

Taunton Deane Borough Council

Planning Committee 21 March 2011

E/0332/48/11

CHILDMINDING BUSINESS BEING RUN FROM RESIDENCE CAUSING INCREASED LEVELS OF TRAFFIC AND NEIGHBOURHOOD DISTURBANCE AT 28 MEAD WAY, MONKTON HEATHFIELD, TAUNTON

OCCUPIER: MR & MRS DAVEY

OWNER: MR & MRS DAVEY 28 MEAD WAY, MONKTON HEATHFIELD, TAUNTON, TA2 8LT

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice to cease the running of a childminding business at the 28 Mead Way, Monkton Heathfield.

RECOMMENDATION

No further action be taken.

SITE DESCRIPTION

The property is a detached house off Mead Way, Monkton Heathfield. It is surrounded by residential properties.

BACKGROUND

The complaint was first brought to the Council's attention in November 2011. A site visit was carried out and the owner was very unhappy that a complaint had been made. I explained that Planning permission may be required but she responded that there were a number of childminding businesses in the area and they did not have Planning permission. On discussing the case with the Senior Planning Officer it was decided that Planning permission was required. An application was requested but to date this has not been received.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The carrying out of a child minding business of over 6 children with an employee at a residential dwelling. This constitutes a change of use to a mixed use of residential dwelling and childminding business.

RELEVANT PLANNING HISTORY

Planning permission for conversion of the garage to living accommodation was granted in April 2001 (48/01/0021). There are no other planning applications for this site.

RELEVANT PLANNING POLICIES

National Policies

PPG18 – Enforcing Planning Control

Somerset and Exmoor National Park Joint Structure Plan Review

STR1 – Sustainable Development

STR4 – Development in Towns

Taunton Deane Local Plan 2004

S1 (General Requirements)

DETERMINING ISSUES AND CONSIDERATIONS

The site lies within the settlement limits and is considered to be in a sustainable location.

Following the investigation of the use here it would appear that the owner has been operating a child minding business at the property since 2001. At this time the owner was looking after only 3 children and was not employing anyone. Consequently planning permission for the use would have been considered ancillary and not required a change of use at this time.

It is only within the last three years that the business has expanded to the current situation whereby an additional person is employed and the number of children has expanded to between 5 and 9, although the property is registered for up to 11. The numbers of children looked after varies from day to day and the business operates between 7.30 and 5.30. On the basis of this level of use it is considered that a planning application for change of use would be required.

The business utilises the ground floor hall, utility, former garage, kitchen and conservatory as well as the garden. There have been no objections on the basis of noise from the children at the site and the level of use as witnessed is considered acceptable and not detrimental to the amenity of the area. The main concerns raised by the complainant relate to traffic and parking levels in the area of the cul-de-sac. Between 6-11 traffic movements to the site during the morning per day were noted over a period of a week. These movements would not have occurred all at the same time and clearly there is no way of controlling when people deliver their children to the site or where on the highway they stop. It is not considered that the impact of these traffic movements in themselves are sufficient grounds to object to such a use.

The commercial use of the dwelling for child minding that is being carried out is considered to be at an acceptable level and consequently it is recommended that no further action is taken.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

ENFORCEMENT OFFICER: Mrs A Dunford

PLANNING OFFICER: Mr G Clifford