



# Planning Statement

64 Sylvan Road, Exeter

**March 2024**

**Avalon**  
PLANNING & HERITAGE

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# Contents

1. Introduction.....2

2. Site context.....3

3. Planning history.....5

4. The proposed development.....6

5. Planning policy justification.....8

6. Conclusion .....12



## 1. Introduction

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- 1.1 This planning statement (the “Statement”) has been prepared in support of a planning application submitted by Devon Nurseries Ltd (the “Applicant”) for full planning permission for the change of use from a language school (Use Class F1 – learning and non-residential institutions) to a day nursery (Use Class E(f) – Creche, day nursery or day centre), with associated parking and landscaping at 64 Sylvan Road, Exeter, EX4 6HA.
- 1.2 Prior to the recent changes to the Use Classes Order, both a language school and a children’s nursery would have fallen within the same Use Class (D1) and therefore (subject to any conditions on previous planning permissions) no planning change of use would have been required. However, the recent changes moved language schools to Use Class F1 and creches, day nurseries and day centres (etc) fall within Class E (commercial, business and service). Planning permission for the change of use of the property is therefore sought on that basis.
- 1.3 This statement therefore considers the site and its policy context, as well as any relevant planning history. The statement also explains how the proposed development is in accordance with the relevant policies of the Exeter Local Development Framework Core Strategy 2012, the Saved Policies of the Exeter Local Plan First Review 1995–2011 and the National Planning Policy Framework (NPPF) (December 2023), the advice in national planning guidance and any relevant local guidance. Limited weight will also be given to the emerging Exeter Plan, insofar as it is relevant to this application.
- 1.4 One of the principle purposes of the planning system is the pursuit of sustainable development – that is, meeting the needs of today without compromising the needs of tomorrow. In development terms this is distilled as the need to ensure that development is economically, socially and environmentally compliant. This planning statement will scrutinise how the proposed development accords with these principles, together with all relevant national, local and emerging planning policy.
- 1.5 This statement should be read in conjunction with the suite of supporting plans and documents accompanying the application.

## 2. Site context and background

- 2.1 The application site, as identified in Figure 1, is located towards the top of Sylvan Road in the Pennsylvania suburb of Exeter. It comprises a three-storey, detached former villa on a large corner plot and benefits from a private driveway with off-street parking provision for c.12 cars and enclosed garden laid to lawn.
- 2.2 The site has operated as Exeter Academy, a private language school, since 1978 and its lawful use is therefore considered to be Use Class F1 (learning and non-residential institutions) (formally Use Class D1). When fully occupied, the school caters for up to 66 students and employs 15 FTE staff. We understand that in recent years the business has seen a steady decline in demand and, as such, they are due to vacate the property / end their lease shortly.



Figure 1: Site location

- 2.3 The site sits in a predominantly residential area and is within easy walking and cycling distance to Exeter University main campus and the city centre. St James Park rail station is located approximately 0.7 miles to the south, whilst regular bus services are available on Sylvan Road, Union Road and Stoke Hill. The site is therefore in a demonstrably sustainable location and conducive to sustainable modes of travel.
- 2.4 In terms of any planning 'constraints', the site is outside of any national landscape designation and is located in Flood Zone 1 (low risk of flooding) on the Environment Agency's Flood Risk Map for Planning. It falls just within the Pennsylvania Conservation Area (see Figure 2 below) and, whilst not statutory listed, is identified as a key building in the Conservation Area Appraisal (CAA). The CAA describes the property as 'a grand, early 20<sup>th</sup>

*Century dwelling which sits in a slightly elevated position' and recognises that it has 'a maturity and grandeur that befits inclusion in the Conservation Area'.*

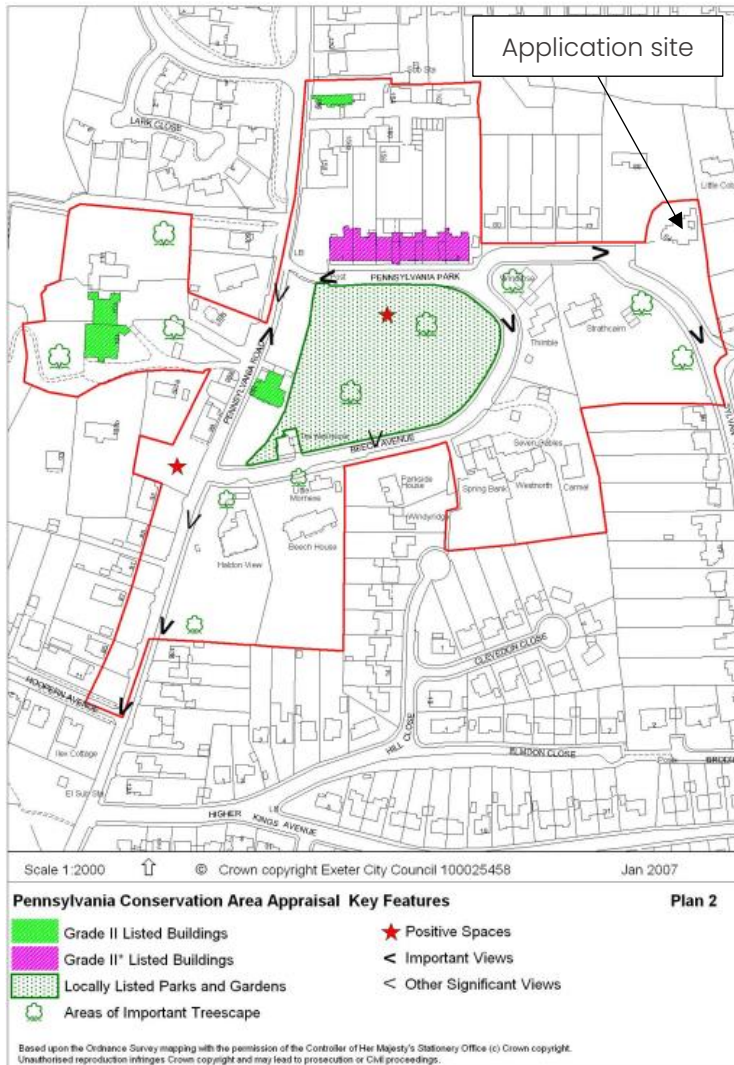


Figure 2: Map of Pennsylvania Conservation Area



### 3. Planning history

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3.1 The property has an extensive planning history, mostly relating to applications for the change of use, alteration and extension of the building, the most relevant of which are set out below:

- **95/0592/FUL** - Variation of conditional planning permission (03/79/0228) to allow use as non-residential school for 60 students. Refused;
- **95/0759/FUL** - Variation of conditional planning permission (03/79/0228) to allow use as non-residential school for 60 students for temporary period (12 months). Permitted;
- **96/0808/FUL** - Variation of conditional planning permission (Ref. 03/79/0228) to allow use as non-residential school for 60 students. Permitted;
- **12/1104/VOC** - Variation of condition one of Ref. 79/0228/03 to allow use as non-residential school for 66 students. Permitted.



## 4. The Proposed Development

- 4.1 The proposal, for the change of use of the existing building from language school to day nursery, provides an opportunity to make more effective and viable use of the site.
- 4.2 The primary changes will be internal, albeit these will likely be limited to cosmetic enhancements and repairs to facilitate the change of use and to bring the property up to the required standard. No changes are proposed to the external façade of the property.
- 4.3 Access to the site will remain as existing off Sylvan Road, with internal parking provision formalised to include a designated drop-off/pick-up area for parents (7no. spaces) to the front of the property and 5no. vehicle spaces for staff to the side/rear. In addition, secure cycle stands are to be provided within the site for staff and parents to encourage sustainable modes of travel.
- 4.4 The existing signage on the driveway pillars are proposed to be replaced 'like-for-like', as illustrated in Figure 3. The placards will be made of metal/rigid plastic to ensure they are weather resistant and will incorporate Devon Nurseries Ltd company branding (white and green), logo and the nursery name.



Figure 3: Existing and proposed signage

- 4.5 A 1.2m unpainted, wood-tanalise timber picket fence is to be erected between the lawn and parking area to ensure the safety of the children during outdoor play times.

### Operational arrangements

- 4.6 The proposed day nursery, to be known as 'Adventurers Nursery', would be owned and managed by Devon Nurseries Ltd alongside their group of established nurseries in Exeter (Acorns, Alphington Road, Discovery, Heavitree Road and Tic Tocs, St David's Hill).





- 4.7 The premises are spacious and the existing layout will permit the nursery to have two or three rooms available for each age group. This allows rooms to be set up for different purposes e.g. art and craft/quiet learning/group learning activities, with children moving through the activities during the nursery day to enhance their learning journey.
- 4.8 The day nursery would work within the existing approval (for the language school) of 66 students, albeit it is anticipated that the nursery will build up to this number over a two-year period. In practice, 95% of children attending a nursery do so on a part-time basis (typically, this will be between 1 and 4 days per child per week) and so it is expected that the nursery will have approximately 120 children registered. Regardless, at peak capacity a maximum of 66 children will be in attendance at any one time.
- 4.9 It is envisaged that the proposals will generate 18 FTE jobs associated with the nursery. In practice, this is likely to be circa. 25 full and part-time employees.
- 4.10 A typical nursery day is split into two sessions: morning (until 13:00) and afternoon. The majority of the children will attend a number of full days each week with some modest half-day usage. Devon Nurseries Ltd use market leading software to manage attendance and staffing to ensure they maintain regulatory compliance on supervision ratios.
- 4.11 The proposed opening hours would be 07:45 to 18:00 Monday to Friday. Typically, drop-offs will occur between 08:00 and 09:00, with the majority (80%) of collections occurring before 17:30 and the remaining by 18:00. The principal purpose of the nursery is to support working families and these hours of opening have stood the test of time at other nurseries operated within the group.



## 5. Planning policy justification

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- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Therefore, to assess the acceptability of this proposal, it is necessary to consider it against the adopted development plan, in this case the Exeter Local Development Framework Core Strategy 2012 and the Saved Policies of the Exeter Local Plan First Review 1995–2011. Limited weight will also be given to the emerging Exeter Plan, insofar as it is relevant to this application.
- 5.2 It is also necessary to take account of any material considerations relevant to the development proposal such as national planning policy contained within the National Planning Policy Framework (NPPF) (December 2023) and national planning guidance contained within Planning Practice Guidance (PPG), as well as locally adopted supplementary planning guidance (SPG) and documents (SPD).

### Principle of Development

- 5.3 Saved Policy CS4 of the Exeter Local Plan First Review states that *“The development of, or change of use to, a children’s nursery will be permitted provided that:*
- a) Safe and convenient access by public transport, walking and cycling is available or can be provided;*
  - b) It will not harm local amenity”*
- 5.4 In accordance with criteria a., the proposed day nursery would be conveniently located in an established residential area immediately north of the city centre and in proximity to University of Exeter main campus. It is envisaged that there will be a split between those parents who use the nursery on the way to work, those who work at/attend the university and those who live-close by.
- 5.5 Nonetheless, the site is easily accessible by walking and cycling with pedestrian footways available along the entirety of Sylvan Road and secure cycling parking provided on site for staff and parents. The nearest bus stop is circa. 60m away on Sylvan Rd (Route U – Exeter – Union Road Circular), with further regular services (Routes 58A, 78S, Coly 7, F and TG001) available on Union Road approximately 0.3 miles (c. 450m) to the south. In addition, St James Park Rail Station is located c. 0.7 miles away and provides regular (every 30 mins) services between Exmouth and Paignton. The site is therefore in a demonstrably sustainable location and conducive to sustainable modes of travel, which will be encouraged by the nursery.
- 5.6 For users travelling by car, a dedicated drop-off and pick-up area (7no. spaces) is provided within the site to reduce the need for on-street parking. Drop-offs will be staggered between 08:00 and 9:00 whilst, in the applicant’s experience, the majority (over 80%) of children will be picked up before 17:30 each day, with a small number of working parents needing the option for pick-up up to 18:00. It is also the case that the majority (c. 95%) of children attending the nursery will do so on a part-time basis (typically, this will be between 1 and 4 days per child per week). This will ensure that any short-term disruption on the local road network is kept to a minimum.



- 5.7 With regard to criterion b., the property is enclosed on all sides by mature hedgerow (circa. 2m high) meaning that any inter-visibility to/from the site is restricted to the site access. Use of the outdoor space for directed and guided, exploratory play will be limited to a maximum of between 15-30 children at any one time (as this is split into age groups) for periods of up to an hour (weather dependent). Children will be supervised by staff members at all times. It is therefore considered that the proposals will not have a significant impact on local amenity.
- 5.8 The policy is further justified in its supporting text, at paragraph 8.9, as follows *“Adequate provision of children’s nurseries is important for child development and for the smooth running of the Exeter economy. It is anticipated that the demand for places will grow as employment opportunities in the City increase. Nurseries can, however, be un-neighbourly due to the generation of noise and general disturbance. Detached accommodation is preferable but if not feasible, provision should be made for soundproofing. They should be located where they will be well served by public transport and there is safe access for pedestrians and cyclists. Properties on busy roads will not normally be acceptable.”*
- 5.9 Devon Nurseries Ltd are acutely aware (from their existing nurseries in Exeter) that there is substantial demand for increased usage of day nurseries in the Exeter catchment. This is a direct consequence of the Government’s plan to increase the provision of free places to include children aged 9 months and older on a rolling programme starting from April 2024 and being fully implemented by September 2025. As such, Devon Nurseries Ltd are already having to ration requests for increased hours as parents look to access the additional funded hours.
- 5.10 Nationally, Government anticipates a 15% increase in demand and the effect of this has been highlighted by the sector’s principle representative body, Early Years Alliance<sup>1</sup>. Other research indicates the increase in demand before any new parents are tempted back into the employment market<sup>2</sup>.
- 5.11 The population of Exeter is increasing along with the level of economic activity and this application therefore supports both the increase in demand for nursery provision due to improved funding arrangements for parents and the economic success story that is Exeter.
- 5.12 The proposals are further supported by paragraph 124 of the NPPF which states that planning policies and decisions should promote and support the development of under-utilised land and buildings. Paragraph 127 of the NPPF also encourages local planning authorities to take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs. In particular, they should support proposals to make more effective use of sites that provide community services provided this maintains or improves the quality of service provision and access to open space.

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<sup>1</sup> <https://www.eyalliance.org.uk/parents-set-struggle-access-free-childcare-places-through-new-government-offer-providers-warn>

<sup>2</sup> <https://www.bbc.co.uk/news/education-67274943>



- 5.13 Overall, it is considered that the proposals are acceptable in principle and are thus fully compliant with Policy CS4 of the Local Plan, Policy CP10 (Community Facilities) of the Core Strategy and the relevant policies within the Framework.

### Highways, Access and Parking Considerations

- 5.14 Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road networks would be severe. This is echoed in Saved Policy T1 of the Local Plan.
- 5.15 The proposed development will be accessed off Sylvan Road, as per existing arrangements, leading to a dedicated drop-off / collection area for parents and parking for staff. The site layout also enables vehicles to safely manoeuvre on site, allowing them to enter and exit in a forward gear. Moreover, as set out at paragraph 5.6 of this statement, the majority (c. 95%) of children attending the nursery will do so on a part-time basis (typically, this will be between 1 and 4 days per child per week), whilst drop-off and pick-up times will be staggered. This will ensure that the residual cumulative impact on the road network, in terms of additional trips/vehicle movements, is kept to a minimum.
- 5.16 Moreover, as set out above, the site is within easy walking and cycling distance to surrounding residential areas, Exeter University main campus and the city centre, and is in close proximity to regular public transport services (bus and rail). The use of these modes will be actively encouraged by the nursery as is the case across all of their existing sites.
- 5.17 It is considered that a safe and suitable access into and within the site can be achieved, that satisfactory parking provision is made and that the proposal would not result in an unacceptable adverse impact on highway safety and would thus accord with the advice in the NPPF.

### Heritage considerations

- 5.18 With regard to conservation and the historic environment, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission with respect to any building or land in a conservation area, to pay special attention to *“the desirability of preserving or enhancing the character or appearance of that area”*.
- 5.19 Objective 8 of the Core Strategy sets out a broad aim to protect and enhance the city’s unique historic character and townscape. Saved Policy C1 of the Exeter Local Plan states that development within or affecting a conservation area must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This latter policy has largely been superseded, or updated, by Chapter 16 of the NPPF.
- 5.20 The primary changes will be internal, albeit these will likely be limited to cosmetic enhancements and repairs to facilitate the change of use and to bring the property up to the required standard. No changes are proposed to the external façade of the property. The only additions to the site layout are the erection of the picket fence, the installation of



cycle parking (sheffield) stands, both of which would only be visible in glimpsed views from the site entrance. The proposed signage will be a like-for-like replacement of the existing signage on the driveway pillars.

- 5.21 Overall, it is considered that no harm would arise as a result of the proposals and the character and appearance of the conservation area would be preserved.



## 6. Conclusion

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- 6.1 This planning statement, in conjunction with the other material submitted in support of this application, demonstrates that the proposed development is in accordance with the policy objectives of the Framework and the relevant policies of the Development Plan.
- 6.2 The proposal, for the change of use of the existing building from language school to day nursery, provides an opportunity to make more effective and viable use of the site, whilst meeting a growing demand for child care / day nurseries in Exeter. Moreover, the site is sustainably located and the proposals will not give rise to any unacceptable impact on highways, nor will it result in any harm to the conservation area or local amenity.
- 6.3 The proposal has been demonstrated to accord with the relevant planning policy considerations and there are no material considerations that would suggest otherwise. We therefore urge the Council to adopt the proactive and positive approach to planning that the Framework advocates and respectfully request that planning permission is granted without delay.



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