

APPLICATION NO: 13/00562/FUL		OFFICER: Mr Craig Hemphill	
DATE REGISTERED: 11th April 2013		DATE OF EXPIRY : 6th June 2013	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Miss G Willmott		
LOCATION:	3 Sandhurst Villas, Sandhurst Road, Cheltenham		
PROPOSAL:	To increase the number of children from 12 to 17, in existing childcare business granted under reference 10/01290/FUL		

REPRESENTATIONS

Number of contributors	12
Number of objections	6
Number of representations	0
Number of supporting	6

35 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NL

Comments: 2nd June 2013

Between September 2010 and July 2011 the Ark provided after school care for three of my children and continues to provide care for my two youngest children. Having been a parent for 21 years, it has always been a struggle to find high quality, reliable and flexible childcare in Charlton Kings and the Ark has been a much needed addition to this. The reputation of the Ark within the Infants School and Junior School means that there are a number of parents wanting to send their children to the setting and I am sure this is one of the reasons an increase in numbers has been requested.

It is sad that this a caused such bad feeling with a few of the immediate neighbours, as all the Ark is trying to do is provide a service to parents, such as myself who have to work in order to support their families. Gone are the days where only one parent works and the children are cared for in the home. Perhaps, if some neighbours were younger and having to support a family, they would be more sympathetic to the application. There should be little or no sympathy for the neighbour who claims they were unaware of the setting or the application when they moved into their property last year; if they have moved into a property and failed to research the area then they only have themselves to blame. I am sure the neighbours would complain very loudly if Ms Willmott applied for permission to hang a sign on her property advertising the setting.

My two younger children used to attend another setting; this was a large house in a residential road. There could be in the region of 80 children there at any one time, with all parents dropping off and picking up around the same time. The only parking was in the street, yet the neighbours were accommodating. I believe there are a number of settings in Cheltenham where the only parking is on the street outside, and these settings are registered for considerably more than Ms Willmott is applying for.

I do collect my children by car, and have always been asked to only park in front of the setting, or off Sandhurst Road. I was also approached by another neighbour giving me permission to park in front of her home whilst collecting the children. I have on a couple of occasions been confronted

by the neighbours on both sides challenging why I am in the road and what right I have to be there. This has been in front of my children and totally inappropriate.

I very rarely come into contact with other parents collecting their children, and when I do they are almost always walking or park elsewhere because I have parked outside the property. I am not saying that no parent has ever parked outside a neighbouring house, but that this is not the norm. Is there anything in law that states that a member of the public can't park on the road outside a property as long as they are not causing an obstruction? Also, are the neighbours entitled to put cones outside their property to stop others parking there? I always thought you only owned the property up to your boundary wall. Perhaps a clarification on the rights of non-residents parking in Sandhurst Road would be beneficial to all.

Those objecting to this application are quoting seventeen parents a day dropping off at the setting; are these people aware that a number of siblings attend the setting and I believe this figure to be somewhat exaggerated.

I am however, concerned about the comments being made that the children are unsupervised in the garden. Is this really relevant to the application, and appears to me as though people are trying to cast doubt on the standard of care received by children in the setting. I don't have a set time to pick up my children, and can turn up unexpectedly. I have never found the children unsupervised, and would remove my children immediately if I thought this to be the case. If neighbours claim the children are unsupervised, they are clearly watching the children in the garden and not respecting their privacy, which is wholly inappropriate. I am sure there are parts of the garden that are not visible to the neighbours and staff could well be there supervising the children. I have been in the setting at times when children have been brought in for making too much noise, and the staff are clearly conscious of the neighbours.

Ms Willmott has always spoken positively about her neighbours, especially the older lady who lives next door, and she certainly doesn't want to cause them any distress. However, it seems as though she is expected to keep them happy, when they seem reluctant to offer her any support. Unfortunately some people are very resistant to change when all the Ark is trying to do is support the community by providing much needed child care.

Green Elms
80 East End Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8QL

Comments: 1st June 2013

I have read with great interest the reasons for objection raised by so called "neighbours" and as a member of staff currently on maternity leave, I had to respond to what I feel in some cases are slanderous accusations and out and out lies. Slander is potentially damaging for any business and if I owned the Ark I would most certainly be seeking legal advice.

I started work at the Ark on the day it opened. It is a class apart from so many other settings for children. Such settings are severely lacking in Cheltenham but particularly Charlton Kings.

I work with ladies who genuinely love children and I am very proud of that. EVERY child that attends is nurtured, loved and most certainly NEVER left unattended (how incredibly rude of the "neighbour" to state this utter untruth). Our babies babble and giggle in the garden, they sing, play and grow. NO child is in the garden for any great length of time, NEVER alone and most certainly NOT unattended. How someone who claims to "enjoy" children yet finds children no older than 8 intimidating is utterly beyond me!

To be honest I felt incredibly intimidated when 2 weeks post delivery of my second baby, with my 6 year old daughter by my side and my newborn baby in my arms the lady that seems to enjoy shaking her fists at young children through her window (the same lady that "enjoys" children I believe) felt it appropriate to question what I was doing. This I could understand if I was parked outside her house but indeed I was not, I was parked OUTSIDE the Ark! Not as a member of staff or a parent but as a visiting friend! Unfortunately this isn't the first time this has happened, it won't be the last and I remain disgusted by such conduct.

I would welcome the "neighbours" concerns IF they were well placed. As a member of staff I have NEVER parked outside any "neighbours" house and I have personally told new parents to adhere to that rule. The noise in the garden is minimal, we don't have children playing out there every day and not for the entire opening times! What a ludicrous argument, there is ample opportunity for the "neighbours" to enjoy their gardens in peace should the sound of young innocent children playing so offend!

As a footnote, I am a local resident, I have never seen congestion along Sandhurst Road, it is at times of the day almost a ghost road and most certainly is a safe place for dropping off and collecting children. As if any setting worth its weight would risk anything other than an all round safe environment from start to finish, it is after all what EVERY parent craves is it not?

I fully support this application.

Forest Dene
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 6th May 2013

We are concerned that the increase in childcare places will produce an increase in traffic in our already congested private road. My wife has often come home from work to find someone picking up from the Ark, parked in our private space, outside our house. Alternative parking places are very limited in Sandhurst Road.

I would like to know what happens if the application is approved on the basis that there will be no additional traffic and parking and yet these things occur following approval.

Oldbury
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 8th May 2013

Letter attached.

Comments: 28th May 2013

Letter attached.

265 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YG

Comments: 31st May 2013

My son has attended The Ark for the past two and a half years, and I walk him over from the London Road each morning at approximately 8 o'clock. I can truly say that in all this time I have never experienced any congestion caused by traffic, or parents and children, on Sandhurst Road during this time. I usually pass one other parent on the pavement each morning who parks her car on Glenfall Way.

The Ark offers an invaluable service to the local community in its provision of flexible childcare support. It is the only childcare provider in the local area which offers term-time only provision for small children. I am a teacher, as are many parents of The Ark, and I would have found it very difficult to go back to work without the flexibility of provision The Ark offers. This flexibility also extends itself to drop off and collection times, which again is invaluable to local parents, and also favourable to local residents in that there is no traffic caused by scheduled start and finish times.

I have lived on London Road for the past five years and my house overlooks the entrances to Sandhurst Road from both Glenfall Way and London Road. As a local resident, I have never experienced or witnessed any congestion in this area. We are a supportive and community-spirited area, and neighbours are friendly and amendable. I have, in this time, only ever experienced positive comment toward The Ark and praise for the invaluable service it offers to local working parents. I do appreciate the residential expectations of some homeowners on Sandhurst Road but I do not think it appropriate to categorise The Ark as a 'commercial' business per se. It is a small, local child-care provider which is characterised by its flexibility of service, and it is the very nature of its flexibility which ensures that it does not impact negatively on our local area in terms of intrusion and congestion.

I feel, as a local resident, and based on my observations over the past two and half years, that the request to increase numbers by five children will have minimal impact on our 'residential' experience, indeed if any at all. As a local parent, I believe the increase in numbers is both necessary and favourable in providing further supportive and flexible local childcare for both parents and professionals alike.

19 Willow Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PH

Comments: 5th June 2013

Having read the opponents' comments, they seem very much like a knee-jerk reaction and from the 'not in my backyard' mentality. Essentially, it is only five extra children, but the help it would provide those families is essential, knowing their child is in great hands, in a loving, fun and safe setting. It is not the impersonal place some nurseries are, and I think this is why the children love their time at the Ark so much. I honestly cannot see how much more of an impact these few extra children would cause.

My son has attended the nursery since October 2012 and the flexibility and care the nursery provided has been invaluable to me. I have never seen inconsiderate or obstructive parking and Gayna has always been at pains to explain where is best to park for parents dropping their children off by car, which is either directly outside her house or just off Glenfall Way. The suggestion the road is congested is almost ludicrous when compared to other residential roads in

the area. I would agree with the other parent's comment that most parents would rather not drive on Sandhurst Road itself due to the state of it. When I drop my son off and pick him up I rarely see more than one other parent dropping their child off at the same time. Due to the flexibility The Ark provides, there isn't exactly a 'rush-hour' for parent's dropping off and picking up.

I live right by the playing field of Balcarras School and there are 100's of older (and louder) children playing there and this does not cause me any stress or impede my enjoyment of my garden or home. I am unsure whether one of the opponents has actually had to use childcare herself but I'm surprised she suggests successful nurseries should be in a commercial setting. Leaving a 9-month-old baby at a nursery is hard enough for any parent, but if it were in a commercial setting this would make it so much harder. The nursery is essentially a home from home which makes the children feel safe and secure and fuels their growth and development.

I whole-heartedly support the application knowing that five extra children would benefit from this wonderful nursery and feel it is a shame that some of the neighbours are unable to see past their own unfounded concerns and support a small local business that is helping many families.

3 Longleat
Horsefair Street
Charlton Kings Cheltenham
Gloucestershire
GL53 8NB

Comments: 29th May 2013

After reading these comments I am finding it difficult to agree with the points raised, and feel that these comments have been some what fabricated.

As a parent in the Charlton Kings area it is very difficult to secure quality childcare for children below three years and as a working parent, I have found The Ark to be invaluable.

My daughter has attended The Ark for eighteen months and not at any point during this time have I needed to park in front of any property and having also received instructions from the Ark to not leave vehicles in front of residential properties on Sandhurst Road. There is sufficient parking on Glenfall Way. Due to the state of the road I know that both I and the other parents would prefer to not even enter Sandhurst Road. The drop off and collection times at the Ark are not set. This is so rare in childcare to secure flexible childcare to fit the family. This means that parking is never an issue as there is never a high volume of vehicles at one time! Living in the area I actually drop off and collect my daughter on foot, as do majority of all of the other parents.

My daughter previously attended Circus Day Nursery that has a capacity of up to 120, yet only provides a maximum of 6 parking spaces, Furthermore there are two further large childcare providers located at either end of the road, Yet is set within a residential area.

I feel that these comments are ridiculous, considering the Ark childcare offers term time only care therefore is only at full capacity for 38 weeks of the year. I would like to challenge anyone to find a childcare provider that offers flexible term time only, care for young children, in Cheltenham; it is close to non-existent.

2 Sandhurst Villas
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 8th May 2013
Letter attached.

Comments: 30th May 2013
Letter attached.

4 Sandhurst Villas
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 8th May 2013
Letter attached.

Forest Dene
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 29th May 2013

Firstly may we thank Gaynor for discussing our concerns about parents picking up, especially in bad weather, who park outside our house. Having read the correspondence, it is regrettable that it is causing such bad feeling between the Ark and its immediate neighbours.

We moved into our house the December after the original planning application was submitted and were unaware that a business was being run from this residential road. I do completely understand the feelings of the immediate neighbours and do consider it to be detrimental to Sandhurst Road to increase the number of childcare places. I appreciate that currently the majority of staff and 'clients' walk to the Ark but as is the nature of the business the families using the Ark will change in the years to come. I am still very concerned that we could have seventeen parents dropping off and a maximum of seven staff parking in our private unfinished road with nothing that we could do about it, should permission be granted. At the very least there should be a notice added to the road name sign to warn that it is a private road with parking for residents only.

18 Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BD

Comments: 5th May 2013

I am opposed to the application for more children to be allowed at 3 Sandhurst Villas, Sandhurst Road, Cheltenham on behalf of my 87-year-old aunt (*name supplied*) who lives in the adjoining semi-detached house.

There is not adequate division between the gardens of the 2 properties and means she will not have any privacy in her own garden with a further increase of children as requested. We do not believe the fencing between gardens is strong or high enough to enable privacy with to provide privacy from so many children.

The noise level is already unbearable and will also stop the enjoyment of my aunt using her garden with family and friends. The garden of the next door premises is not large and is already full of various play equipment including a trampoline and she doesn't feel there is sufficient room to have more children there

When my aunt sits in her lounge she is constantly being looked at through the window by a stream of people collecting children. Again this will only be worse should the application be allowed.

She paid for tarmac to be laid outside her house for her personal use which is now being used for parking by clients at the business next door and is now resulting in the tarmac being worn away on this unmade and rutted road.

My aunt purchased her house thinking that she would be living in a private, quiet residential street in a normal neighbourhood rather than having a business next door with up to 17 children of all ages disturbing her peace and enjoyment of retirement. A business of this size will also have a negative impact on the value of her house should she need to sell in the future.

Comments: 29th May 2013

I am writing in response to the additional information letter from this applicant.

The comment about noisy neighbourhood children has nothing at all to do with this application as they live in the area and are not at the next door premises used for business profit.

The client base may be 95% from Charlton Kings but as for the majority walking I would dispute this as on the morning of the 23rd May between 07:30 & 09:15 I sat in my Aunt's house and counted 7 cars dropping off children and one staff car which arrived, left and then returned. This simply doesn't equate to the statement made that the majority of children arrive by foot.

The applicant also states that my 87-year-old Aunt has never driven and doesn't own a car. She is right that she doesn't own a car but she did drive from the early 1960's to late into her 70's therefore the applicant has provided a factual inaccuracy for the good of her application.

I feel I must reply to the comment about their other neighbours not going out from one day to the next; surely this is the reason why they don't want extra children around disturbing their peace and quiet in retirement?

I don't believe customers can pick up their children without parking outside neighbours' homes when the proprietor's own car and also their staff members' cars are already outside their house.

Thank you for your time in reading this and I hope the planning committee look upon mine and others objections favourably as after all this is a residential area rather than commercial and I am sure there more suitable premises for a venture of this size.

31 Leighton Road
Cheltenham
Gloucestershire
GL52 6BD

Comments: 29th May 2013

As the manager of the Ark Nursery, I feel I must respond to the letter dated the 24/5/2013.

I can categorically state that the majority of our parents do indeed walk their children to the nursery.

To address the issue of staff parking, never have any of the staff ever parked outside either of the two properties on each side of number 3 Sandhurst Villas. The staff that drive, myself included, park at the end of Sandhurst Road or in Glenfall Way.

As the manager, it is my responsibility to ensure that at all times the children that play in the garden are safe and supervised.

We operate an open door policy and if (*name supplied*) has ever felt intimidated by any of the children I feel, as I speak to her, she could have approached me or sent a representative and I would have dealt with her concerns immediately.

The children that attend the nursery during the day are between the ages of 10 months and 4 years and play happily in the garden, sometimes singing nursery rhymes and never intimidating anyone and always supervised. The children that attend the after school club are mostly between the ages of 4 and 8 years and only a handful at a time play in the garden and always supervised, making no more noise than if they were children that resided at the property.

Oldbury, Sandhurst Road, Charlton Kings, Cheltenham, GL52 6LJ

Tracey Crews; Head of Planning

Cheltenham Borough Council

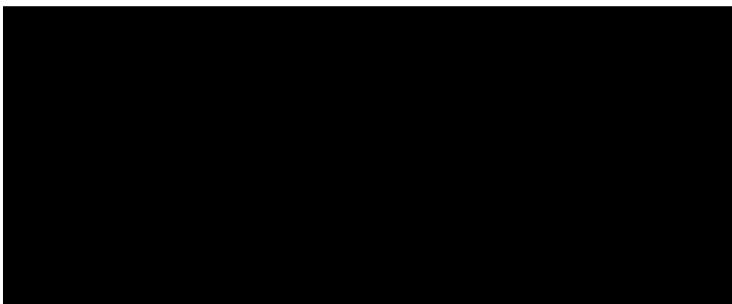
Dear Tracey

Proposal 13/00562/FUL

The proposal to allow more children to go to the nursery at 3 Sandhurst Villas has just been passed to me as we did not receive notification of this proposal. We live next door but one to the nursery and most times this does not impact on us. However, I am concerned about the impact on the 2 neighbouring houses and the effect on the individuals who are at home during the day. Some accommodation could be found to make the parents park away from their frontages and perhaps the screening between the gardens should be made better by the nursery owners to improve privacy.

However, I do feel that an increase of the number of children at the nursery will impact the whole environment as my observation is that the noise level increases dramatically on dry days after 3 pm when the older children join, till about 5.30pm. On a few occasions I have rushed out from my office in the front basement of my house when the screams have been too much to ignore as the children play in the garden. It does seem strange that the thriving business should happen in a semi-detached house with a fairly public garden and my concern is that if 17 children now, would the next proposal be for 20 odd next year. Thank you

Regards,



Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	- 7 MAY 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Oldbury, Sandhurst Road, Charlton Kings, Cheltenham, GL52 6LJ

For the attention of Craig Hemphill

Cheltenham Borough Council

24th May 2013

Dear Mr Hemphill

Proposal 13/00562/FUL

I am writing following the last letter received from the Ark Childcare in support of their application to increase their intake of children from 12 to 17 without increasing the staff numbers.

Problems of noise and car parking are only occasional issues but with good supervision of the parents parking on the road and the children playing in the garden could be addressed. However, to suggest that most parents walk to the nursery and that cars belonging to staff members have never been parked during the day; and that the children have never been too loud in the afternoons after school, are just untrue.

As I stated before, the Nursery could have been more generous to the two immediate neighbours, asking parents to never park outside the two homes and having an adult always present in the garden when the children are at play. To not speak to these neighbours and not to discuss the problems as they arise has caused the ill feeling on both sides.

██████████ has always enjoyed children and has been very caring to my children when they were small and has allowed them to have the large trampoline in her garden which they still enjoy using when they return home. Now, she has thought that the neighbouring children have been laughing at her and as a result she has felt intimidated in her home and has reacted negatively to the parents and children outside her window. She is most grateful for the care and help the Nursery staff gave her when she fell over. The Nursery could have diffused the situation by including a frail older lady in their planning and apologising for the problems and helping ██████████ to be more positive to their presence. As schools interact with older neighbours this could have happened in this place too!

I am still not assured that the increase in numbers from 12 to 17 would be good for Sandhurst Road. I ask the committee to consider this application carefully.

Yours sincerely,



Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	- 3 MAY 2013		
Date of Response		Type of Response	
Name of Responder		File Ref.	

2 Sandhurst Villas,
Sandhurst Road,
Charlton Kings,
Cheltenham
GL52 6LJ

Mr Craig Hemphill - Planning Officer
Planning Department,
Cheltenham Borough Council

3rd May 2013

Ref: 13/00562/FUL

Dear Sir,

In reference to the above planning application to increase the number of children from twelve to seventeen at 3 Sandhurst Villas, Charlton Kings, we would like to make the following comments:

Sandhurst Road is a quiet, un-adopted residential road. The neighbours either side of the above mentioned, semi-detached property are retired and therefore spend a substantial amount of time during the day at home.

The Nursery School is open daily, between the hours of 8am and 5.30pm weekdays. This only leaves the weekends and some weeks of the year free from activity.

At the present time the school has permission to accommodate twelve children, so an increase of five children is a substantial amount.

Furthermore, the above will add to the traffic occurring especially when parents use vehicles to drop off and collect children.

The parking space at the front of our house is often used by parents, causing us inconvenience.

Existing noise levels will increase with additional children. With summer approaching, the children and their carers could potentially be using the garden facilities for more hours in the day.

The noise levels and loss of privacy to adjoining gardens become more of a concern when the current older children arrive after school time; they frequently play in the garden and appear to be unsupervised.

What initially started out as a small childminding service and then became a Nursery, is now proposed to become a larger Nursery School business in a residential area.

Therefore we would be grateful if you would consider our comments when making your decision, as this will impact greatly on us enjoying our retirement.

Yours sincerely,



BUILT
29 MAY 2013
ENVIRONMENT

2 Sandhurst Villas,
Sandhurst Road,
Charlton Kings,
Cheltenham
GL52 6LJ

Mr Craig Hemphill - Planning Officer
Planning Department,
Cheltenham Borough Council

28th May 2013

Ref: 13/00562/FUL

Dear Sir,

In response to Miss Willmott's letters dated 5th and 7th May referencing the above planning application to increase the number of children from twelve to seventeen at 3 Sandhurst Villas, Charlton Kings, we would like to make the following additional comments:

Firstly, we would like to reiterate to you all statements we made in our previous letter.

As we understand it an increase of 5 children on 12 children equates to a 41.6% increase at the Nursery School.

In respect to our garage on the opposite side of the road (to which we do not see the relevance to the present problem but as referred to by Miss Willmott) we have offered the garage driveway to be used at busy times by the Nursery School. The last occasion was to the Nursery Manager whose response was "thank you very much, that's kind, I will inform Miss Willmott". The offer was not taken up. Miss Willmott's car was always parked outside her own property, leaving our frontage as the first point of call for parents dropping and picking up children, because the majority of cars enter the road from the London Road.

Since our last correspondence to the Council, our car has been hit by a parent collecting a child (to which we have documented evidence). We have never before experienced an occurrence like this in the last 42 years. An increase in the number of children attending the School, will potentially, we feel, make this an increasing possibility.

It will also add to the incident which occurred a few days ago, whereby an object was being kicked at some force against our fence while we were gardening, which eventually resulted in a space hopper coming over our 6ft fence and hitting the lady of the house.

In regard to our 87 year old neighbour we feel a further comment is required. We have always understood from her that she loves children. In fact this has been borne out that while we were bringing up our own two children; she was always understanding and pleased to see them. In fact our daughter was adamant that she be invited to her wedding which was less than two years ago. We hope that she is able to return home, as she stated to us she hopes to do, during our last visit to her in the Nursing Home following her recent fall. We will continue to give her our support to achieve this aim, along with her family and neighbours.

We do hope that you will take these further comments into consideration when making your decision.

Yours sincerely,

[Redacted signature area]

[REDACTED]
Jonjo, 4 Sandhurst Villas
Sandhurst Road, Charlton Kings, Cheltenham GL52 6UJ

Ms Tracey Crews, Head of Planning

Dear Tracey

Planning proposal ref; 13/00562/FUL

I am writing to object to the proposal to increase the number of children allowed in the nursery at 3 Sandhurst Villas from 12 children to 17.

This is the first time I have commented on the nursery which is in the semi-detached house which is attached to my home. I had to live with the noisy alterations to the basement to prepare the house for the nursery and I now have to look out of my window at the comings and goings of the parents and children to the nursery, even though I have asked that the children are dropped off away from immediately in front of my window. Also I feel overlooked in my garden space as the children play in the garden and at times the noise can be very loud especially after 3pm when the older children join the nursery and the after school starts. I certainly do not want to see any increase in the numbers playing outside as 17 children in the garden would be too many.

I ask that the council consider my feelings as this is a residential road which I have lived in for over 50 years and although I do enjoy children I feel that a large nursery would be suited to another position probably at the least a detached house with a larger garden space.

Please can you consider my feelings? Thank you

Regards,

[REDACTED] written for [REDACTED] as she is in hospital - she wanted to say this to you!

Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	- 7 MAY 2013		
Date of Response		Type of Response	
Initials of Respondent		File Ref.	