

DELEGATED OFFICER REPORT

Application Ref: F/23/96511

Site Address: YELLOW DOT NURSERY, POMEROY CRESCENT, HEDGE END, SOUTHAMPTON, SO30 2LF

Case Officer: Rachael Morris

Description: Installation of AC units externally and internally

Particular Site Constraints?	Yes ☒	No ☐
- Listed building - Tree Preservation Order(s) - Within the urban edge		

Planning History?	Yes ☒	No ☐
- Z/40065/000/00 - Outline Application: Residential Development For 680-765 Dwellings On 16.5 Hectares, Primary School On 1.2 Hectares, Urban Park On 6 Hectares and Development for Business Use (Offices and/or Light Industry) With Two Vehicular Accesses Off Tollbar Way, Associated Landscaping, Roads And Infrastructure (Total Site Area 27.8 Hectares) – Grant outline permission – Dec 2004 - R/05/55229 - Reserved matters pursuant to outline planning permission Z/40065/000 dated 23/12/04 for the construction of infrastructure roads, sewers and balancing ponds – Permit – Dec 2005 - A/06/56917 - Retention of 2no. free standing non-illuminated signs & 4no. Flagpoles and display of 5no. free standing non-illuminated signs – Consent to advert display – Jul 2006 - X/06/57557 - Variation to condition 43 of planning permission Z/40065/0 dated 23/12/2004 to allow occupation of up to 150 dwellings prior to the completion of improvements to the A334, Charles Watts Way west of junction 7 of the M27 – Permit – Sept 2006 - X/07/60043 - Relief of condition No. 43 of planning permission Z/40065/0 dated 23 December 2004, to omit the requirement to carry out improvements to the A334, Charles Watts Way, west of junction 7 of the M27 – Permit – Mar 2008 - F/11/68402 - Change of use from residential to either office (use class A2), office/research and development (B1a and b), community facilities/day care facilities (D1) with ancillary car parking & access to Pomeroy Crescent and the felling of trees – Permit – Jun 2011 - X/11/69683 - Variation of condition 25 of planning permission F/10/66882 to extend Sunday hours of operation from 07.30 to 22.00hrs – Permit – Nov 2011 - L/11/69882 - Listed Building Consent: Extensions, repairs, refurbishment & change of use of Grade II Listed farmhouse to day-nursery. Access from Pomeroy Crescent, associated car parking, bin/cycle store, external play area & boundary fencing – Grant listed building consent – Jan 2012 - F/11/69881 - Extensions, restoration, repairs & change of use of farmhouse to day-nursery (use class D1), demolition of extensions on east & west elevation. Access from Pomeroy Crescent & associated car parking, bin/cycle store, external play area & boundary fencing – Permit – Jan 2012 - L/12/71669 - Listed Building Consent: Retention of 2no. solar panels on southern elevation – Grant listed building consent – Dec 2012 - A/13/72340 - Display of 3no. non-illuminated free-standing signs & 1no. non-illuminated wall mounted sign – Mar 2014 - L/14/74090 - Listed Building Consent: Display of 3no. non-illuminated free-standing signs & 1no. non-illuminated wall mounted sign - Grant listed building consent – May 2014 - L/23/96536 - Installation of AC units externally and internally – Not yet determined		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None		
Parish Council:	No Objection		
Built Heritage Consultant:	<u>Update (25/01/2024):</u> This subsequent info regarding floor mounted AC units in lieu of the initial ceiling mounted ones is good news and provides a suitable alternative that will not endanger this heritage asset. No Objection. <u>23/12/2023:</u> This application is for the addition of air conditioning units outside with two/three units inside and two extract fans through the fabric; are there any more intrusions proposed that are not evident, as all changes to a listed building require LBC unless considered unnecessary by the conservation officer or equivalent. This application raises a number of issues regarding the listed structure, namely :- <u>A. The external a/c units.</u> As the top of these is level with the mid rail of the sash window in the Victorian part facing the road, they will be visible both as one approaches and from the road, which is only shielded by deciduous vegetation, and therefore not acceptable. While this is probably the most efficient position for these units, they will detract from the look of the building from the public arena. One possible solution would be to enclose them in a structure mirroring some existing materials, i.e. a slated lean-to roof over a black weather-boarded frame with matching louvres to the front. <u>B. Internal a/c units.</u> The main internal unit is placed in the largest space of the original farmhouse dating from the early 17th. century, hung from the roof structure. From memory a lot of the roof structure remains original and therefore by modern standards possibly not up to current structural safety-factor standards. In order to avoid any deformation occasioned by this extra point load I would want to see confirmation from either the architects TKLS or the structural engineer that it can cope with the extra load. <u>C. Extract fan apertures.</u> The plan shows two new extract fans from the 2-3 Years space in the Victorian element behind the original building which do not appear on the elevations, one perilously close to a window opening. Full information of these is required. The accompanying information includes a second internal ceiling unit – is this an alternative or a third internal unit? <u>Conclusion</u> The bare external units proposed are not acceptable and insufficient information is provided regarding the other work proposed. Holding objection.		
Tree Officer:	No Objection		
Ecology:	I have reviewed the additional site photos and do not see any potential bat roost or nesting bird features. Surveys will not be required. Please could you add an informative to the decision notice. Bat and swift nest boxes would be appropriate biodiversity enhancements. They should not be installed near or above the proposed AC units or any exterior lighting. The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds and exposed to the sun for part of the day, facing south, south-east or south-west. Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight.		

Environmental Health:	The nursery is located between Wellstead Primary School and Salvation Army Church, with residential development to the west and east. The nursery opens from 8am to 6pm, it is assumed the AC unit will operate during this time only. The proposed external condenser to serve new AC units will be located in the flat roof at the front façade (close to rear wall where the lobby meets the brick all C19, the proposal will not affect the historical features). The building will act as a sound barrier, so children using the garden will not be directly exposed to equipment noise. It is not considered that the proposed unit will have a significant noise impact on the amenity. Based on this, we raise no objections on the application.
Historic England:	Consultation not required. No comment.

Site Visit:	Yes ☒	No ☐
Details: 20/12/2023		

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 S8; and Development Management policies DM1, DM11, DM12 and DM14. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals. Legislation Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: "In considering whether to grant Listed Building Consent for any works, the Local Planning Authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Assessment: The development is considered acceptable and complies with policies DM1, DM11, DM12 and DM14 from the 2016-2036 local plan, in that: <u>Setting</u> - Listed and formerly the farmhouse for Dowds Farm, this building was saved from near collapse in c.2011 when rescued and restored for it's current use. The setting of this building has obviously changed very significantly leaving it surrounded by development, including the Salvation Army Church to the south, Wellstead Primary School to the north and residential development to the west. - The original part of the building faces south with the 'new' front now facing the road on the west side. There are no other listed buildings nearby and, in any event, would not be affected given the quantity of new surrounding development, and there are no conservation areas in the vicinity. <u>Principle</u> - The development is within the urban edge where the principle of development is acceptable. - Policy DM12 states that development of a heritage asset or within its setting will be permitted provided it does not harm or detract from the significance or special interest of the asset and sustains and enhances its special character and qualities.
--

Impact on the listed building

- The proposed units to the external façade of the building will be situated on top of a modern extension clad in black zinc. As a result of the proposed AC units being encased in a black louvre screen to 3.no sides, the AC units will sit well with the modern extension and not appear out of place.
- The internal AC units have been amended so that they are sited on the floor, rather than the ceiling, which will reduce the potential for harm to the listed building.
- The proposed units would accord with policy DM12 in that they would not detract from the significance of the heritage asset.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and leave parking standards unchanged.

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 by 2025; (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 Environmental 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.

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 ...