

SITE: Little 1 Nursery, 49 Valley Road, Chandler's Ford, Eastleigh, SO53 1GS

Ref. F/16/79277 Received: 30/09/2016 (25/11/2016)

APPLICANT: Mr & Mrs Mirza

PROPOSAL: One & two storey rear extension & single storey side extensions to replace existing single storey additions, provision of temporary classroom building at rear & variation of condition 2 of planning permission F/08/62770 to increase nursery capacity from 50 to 69 children attending at any one time

AMENDMENTS:
RECOMMENDATION:

The application is recommended for approval subject to the securing of appropriate developer contributions and a Traffic Regulation Order.

PERMIT

CONDITIONS AND REASONS:

- (1) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- (2) The development hereby permitted shall be implemented in accordance with the following plans numbered: A, B Rev 1, C, D, E, F, G. Reason: For the avoidance of doubt and in the interests of proper planning.
- (3) The development hereby permitted shall not begin until revised details of external play provision, including the length, size and time of play sessions, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details. Reason: To protect the amenity of neighbouring properties.

- (4) Notwithstanding the submitted Arboricultural Impact Assessment and Method Statement (Ref. 2918-010) produced by Christopher Stringer of Shawyers Tree Specialists, dated 11th March 2016. The implementation of the temporary classroom shall not start until an revised Arboricultural Impact Assessment, Method Statement, Tree Survey and a protective fencing plan has been submitted to and approved in writing by the Local Planning Authority. The additional details must include details of the footings for the building, and outline how the utility services will be provided to the building. The development must accord with the approved details and to the appropriate British Standard. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
- (5) No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and a representative from the Local Planning Authority. Work cannot commence until the LPA officer has inspected and approved the proposed tree protection. Once approved no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work. All other aspects of the Arboricultural Implications Assessment and Method Statement will be addressed at this meeting. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the pre-appointed tree specialist during construction. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
- (6) The development must accord with the Arboricultural Impact Assessment and Method Statement (Ref. 2918-010) produced by Christopher Stringer of Shawyers Tree Specialists, dated 11th March 2016 . Tree Protection must be addressed as per the Tree Protection Plan enclosed within the report. Reason - To retain and protect the existing trees which form an important part of the amenity of the locality.
- (7) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour and texture those used on the existing building. Reason: To ensure a satisfactory visual relationship between the new development and the existing.
- (8) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.
- (9) The development hereby permitted shall not be occupied until the parking area has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating motor vehicles incidental to the use of the premises.

Reason: To make provision for off street parking for the purpose of highway safety.

- (10) The development hereby permitted shall be used for a childrens day nursery and for no other purpose (including any purpose in Class D1 of the Schedule of the Use Classes (Amendment) Order 2005, or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification). Reason: To restrict the use of the premises in the interests of highway safety and local amenity.
- (11) The Children's Day Nursery must not open except between 0800 hours and 1800 hours Monday to Friday, and not at all on Saturday, Sunday and Bank Holidays. Reason: In order to protect the amenities of the area and neighbouring properties.
- (12) No more than 69 children shall be able to attend the Children's Day Nursery at any one time. Reason: To prevent unacceptable disturbance to neighbouring properties.
- (13) The detached classroom hereby permitted shall be for a limited period expiring on 31/12/2019. On or before this date:
- a) the building and any associated materials and equipment shall be removed from the site;
 - b) the land shall be restored to its former use and condition in accordance with the details that have been submitted to and approved in writing by the Local Planning Authority. Reason: The development is: 1. Of a type not considered suitable for permanent retention 2. To enable the Local Planning Authority to assess the impact of the proposed development.

Note to Applicant: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Flood Risk Activity - The prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Monks Brook which is designated a 'main river'. Please be aware that the Environment Agency has up to two months to determine applications for a permit and you are therefore advised to contact the local Environment Agency office as soon as possible to discuss making an application. Consent will only be issued if the works do not pose a flood risk to people and property, and do not conflict with the Environment Agency's other duties

Report:

1. This application has been referred to Committee in order to be consistent with the previous applications on this site.

Description of Application

2. The application seeks approval for extensions and additions to the existing building as well as an increase in the number of children permitted to attend the nursery at any one time to 69 from the current capacity of 50 which is imposed by condition 2 of planning permission F/08/62770. The proposals also include the provision of a temporary classroom to be sited at the rear of the plot, which it is stated within the submission may be required during construction works on the main building.
3. The proposed extensions at ground floor level consist of additions to both flank elevations and to the rear, with these replacing existing pre-fabricated structures and covered external play areas. These extensions are to provide for a re-sited kitchen area and a dining room, as well as additional play rooms.
4. At first floor, additional floor space is to be provided by a gable-ended extension at the rear. These will create new and enlarged staff facilities in the form of additional WCs and storage and office space, as well as a lecture / training room at the rear.

Trees

5. There are a number of mature and semi-mature trees both on and in the vicinity of the application site; a number of these trees are subject to Tree Preservation Orders. These include those to the front of the site, in the proximity of the western boundary alongside the adjacent Monks Brook, and in the north-western corner of the plot. No trees are proposed to be removed as part of the proposals and the application is supported by an Arboricultural Impact Assessment and Method Statement.

Boundary Treatment

6. The front boundary of the site consists of a low-level brick wall with a mixture of hedging, planting and mature trees in behind. The western side of the plot frontage is marked by a timber picket fence, with hedging and trees to the opposing boundary. To the rear, the amenity / play area for the nursery is largely surrounded by 1.8-2m high timber fencing.

Site Characteristics

7. The application premises is a chalet style property which was originally a residential dwelling. The building has for the past 10 years been utilised as a children's day nursery for children aged between 0 and 5 years. The capacity of the nursery is currently limited to 50 children by condition 2 of

planning permission F/08/62770. The building has a fully hipped-roof with box-dormers to the front and eastern roof slopes, with there being a single-storey gable-ended projection to the property's principal elevation. There are pre-fabricated flat-roof single storey additions to the rear and both sides, with adjoining covered external play areas. The premises have a car parking area to the front and an amenity space to the rear. The site is relatively flat and level.

Character of Locality

8. The surrounding area is predominantly residential in nature and made up of mainly detached and semi-detached single and two storey dwellings set on good sized plots. Many are well screened with mature trees and planting.

Relevant Planning History

- F/05/54121 – Change of use to children's day nursery (D1 use class) – Refused 26/08/2005 – Allowed on Appeal 24/04/2006
- F/07/60198 – Erection of rear conservatory – Permitted 26/07/2007
- F/08/62770 – Variation to condition 4 of planning permission F/05/54121 to increase the number of children attending from 30 to 50 – Permitted 23/07/2008
- F/16/77844 - One and two storey side and rear extensions to replace existing, alterations to roof and provision of temporary classroom building at rear. Variation of condition 2 of planning permission F/08/62770 to increase the number of children attending from 50 to 75 – Withdrawn 13/06/2016

Representations Received

9. A total of five representations have been received in relation to the planning application; four in objection, one in support.
10. The letter in support of the proposals was received from an existing parent with children both at the nursery as well as on the waiting list and this highlighted what is described as the fantastic level of care provided by the facility.
11. The other four letters received were from nearby neighbouring residents who raised objections on the following grounds:
 - Increased parking with staff parking in surrounding streets and causing obstructions.
 - Noise generated by additional children for neighbouring residents.

Consultation Responses

12. **Head of Environmental Health:** No Objection. It was noted that the site is in close proximity to existing residential properties, includes extensive works to the property including the roof structure, and that the nursery will remain open during the development. Any late or weekend working outside of the operating hours of the business has the potential to impact on the amenity of existing properties and a condition restricting hours of construction and demolition work was therefore recommended.
13. The development if permitted may increase the risk of impact upon amenity, but probably will not do so to a significant degree. A condition that requires the details of external play provision, including the length, size and time of play sessions, has been submitted to and approved in writing by the Local Planning Authority should be applied.
14. **Head of Transportation and Engineering:** No Objection on highway grounds subject to Developer Contributions, a Traffic Regulation Order and a condition securing the parking facilities.
15. Objection to the proposed temporary classroom due its location with flood zone 3.
16. **Head of Countryside and Trees (Tree Officer):** No objection subject to conditions. However details are lacking regarding the construction of the temporary classroom. If the temporary classroom remains within the application, the arboricultural report must be updated with information regarding the proposed installation of the temporary classroom in close proximity of the oak tree (T.2). Details of the footings for the building should be submitted and how utility services will be provided.
17. **Environment Agency:** No objection in principle to the proposed development of the bungalow. However the Environment Agency Object to the proposed temporary classroom due its location with flood zone 3.
18. **Hampshire County Council Children's Services Department:** Given the size of the proposal Hampshire County Council will not be seeking a contribution towards education.

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area
- Within Environment Agency Flood Zones 2 and 3 and 8m Main River Buffer
- The Site is Subject to Tree Preservation Orders (TPO 58 and 297)

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011, Saved Policies:

- 43.ES & 44.ES (Flooding and erosion)
 - 59.BE (Promoting good design)
 - 100.T and 101.T (Transport and new development)
 - 186.IN (Community facilities).
- Submitted Eastleigh Borough Local Plan 2011-2029, July 2014
Policies:
 - DM1 (General criteria for new development)
 - DM4 (Flood risk), DM (General development criteria – transport)
 - DM24 (Parking), DM35 (Community, leisure and cultural facilities)

The Submitted Local Plan comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

Supplementary Planning Documents

- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Residential Parking Standards (January 2009)
- Supplementary Planning Document: Planning Obligations (July 2008, updated 2010)

National Planning Policy Framework

19. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

National Planning Practice Guidance

20. Where material, this guidance should be afforded weight in the consideration of planning applications.

Policy Commentary

21. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to the

principle of the development proposed, the need for additional capacity at the nursery, layout and design, flood risk, highway matters, residential amenity, and the impact of the proposals on the character of the area.

Comment on Consultation Responses and Representations Received

22. The comments received are noted with the matters raised being covered in the below assessment of the proposals where appropriate.

Assessment of Proposal: Development Plan and / or Legislative Background

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

24. In this case, the policy issues for consideration include:

Principle:

25. The application site lies within the urban edge and is an existing and established community facility in the form of a children's nursery. Saved Policy 186.IN allows for the extension or improvement of facilities for use by the community within the urban edge provided that they will not adversely affect the residential amenity of the occupiers of neighbouring properties by reason of noise, disturbance, smells, floodlighting and other factors. The principle of the development proposed is therefore considered to be acceptable subject to the exact details of that proposed being considered appropriate and conforming to this specified criteria as well as that of the other relevant local plan policies and supplementary guidance.

26. In addition to Saved Policy 186.IN, the most relevant adopted Local Plan policies in this case are:

27. Saved Policy 43.ES which states that development will only be permitted within areas at risk of flooding where: it is demonstrated that the site is adequately defended from flooding; or, a risk assessment demonstrates that measures incorporated into the scheme would prevent either life being endangered or an unacceptable likelihood of damage to property; and, it does not harm the integrity or maintenance of a flood defence structure, or inhibit the maintenance of a watercourse for the purpose of minimising flood risk, or increase flood risks elsewhere.

28. Saved Policy 44.ES which states that proposals for extensions, within areas at risk of flooding will be refused where they would increase the number of people at risk of flooding or would result in an unacceptable loss of floodplain storage.

29. Saved Policy 59.BE which requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.
30. Saved Policy 100.T states that development which accords with the requirements of the other relevant development plan policies will be permitted providing it meets a range of criteria which include: (i) it is, or could be, well served by public transport, cycling and walking; (ii) it includes measures that minimise its impact on the existing transport network; and (iii) where a large number of journeys are likely to be generated, the development is located to minimise travel demand and provide a choice of transport mode.

Need

31. The planning statement submitted in support of the application sets out that the nursery seeks to increase the capacity of the nursery by 38% (from a limit of 50 children to 69) which it is stated would enable the nursery to accommodate the increase associated with the Department for Education (DFE) requirements of 30 hours implementation of Early Years funding from September 2017.
32. This need is recognised by the Local Planning Authority and this weighs in favour of the development. This must, however, be balanced against the other considerations associated with the proposals.

Layout, design and impact on the street scene and character of the area

33. Saved Policy 59.BE (i) of the adopted Eastleigh Borough Local Plan 2001-2011 requires that development takes full and proper account of the context of the site including the character and appearance of the locality or neighbourhood and that it is appropriate in mass, scale, materials, layout, density, design and siting. In addition, the National Planning Policy Framework (NPPF) stipulates that good design is a key aspect of sustainable development and is indivisible from good planning (para 56) and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (Para. 64).
34. The proposed extensions represent sympathetic additions to the existing building which will allow the accommodation available to be increased to facilitate the extra childcare required. The scheme has been revised from the previously withdrawn proposal F/16/77844. The proposed bulk particularly in the upper floor has been substantially reduced resulting in a proposal more in keeping with the character of the area in terms of design

and scale.

35. The additions, at ground floor level, will replace existing pre-fabricated structures in the form of flat roof extensions and covered external play areas. These existing structures are of a design and materials that contrast with the host building. Their replacements are of single storey only and are of design and materials that matches the existing character of the original building and the locality. Furthermore the site benefits from significant screening from the mature trees and planting to the front of the premises. These additions to the ground floor are set back more than 20 metres from the highway further mitigating any impact of the street scene.
36. The proposed additions to the roof form will not be readily visible from the public realm. Furthermore gabled roofs do form part of the established character of the area that has a mixture of property heights and roof forms. The scale is appropriate and the materials used will match those of the existing building. Such materials can be secured by condition.
37. The proposed temporary classroom is of single storey and of flat roof construction. The classroom will not be particularly prominent when viewed from outside of the site and will not feature in the surrounding street scenes.
38. For the reasons given, the application complies with the requirements of Saved Policy 59.BE of the adopted Local Plan and the provisions of Section 7 of the National Planning Policy Framework.

Residential amenity

39. Saved Policy 59.BE (vii.) requires that development avoids unduly impacting upon the amenity of the occupiers of neighbouring dwellings, in particular by way of overbearing impact, loss of light or outlook, overlooking, noise, fumes, and dust. These criteria are reiterated within Saved Policy 186.IN which requires that extensions to community facilities do not adversely affect the residential amenity of neighbouring occupiers.
40. Whilst the proposed extensions will not serve to adversely affect the amenity of the occupiers of neighbouring properties. The addition to the eastern side of the dwelling is single storey only and is relatively low profile in terms of its overall height. Whilst the rear extension is notably more substantial in this regard, an acceptable degree of separation is maintained to the eastern boundary such that it is not considered that the extension will be unduly overbearing, or adversely affect levels of light to or outlook from the neighbouring property to this side, No. 47 Valley Road.
41. This extension will also be a minimum of 15m from the northern boundary of the site and as a result will not adversely affect the properties to the rear in these regards (Nos. 2 and 4 Heathlands Road respectively) or by way of any undue overlooking. It is acknowledged that the temporary building is positioned in much closer proximity to the rear boundary of the latter,

however, it is flat roof in nature and not unduly excessive in scale or height with it spanning only a limited proportion of this boundary. It will not therefore by unduly overbearing or affect the levels of outlook available for the occupiers of No. 4 from their private amenity area to an unacceptable degree. The removal of the temporary structure once work is completed on the main building could also be covered by way of planning condition.

42. With regards to the properties to the west, it is considered that the combination of the spacing to this side boundary along with the intervening Monks Brook and the screening provided by the adjacent trees also serve to limit any undue effects on amenity with regards to light, outlook or overbearing impact. The side facing windows proposed within the extension are located at high level as such that there will be no undue overlooking.
43. Consideration must in addition be given to the potential for the level of increase in the capacity of the premises to generate additional noise and disturbance to neighbouring occupiers, with this principally being associated with the number of children being present in the external amenity and play areas. The Head of Environmental Health has advised that the development if permitted may increase the risk of impact upon amenity, but probably will not do so to a significant degree. The premises has been able to substantially operate without complaint. They only compliant logged concerning noise from children on the site was registered in October 2010.
44. However in order to preserve the amenity of the neighbouring residential properties a condition can be applied requiring the details of external play provision, including the length, size and time of play sessions, has been submitted to and approved in writing by the Local Planning Authority should be applied.

Highway matters

45. Saved Policy 59.BE (v.) requires that development has a satisfactory means of access and layout for vehicles, and Saved Policy 100.T requires that it is, or could be, well served by sustainable modes or transport and includes measures which minimise its impacts upon the existing transport network.
46. In terms of staff, the submitted figures set out that 47% drive to work with the remaining 53% either car sharing, walking to work, cycling or using public transport. The supporting statement also sets out some of the measures which seek to encourage green travel, with these including a green travel plan, as well as the nursery looking to introduce a cycle to work scheme.
47. The application proposes a 38% increase (to 69) in the capacity of the nursery when compared with the current limit of 50 children imposed by condition 2 of planning permission F/08/62770. However this will not result

in an increase of staff members as set out within the planning statement submitted in support of the application. Whilst the aforementioned statistics are acknowledged, these factors will inevitably increase the trip rates to and from the premises, as well as increasing the number of on-site car parking spaces necessitated to serve the use.

48. The Head of Transportation and Engineering has advised that the majority of the parents who will be utilising childcare are likely to be working, and the use of a vehicle would be the anticipated primary choice of transport for speed and convenience. The application provides 4 parking spaces for drop-off / pick up purposes. Whilst this is unlikely to cater for all parents at any one time, to provide a full quantum of parking (as required to remove all potential of on street parking) would not be an efficient use of land, as individual parents are likely to have come and gone within a 10 minute period (maximum).
49. In regard to the 19 staff to be employed on-site, whilst the travel plan information outlines 47% of staff currently drive to the nursery, this can change over time and so the Census 2011 travel to work by car figures are deemed more robust, which suggests that locally 63.9% travel to work by car. This suggests a staff parking requirement of 13 spaces on-site is provided, which this application proposes.
50. With existing issues being reported as part of this application by members of the public and councillors however, with the primary concern being staff parking on the residential streets, it would be proposed that Traffic Regulation Orders are investigated they would prevent long stay parking of employee vehicles. This would appear to remove the primary highway concerns being raised.
51. In line with the HCC Transport Contributions Policy, any development that causes additional 'multimodal' trips on the local highway network will be subject to a proportional request for transport developer contributions.
52. The onwards potential for inconsiderate parking remains a concern. For this reason, it is also requested that a Traffic Regulation Order contribution is provided. This will pay for the legal process, public consultation, and eventually lining restrictions that will assist in reducing the potential for parking on the bends of junctions and indeed opposite them in close proximity to the site. There could also be a 'no parking' restriction investigated between certain hours to remove the opportunity for staff to park on the surrounding roads.
53. The Council's Head of Transportation and Engineering has raised no objection to the application on the grounds of a condition securing on-site parking provision to cater for the increase in the capacity of the nursery, appropriate transport developer contributions and a Traffic Regulation Order.

Flood risk

54. The site lies within the Environment Agency's Flood Zones 2 and 3 and within an 8m buffer of a main river owing to its proximity to Monks Brook which runs adjacent to the western boundary of the site. The application is supported by the Environment Agency's flood risk proforma which confirms that the floors levels within the proposed development of the existing premises will be set no lower than the existing property. On this basis and taking account of the other potential flood related impacts associated with the development, the Environment Agency have raised an objection to this part of application.
55. However, both the Environment agency and the Council's Engineers object to the proposed temporary classroom as it will be located within flood zone 3. However, this relates to the lack of a flood risk assessment and information relating to the temporary classroom. A similar classroom in the same location as proposed under this application was proposed under the previous proposal F/16/77844. At that time no objection was raised on floor risk grounds to the proposal as such the applicant had no expectation that such an issue would arise as part of this proposal. The applicant is currently liaising with the Environment Agency in order to resolve the issue. The Committee will be update at the meeting regarding the outcome of these discussions.
56. The main works to the dwelling are therefore considered to comply with the requirements of Saved Policies 43.ES and 44.ES of the adopted Local Plan. However, there are still matters outstanding with regard to the temporary classroom.

Trees

57. There are a range of mature and semi-mature trees on and adjacent to the application site, with Tree Preservation Orders associated with a number of these trees to the front, rear and western sides of the plot. The application is supported by an Arboricultural Impact Assessment and Method Statement. This sets out that no trees are to be removed as part of the proposals, with pruning proposed to the two Oak trees (T1 and T2) to the rear of the site which lie in close proximity to the proposed temporary classroom, such as to facilitate this element of the development.
58. The Head of Countryside and Trees (Tree Officer) has raised no objection subject to the imposition of conditions requiring adherence to the submitted method statement and in relation to necessitated tree protection measures.
59. A further condition is required in order secure an update to the submitted arboricultural report. The additional information required relates to the proposed installation of the temporary classroom in close proximity of the oak tree (T.2). The additional details should include specifications of the

footings for the building and how utility services will be provided to the classroom.

60. Subject to the imposition of these conditions, it is considered that there is no conflict with the requirements of Saved Policy 59.BE which requires that development is appropriate in relation to natural features and trees worthy of retention.

Planning obligation /considerations

61. In accordance with the guidance contained within the NPPF, Saved Policy 101.T of the adopted Eastleigh Borough Local Plan Review (2001-2011), Policy DM23 of the Submitted Eastleigh Borough Local Plan 2011-2029, the Council's 'Planning Obligations' SPD and the requirements of Regulation 122 of the Community Infrastructure Regulations, there is a requirement for developers' contributions to ensure on and off-site provision for facilities and infrastructure made necessary by the development, or to mitigate against any increased need/pressure on existing facilities.
62. As identified above in this instance contributions towards sustainable transport infrastructure improvements as well as towards a Traffic Regulation Order (TRO) in the locality are deemed to be necessitated by the development. This is on the grounds of an increase in multi-modal trips associated with the expanded capacity of the nursery. In addition, a TRO is deemed to be required in order to ultimately introduce lining restrictions in the vicinity of the site that will assist in preventing inconsiderate or obstructive parking that could result from the expansion of the nursery capacity.
63. The projects and measures identified for contribution expenditure will comply with the 3 tests set out in Regulation 122 of the Community Infrastructure Levy 2010, in that the monies would go towards the projects which are directly related to the development, and are fairly and reasonably related in scale and kind to the proposed development. The contributions would be index-linked to ensure the contributions rise in line with the costs of providing the identified projects/measures. The obligations sought are necessary to make the development acceptable in planning terms and to meet the needs generated by the new residents and the potential impact on existing services and facilities.
64. The applicant is aware of these planning obligation requirements but their provision has not yet been secured.

Other material considerations

65. Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to

prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

Conclusion

66. In conclusion the proposals would allow for the extension and enhancement of an existing community facility which would serve to meet a demonstrable need for childcare places within the locality. This revised scheme is considered on balance to maintain the character of the existing building and that of the Valley Road street scene. The proposal is not considered to be to the detriment of the safety of the surrounding highway network. The proposal is not considered to give rise to any material harm to the amenities currently enjoyed by the occupants of the neighbouring properties.
67. The application is therefore recommended for approval subject to appropriate conditions. The securing of appropriate developer contributions and a Traffic Regulation Order.



EASTLEIGH
BOROUGH COUNCIL

F/16/79277

Title:

Little 1 Nursery

49 Valley Road

Scale:
1:1250

Map Ref:
SU4321SW

Date:
01/11/2016

