

Day Nurseries

SUPPLEMENTARY ADVICE NOTE NO. 6

Introduction

This leaflet aims to assist those who wish to develop Day Nurseries either by converting or extending an existing property or by building a new one.

The Need

A Day Nursery provides day care and education for pre-school age children. This includes creches, playgroups, playschools and workplace creches, whether they are operated by individuals, private companies, voluntary bodies or the Local Authority.

The number of Day Nurseries has increased significantly in recent years as the number of "single parent families" and "double income families" has increased.

Day Nurseries are controlled by The Children Act 1989 and must be registered by the Social Work Department of the Regional Council. Before registration, the Social Work Service ensure that the premises are of a suitable standard and are satisfactory to the Fire Brigade and Environmental Services. They also check on the suitability of staff, the programme of care and education provided, and the standard of fittings and equipment in the premises. The Social Work Service have produced guidelines covering the requirements of registration for prospective operators.

The Council seeks to ensure that these facilities are directed to the most appropriate locations and premises, to ensure a high standard of provision without harm to the amenity of neighbours.

Is Planning Permission Required ?

The use of premises for a Day Nursery falls within Class 15 of the Use Classes Order 1989. Class 15 includes "Non-residential Institutions" including uses such as museums, libraries, creches, day centres, art galleries and buildings for educational and religious purposes. Movement between any of these uses does not generally require planning permission, although alterations and extensions may require planning permission. Changing from other uses such as houses or offices to a Day Nursery will need planning permission as will a newly built facility.

In some situations, a nursery may be "ancillary" to the main use of the building (e.g. a workplace nursery) and

therefore not be a material change of use requiring planning consent.

Where a householder uses part of their house as a Nursery "ancillary" to the main use, planning consent is not needed. Where the Nursery caters for 6 or more children (excluding those who live in the house) the use is no longer considered ancillary and involves a material change of use requiring planning permission. The use of an entire house or an outbuilding or a house as a Day Nursery requires planning permission, as does use of part of a house by someone who is not the householder.

While child minding is normally ancillary to residential use, if the numbers of children are sufficiently large it may need planning permission.

Where should day nurseries be located ?

In general, Day Nurseries should be located in existing or designated housing areas or in education/community use areas shown in the Local Plan. They should not usually be sited close to either general heavy or noxious industrial/commercial uses. Proposals will be assessed according to relevant Local Plan policies for both the whole area and for the particular locality (e.g. protection of residential amenity). Day Nurseries should not normally be situated in terraced houses or flats, or in properties where they will harm the amenity of adjoining houses.

What are the detailed design requirements ?

a) External Play Space

Day Nurseries should normally have external play space within their grounds exclusively for the use of children. Where this is not possible, play space should be available within 100m, and should not involve crossing any major roads. The play space should be enclosed by a substantial boundary and not be heavily over-shadowed by buildings.

b) Parking

Main roads with stopping restrictions are not considered an appropriate location for Day Nurseries if proposals would necessitate the setting down and picking up of children at the roadside. Newly built facilities require parking to the Council's standards at a rate of 1 space per 2 staff members, with at least 2 parking spaces for setting down and collecting children. Careful consideration will be given to

applications for properties served by cul-de-sac, where parking could have significant impacts on traffic and amenity.

Where existing property is converted, adequate provision for picking up and setting down children is required, either on or off-street, in addition to that required for permanent residents.

c) Access

Access to the Nursery should be directly from the street and not be taken through another building or "use". The access should be suitable for wheelchairs and pushchairs. The access should normally be at ground floor level with the Day Nursery located on the same level.

d) Daylight

There should be adequate natural daylighting available in all rooms to be used by the children.

e) Building Regulations

The proposals must meet or exceed the relevant Building Regulation standards. A Building Warrant may be required in certain cases where Planning Permission is not. For further information please contact the Building Control Section of the Environmental Services Department.

f) Health & Safety

The proposals must comply with the Health & Safety at Work Act. If food and drink are provided, then they must also comply with the hygiene regulations.

Possible Restrictions.

Applications for Day Nurseries will be considered on their own merits. To allow development to go ahead without unreasonable disturbance to neighbours, it may be necessary to: -

- ❖ Restrict rights to change the property into other "non residential institutions" (which could normally be done without planning consent).
- ❖ Restrict the number of children using the Day Nursery at any one time.
- ❖ Restrict opening hours to the working day (e.g. in residential areas).
- ❖ Restrict the use of certain rooms (e.g. adjoining party walls).
- ❖ Provide adequate off-street parking for staff and picking up/setting down children.
- ❖ Provide fencing/screening of external play area.

Useful Addresses

The following services can be contacted at our Environmental Services Department at Kilncraigs, Alloa. Tel. (01259) 450000

- ❖ **Environmental Services**
- ❖ **Building Control**
- ❖ **Roads and Transportation**

Social Work Service,

Castle Street, Alloa.
Tel. (01259) 450000

Community Child Care Specialist

Alloa Area office
Bedford House
Bedford Place, Alloa
(Tel: 01259 724336)

Senior Fire Prevention Officer

Fire Brigade HQ
Maddiston, Falkirk
(Tel: 01324 716996)

Produced by:
Development & Environmental Services
Clackmannanshire Council
Kilncraigs, Greenside Street
Alloa, FK10 1EB
Telephone: (01259) 450000
Fax: (01259) 727450
development_services@clacks.gov.uk
www.clacksweb.org.uk