

# **Aberdeen Planning Guidance 2023: Children’s Nurseries (DRAFT)**

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## 1. Introduction

### 1.1 Status of Aberdeen Planning Guidance

Aberdeen Planning Guidance (APG) forms part of the Development Plan and is a material consideration in the determination of planning applications.

The APG expands upon the following Aberdeen Local Development Plan policies:

- Policy D1 – Quality Placemaking
- WB1 – Healthy Developments
- Policy CF1 – Existing Community Sites and Facilities
- Policy CF2 – New Community Facilities

### 1.2 Introduction to Topic

This APG provides guidance on day nurseries, crèches, before and after school clubs, holiday clubs and pre-school playgroups, (i.e., any place where a number of children under 5 years of age are brought together for part or all of a working day on a regular basis and where provision is made for their care, recreation, and in some cases, meals).

Children's Nurseries fall within Class 10 of the Town and Country Planning (Use Classes) (Scotland) Order and planning permission is required for the change of use of any building falling outside this use class to form a children's nursery.

### 1.3 Climate Change

This guidance has been drafted in accordance with concerns raised through the Climate Emergency. The guidance which supports Policies D1, CF1 and CF2 sits alongside strategies produced by Aberdeen City Council (ACC) such as Net Zero Vision for Aberdeen, Strategic Infrastructure Plan (Energy Transition), Aberdeen Adapts: Climate Adaptation Framework and the Council's Climate Change Plan, Net Zero Aberdeen RouteMap. Both the Policy and the guidance aim to reflect the values and objectives highlighted within these strategies moving forward to prepare Aberdeen City for the Climate Emergency.

## **2. Aberdeen Planning Guidance**

### **2.1 Main Considerations**

When determining applications for children's nurseries the main considerations will be:

- The likely effect on the character of the area, especially where the building would be completely removed from residential use and whether it would impact on a conservation area and/or listed building.
- The potential for car parking and traffic congestion caused by both staff and parents dropping off and collecting children.
- Noise from children, both internally and externally.

### **2.2 Residential Areas/Mixed Use Areas**

In assessing whether or not a nursery would cause any conflict with, or nuisance to, the character of an area and the existing level of residential amenity, the following will be considered:

- Planning permission for a day nursery will not normally be granted where the number of children would create an unreasonable noise nuisance, either from within the premises or outside in any play space, particularly within a residential area.
- For this reason the type / location of the property concerned will be important. Flats and terraced houses are generally not considered suitable. A Noise Impact Assessment may be required.
- The proposed opening hours and days of operation will generally be expected to be Monday to Friday. Opening hours out with the period 8 am to 6 pm are likely to be subject to planning condition to protect local amenity.
- A figure of 20 children will normally be considered the maximum for day nurseries in residential areas.
- Larger buildings with extensive gardens on roads characterised by hotels, educational establishments, and other commercial uses rather than houses, may be considered more appropriate locations for day nurseries accommodating more than 20 children.
- There should be adequate provision of suitable outdoor play space. Normally this will be a minimum of 100 square metres for

12 children or less, with this rising to 150 square meters for premises with more than 12 children. Playspace should be located away from the habitable rooms of adjoining properties and be adequately buffered through, e.g. by landscaping or screened fencing to protect from noise and overlooking.

- The effect of any external alterations proposed, such as changes to the configuration of windows and doors or installation of external ramps.
- Vehicular and pedestrian access should be safe and direct. The access and nursery should normally be at ground floor level.
- There should be appropriate car parking in accordance with Aberdeen Planning Guidance: Transport and Accessibility, and the parking layout should enable visiting cars to enter and leave the site in a forward gear. Car parking will not normally be acceptable in front gardens unless well screened by landscaping from the road. Establishments must provide adequate facilities on site to enable the safe dropping off/picking of vehicle passengers.
- Where no such facility can be provided, use of the public road will only be acceptable following an assessment of road/ parking capacity and road safety, which concludes the effects of the proposal are not significant.
- A concentration of day nurseries is likely to be resisted where it would result in an unacceptable loss of amenity, change the character of the area and / or create parking or traffic problems particularly within residential areas.

### **2.3 Non-Residential Areas/Industrial Areas**

- On-site work-place nurseries within existing buildings, which are solely for use by the employees of that firm or establishment, are regarded as ancillary to the main use and do not require planning permission.
- New nurseries should not normally be considered favourable within Policy B1 or B2 areas designated within the Local Development Plan. Within such areas the applicants must satisfactorily demonstrate that an adequate level of amenity could be created for the children, and the nursery would not threaten the Council's industrial land supply and/or the aims of the B1 and B2 policies.

## 2.4 Conditions

It may be appropriate to attach certain Conditions to any approval of planning permissions. These may relate to:

- Opening hours.
- Car parking and / or pick up / drop off facilities.
- Restricting the number of children.
- The requirement for a Noise Impact Assessment and noise mitigation measures.
- Restricting the use to a nursery only.

Planning applications should be accompanied by the following information:

- detailed plans showing the proposed use of floor space within the building together with the amount of amenity space to be made available, on-site parking provision and treatment of all boundaries;
- an indication of the anticipated hours and days of use together with a justification for late or early hours and opening on weekends, where the premises are in a residential area;
- details of the number of employees (both part time and full time), and;
- the number of children of different age groups to be cared for.

## 2.5 Childminding

Childminding is the most common form of day care facility and is normally carried out in existing dwellings. Registered childminders working from home are unlikely to require planning approval. ACC allows for a sole childminder (without employees) to care for up to 6 children from their home without the requirement for a change of use planning consent. Out with this threshold, it is best to check with the planning service as there may be a requirement for planning permission depending on the type, size, location, scale, and nature of the use.