

DELEGATED OFFICER REPORT

Application Ref: F/25/99364

Site Address: Bright Horizons Day Nursery, Pomeroy Crescent, Hedge End, SO30 2LF

Case Officer: Gregg Chapman

Description: Erection of detached, single storey building

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 - Grant listed building consent – February 2024 - F/23/96511 - Installation of AC units externally and internally – Approved, February 2024.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
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Representations:	2 letters – Comment • Proposal should address use of recycled and/or sustainable construction materials. • Strategies for achieving zero or low carbon impact should be outlined, including any offsetting measures. • Consideration of renewable energy sources for the building's power supply should be demonstrated. • Measures to prevent modern slavery in the supply chain should be clearly set out. • Concerns raised about noise and disruption during construction, particularly if access is via the front entrance. Have been noisy works in the past. Request information on how disruption will be limited.
Parish Council:	No Objection subject to appropriate limitations of working hours and limitations of deliveries outside of school pick up times.
HCC Archaeology	No objection – Do not anticipate any archaeological issues.
HCC Highways	No objection subject to condition Access: Access in and out of the site is not affected by the proposals, remaining as is, which is acceptable with adequate visibility and geometry for turning in and out of the site. Trip Rates: Given the increase in roll numbers associated with the nursery, given the increase of up to 16 children and 3 staff, an increase in trips to and from the site will be inevitable. However, given the site location it would be anticipated that this would be through various modes (car/walk/cycle) as is the situation at the present time. Within the supporting Transport Note, it is suggested that in terms of vehicle trips, an additional 5 trips would be anticipated across the AM peak period and 6 trips during the PM peak hour. When consideration is also given for pass-by and linked trips (i.e. a parent dropping a child off by car on their way to work), the impact on the wider highway network in terms of new trips generated by development will be reduced further. As such, from a trip rate perspective, again there are no concerns raised. Parking: Whilst the quantum of parking is for EBC to assess, in their role as Local Parking Authority whereby the EBC Parking Standards should be adhered to, it is noted that 20 parking spaces currently exist for the 57 children drop off / pick ups and staff use. This essentially equates to 0.298 spaces per child on roll. Within the Transport Note, a parking survey has been undertaken, which demonstrates that at its peak, 17 of the 20 spaces were utilised at any one time, and this is for a single short term period. If you multiply the existing space per child ratio by the proposed 15 additional roll to be accommodated, this would equate to an additional

	need of 5 parking spaces. As such, with the existing excess (3), there would be a maximum shortfall of 2 parking spaces on site. Having reviewed neighbour comments available on line to date, no issues of overspill parking are recorded, and as such it would not be anticipated that the 2 space shortfall (which would occur for a short period only) would have a significant detrimental affect on the local highway. In terms of layout, no changes are proposed to the existing, and this is acceptable.
Tree Officer	No objection subject to condition

Site Visit:	Yes ☒	No ☐
Details: 24 th June 2025		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036 (EBLP)</u> The most relevant policies are Strategic policies S1, S2 and S8; and Development Management policies DM1, DM11, DM12, DM14, DM36. Supplementary Planning Documents: Quality Places; 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."
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Assessment: <u>Principle</u> The development is within the urban edge where the principle of development is acceptable. The supporting text to policy DM36 of the EBLP sets out that addressing a shortage of pre-school places is part of the council strategy for community needs to support the future population. EBLP 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. <u>Character and Appearance</u> The rear of the nursery, where the proposed stand alone, single storey, nursery/garden room is proposed to be located, is screened from public view by the adjacent school site, adjacent church site, the nursery building itself, and boundary treatment/vegetation. Views that would be available would be in the context of the existing built setting. It is considered that the ancillary building would be discretely located and would not cause any harm to the character of the area.
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The materials proposed express their purpose as an ancillary garden room/nursery room, and do not compete with the listed building, contrasting and reflecting the ancillary relationship.

Whilst the proposal is within close proximity to trees that are not prominent or important to the street, the building is predominantly sited within existing hard standing. The Tree Officer has reviewed the submitted details/Arboriculture Report and has confirmed no objection to the development.

The proposal would, therefore, comply with policy DM1 of the EBLP.

Listed Building Setting

EBLP 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.

Listed and formerly the farmhouse for Dowds Farm, this building was saved from near collapse in c.2011 when rescued and restored for its 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, and, not least, the ancillary development at the site.

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.

The ancillary car park, play areas (and paraphernalia) and signage, together with the past alterations to the building, and use of it, are such that the existing building now most closely resembles its functional use as opposed to its past historic use.

The proposed building, whilst close to the listed structure, is proposed to be sited to the rear, in an area already used as a playground. There will be no change to the character or the experience of the listed building setting, as it is already, strongly that of a nursery.

As such, the proposal is considered to preserve the setting of the listed building in accordance with Policy DM12 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

Policy DM1 of the EBLP requires that new development does not have an unacceptable impact on the residential amenities of both existing occupants.

The rear of the site is not overlooked by any residential properties, and there would, therefore, be no harm from any overlooking, shadow, or dominant impact. The building would not be visible from the front of the site. A resident has raised concern with regard to construction practices, and noise, associated with construction and movements to the front.

A condition requiring the submission and approval of a construction site management plan is imposed to ensure that any short-term disruption during the build process is appropriately managed. Although the construction period is expected to be limited in duration, the condition will help to minimise impacts on local amenity, particularly in relation to access arrangements, contractor parking, and delivery timings, with specific regard to nearby nursery drop-off and pick-up times. While planning can manage the organisation and timing of construction activity through such a condition, any issues

relating to excessive or prolonged noise would fall under the jurisdiction of Environmental Health, who are empowered to investigate and address statutory noise nuisance if necessary.

Subject to the aforementioned condition, the proposal is considered to accord with policy DM1 of the EBLP in respect of residential amenity.

Highway Matters

Policy DM13 of the EBLP requires that development does not have a harmful impact on the existing highway network. Policy DM14 requires that an appropriate level of car parking is provided in accordance with the Council's adopted standards.

No changes are proposed to the site access. Hampshire County Council Highways have raised no objection to the proposal in respect of its impact on the wider highway network. The modest increase in trip generation associated with the additional children is not considered to result in a severe impact, particularly when accounting for pass-by and linked trips. As such, the development is not anticipated to give rise to any significant highway safety or capacity concerns.

The site currently provides 20 on-site parking spaces, serving 57 children and associated staff, which equates to approximately 0.298 spaces per child. The submitted Transport Note includes a parking survey indicating that a maximum of 17 spaces are occupied at peak times, demonstrating some on-site capacity. Applying the same ratio to the proposed uplift of 15 children would suggest a need for an additional 5 spaces, resulting in a theoretical shortfall of 2 spaces. This would be limited to short-term peak periods and is not anticipated to result in a material impact on the local highway network. No objections relating to parking or overspill have been received from neighbours, and no changes are proposed to the existing parking layout. As such, the parking provision is, on balance, considered sufficient to support the modest increase in capacity.

The proposal is therefore considered to accord with Policies DM13 and DM14 in respect of highway impact and parking provision.

There are no conditions on the base permission for the use of the site as a nursery (F/11/69881) that restrict the number of children at the nursery. This planning application cannot restrict the number of children at the main nursery as it is not related to the development. It would not be practical or enforceable to restrict the number of children within the ancillary building, when there is not a restriction overall on the number of children in planning terms. Numbers are, however, restricted through other legislation such as the Childcare Act 2006 which sets controls to prevent overcrowding.

Ecology/Biodiversity

Policy DM11 requires planning applications, to protect, conserve and enhance all international, national and local nature conservation designations; and networks of natural habitats and features, including the Local Ecological Network, Priority Biodiversity Areas and Priority Biodiversity Links, watercourses, wetland complexes, woodland trees, and trees and hedgerows important to biodiversity and local character; and facilitate their adaptation to climate change wherever possible; and seek a net gain of biodiversity on all development sites.

The proposal will result in the removal of a shed, and the loss of a small section of non-native hedgerow.

A Preliminary Ecological Appraisal (PEA) was undertaken for the site that considered the suitability of the site for protected species including bats, hedgehogs, badgers, newts and nesting birds. No evidence of protected species was identified, however, the PEA concluded that species such as Badgers, Hedgehogs and nesting birds may pass through / utilise the site. As a result, mitigation and enhancements were specified including,

planting of native trees, native hedgerow, and a wildflower area and the addition of at least three bird boxes and one bat box. The Council Ecologist has no objection to the proposal subject to these biodiversity enhancements that are to be secured through condition.

In addition to the above policy assessment the application development is required to provide 10% Biodiversity Net Gain (BNG) in accordance with the Environment Act 2021. A BNG metric and report were submitted with this application and demonstrates that the proposals will deliver a net gain of 10.57% area habitat and 92.27% hedgerow units through new planting and a wild flower meadow. A Habitat Management and Monitoring Plan (HMMP) is also provided with the application, and subject to compliance with this, it is considered that the BNG requirements will be met. The Council Ecologist has no objection to the BNG proposals.

The proposal is therefore considered to comply with Policy DM11, with appropriate ecological assessments undertaken, biodiversity enhancements secured by condition, and Biodiversity Net Gain requirements met in accordance with the Environment Act 2021.

Drainage

The Council Ecologist notes the submission of a Drainage Strategy and questions whether or not infiltration will be a viable drainage strategy for surface water discharged from the development as infiltration testing has not been done. Notwithstanding this, it is evident that there is not a significant increase in hardstanding (and thus run off) as the building will be located predominantly on existing hard surfacing, and as Building Regulations (Part H) considers the appropriateness of surface water run-off strategies for individual buildings. Planning does not replicate the controls of other legislation, and therefore further information is not necessary for the purposes of determining the application.

Other Matters

Modern slavery is not a material planning consideration related to the merits of the application, and is not controlled through the planning system. Such matters are governed by national legislation, including the Modern Slavery Act 2015.

There are no likely significant impacts on the SPA.

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, where relevant to a planning application. 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.

A third party raises comments in respect of sustainable construction and sustainable practices. Planning applications must be determined in accordance with the policies

contained within the development plan unless material considerations indicate otherwise. Policy DM2 of the EBLP applies only to developments of 500 square metres or more of floorspace. The proposed ancillary building is notably below this threshold (49.6sqm), and as such, the specific requirements of policy DM2 including incorporation of passive design principles, connection to low carbon energy networks, and the use of low-impact or recycled materials are not applicable in this case. While the concerns about carbon impact and material sustainability are acknowledged, it would not be reasonable or proportionate to apply these policy provisions to a small-scale ancillary structure. Furthermore, matters raised, such as the sourcing of materials and energy use during occupation, are addressed through other regulatory frameworks, including Building Regulations (Approved Document L – Conservation of fuel and Power) and voluntary sustainability standards.

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 ☐