

DELEGATED OFFICER REPORT

Application Ref: F/24/98044

Site Address: 177 LEIGH ROAD, EASTLEIGH, SO50 9DW

Case Officer: Rachael Morris

Description: Erection of single storey outbuilding for nursery use with boundary gate and fencing to the rear to replace existing.

Particular Site Constraints?	Yes ☒	No ☐
Within the urban edge		

Planning History?	Yes ☒	No ☐
- F/05/54103 - Change of Use from Dwelling to Childs Day Nursery (Use Class D1) & Erection of Single Storey Side Extension – Permit – Jul 2005 - A/06/56118 - Display of 3 non-illuminated signs comprising of fascia sign to front elevation and two wall mounted signs at rear access – Consent – Apr 2006 - F/07/59294 - Two storey rear extension and front porch – Refuse – Apr 2007 - F/07/60060 - First floor side extension – Permit – Aug 2007 - F/07/60063 - Single storey rear extension and front porch – Permit – Aug 2007		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Town Council:	No Objection		
Ecology:	There are records of bats near this site. The application is exempt from providing 10% biodiversity net gain by the de minimus exemption as there is no habitat visible in the site photos which would be lost. The tree in the outdoor play area is to be retained. Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF paragraph 180. A bat box and a swift box may be appropriate for the main building as the single storey outbuilding will not have sufficient space. The addition of flowering plants and shrubs for pollinators in the garden would also be acceptable.		
Southern Water:	No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main. Please see the attached extract from Southern Water records showing the approximate position of our existing sewer crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. From the information received, we can see no evidence of the applicant using the existing Foul connection. If this is the case, Southern Water will need to be informed, until then we are unable to comment fully on this proposal.		

Site Visit:	Yes ☒	No ☐
Details: 27/09/2024		

Policy:
National Planning Policy Framework Planning Practice Guidance
Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM11, DM13 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:

The development is considered acceptable and complies with policies DM1, DM11, DM13 and DM14 from the 2016-2036 local plan, in that:

Principle

- The development is within the urban edge where the principle of development is acceptable.

Design and layout

- The application proposes an outbuilding within the outside amenity space of an existing children's day nursery. The proposal will move the existing rear boundary fence further back towards Dew Lane to accommodate the outbuilding and result in a smaller rear block-paved area for parked cars.
- The proposed outbuilding has a flat roof and is approx. 2.8m high. This would sit approx. 1m higher than the proposed rear boundary fence, of which the rear wall of the outbuilding will make up some of this boundary treatment. This will tie in with the rear fence due to the proposed external cladding on the outbuilding.
- The proposed outbuilding would still retain sufficient outdoor amenity for the use of the children's nursery, only losing a small portion due to the movement of the rear boundary fence.
- The additional space created within the outbuilding will maintain the same use as the main building, as children's day nursey and would just allow more space for children to play and learn.
- The design and layout respect the character and appearance of the locality.

Residential amenity

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The proposed side windows are only to the ground floor and as the building is set into the rear garden space would not propose any unacceptable overlooking or loss of privacy to neighbours.
- The proposed outbuilding would still be used under the primary day nursery use and would be within the existing rear amenity space used by the nursery, as such would have a similar impact to the existing use as currently experienced by neighbours.

Parking

- The proposal would retain the existing required 6.no parking spaces that were agreed under application F/05/54103 with no extra provision. As under F/05/54103, 4.no spaces are reserved for staff and 2.no for pick-ups/drop-offs. This proposal would result in an additional 4.no FTE members of staff (17.no to 21.no) and 15.no additional children (33.no to 48.no).
- There are 3 secure bike racks to the front of the property which are noted on the block plan for use for staff and parents/guardians.
- When considering the parking arrangements on site for staff, the existing situation is that approx. 10.no staff walk to work, 2.no ride their bikes, 2.no park on-site and

3.no park off-site, mainly in Passfield Avenue which is within easy walking distance and has public on-street car parking. As the staff to be employed through the proposed expansion is unknown, it can be envisaged that the new staff will follow a similar travel pattern with the majority of staff walking.

- When considering the parking arrangements on-site for parent/guardian pick-ups/drop-offs, these range between the hours of 7.30am-10.30am and 1pm-6pm. The agent states that the majority of children all live in the local area and are either walked to and from the nursery or are dropped-off and picked-up by car, in which case they are normally parked at the nursery for a maximum of 5 minutes.
- On balance, due to the sustainable central location in Eastleigh and other parking opportunities available on Passfield Avenue, Places Leisure and cycle parking to the front of the property, the proposed retention of the 6.no parking spaces is acceptable.

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.
- While additional toilets are proposed, this is not anticipated to create any additional harm to the Solent SAC or SPA in as far as mitigation would be required, as this level of additional sewage could be achieved through an extension to the main building in which no mitigations would be required.
- A revised site plan was submitted to demonstrate that no new soakaways would be located within 5 metres of a public or adoptable gravity sewer, rising main or water main, as commented on by Southern Water.

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 ...