

Mr Gary Peck
Head of Planning and Development
Adur and Worthing Councils
Development Management
Place Directorate
Worthing Town Hall
Chapel Road
Worthing
West Sussex
BN11 1HA

Reference: 103052

4 June 2026

Verve Planning
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Reg no. 11491335

Dear Mr Peck

**Bright Horizons Shoreham-by-Sea Day Nursery and Pre-School, 48
Buckingham Road, Shoreham-by-Sea, BN43 5UD
Application to vary conditions 1 and 3 of planning permission ref
AWDM/1083/18**

On behalf of our client, Bright Horizons Family Solutions Ltd, we are pleased to submit an application under S73 of the Town and Country Planning Act (as amended) to vary conditions 1 and 3 of planning permission ref AWDM/1083/18. It seeks to allow for the controlled use of the rear end of the garden at the above day nursery (referred to as the 'Wildlife Area') by substituting the approved Management Plan for Outdoor Activities (listed in conditions 1 and 3 of the September 2018 permission) with an updated Management Plan for Outdoor Activities (dated June 2026).

The application submission, together with this supporting planning letter, comprises:

- The completed application form and CIL forms;
- Previously consented Proposed Garden Layout Plan ref 1613-04C;
- Site Location Plan and Proposed Garden Site Layout Plan ref 109 Rev 03;
- Approved Management Plan for Outdoor Activities, September 2018;
- Proposed Management Plan for Outdoor Activities, dated June 2026;
- Noise Impact Assessment Report Rev D prepared by KP Acoustic, dated 27 May 2026; and
- Application fee of £608, plus Planning Portal service charge of £91 paid via the planning portal payment scheme.

Background

The application site comprises an established day nursery set within a large plot on the eastern side of Buckingham Road. The nursery demise extends across the rear of Nos 50 and 52 Buckingham Road to the north. This section of the garden area is referred to as wildlife area, albeit it comprises predominantly grass, edged by paving shrub beds and some mature trees, with fencing around its perimeter.

The day nursery is positioned in an accessible location, a short distance from the centre of Shoreham-By-Sea with all of its shops and facilities (including the railway station)

The site lies in a predominantly residential area. To the rear of the property is Buckingham Park Primary School, accessed off Hamfield Avenue located between houses a short distance further north along Buckingham Road.

The day nursery was originally operated by TinySaurus Nurseries Ltd, with Bright Horizons taking over ownership of the group of nurseries in December 2021.

Relevant Planning History

AWDM/0301/17 - Planning permission was allowed on appeal in March 2018 for the change of use of the single dwellinghouse at the property to a day care nursery, accommodating up to 75 children, along with the replacement of the existing conservatory with a single storey extension.

The Inspector considered that the council's concerns about traffic and parking relating to the day nursery use would not cause material harm to the safe and efficient operation of the highway network in the vicinity of the appeal site.

As part of the application submission, the proposed nursery operators (TinySaurus Nurseries Ltd) included a Management Plan for Outdoor Activities. The document stated that the area of land wrapping around the rear of Nos 50 and 52 Buckingham Road would be used as a wildlife area and not as an area of play, with access controlled by a locked gate.

Condition 4 of the Inspector's appeal decision notice required the nursery to operate in accordance with the Nursery Management Plan for Outdoor Activities at all times.

AWDM/1083/18 - Planning permission was granted in September 2018 for the variation of condition 2 (list of approved plans) of the above permission to retain a garden room building which had been built in the rear garden, replacing a number of unsightly outbuildings and sheds which previously existed in the rear garden.

Conditions 1 and 3 of permission AWDM/1083/18 require the day nursery to operate in accordance with the (updated) Management Plan for Outdoor Activities (received on 4 September 2018).

Current Proposal

The existing garden area at the day nursery is used for outdoor play and activities between 9am and 5pm Monday to Friday in accordance with the approved Management Plan for Outdoor Activities. The current proposal does not involve increasing the overall capacity of the day nursery

The day nursery would like to use the existing wildlife area in the rear part of the garden as a woodland learning area for structured outdoor play for up to 16 children at any one time. Staff supervision would occur at all times to ensure controlled behaviour. The existing boundary fencing around the site would be retained.

The day nursery has stated that “the woodland learning area will give children a calm, natural space to explore, imagine and connect with the outdoors. Surrounded by trees, natural materials and open-ended resources, this environment will be used for our daily Forest School sessions with the pre-school. They will plan hands-on activities such as making bird feeders to care for local wildlife, planting and growing seeds to learn about life cycles, and creating crafts and structures using sticks, leaves, stones and other natural resources. This space will support curiosity, independence and a love of nature as the children learn through play, discovery and real outdoor experiences.”

The intention is that children would be distributed between the wildlife area and the main garden rather than being concentrated in a single location. The application is accompanied by a noise impact assessment which assesses the impact of the redistribution of children across the external amenity spaces, including the wildlife area, on the nearest residential property.

An updated Management Plan for Outdoor Activities has been submitted to explain how the impact on neighbouring properties will be minimised by the restricted hours of use (9am until 5pm only), daily planning of the use of the external areas by staff, restriction regarding the use of amplified music, and staff supervision of children at all times to ensure structured play.

Planning Policy Context

The Development Plan

The application proposals have been assessed against the Development Plan for the area which, in this case, comprises the Adur Local Plan 2017.

Other Material Considerations

The National Planning Policy Framework 2024 (NPPF) along with the National Planning Practice Guidance (NPPG) are important material considerations in the determination of planning applications.

Planning Assessment

The key planning issue relevant to the development proposal relates to the impact on neighbouring living conditions.

Policy 15 of the Local Plan requires development not to have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, outlook or open amenity space.

A noise impact assessment, prepared by KP Acoustics, accompanies the application. In summary, the noise modelling demonstrates that allowing controlled use of the Wildlife Area for up to 16 children would not increase noise levels at the nearest residential property. By redistributing children across the external areas, the predicted noise levels will be comparable to, or marginally lower than, existing arrangements due to increased acoustic screening provided by the boundary treatment surrounding the Wildlife Area which reduces direct sound propagation towards neighbouring properties.

In all cases the predicted change would fall within the "None / Negligible" category under the IEMA guidelines for Environmental Noise Impact Assessment.

Overall, the noise impact assessment demonstrates that use of the Wildlife Area for structured play and activities would not result in adverse noise effects at neighbouring residential properties and is therefore acceptable in acoustic terms.

The proposed measures to manage activity and noise set out in the updated Management Plan for Outdoor Activities (June 2026) would further reduce the impact of the structured play within all outdoor areas, including the Wildlife Area, thereby further ensuring that levels of noise and activity associated with the nursery would not have a significant impact on local amenity.

Due to the existing boundary treatment around the wildlife area and the separation distances involved, the use of this area for structured play would also not materially impact on the privacy of neighbouring residents.

The proposals would therefore accord with Policy 15 of the Local Plan.

Conclusions

The proposals would provide a much-needed woodland learning area on this well-established and popular day nursery, in a manner which would not be harmful to the amenities of neighbouring properties.

We therefore trust that the attached Management Plan for Outdoor Activities (dated June 2026) can be substituted for the previously approved Management Plan for Outdoor Activities dated September 2018.

We hope this letter and accompanying planning submission provides you with sufficient information to determine this application, but if you require any further clarification, please do not hesitate to contact us.



We look forward to receiving written confirmation of the validation of this application at your earliest convenience.

Yours sincerely

A solid black rectangular box used to redact the signature of Tania Tindale.

Tania Tindale

Enc: As listed on page 1

cc: Oliver Brookes, Bright Horizons Family Solutions Limited