

**ITEM NUMBER: 5d**

<b>20/00003/FUL</b>	<b>Change of use from office to day nursery with associated alterations, including internal reconfiguration and new openings and revised external layout</b>	
<b>Site Address:</b>	<b>Ardenoak House 101 High Street Tring Hertfordshire HP23 4AB</b>	
<b>Applicant/Agent:</b>	<b>Mr B. Whitlock / Hayden Todd</b>	
<b>Case Officer:</b>	<b>Sally Robbins</b>	
<b>Parish/Ward:</b>	<b>Tring Town Council</b>	<b>Tring West &amp; Rural</b>
<b>Referral to Committee:</b>	<b>Contrary view of Tring Town Council</b>	

**1. RECOMMENDATION**

That planning permission be DELEGATED with a VIEW to APPROVAL subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.

**2. SUMMARY**

2.1 The principle of the change of use from office (B1) to children's day nursery (D1) is acceptable in this location. The proposed car parking arrangements are considered to be acceptable and there will not be a severe impact upon the surrounding road network. The residential amenity of surrounding properties will not be compromised as a result of the development.

2.2 The proposal is therefore acceptable and in accordance with Policies CS1, CS4, CS12, CS23 and CS27 of the Core Strategy (2004), Saved Appendix 5 and Policy 58 of the Local Plan (2004) and the NPPF (2019).

**3. SITE DESCRIPTION**

3.1 The application site is located on the corner of High Street and Langdon Street in Tring. The site comprises a detached two storey building set within a large plot (0.16 hectares) with a two storey detached coach house situated along the boundary with Langdon Street. The building is Grade II Listed and dates from the early 19<sup>th</sup> Century. It is currently vacant and the main building was formerly used as an office building (B1 use) and the coach house used for light industrial purposes.

3.2 The property is accessed off Langdon Street and comprises a swept driveway with parking area.

3.3 The surrounding area comprises a mix of uses, including residential, retail and business uses. Also in close proximity are several churches, including a Baptist Church on High Street and Catholic Church on Langdon Street.

**4. PROPOSAL**

4.1 The application seeks full planning permission for the change of use from office (use class B1) to day nursery (use class D1) with associated alterations, including internal reconfiguration and new openings and revised external layout. The nursery would accommodate up to 80 children and would require approximately 18 members of staff.

4.2 There is a concurrent listed building consent application that will be determined under delegated authority (ref. 20/00004/LBC). The listed building consent application is not required to be reported to Development Management Committee as the Town Council has not objected to it, nor has it been called-in.

**5. PLANNING HISTORY**

## Planning Applications:

20/00004/LBC - Change of use from office to day nursery with associated alterations, including internal reconfiguration and new openings and revised external layout  
*CONCURRENT*

4/00558/75/FUL - Demolish house and stable and erect elderly peoples home

4/02744/03/LBC - Refurbishment and alterations  
*GRA - 24th February 2004*

4/01339/02/LBC - Change of use from light industrial to office use  
*GRA - 17th October 2002*

4/01227/02/FUL - Change of use from light industrial to office use  
*GRA - 17th October 2002*

4/01971/99/LBC - Reinstatement of impact damage, structural repairs and reinforcement  
*GRA - 4th January 2000*

4/00239/90/FUL - Two storey building for light industrial storage and office use and car parking  
*REF - 10th May 1990*

## 6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 3

CIL Zone: CIL2

Conservation Area: TRING

Former Land Use (Risk Zone): Former Coal Yard, Western Road, Tring

Former Land Use (Risk Zone): Former Malthouse, Akeman Street, Tring

Former Land Use (Risk Zone): Former Malthouse, Akeman Street, Tring

Former Land Use (Risk Zone): Former Smithy, Harrow Yard, Akeman Street, Tring

Former Land Use (Risk Zone): Depot, Western Road, Tring

Former Land Use (Risk Zone): Works, Akeman Street, Tring

Former Land Use (Risk Zone): Transport Depot, Langdon Street, Tring

Grade: II,

Parish: Tring CP

RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

Residential Area (Town/Village): Residential Area in Town Village (Tring)

Town: Tring

## 7. REPRESENTATIONS

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## 8. PLANNING POLICIES

## Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

## Relevant Policies:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS12 - Quality of Site Design  
CS27 – Quality of Historic Environment  
CS29 - Sustainable Design and Construction

## Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

- Principle of Development
- Quality of Design / Impact on Conservation Area
- Impact on Residential Amenity
- Impact on Highway Safety and Parking
- Other Material Planning Considerations.

### Principle of Development

9.2 The application site is located in a residential area of Tring, close to the town centre. Policy CS1 of the Core Strategy (2013) states that the market towns will accommodate new development for housing, employment and other uses, provided it is of a scale commensurate with the size of the settlement, helps maintain vitality and viability and causes no damage to the existing character. Policy CS4 states that non-residential development for small-scale social, community, leisure and business purposes is encouraged, provided it is compatible with its surroundings. Policy CS23 encourages social infrastructure providing services and facilities to the community. New social infrastructure will be located to aid accessibility.

9.3 Regard must also be paid to Core Strategy Policy CS15, which seeks to retain the stock of floor space in the Borough for B class uses, including within town centres and General Employment Areas. The building is currently vacant and has been unoccupied for approximately 1.5 years. The proposed use of the site as a day nursery is considered to be compatible with the area and has the support of Policies CS1, CS4 and CS23. Furthermore, as the site lies within a residential area, adjacent to the town centre and not within a designated General Employment Area, there is no objection to the loss of B1 floor space and the principle of development with respect to the change of use from office to day nursery is considered to be acceptable.

9.4 It is also noted that planning permission is not normally required for the change of use from office to registered nursery under Schedule 2, Part 3, Class T of the General Permitted Development Order 2015 (as amended). In this case, however, as the site comprises a Listed Building, planning permission is required.

9.5 The impact on the Listed Building is covered under a separate application (ref. 20/00004/LBC). The main issues relating to this application are the impact on the character and appearance of Tring Conservation Area, residential amenity, highways safety and parking.

#### Quality of Design / Impact on Conservation Area

9.6 The internal alterations to both the main building and the detached coach house are assessed in the concurrent listed building consent application. Externally the alterations would comprise changes to the rear amenity space, which would be repurposed as an external play area. A 2m high brick wall would be built to separate and screen the play area from the front amenity space. A hedge would be planted in front of the wall to soften its appearance. Acoustic fencing would be erected along the boundaries with residential units 99 High Street and 54 Langdon Street, again this would be screened with hedging.

9.7 There would be some minor external alterations to the coach house, including changes to fenestration. The existing window and door openings would be used and the roof would be re-slatted. There would be no external changes to the main building.

9.8 The Council's Conservation Officer was consulted and raised concerns regarding the insertion of new window openings to the coach house and the proposed landscaping. The plans were amended in line with the Conservation Officer's recommendation and subsequently no objection is raised to the proposal in terms of its visual impact.

9.9 The proposed development is considered to be acceptable and complies with Core Strategy (2013) Policies CS12 and CS27 with respect to its impact on Tring Conservation Area and the surrounding street scene.

#### Impact on Residential Amenity

9.10 There would be no additional overlooking, loss of privacy or increase in visual impact as a result of the proposed development. The main concern would be the impact in terms of noise and disturbance to surrounding residential units.

9.11 The external play area would be situated immediately adjacent to 54 Langdon Street and 99 High Street. Whilst objections have not been received from these properties, it is considered that mitigation measures are required in order to protect the residential amenity of existing and future occupiers of these, and indeed all, surrounding properties. The Council's Environmental Health Officer has been consulted and initially raised an objection as the submitted noise assessment did not appropriately assess the noise impact. Concerns related to the increase in vehicle activity and noise from the external play area.

9.12 Further information was provided and the mitigation measures proposed include a number of conditions relating to: restricting the hours of operation to 07:00-19:00 Monday to Friday and no site activity on Saturday, Sundays or Bank Holidays; no use of the external play outside of 09:00-17:00 and the submission and implementation of a Noise Management Plan. In addition, the site plan has been amended to show that the external play area would be surrounded by acoustic boundary treatment along the common boundaries with 54 Langdon Street and 99 High Street as well as a new brick wall separating the rear amenity space from the front amenity space.

9.13 The Environmental Health Officer was satisfied with the additional information, suggested conditions and amended plans.

9.14 In terms of vehicle activity, this is considered under the 'Impact on Highway Safety' section below.

9.15 It is considered that the above mitigation measures are sufficient to avoid significant harm to the residential amenity of surrounding units. Subject to the inclusion of the above mentioned conditions, the proposal will comply with Policy CS12 in terms of residential amenity.

#### Impact on Highway Safety and Parking

9.16 The maximum parking requirement according to Saved Appendix 5 of the Local Plan (2004) is 1 space per 4 pupils. This results in a maximum requirement of 20 spaces. As the site resides within Accessibility Zone 3, according to the Accessibility Zones for the Application of Car Parking Standards SPG, the percentage of the maximum demand-based standard should be between 50-75%. This equates to a requirement of between 10 and 15 car parking spaces.

9.17 The submitted plans shows that there would be 10 car parking spaces allocated for staff and 5 drop off spaces for parents. Concerns were initially raised regarding the tandem nature of the staff spaces, however the applicant has highlighted that a similar layout functions effectively at another of their nursery sites within the Borough (75 Adeyfield Road in Hemel Hempstead). In addition, planning permission has been granted for a similar proposal with tandem staff parking spaces at 6 Alston Road (ref. 4/03028/18/FUL).

9.18 The applicants have predicted a 2 to 3 minute turn around for drop off and collection, which is based on their other nurseries that have similar access arrangements. This could clearly vary due to unpredictable circumstances on any particular day, however it is nonetheless considered that these spaces would be for very short term use (a matter of minutes). The Town Council has raised concerns that the drop off provision is insufficient. However, Saved Appendix 5 does not in fact require any pick up / drop off spaces.

9.19 Concerns have been raised by local residents and the Town Council regarding the single vehicle width of the access point and the drop off facilities on site resulting in the potential for traffic to back up to the roundabout with vehicles waiting to manoeuvre through the single lane access. One neighbour commented that in exiting cars will have limited visibility due to Ardenoak's coach house building. The Town Council also referred to 'several inaccuracies' in the Transport Study, e.g. reference to a cycleway.

9.20 The Highway Authority has recommended several conditions and informative notes, including the provision of a Travel Plan Statement, formally stopping up two of the access points to vehicles and the provision of safe pedestrian access to the site. Whilst not requested by the Highway Authority, the applicant has stated that "If required, a system could be put in place that would give vehicles entering the site the right of way to minimise any potential disruption to the flow of vehicles on the highway." In terms of visibility, it should be noted that this is an existing access, used by the previous occupiers, and the Highway Authority has not identified this as an issue.

9.21 The applicant has an 'Arrivals and Departures Policy' for their nurseries, each of which is bespoke for the site. The example provided for their 75 Adeyfield Road site gives an indication of the measures put in place to ensure safe and efficient movement of vehicles during peak times. The intention of the policy is to ensure that parents will not block the road while waiting for a parking space. It is noted that parents are not allowed to enter the nursery building or wait in the car park during peak times. An appointment is required if parents need to speak to staff and a member of staff will be in the car park during peak times managing the efficient and safe movement of vehicles.

9.22 It should be noted that the drop off and pick up times would be naturally staggered (different to a school, pre-school or nursery school for example, where there is a set start time). The normal day for a child to attend would be 8am to 6pm, however parents would have the option to add 30 or 60 minutes to the beginning or end of the day. And indeed, as there is no set start time, some parents would bring their children in at 9am or even later. Therefore, morning drop off times would be staggered from 7am and evening drop off times staggered until 7pm. It is also important to note that many parents will not require their children to attend full-time, with some only attending half days or on certain days of the week. The above factors combined will result in naturally staggered times for the children arriving and leaving.

9.23 The applicant has stated that “many parents will have more than one child attending or share lift arrangements with friends. People generally select nurseries that are located close to their homes. As such, some of the children will live nearby and be walked to the site.” In addition, there is a bus stop directly outside the nursery, which the applicants are paying to upgrade and the submitted plan shows that there would be secure cycle storage on site. These factors would help to encourage the use of more sustainable modes of transport.

9.24 In response to the Town Council’s point regarding the cycleway, according to Hertfordshire County Council’s website there is a cycle route through the town (Tring Route 5). And in response to the Town Council’s comments regarding cars parked on both sides of Langdon Street, during peak times (8:30am – 6:30pm) there are parking restrictions on the single yellow lines adjacent to the site so in theory there should not be cars parked on both sides close to the roundabout.

9.25 In summary, there has been no objection from the Highway Authority with regards to highway safety. The level of parking meets the requirement set out in the Local Plan. Subject to the inclusion of relevant conditions and informative notes, including a Travel Plan Statement, the proposal complies with Policy CS12 of the Core Strategy (2013), Saved Appendix 5 and Policy 58 of the Local Plan (2004).

#### Other Material Planning Considerations

##### *Amenity Space*

9.25 There appears to be no official guidelines for how much outdoor space children should have, however, it is felt that the proposed play area to the rear would provide an adequately sized space. Furthermore, the proposed nursery would need to adhere to Ofsted requirements in regards to indoor and outdoor amenity provision.

##### *Impact on Trees and Landscaping*

9.26 There are several trees within the site, however the proposed development would not involve any works to existing trees. In addition, the existing trees within the site are protected given that consent is required for any tree works within a Conservation Area.

9.27 The proposal includes the planting of hedges, the construction of a new wall to separate the external play area and acoustic fencing along the boundaries with 99 High Street and 54 Langdon Street. Whilst the site plan shows the general layout, it is considered reasonable to require more detailed information with regards to the final appearance. A landscaping condition will be recommended, which will also include a management plan for the new hedges.

##### *Waste Management*

9.28 Saved Policy 129 of the Local Plan seeks to ensure that developments have adequate storage for refuse and recycling. These details have not been provided, however it is considered that there is

sufficient space within the site to accommodate the level of waste associated with the proposed use. The above mentioned landscaping condition will require further details of waste storage.

#### Response to Neighbour Comments

9.29 One representation was received from a local resident, with concerns mainly relating to highway safety and noise and disturbance. These points have been addressed above.

#### Community Infrastructure Levy (CIL)

9.30 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally only extend to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is not CIL liable.

#### Planning Obligations

9.31 Financial contributions are sought by the County Council as Highway Authority as follows:

£8,000 towards the provision of easy access kerbing at one of the nearest bus stops in order to encourage bus access to the site.

9.32 As such, a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) will be required to secure the financial contributions. The Section 106 Agreement is currently being drafted by the Council's legal team. The application is recommended for approval subject to the competition of the Section 106 Agreement.

### **10. CONCLUSION**

10.1 The proposed development has been considered with regard to its impact on the character and appearance of Tring Conservation Area, residential amenity, parking and highway safety. The impact of the proposal on the listed building is covered by a separate application that will be determined under delegated authority. In summary, the scheme is considered to be valued social infrastructure and has policy support.

10.2 The proposed use as a day nursery is considered to be compatible with the town centre location. Issues surrounding noise and disturbance can be adequately addressed through the proposed mitigation measures, secured by planning conditions.

10.3 There would be an increase in vehicle movements in comparison to the existing use, however the proposal in context will not give rise to significant highway safety or parking concerns.

10.4 The change of use from office to day nursery is an appropriate form of development in this location. The proposal is in accordance with Policies CS1, CS4, CS12, CS23 and CS27 of the Core Strategy (2004), Saved Appendix 5 and Policy 58 of the Local Plan (2004) and the NPPF (2019).

### **11. RECOMMENDATION**

11.1 That planning permission/listed building consent be DELEGATED with a VIEW to APPROVAL subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.

#### **Condition(s) and Reason(s):**

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

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:**

i) **A safe pedestrian access route to the site, potentially using existing High Street accesses.**

ii) **Swept paths to demonstrate that vehicles are able to leave the site in a forward gear and that cars are able to safely manoeuvre into the car parking spaces in the northern car parking area, closest to High Street.**

iii) **All car parking spaces are a minimum of 2.4m x 4.8m, with parallel parking spaces being a minimum of 6m in length.**

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

3. **No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site
- o other surfacing materials
- o extent of play area
- o means of enclosure including acoustic fencing
- o soft landscape works including a planting scheme for the new hedges
- o minor artefacts and structures (e.g. play equipment, signs, refuse or other storage units, etc.)

**The planting must be carried out within one planting season of completing the development.**

**Any hedge which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.**

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

4. **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 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).

5. **Prior to the first use of the development hereby approved, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall include provision for periodic monitoring and mitigation together with a log of complaints and corrective actions to be undertaken.**

**The approved Noise Management Plan shall be implemented at first occupation and for the lifetime of the use hereby approved.**

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).

6. **Prior to the first use hereby permitted the vehicular access on Langdon Road will be the only vehicular access to the site, with no other accesses being used for vehicular use.**

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. **The hours of site operation shall be restricted to Monday-Friday, 07:00 - 19:00 hours and no site activity on Saturday, Sundays or Bank Holidays. There shall be no use of the external play area outside of 09:00 - 17:00 hours.**

Reason: To protect the residential amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

8. **The number of children using the nursery hereby approved shall be limited to 80 in total each operational day.**

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).

9. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**3028/A4/20 (Location Plan)**  
**3028/1/4G (Block Plan - Existing and Proposed)**  
**3028/2/2B (Outbuilding as Proposed)**  
**3028/2/1D (Plans as Proposed)**

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **Informatives:**

1. 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.

2. Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx).
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

#### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Tring Town Council	The Council recommended refusal of this application. The Town Council is not opposed to the change of use ' it recognises the need for additional nursery provision. However, it considered the provision of drop-off facilities insufficient and would create a hazardous situation as vehicles have to wait & manoeuvre through the single lane access given the proximity to the roundabout at the junction of the High Street and Langdon Street and continuous on street parking on both sides of Langdon Street. The Transport Study gives a very misleading impression of the circumstances of the surroundings and includes several inaccuracies e.g. reference to a cycleway. It reflects the blind application of standardised parameters that do not reflect the reality. It understates the use of Langdon Street ' a main access route into and out of the Tring Triangle ' and the peak periods when children will be dropped-off. The movements at the Hiers & Graces day nursery on the aforementioned roundabout on the opposite side of the High Street demonstrates the sort of traffic problems the proposed development would cause. Heirs & Graces has approx. half the children as the proposed nursery.
Environmental And Community Protection	COMMENTS ON ORIGINAL PLANS:

(DBC)

I refer to the above application.

I have read the supporting noise report which gives me sufficient grounds to object to development as it has failed to appropriately assess noise impact and not demonstrate that existing residential occupiers will suffer an adverse impact due to noise. This is due to the assessment failing to address likely sources of noise in adequate details whilst also applying inappropriate sound criteria to determine the likelihood of impact on neighbours.

I have set out my reasons for objection below.

#### Environmental survey

This element of the survey has sought to quantify the sound environment, but it has made limited reference to what influences the prevailing sound environment. I note the survey is reported as unmanned and does not identify that assessment included continuous audio recording which would be necessary for a survey of this nature. This would be particularly true if there has been local activity that has affected the sound environment such as building work or other nearby transient activity. The site is also located 500m from A41, and so subject to wind direction site conditions may have been affected by focussing of sound if a prevailing wind. This is not reported.

There is limited scrutiny other than what is presented in the appendices, but this actually says very little about the sound environment.

#### Drop off and collection activity

The site assessment has only considered noise from the perspective of the increase in traffic. It fails to consider how given the locality problems arising from what appears to be a very narrow and limited site access, a site which provides only 5 spaces for pickup and drop-off, in a location where there are very few opportunities for parking immediately outside the site boundary, with the exception of a single yellow line next to flats. What concerns is me is the potential lack of capacity for parking coupled with a seemingly congested local area. This is not taken into consideration and potential issues discussed, and determined if this could affect residents, or how it can be managed.

The block plans note a single point of access and exit located from Langdon Street. The street view indicates this will be sufficient for a single vehicle to enter / exit site. It does not appear wide enough to allow 2 vehicles to pass side by side. The site will provide 5 spaces for pick up / drop off / short-term parking. As the street view below shows Langdon Street is a very busy street with on-street parking well used.

The report indicates there will be predicted 24 arrivals / departures between 07:30 - 08:00 and 69 between 08:00 - 09:00 (for a 60 place nursery). With there being 5 drop-off spaces, a restricted site access and a distinct lack of on street parking opportunities question how the number of arrivals would not cause issues on street? The noise assessment has not considered how these constraints at site might affect operations and if this could reasonably lead to problems caused on the road, e.g. queueing, inappropriate drop off, vehicles idling outside flats. I am not concerned with the increase in local flow noting low numbers, and unlikely to make much difference in terms of road traffic noise. It is the effects of introducing this site and affect it will have on local residents. This is completely missed by the assessment.

#### Play Area Activity

This aspect of the assessment misapplies guidance produced by the World Health Organisation (WHO). The report has sought to justify the assessment of playground noise within the definition of community noise used by the WHO although the report acknowledges the limitation of WHO guidelines at 4.22 noting guideline levels were derived from anonymous steady-state noise, e.g. road traffic. The same limitation is recognised within the WHO guidance itself and so applying this guidance in the incorrect context potentially allows for more noise by failing to appreciate how play area noise is not anonymous, no steady-state in character.

The assessment has not appreciated how the above sounds are sound of character and can be perceived differently by residents. I also reject the use of internal guideline limits for the same reason, noting the limitation on use of sound levels is recognised within BS8233 which derives internal and external sound criteria based on WHO guidance. This advises that criteria applies for steady external noises, whereas nursery noise will be characterised by impulsive and non-steady sources.

This report does not discuss the human reaction to different sources of sound. BS 8233 recognises that it applies to sound without a specific character, whereas shouting, screaming, character, laughter are all sounds of character which are more likely draw attention/distract. Occupiers are more tolerant of noise without specific character meaning that WHO guideline levels are inappropriate to the assessment. BS 8233 recognises that noise from neighbours can trigger complex emotional reactions, and so the report applies impact too simplistically by comparison with WHO criteria. Further guidance by the WHO also recognises that sound data may only account for 1/3 of

	<p>noise annoyance indicating that a substantial degree of impact is contained with non-acoustic factors. There is very limited consideration for this in the report, other than through the frequency and duration of daily outdoor play.</p> <p>The assessment based on comparing hourly limits does not describe the sound environment. By averaging in this way it also suppresses discrete events, like those described above. It doesn't address the sound environment, its make-up and why neighbours may or may not experience an adverse reaction to noise.</p> <p>Based on my review set out above, the acoustic report has not demonstrated the site cannot avoid an adverse impact due to noise, and therefore I would recommend refusal.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>COMMENTS ON AMENDED PLANS:</p> <p>I've reviewed the updated noise assessment which contains a number of recommendations which I am happy to go with. These refer to time of use, quantity of people, nature of activities, layout and boundary screening and a noise management plan.</p> <p>I have transposed some these into conditions, but these require finalisation with the applicant. I have highlighted these elements in bold so they can be dealt with.</p> <p>With the layout and boundary screening the report notes the applicant has agreed they could reduce the area of the external amenity space to create a buffer between them and residential neighbours and acoustic boundary treatment around the perimeter of the amenity space. The proposal is 2.0 - 2.4 m in height and of suitable construction (e.g. close boarded timber fence of at least 10 kg/m<sup>2</sup> mass per area). I assume we can condition the barrier element and the play area needs amended plans.</p> <p>These are conditions I have suggested so far.</p> <p>Conditions</p> <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 being restricted to the external play area (approved plans).</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</p>

(2019).

The number of children using the nursery hereby approved shall be limited [specify] to in total.

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).

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

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).

1) This Noise Management Plan shall be reviewed, and the review recorded in writing (acknowledging any complaints, concerns, actions, amendments or training recorded) annually by the 1st January each successive year hereafter.

2) Any alteration to the Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

3) Training shall be provided to explain the function of the noise management plan along with the mitigating measures contained within it. A record shall be maintained for all staff who have been trained and informed on the requirements of this plan.

4) A complaints procedure shall be implemented and maintained, with a log of complaints and mitigating actions, with time and dated associated records. Attention will be made to community liaison with neighbouring residents and good administrative procedures.

5) Staff shall acknowledge the nursery and play area reside in a residential area and there is an overall emphasis to control unreasonable use to reduce the possibility of noise disturbances.

6) Play area activities shall always be structured and supervised by staff members, to avoid care-free activities within the external play area that might lead to noise disturbances.

7) The external play area shall never be used by any staff or children outside approved hours of development use [as agreed].

8) Play area times shall be provided in two sessions throughout out day, typically between the hours [as agreed] and for a two-hour period in total

9) The quantity of children within the garden area shall not exceed a

	<p>maximum [quantity agreed] at any one time. This shall be checked prior to and during external play activities, by supervising staff.</p> <p>10) The nursery shall establish and implement a means to gather children's attention to avoid the need for raised and/or loud voices of supervising staff. A bell or clap may be suitable.</p> <p>11) Children who become upset or distressed shall be actively distracted, in attempt to pacify them. If children cannot be comforted and problems persists, they shall be actively taken back into the nursery building until it would be appropriate for them to return.</p> <p>12) Children who behave in an unusually 'noisy' manner shall be actively distracted. If a child's behaviour is unsuitable such that it could readily present noise disturbances, they shall be actively taken back into the nursery building until it would be appropriate for them to return.</p> <p>13) All accidents, incidents and any unforeseen 'noisy' activity shall be logged and notified to site management. Such events shall be discussed in regular training sessions or meetings to establish suitable management provisions and how similar events might be avoided in future.</p> <p>14) No ball games shall be played unless in a controlled activity with supervising staff members.</p> <p>15) Amplified music and musical instruments of any kind shall be prohibited from use in the external play area at all times.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>The existing villa is a two storey double pile brick building with slate roofs and render to the rear elevation. It would appear to date from the early 19th century and has some detailing surviving including stairs, fireplaces and joinery.</p> <p>The proposals are relatively minimal in relations to alterations to the villa. The reopening of the partially infilled doorway is acceptable as it would not harm the historic fabric. However the following should be reviewed:</p> <p>In the basement the kitchen would appear to be on the opposite side from that shown to officers. The plan for this area should be redrawn to clarify what is proposed. Any new surfacing or protection added to the floors, walls and ceilings should be noted on the drawings. Repairs to the basement stairs should also be noted. Finally the repair to the first floor balustrade of the staircase should be noted.</p> <p>Outbuilding.</p> <p>What is shown on the plans is not what was described as being proposed at the site meeting. At that meeting it was stated that the first floor was not to be converted. In addition it should be noted that what is proposed on the as proposed drawings is not acceptable. The three new windows to the first floor north east elevation are not necessary.</p>

The new openings would harm the appearance of the elevation and result in the loss of historic fabric. We would therefore object to these features. To the ground floor we would not object to the proposed additional windows where located in the existing positions or the rebuilt areas of fabric. Additional window openings should not be added to historic fabric. The inset window to the single door position should be inset so that the door opening can be read. The existing door should be reused in the new door opening.

In relation to the roof it is unclear if patch repairs are required or a full re-slating. It may be better to note on the revised drawing that the roof is to be re-slatted. The guttering should be repaired and ideally replaced in black guttering. The ivy should be fully removed.

Internally little historic fabric survives at ground floor level so we would not object to the proposed sub division and alterations.

#### Landscaping.

This should be reassessed in relation to the car parking spaces to the frontage. We would also recommend that a beech hedge be planted behind the fence to Langdon St. The other hedges proposed should be in a suitable native species. The resin bonded gravel should enhance the appearance of the area. A condition on the finish could be avoided if colour was selected at this time. It might be useful to consider matching that used at the car park for the natural history museum on Akeman St.

Recommendation The plans should be reviewed in light of the above and amended plans submitted. If not we would object and recommend refusal as the proposals would harm the character and significance of the listed building and therefore be contrary to policy and guidance.

#### Further comments:

My suggestion to this issue. Due to the height and appearance of a close boarded fence we would only accept 2m high brick walls adjacent to the house to give the appearance of an enclosed garden. You could have higher fence to the rear and side boundary given there is already a fence/hedge there. However to reduce the impact on the listed building we would recommend that a hedge or planting be done in front of it. I am assuming that as the wall to 54 is solid with 1 double glazed (presumably first floor bathroom) window that the additional acoustic shielding can use the alteration to the front wall and rely on the outbuilding as the only area impacted by the noise would be the car park.

Red [line indicates] - Brick walls (Flemish or variation not stretcher

	<p>bond) Note wall to the outbuilding only needs raised in height to match existing. 2m height  Blue and green [lines indicate] Acoustic Fencing. Ideally with planting in front.</p>
<p>HCC Highways</p>	<p>Decision</p> <p>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:</p> <p>1. 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 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).</p> <p>2. Standard Outline Condition: No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>i) A safe pedestrian access route to the site, potentially using existing High Street accesses.</p> <p>ii) Swept paths to demonstrate that vehicles are able to leave the site in a forward gear and that cars are able to safely manoeuvre into the car parking spaces in the northern car parking area, closest to High Street.</p> <p>iii) All car parking spaces are a minimum of 2.4m x 4.8m, with parallel parking spaces being a minimum of 6m in length.  Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)</p> <p>3. Existing Access:  Prior to the first use hereby permitted the vehicular access on Langdon Road will be the only vehicular access to the site, with no other accesses being used for vehicular use.  Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>

#### HIGHWAY INFORMATIVES:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx).

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

#### COMMENTS / ANALYSIS:

The planning application is for the change of use from office to day nursery, including internal reconfiguration, new openings, and revised external layout at Ardenoak House, 101 High Street, Tring, HP23 4AB.

The proposed nursery would be open from 7am to 7pm, Monday to Friday, with 80 pupils attending and 18 members of staff would work there.

A Transport Statement (TS), a Planning, Design and Access Statement (PDAS), and plans and drawings of the proposals have been submitted with the application.

#### ACCESS ARRANGEMENTS:

The site is located on the corner of High Street and Langdon Street, and two roads meet at a mini-roundabout junction with Christchurch Road and Western Road. High Street is a secondary distributor "B" road, Langdon Street is a local access road, and both have a speed limit of 30mph and are highway maintainable at public expense.

The existing site currently has three access points, two from High Street and one from Langdon Street. The two from High Street are both gated. The High Street access closest to the mini-roundabout appears to be for pedestrians only at present, with no dropped kerb and shrubs blocked most of the entrance within the site. The High Street access furthest from the mini-roundabout has a dropped kerb and opens on to a bus stop. Due to the proximity of the two accesses to the mini-roundabout and the bus stop, neither of the High Street accesses are deemed to be acceptable for vehicle use. The Langdon Street access, which is labelled as the vehicle entrance, is a dropped kerb access.

The PDAS states that there are no enlargements proposed to the existing accesses at the site. The documents provided do not clearly demonstrate a safe pedestrian route from the footway to the buildings on the site. Due to the nature of the proposals, a condition requesting this information has been included in this response.

#### PARKING AND MANOEUVRABILITY:

In the PDAS it is stated that there are no proposed changes to the existing parking area at the site. For nursery developments, as the TS notes, Dacorum Borough Council's (DBC) parking standards state that the maximum parking spaces should be 1 space per 4 pupils. The site is located within Zone 3 of DBC's accessibility zones, and therefore the maximum for the site should be between 50% and 75% of this allowance. Therefore, the maximum parking spaces at the site should be a maximum of between 10 and 15 spaces. 15 car parking spaces would be provided at the site, with 10 of these allocated to staff members. Whilst this allocation would mean that the 1 space per 4 pupils standard is not met, the overall provision is within DBC's standards and therefore HCC deems the level of parking proposed to be acceptable. However, the applicant is reminded that DBC are the parking authority for the Borough, and therefore must be satisfied with any proposed changes to the parking at the site. The plans provided in

drawing number 3028/1/4C do not demonstrate the boundaries of each car parking space. As stated in the above condition, the plans would need to demonstrate that each parking space is a minimum of 2.4m x 4.8m, and any parallel parking spaces would need to be a minimum of 6m in length.

#### EMERGENCY VEHICLE ACCESS:

The frontage of the site onto Langdon Street and High Street would enable emergency vehicle access to be within 45 metres from the proposed construction. 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 - Dwelling houses'.

#### TRIP GENERATION:

In the TS the trip generation for both the existing and proposed site has been outlined using the TRICS database.

For the existing site, the following parameters were used:

- o Office land use;
- o Town Centre, Edge of Town Centre, and Suburban Area sites;
- o South East and East Anglia regions.

HCC agrees with the parameters used for the existing site.

The trip rates and trip generation calculated for the existing site were as follows:

- o Trip Rates / 100sqm:
- o AM Peak (08:00-09:00) Arrivals: 1.158 and Departures: 0.100
- o PM Peak (17:00-18:00) Arrivals: 0.102 and Departures: 1.016
- o Daily Arrivals: 5.243 and Departures: 4.258
- o Trip Generation (184sqm GFA):
- o AM Peak (08:00-09:00) Arrivals: 2 and Departures: 0
- o PM Peak (17:00-18:00) Arrivals: 0 and Departures: 2
- o Daily Arrivals: 10 and Departures: 8

HCC agrees with the trip rates and generation produced for the existing site.

For the proposed site, the following parameters were used:

- o Nursery land use;
- o Town Centre, Edge of Town Centre, and Suburban Area sites;
- o South East and East Anglia regions.

HCC agrees with the parameters used for the proposed site.

The trip rates and trip generation calculated for the proposed site were as follows:

- o Trip Rates / Pupil:
- o AM Peak (08:00-09:00) Arrivals: 0.150 and Departures: 0.150
- o PM Peak (17:00-18:00) Arrivals: 0.125 and Departures: 0.125

- o Daily Arrivals: 0.507 and Departures: 0.506
  - o Trip Generation (80 Pupils):
  - o AM Peak (08:00-09:00) Arrivals: 12 and Departures: 12
  - o PM Peak (17:00-18:00) Arrivals: 10 and Departures: 10
  - o Daily Arrivals: 41 and Departures: 40
- HCC agrees with the trip rates and generation for the proposed site.

The net trips are therefore as follows:

- o AM Peak (08:00-09:00): +22
- o PM Peak (17:00-18:00): +18
- o Daily: +63

As noted in the TS, there would be an increase in trips from the existing use, however many of these trips will be linked or diverted trips, with parents dropping their children off whilst travelling to work. It also noted that the trip generation assumes that children are attending every day, although this may not necessarily be the case, therefore it is a worse-case scenario. Due to the net trips, if the application were to be successful in gaining planning permission, then a Travel Plan Statement should be provided, as mentioned in the above condition.

#### SUSTAINABILITY AND ACCESSIBILITY:

The site is situated in a sustainable location, in the centre of Tring, near to public transport connections. The nearest bus stop to the site, which is partly on the site frontage on High Street, is served by a number of services, both local and longer distance, with connections to Watford, Aylesbury, and Aldbury, as well as other parts of Tring and Tring railway station. Tring railway station is a 10-minute bus journey from the site, or a 40-minute walk. Tring railway station is served by trains that go to Northampton, Milton Keynes, London Euston, East Croydon, and locations in between. The pedestrian infrastructure within the vicinity of the site is of a good standard, however there is limited cycling infrastructure provision.

#### SECTION 106 AGREEMENTS:

As identified in the TS, the nearest bus stop to the site is located on the site frontage. HCC notes that due to the increase in trips and the proximity of the site to the bus stop, developer contributions of £8,000 are sought via a Section 106 Agreement towards the provision of easy access kerbing at one of the nearest bus stops in order to encourage bus access to the site.

#### CONCLUSION:

HCC as Highway Authority considers that the proposal would not have a severe 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.
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
19	1	0	1	0

### Neighbour Responses

Address	Comments
52 Langdon Street Tring Hertfordshire HP23 6BA	<p>In principle I have no objection to the concept of these premises being used for a nursery. Nevertheless I have 4 comments on the proposal, including one relating to a major safety concern.</p> <p>By way of background I live at 52 Langdon Street, which very close to Ardenoak House.</p> <p>(1) My chief concern lies with the planned single in/out vehicular facility to access the onsite drop off/collection area. In exiting cars will have a completely blind sight line on one side due to Ardenoak's coach house building. This pavement is narrow and used in mornings/afternoons by a considerable number of young children heading to and from Goldfield and Bishops Wood schools, never mind other pedestrians throughout the day. To create a regular procession of cars in &amp; out of this tight access would be an accident waiting to happen. Further due to its closeness to the High Street intersection potential exists for traffic being backed up into Tring High Street at certain times, leading to congestion. This aspect needs a complete rethink, particularly as other on-site options appear available.</p> <p>(2) No noise assessment has been produced nor is any Noise Management Plan included, which is a major omission. Noise levels locally will inevitably increase for a nursery involving 80 children and a mitigation plan is needed which should include typical restrictions around:- (a) the number of children outside at any one time &amp; (b) no external amenity use outside of 09:00 - 17:00 hours.</p> <p>(3) The Application Form indicates the plan is for the nursery is to open 12 hrs per day x 5 days per week, but the associated Transport Plan indicates opening 12 hrs per day x 7 days per week (para 4.2). The latter would be excessive for a site within a residential area. I would ask that opening is restricted to that requested in the Application Form of 5 days per week to ensure protection of residential amenities in the locality.</p>

(4) Parking in Langdon Street and the wider Tring Triangle is already frequently jam-packed, therefore I would ask that Applicant is requested to ensure that the nursery staff make full use of the on-site parking provisions to avoid adding to local parking congestion.

Thank you