

DELEGATED OFFICER REPORT

Application Ref: X/25/100640

Site Address: LAKESMERE HOUSE, ALLINGTON LANE, FAIR OAK, EASTLEIGH, SO50 7DB

Case Officer: Katie Lasham

Description: Variation of Condition 12 (Restricted use of Multi-Use Games Area (MUGA)) of planning permission F/21/90008. Proposed artificial grass Multi-Use Games Area (MUGA) including fencing enclosure and tarmac footpath.

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge and countryside • Within Tree Preservation Order area • Elgin Lodge and Lakesmere House are Locally Listed Buildings. • Within Flood Zone 3 • Adjacent to Quobleigh Pond & Woods SINC • Historic Parks and Garden • Policy FO2 Proposed Housing Allocation		

Planning History?	Yes ☒	No ☐
F/23/96514: Provision of a new two storey Primary School building and removal of the existing northern timber teaching block building from the site and associated ancillary works including enlargement of the existing on-site parking courtyard. Approved November 2023. F/21/90008: Proposed artificial grass Multi-Use Games Area (MUGA) including fencing enclosure and tarmac footpath. Approved July 2021. <u>At surrounding residential development (part of Policy FO2 site allocation).</u> F/19/85028: Construction of 35 dwellings including 12 affordable, with associated public open space, landscaping, ecological mitigation, car parking and cycle storage. Permit February 2021.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	One objection for the following reasons: • The proposal will exacerbate the on-street parking provision required for the intensification of the use, creating danger to cars and pedestrians. • Parking should be permitted within the school grounds to reduce on-road parking. • Requested a solution to pick-up congestion time and road blockage, especially in Owen Drive to be addressed. Lighting and extra noise, particularly for Rockford house, the Old Stables and Owen Drive residents has not been addressed. • No suggested limitations of use provided		
Fair Oak and Horton Heath Parish Council:	Objection for the following reasons: • Objects to removal of the condition as would create increase in noise, disturbance and activity that would materially harm neighbouring amenity. • Condition was added to protect neighbouring amenity during evenings when background noise levels are low and removing condition will result in increased evening noise. • Evening use of MUGA will likely require lighting. Any illumination to support later operation would cause light spill and visual		

	intrusion, impacting homes and wildlife in woodland which is an important wildlife corridor. • Will lead to more intensive patterns of use, • Commercial-orientated use would lead to increased parking demands and more frequent vehicle movements in an area that already has regular traffic congestion, particularly in peak times.
Bishopstoke, Fair Oak and Horton Heath Local Area Councillors	No Objection. Some initial concerns regarding intensification of use but satisfied with hours of use to not require a call into Local Area Committee.
Hampshire Highways	No Objection. The suggested re-wording of condition 12 limits the user groups and will likely ensure that no crossover between school pick-up / drop off times will occur as they are child related. Also, such user groups would also not extend use into later evening hours when any residential roadside parking would come into conflict with overspill user parking, which would potentially result in a loss of amenity for existing residents.
Environmental Health (noise)	No Objection. The variation of condition suggested wording should have the addition of further restrictions to restrict hours of use between 9AM to 8PM during weekdays and Saturdays and at no times on Sundays or Bank Holidays. If further hours are required, a noise assessment would be required with a noise survey with appropriate mitigation to ensure the closest residential receptors are safeguarded.

Site Visit:	Yes ☒	No ☐
Details: 4 February 2026		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 and S10; and Development Management policies DM1, DM2, DM8, DM10, DM11, DM12; DM14 and DM32. Supplementary Planning Documents: Quality Places; Parking Standards; Character Area Appraisals.

Assessment:
<u>Summary of site and proposal</u> The application site is The Kings School; a private school located within Fair Oak which dates to the 1800s. The school does not offer any boarding facilities and therefore the school is typically used Monday to Friday for the school children. Within immediate proximity of the school, a new development comprising 35 dwellings and 12 affordable dwellings has been built (planning application reference: F/19/85028), which shares the same vehicular access off Allington Lane as that of the school, as well as the 10no. flats at Rockford House and the Old Stables.

The Kings School has built a Multi-Use Games Area (from here on referred to as MUGA) within its school grounds to allow for year-round play to serve the needs of the school children, which was granted planning permission pursuant of planning reference F/21/90008. Condition 12 of planning application F/21/90008 sought to restrict the use of the MUGA to be used by children of the school only, which reads as follows:

12. The development hereby permitted shall only be used in conjunction with The King's School and shall not, at anytime, be used by the general public, for business or commercial purposes.

Reason: To protect the amenity of nearby residents.

This variation of condition application has been submitted as the school is seeking to loosen the restrictions of use for the MUGA, to allow it to also be used by organisations providing educational, childcare, or youth-related activities, with their suggested amended wording condition worded as follows:

The development hereby permitted shall only be used in conjunction with The King's School or by organisations providing educational, childcare, or youth-related activities (including after-school and holiday clubs). It shall not, at any time, be used by the general public for unrelated business or commercial purposes.

Reason: To protect the amenity of nearby residents.

This restrictive condition was added on the original permission primarily to minimise harm from highways movements and on-road parking which would be of concern if the MUGA was to be used by the general public and commercial businesses. The MUGA does not comprise any flood lighting and this variation of condition application also does not propose any use of flood lights.

Principle of development

The wider site of The Kings School is located within both the designated urban edge of the Local Plan and the designated countryside. The Multi Use Games Area part of the site is within the designated countryside. This variation of condition application does not propose any new development within the countryside and instead seeks a relaxation of the wording of Condition 12 of the full application F/21/90008 to intensify the use. As the proposal seeks to retain the outdoor sports facility and for it to be used by educational, childcare, or youth-related activities separate to the school children, it will provide a significant community benefit and facility for children, in accordance with Policy DM32 of the Local Plan. Therefore, with the MUGA already built and this varying one condition of the extant permission, the principle of development is acceptable, in accordance with Policies S2 and DM32 of the Local Plan.

Impact on character and appearance of the area

The application does not propose any visual alterations to the external appearance of the Multi Use Games Area, and in this regard, the character and appearance of the area and the setting of the Locally Listed Buildings remain unchanged in accordance with Policies DM1 and DM12 of the Local Plan.

Impact on residential amenity

The Kings School is within immediate proximity of the neighbouring development that has recently been built, as well as the flats at Rockford House and The Old Stables. The MUGA, however, is set further away from immediate proximity of neighbouring dwellings, set to the far southeast of the site.

This amended condition wording seeks to intensify the use of the MUGA, including use through school holidays and weekends for educational, childcare and youth-related

activities of children who do not attend the school, so the environmental health officer for noise was consulted on the proposal. The officer did not object to the proposal, subject to an addition of further wording to the condition, to only allow use of the MUGA between the hours of 9AM to 8PM from Monday to Saturday, with no use permitted on Sundays or Bank Holidays.

The amended condition the environmental health officer proposes is worded as follows:

*“The development hereby permitted shall only be used in conjunction with The King’s School or by organisations providing educational, childcare, or youth-related activities (including after-school and holiday clubs). **The use of the premises shall be restricted to the hours of 09:00 to 20:00 Monday to Saturday, with no use on Sundays or Bank Holidays.** It shall not, at any time, be used by the general public for unrelated business or commercial purposes.*

Reason: To protect the amenity of nearby residents.”

With a restriction in place on the times of use within the amended condition wording, this will make the scheme more acceptable for surrounding neighbouring units, appropriately controlling the use. Furthermore, the application does not propose any flood lighting and has a condition restricting the use of these, therefore during hours of darkness, the use will naturally cease and in doing so further minimises any impacts to neighbouring amenity. Also, the decision notice of the MUGA application did not restrict days of the week and hours of use for school children and therefore children using the MUGA outside of school hours is in principle acceptable.

Unlike the original consent which restricted the use of the MUGA for school children only, this proposal will allow children to use the site during school holidays and during evenings when school staff are not necessarily on site to assist in the control of the use. A Management Plan was therefore requested to be provided by the applicant to demonstrate how the site will continue to be managed during these times, to ensure that the school will appropriately ensure that the use ceases within the times stipulated. A copy of the Management Plan prepared will be given to all hirers of the use which sets out the clear parameters, including hours of use and explains that gates will be unlocked 15 minutes before the booking commences and locked 30 minutes after the booking end time. It also explains that back-to-back bookings will allow a sufficient time between changeover as to further minimise noise intensification during these times.

With the addition of the wording to restrict the times and days of use, and with full compliance with the submitted Management Plan, the scheme will preserve the amenity of surrounding occupiers, in accordance with Policy DM1 and DM8 of the Local Plan.

Impact on highway safety and parking

Policy DM14 of the Local Plan requires development to ensure appropriate parking levels are provided to create safe access and suitable provision for users. Policy DM13 of the Local Plan requires all new development to have safe and convenient access to the highway network and must make provision for access to, and by, other transport modes. Whilst this proposal is not new development, it intensifies the use to those who do not attend the school thus is relevant to this proposal.

Hampshire Highways were consulted on the original proposal and requested the addition of Condition 12. Therefore, they were consulted on this proposal and raised no objection, due to the condition still restricting the user groups allowed to use the MUGA. The officer explained that there would unlikely be a crossover between school pick-up / drop offs as all the uses are child related. Furthermore, with the use not being extended into the later evening, it would not significantly harm any residential roadside parking which would conflict with overspill user parking.

Whilst 8pm is considered a later time for children to be utilising the site, as the site is not flood lit, for much of the year later evening use will not be possible. During the school summer holidays, the MUGA could be utilised throughout the week, where at present it is not in use, however again due to the restrictive condition on the groups that can use the MUGA, the highways officer has raised no objection to highway safety or parking provision impacting the surrounding local neighbouring occupiers. The submitted Management Plan also confirms that for each booking, a map showing available parking will be provided and where additional parking is required, liaison with St Swithin Wells Catholic Church will be made to book their car park to suitably control overflow parking. The Management Plan also confirms that no parking is permitted on yellow lines, grass areas, or access roads in surrounding residential areas and breaches of this should be reported to the school who will contact the hirer.

As the bookings are to be controlled wholly by the school, appropriate control remains with the school to oversee bookings and ensure that pick-ups of school children do not contend harmfully with arrivals of those using the MUGA.

The site can also be accessed via pedestrian footpaths from the surrounding residential area, or by bicycle or by car. A bus stop 'New Clock Inn' outside the New Clock Inn public house is a 9-minute walk to the school. A range of modes of transport are therefore provided for children and parents to access the MUGA.

Overall, the scheme has suitable controls in place to ensure the intensification of the use is in accordance with Policies DM1, DM13 and DM14 of the Local Plan.

Impacts on ecology

The MUGA already has permission whereby ecology impacts were fully considered. The loosening of the condition wording to intensify the use including after school and Saturday use for a restricted group of users will not create additional impacts onto the surrounding ecological wildlife corridors from the adjacent woodland and surrounding sensitive ecological landscape, as there is no flood lighting proposed. The amended condition wording does not permit any changes to the scheme that would create any additional harm onto surrounding wildlife, noting that the school could use the MUGA during the evenings and on Saturdays without any changes to planning permission required. There are no likely significant impacts on the SPA. A condition has been added that any additional external lighting required for security reasons of the proposed use will require submission and approval of the LPA prior to installation.

For the reasons above, the scheme will remain compliant with Policy DM11 of the Local Plan and the Biodiversity SPD.

Climate Change

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environment Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy

is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:		
Recommendation:	PERMIT ☒	REFUSE ☐
Comments ...		