the first arrival and finished at 6.30pm, an hour too early. It also assumes that all drop-off and collection will be in the car park. The car park is not big enough to cater for more than a small number of arrival and departures at the same time. This means that cars will either queue, increasing the noise, or use the local streets, increasing the impact on residents. If the streets are used the cars will be closer to some of the neighbouring houses and their bedrooms. The impact of this noise has not been indicated.

10. The report is unable to accurately predict the level or impact of noise in the play activity areas. It also estimates impact based on the nearest windows. However, it fails to consider the impact on people using their gardens. When we are in our gardens, we are also entitled to reasonable noise levels. Some gardens are very close to the play areas and others, like ours, joined to the parking spaces, resulting in a significant noise impact.

11. The report conclusions state that the survey was undertaken over a typical week day period. A few days in January are not typical of the whole year.

12. The estimates are based on a similar development. The one used is just another nursery owned by the same company. This is the only similarity. The comparator site is a more modern building with a larger car park on an existing busy road. The Alston Road site is in a much quieter, more densely populated residential area. Other Boxmoor located nurseries would have been more representative and should have been used.

It is not accepted that the change of use will "avoid significant adverse impacts on health and quality of life". In our view, the report is flawed in its methodology and conclusions and limited by what is not included.

The report is produced for the applicant. It is not explicitly stated that its conclusions are independent and unbiased.

It is also important to consider that very small changes in type and levels of noise can have a significant impact. This is especially so when trying to sleep, but also the case when one wants to use the garden. Whilst our strong objections to planning permission remain, should it be granted, the following conditions should be added:

1. No-one arrives at the building before 8am or departs after 5.30pm with operational hours restricted to 8.30am-5pm.
2. The screening up to a height of 1.8m as specified in the report must be provided to all linked properties, including those linked to the car park, and along Alston Road where parents/carers are likely to park. These costs must be met by the applicant.

Further comments

I have now had the opportunity to examine the additional plans. Without dimensions it is difficult to comment fully.

However, regarding the parking proposals, it would appear that the intention for the parking spaces adjacent to the wall between our property and 6 Alston Road is to remove the existing flower/plant bed. This may affect the integrity of the wall and/or cause damage, not least, because the ground height would not appear to be the same

on both sides. It is also likely that the flower beds are a part of the integrity of the wall.

The width of the parking spaces appears narrow, especially as parents will need to maneuver buggies and prams. They are, for example, far narrower than spaces designed for parents in supermarkets. It is difficult to see how people will be able to fully open car doors. If this is the case the real parking capacity will be significantly less than indicated and increase the likelihood of the parents using the neighbouring roads.

Further comments

We have noted the amendment to the plans as submitted by the applicant. We are pleased to see that the number of places for children has been reduced to 45 a day. However, in summary, we still object to this proposal for the following reasons:

45 children a day still amounts to 90 car journeys to a small street in a densely populated residential area. This does not include the journeys by staff, deliveries, waste disposal, etc. It is likely that the additional use of the road will be in excess of 100 journeys per day.

Whilst the applicant has indicated that the reduction is due to comments by local residents, most other comments have been ignored, for example, the start and finish time of business activities. It is not acceptable, in a residential area, for the delivery of children to start from 7am in the morning. For this to happen, staff will need to arrive even earlier. The noise pollution report fails to consider this aspect of noise pollution. Even a very small increase in noise will affect residents' sleep. We strongly object to the suggestion by the council for a trial period of two years.

Furthermore, our property will be affected on two sides: the road, and the car park. The impact will therefore be significant for us and a two year trial period would be horrendous.

None of the reports considers the impact of pollution. An additional WHO report has been published recently stating the evidence for the harmful effects of pollution caused by vehicles. This area already has a lot of car journeys as a consequence of St Rose's School. The additional journeys created by the nursery are likely to increase pollution to harmful levels.

This remains an overdevelopment in a densely populated residential area and is unsuited to a business of this nature.

12 Alston Road

Please be aware that I object strongly to the proposed plans for number 6 Alston Rd. My concerns are the amount of traffic and inconvenience to me as a neighbouring property with parents dropping off children from early morning till early evening. We already have problems with school traffic.

The parking facilities are inadequate to support the staff let alone the parents and children.

This application will cause yet another problem for us on this road and the surrounding area

Alston Road is a residential road and this proposed Nursery will have a huge effect on our properties

Further comments

We wish to make you aware of our concerns re the proposed Nursery at 6 Alston Road We live at 12 Alston Road Which is situated one property away from the former Blind Centre We have real concerns about the level of disruption for 12 hours a day with parents trying to get parked to drop their children off and they will be in direct competition with parents trying to park to drop children off to the two schools in the vicinity of Alston Road We wonder if any one from Dacorum planning have visited the road at the drop off and pick up time of school children to see how parents park which with even with the parking restrictions in place is a real problem and is only going to get considerably worse ! There is a continual problem of parents parking dangerously and parking on yellow lines with no policing of the problem With reference to the noise report it states that gardens near property will experience higher noise over a long period of time with the staggering of time children will be playing outside because the garden is not big enough to accommodate 60 children ! Therefore smaller quota of children surely should be considered within the application ?

We are led to believe that the Blind Centre had certain restrictions placed because it is in a residential area why are the residents not being considered with this application ! We feel as residents living on top of this Nursery our struggle with the parking issues will only get worse and noise levels will be unacceptable We hope you will take on board our comments and concerns before reaching a decision on this application.

14 Sebright Road

Dear Sir,

My wife and I are writing to object to the proposed transformation of 6 Alston Road into a Nursery.

The application indicates that there will be 14 full time employees at the nursery; therefore logically they will all be onsite at some time during the day. However the plans shows 12 parking space one of which is designated for a disabled person, clearly there is insufficient parking for the staff and none for parents of visitors.

As you are aware Alston Road and the surrounding roads are part of a controlled parking zone the rules of which are already abused by the parents of the pupils attending St Roses Primary School; who disregard the designated 30 minute parking bays in Green End Road and Alston Road, parking where they like and frequently parking on the corners where Alston Road joins Green End Road and Sebright Road. Some parents also park in Sebright Road although this is not permitted by the zone rules.

The number of staff (14) shown on the planning application would suggest that the Nursery will have 60 or more children in attendance and therefore there could be 60 or

more parents trying to park in the surrounding roads in order to deliver/collect their child causing more parking havoc, possibly throughout the day.

27 Sebright Road

I am not happy with the proposed plans and the value to the local community.

There are six properties that are adjoined to the site and this is more than likely to have their peace and quiet disturbed by children learning, discovering and playing outside.

Having worked in education for many years I understand that the philosophy for early learning now is to encourage the children to learn using the outdoor environment.

As the proposed plan is for a 12 hour a day nursery it is very likely that children will be outside much of the day as opposed to timetabled playtimes. The line in education is "there is no such thing as bad weather just inappropriate clothing."

Outdoor activities for children in early years involves the banging of wooden spoons on pans and other objects as much as playing in sand pits, so I fear noise levels will increase.

When we brought our property in the 1990's we were aware that the site was used as a centre for the blind and have never had any cause for concern. However, that has now changed.

I appreciated that when objecting to a proposed planning application the effects on the value of neighbouring properties is not an issue, but there is a couple looking to sell their house and I am sure the proposed plans could make this difficult for them.

I do not see the introduction of another nursery in the area will benefit the local community. There are plenty of nurseries close by and I believe this new one would only benefit commuters.

The obvious avenue for parents to enter their child into nursery school in this area for residents is to enter Boxmoor School Nursery with a view for the child to progress through the school.

This new nursery is perfectly placed for commuters to enter their child, drop them off on the way to work and pick them up on their return given the hours the nursery plans to operate each day.

So noise and benefits to the local community are my main concerns but also there will be added pressures on the residential roads in the area. Despite newly introduced parking restrictions, the area does continue to have traffic issues with two schools being close by to Alston Road and there are always associated dangers to pedestrians (children walking to and from school) and traffic.

There is also the concern to local residents of the visual intrusion as it is understood

that the redevelopment involves both vertical and horizontal development which will impact on more homes than just the six that flank the site.

Thank you for reading my concerns which I do feel at genuine as while I was involved in education for many years and have thus always had the interests of children at heart I do question the proposed development.

Looking around the local area I see several nursery schools in Boxmoor, Hemel Hempstead and Bourne End but none of them seem to impact private properties quite like the plans for this Flowerpots Nursery.

Further comments

I live at No27 Sebright Road and my concern is related to drains. I understand that the previous owners of our property sold the bottom section of the garden to extend the size of the property that was converted into the Centre. Added to this they gave permission for the developers to run their mains drainage through our garden and join on to our drain. My concern is, given the proposed increase in size of the building and the significant increase in use of the drain, does the existing drainage have the capacity to handle the increased volume of waste. I understand that any blockage of the drains from the building to where it joins our drain is their responsibility but given the possibility of what might be discharged down the drains I am not sure I am very keen to have the aggravation this might create.

The question that comes to my mind is do the new owners need to apply again to have the facility of running the drain through our garden?

For the record we are still unhappy with the application on the grounds of extra traffic in a congested area at journey to local schools time, air pollution created by extra traffic when children are walking too and from school and noise levels from the grounds of the proposed nursery as children learn and play in their environment. I also question its value to the local community as I suspect most of their clients will be the children of commuters.

9 Alston Road

8. This is residential area, has always been so, as far as I am aware, and is zoned as such. The use of the site for a blind centre was, I understand, a permitted non-confirming use.
9. The proposed change of use is to a business use.
10. Within short walking distances there are a number of nurseries, St. Rose's Catholic Infants School, Boxmoor Pre-School, and Footsteps Nursery, most of which seem to have more suitable sites. Why is another required? I believe the proposed opening hours are to be longer than the existing nurseries.
11. The road Grosvenor Terrace, which provides the access from one end is a narrow road with plenty of street parking, both residential and commercial that hinders access.
12. The local authority has recently introduced residents' parking in Alston Road, Sebright Road and Green End Road (G-Zone), having been persuaded by residents that vehicular access by parents taking children to St Rose's Catholic

Infants School needed to be controlled. There is a parking bay within a few feet from the entrance to the site, as well as a double yellow line.

In 2010 the Police Safer Neighbourhoods distributed a leaflet about the parking. To quote: "A lot of Boxmoor is built up around narrow streets with no off-road parking leaving vehicles to park on the road. At school times this is exasperated (sic) by visiting vehicles to drop off or pick up children."

13. Recently at a school time there was an accident in Alston Road when a buggy bearing a child of eight months, pushed by a mother holding the hand of another child, was hit by a car. Would an increase in the number of vehicles and the number of children, therefore, be advisable?

15 Alston Road

We write to register our objection both, to the proposed alterations, and the change of use to a commercial enterprise, bringing a substantial increase in the volume of traffic/parking in what is a residential area, in addition to the visual impact of the heightened profile.

The drawings show the roof line raised by approximately 66% forming a vastly enlarged visual eyesore to the surrounding properties, and in particular to those in Sebright & Alston Roads whose gardens adjoin the property. The view across the valley will be cut off.

The staff numbers suggested in the application imply attendees in the order of at least 50 to 60 for the enterprise to have any hope of making a return on the investment required to make the proposed alterations. Inevitably this will involve at least 50 or so extra vehicles arriving and parking (even if only for a short time) at, or near, the nursery, in the morning and in the evening, and probably around lunchtime, depending on the session times.

The 11 or so parking spaces on the plan will barely be adequate for the staff numbers proposed. There are already two schools close by which already generate significant additional parking and traffic movements in the area.

The surrounding roads, Sebright Road, Grosvenor Terrace, Puller Road, are already pretty choked with parking because the houses, largely, have no off street parking facilities.

Were there not some special permission/arrangements in place, allowing the replacement of a single bungalow on the site, by The Social Centre for The Blind, because of the particular need for such a facility in Hemel. Would these arrangements permit the proposed commercial use of the site?

Overall the proposal is in every way inappropriate for its position in a residential environment.

Further comments

We write again to register our objection to the proposed alterations, and change of use, to the former 'Centre For The Blind' at 6 Alston Road. The amended plans show additional parking spaces, but the block of 10 spaces together on the left of the entrance will be very cramped to use, in the place of the existing 8 spaces in the same area. The noise assessment report mentions 2 hours of playground activity for each child, but does not take account of the fact that around 50 to 60 attendees will need to use the space in shifts in groups of perhaps 15 to 20 children at a time. Possibly then a total of 5 or 6 hours of noisy playground activity each day. The car movement analysis suggests there will be no problem, but our experience is that parents can be notoriously inconsiderate in their parking habits at times in the area. The Increased profile of the building to be achieved by the alterations, remains a concern in relation to the surrounding residential properties. The previous use of the building was intermittent, and disturbance due to parking and traffic movements was minimal compared to the regular daily traffic from 50 to 60 children arriving & leaving at various times during the day, probably mainly at the beginning and late in the school day.

47 Puller Road

This development should not be permitted in this location as this is a residential area already suffering horrendous traffic problems. The proposed extension will block light to my garden and increased noise levels would be detrimental to the well being of my family and others living in the locality.

25 Sebright Road

We object to this application on the following grounds

14 The application is incomplete as it does not include the following

- a The full address of the Applicant
- b Clause 5 omits specific reference to the extensions at ground level.
- c Clause 6 does not state the specific use of the building , but merely states its designation within the User Classes Order which covers many uses.
- d A site plan at a sufficient scale is not included . Therefore the use of external areas cannot be ascertained . Details of all external spaces are needed; such matters as access ingress, external play areas to allow proper public scrutiny.
- e The drawings do not show the proposals relationships to adjacent buildings in all three dimensions to allow proper assessment of their impact on adjacent and adjoining buildings.
- f No Design and Access Statement has been included in the published details
- g The paucity of the submitted information does not allow proper public scrutiny.

Omission of these details confirms that the application is not complete. When these details are published the 21 days public commentary period can begin.

15 The proposals are of poor architectural quality, and lack respect for the context of the site and adjacent properties.

16 The application does not address the problems associated with vehicular access from the public highway. Since the construction of the existing building on the site, traffic has materially increased and recently Controlled Parking Zone provisions have been imposed.

The staff numbers and the extent of the proposals suggest that about 60 infants will be accommodated, which will generate about 40 vehicular visits, at least twice daily most in the rush hour which, with residents other visitors parking and the local schools will cause extreme problems for through traffic. Traffic movement will continue throughout the day as children are delivered and collected by parents starting or finishing different work patterns.

Further problems will be created by delivery of goods and the collection of waste

These problems are further compounded by the provision, within the site of only eleven parking spaces for fourteen staff which will no doubt increase.

There is no provision for turning on site therefore any vehicle entering the site will have to reverse out on to a bend where full vision will be restricted by legally parked residents, an accident waiting to happen

17 The proposals do not include details of outside play area, a usual provision in a childrens nursery.

Any outside play area will generate a level of noise , unacceptable to the residents of the adjacent properties. Therefore, full details of any play area and acoustic attenuation are required, again to allow public scrutiny. Should the move, in due course, be to approve this scheme, any consent should include a condition requiring a full planning with attendant details of sound attenuation.

Noise will also be generated from within the building which will again be unacceptable and become intolerable for the surrounding residents when windows and patio doors are opened, as the rear of the building containing the patio doors backs onto our property the bulk of the noise will be directed at us.

18 To accommodate a first floor, the building will need to be considerably higher than the existing,
this will mean the loss of privacy for adjacent properties in particular ours, as has already been stated the rear of the building backs directly onto our property.

19 The proposed building is far too big for its location and is completely out of character with the surrounding buildings creating what will be a visual intrusion, further more it will be a commercial enterprise which has no place within a close residential area.

The environmental impact will be considerable for the residents of the surrounding area.

With reference to the revised plans and the consultants reports on Noise and Traffic.

The extra parking places supplied will do nothing to relieve the traffic problems, they will only increase the amount of shunting in and out of a narrow and dangerous entrance.

Parking will continue to be a problem as mothers will want to park and walk their children to the nursery and perhaps stay and watch for a period of time, other schools in the area will increase the parking problem and it will revert to the chaos that existed prior to the parking restrictions.

It has been suggested that the delivery and collection of children could be staggered this may be proposed but the times will be decided by the mothers who will have a schedule to keep.

The traffic report states that the vehicle movements created would be 80% greater than that for a standard Community Centre, this is far greater than should be allowed.

The noise report states that the surrounding area will experience an increase in noise levels, the play areas available will not accommodate all of the children at once so play times will need to be staggered so making the noise levels continuous over a longer period of time.

To compare the noise level with that at the Flowerpots Nursery in Midland Road is like comparing Apples and Pears, Midland Road is a main road with a constant stream of cars, buses and lorries any noise generated by the nursery will be masked by the traffic.

The proposed nursery at 6 Alston Road is within a quiet residential area. As has been said before a commercial enterprise like this should not be situated within a residential area

16B Sebright Road

On balance, we object to this proposed development.

You have already had several detailed objections, and we share all of these concerns, but in particular those around the impact on traffic and parking - in view of both staff numbers and parents dropping off, versus the neighbouring schools St Rose's and Boxmoor Primary - Alston Road is busy enough as it is, hence why controlled parking was introduced.

We also have the concern of being overlooked, from the side and roof windows of the proposed first floor (i.e. visible to us between numbers 29 and 27A). The plans as redrawn are not clear, but this sight line would run into our childrens' bedrooms, and also those of no 18 Sebright Rd. The present building is single storey & this is not currently an issue.

The number of parking spaces as drawn does not feel 'real' relative to the ground space available; we doubt the number of usable spaces will be this high, given the dimensions of most cars, the slope of the land and its footprint (to the right-hand side

of the existing building, and also the right of the entrance). There will also be frequent need for easy access to waste disposal; and allowance made for occasional access by the emergency services.

We would further query whether the proposed number of nursery spaces meets the relevant statutory framework on floor space per child, as set out by the Department for Education:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

See paragraph 3.57. These stipulate between 2.3 m sq and 3.5 m sq depending on the infants' ages. Note that these figures relate solely to the areas children can access; any adult-only areas such as kitchens/cloakrooms, which are purely for staff should be deducted from the building footprint, before assessing whether enough space has been allowed. The amended plans are not wholly clear on this point.

58 Puller Road

What have you got against Puller road!!!

I find myself having a daily challenge of finding a car park space on or near Puller road. Due to the current parking restrictions.

Puller Road is full of 'commuters', 'pub goers' with no space for residents.

It's got so bad that the Bin man has had to change the size of van to get it up /down the street due to congestion. This was a direct impact when you added parking restrictions everywhere else.

This request is going to make it worse as the employees will have to park on Puller as there's limited spaces at the blind centre.

If this goes ahead, you must change Puller road to restricted parking to remove the non residents out of the equation.

Lastly,

I've been in the place, no requirement to go up another level... it's large enough for a local nursery. We don't need a 'industrial sized nursery' when there's already several in the area.

This is a local road, for local people.. we want no trouble here.....

4 Sheridan Close

I am sending this by email as there is a consistent 'server problem' when I try to add a comment on the website.

I have serious concerns about the change of use for this property in the heart of a quiet residential area. No fewer than 17 gardens back onto the site and I am concerned that

a nursery in the middle of this quiet neighbourhood would disturb the enjoyment of residents' private gardens. It will also affect whether residents can sell their properties and reduce the value of their homes.

Anything other than residential properties would not be in keeping with the neighbourhood and there are plenty of other sites a similar distance to the train station, such as the former garage/car showroom between Kwick Fit and the Texaco garage, or in the Aldi site at the A41 junction.

Alston road is on my cycle route to the station and I am concerned that the increased traffic at peak commuter times will make the journey less safe for cyclists and other road users. It is a narrow road, already clogged at school drop off and pick up times for St. Roses.

Please consider the residents of the surrounding properties and wider community when reviewing this application.

I have not written to my councillors as only one replied to my email about sportspace and it is probably too close to the election.

I found out about this plan and it's inappropriateness from speaking to residents of Alston Road and Puller Road and I agree with their concerns about the change of use, which should not be supported by the council.

Please confirm whether or not there is a restrictive covenant on the site forbidding non residential use - this is something I have heard and should of course be considered as part of the council's considerations if true.

86 Cross Oak Road

I would like to put my comments forward to the management committee.

Looking at the Amended plans, i have noticed Mr Whitlock has not specified on the new plans the size of the new sleep room. Will it be the same as the old one or a different size?

Assuming the room will stay the same size as previous plans, from the plans, there just is not the room under Health and safety standards to accommodate several Children who will want to sleep.

Also they have stated "We are also going to reduce the number of children by 25% from 60 to 45 per day. This will also reduce the number of staff from 14 to approximately 11." Reducing the number will not reduce the amount of noise.

Just walking past local day nurseries I hear staff talking loudly and calling the children so there is noise there. Also even if you have just 5 children outside, kids are kids and Kids make noise.

These children are entitled to make noise and the noise cannot always be stopped. Even inside there will be noise coming from in the day nursery with the staff telling the

children to be quiet. Sometimes games will be played outside or inside along with music causing even more unnecessary noise and ruining a nice peaceful walk and visit.

Alston road whenever I have passed to visit someone living round just off Alston Road. Alston Road is peaceful and sometimes we go for walks passing the centre and I can see birds. I would like to ask the committee why these natural habitats are being destroyed if Mr Whitlock comes in with his day nursery. There are too many natural habitats being destroyed. Also poisons will be put down to kill of any pests if the day nursery gets the go ahead, and this is not a way we should be killing animals or nature off.

Parking will also still be an issue. I have experienced problems when I come and visit someone who lives just off Alston road. Even having 11 staff onsite, which will take up 11 bays, you will need to leave the 2 disabled bays free at all times in case anyone disabled comes. As well as staff you will get students/ volunteers and also the cook/kitchen assistants who will bring cars and cause any unnecessary disruption. Sometimes there are traffic queues when it is busy at school pick up. By the time you have factored these people in you are looking at least 12 cars if not more. Looking at the plans that would leave 1 bay for parking and the 2 disabled bays, otherwise you will have parents dropping off causing chaos. As previously mentioned from the plans with the parking, if an ambulance needed to access the building in an emergency, the ambulance crew will experience great difficulties, in driving along Alston Road, but also actually getting into the carpark itself and turning around. From the plans, the carpark doesn't look big enough for the kind of vehicles especially if they get a food delivery and an HGV or similar lorry/ van comes to deliver, they will find it difficult to manoeuvre.

Also another problem is out of 45 kids, there will be half if not more who will want a nap which there is no room for. Also the sleep room during summer, will get quite hot and stuffy. Even with having doors open or installing air-conditioning, it does not always help. The children will then get unhappy and start crying causing more noise for a peaceful place.

Children will need space to make noise, to have fun and to learn and I do not feel they have enough space here. As stated in previous comments they will only be allowed outside for an hour. These children on a nice sunny day, will need more time than this.

From the plans which I would like to put towards the committee, I notice dirty linen will be carried through the kitchen, as the laundry is located next to the kitchen. Do you think this is good and healthy to be carrying dirty underwear or dirty linen through a kitchen which should be kept clean?

As mentioned in my previous comments to the committee, as a day centre, you would be able to hire the rooms out along with some of the facilities, with the day nursery you will not be able to hire any of the rooms.

I went for a walk with my friend who lives near here today. We both agreed, looking at the plans that Mr Whitlock has put forward, we feel that he does not have the space. If

the plans go ahead, we feel they will be impinging on neighbouring properties and Mr Whitlock may even be having to build on other boundaries. We could not see the space for the nursery.

On Sunday when passing the centre, and even when i have been walking, i looked down the drive of the centre. I noticed that you could see lovely green shrubs, and a beautiful back garden. Can you imagine what the look down the drive would be. You would probably be looking onto a playground or something similar with maybe a climbing frame. Who would want to be looking out onto this? In my opinion the look will change from a lovely setting to an ugly setting. I am also thinking of the neighbouring properties who over look the centre. I would also urge the management comittee to go onto Google earth and look at the blind centre as you can see what lovely grounds it is in at the moment. I also saw loads of birds flying round the back of the centre and landing on the drive. When going along Alston road before 5pm and returning just after 6pm, i noticed there were No parking spaces.