

DELEGATED OFFICER REPORT

Application Ref: F/23/94717

Site Address: 104 SANDY LANE, FAIR OAK, EASTLEIGH, SO50 8GD

Case Officer: Rebecca Altman

Description: Change of use from single dwelling to two separate flats (Use Class C3), with ancillary staff annex (retrospective) (amended description).

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Within BIFOH Character Area No.16		

Planning History?	Yes ☒	No ☐
H/21/90018 – single storey side extension after demolition of garage – permitted 19/05/2021		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	One representation received, raising the following concerns: - Too many similar properties in the area; - Concerns about increased parking problems; - Potential for increased disturbance to surrounding residents.		
Parish Council:	No objection but note that there does seem to be a lot going on in a small space.		
Highway Authority:	No objection. However, the applicant will need to formalise the dropped kerb access to the Highway. An application to Hampshire County Council is required. Officer note: This can be covered by an informative if permission is granted.		

Site Visit:	Yes ☒	No ☐
28/09/2023 – photographs on file.		

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 and S2; and Development Management policies DM1, DM14, DM23, DM25, DM29, and DM30.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:
<u>Site and proposal</u> The application relates to a detached single-storey property located on the west side of Sandy Lane. The property has been extended to the southern side following planning permission in 2021, and has been converted into two separate units of supported living accommodation with an attached staff annex, for which this application seeks

retrospective permission. There is a large driveway to the front of the site which can accommodate up to four cars, and the rear garden has been subdivided into two.

A Supporting Statement has been provided, which explains that the flats would be occupied by single persons who require care on a regular basis, in order to allow them to live semi-independently. This type of accommodation is known as assisted living or supported living. The staff annex provides office space and sleeping facilities for the staff and the Supporting Statement explains that there would be a maximum of 2 staff present at the site at any one time during the day, and 1 staff member overnight.

Principle of the proposal

The proposal provides supported living accommodation for people who require care in order to live more independently. The Adopted Local Plan highlights the need for a mix of housing within the Borough, including specialist accommodation, with the supporting text to Policy DM25 (para. 5.126) stating: *'Vulnerable and older people have a range of individual housing needs... Therefore it is necessary to provide for a range of housing for older people, and other vulnerable groups where there is an identified need, both in the general housing mix and through the provision of specialist accommodation'*. The provision of supported accommodation of the type proposed, within an established residential area, is therefore considered acceptable in principle in accordance with Local Plan objectives.

Design matters

The proposal relates to the use of the property only. Whilst the property has been altered externally and extended to the west, these works were either permitted under the previous application (ref. H/21/90018), or were carried out as permitted development.

All new dwellings are required to meet Nationally Described Space Standards in accordance with Policy DM30. The NDSS prescribes a minimum size for a 1-bedroom flat of 39m² (or 37m² if there is a shower room rather than bathroom). Both proposed flats would exceed the minimum requirement with Flat 1 measuring approximately 39.2m² and Flat 2 measuring approximately 47.5m², and the bedroom sizes meet required standards for single bedrooms. The garden sizes also accord with the guidance set out in the Council's Quality Places SPD, being more than 60% of the size of the floorspace of the respective flats.

Policy DM29 sets out access standards for new build residential development, stating that a target of 80% of dwellings should meet Part M4(2) standard for accessible and adaptable dwellings (as per Building Regulations). As the current proposal is for a conversion rather than new build, it is accepted that it would be difficult to achieve the higher standard. However, it is noted that the layout of flat 1 has been designed to accommodate wheelchair access, with ramped access to the front door.

Refuse and recycling is stored to the side of the property and moved to the driveway on collection day. This is similar to the arrangement that existed for the bungalow and is considered acceptable.

Impact on neighbouring residents

Although two separate dwellings have been created, they are each designed to accommodate 1 occupant with up to 1 member of staff staying overnight and a maximum of 2 members of staff on site during the day. The number of occupants on the site is therefore no greater than could have resided in the previous 2-bedroom bungalow. In terms of staff movements, the supporting statement confirms that staff would work two main shifts, either daytime from around 7am to 9.30pm or evening from 9.30pm to 7am. Therefore whilst there may be additional vehicle movements / activity associated with staff comings and goings, it is not likely to be constant throughout the day. Having considered the details set out in the supporting statement and the maximum number of people likely

to be on site at any one time, it is not considered that the use will generate a significant increase in noise and disturbance to the local area.

It was noted on site that a side (south) facing window that previously served a kitchen for the bungalow now serves a living room, and there is a side window on the neighbouring property facing north, which is understood to serve a kitchen. As the neighbouring kitchen is not a main habitable room and having regard to the separation between buildings and intervening boundary treatment, it is not considered that there is a significant impact on the neighbouring residents in terms of overlooking from the side living room window.

Having regard to the above, it is not considered that the conversion to two flats with staff annex results in significant impacts on the amenities of neighbouring residents.

Parking and highway impact

The property is accessed from Sandy Lane and there is a large driveway to the front which can accommodate at least four cars. In accordance with the Adopted Parking Standards, 1-bedroom flats require 2 parking spaces each, and this is being met on site.

It is noted that the flats are only intended for single occupants who require regular care with a maximum of 2 staff members on site at any one time (working on shift patterns). As it is unlikely that there would be a need for more than 1 car for each occupant, the provision of 4 spaces is considered sufficient to accommodate parking for the occupants and staff in this instance.

The Highway Authority has noted that the dropped kerb requires extending and this will require a separate application to Hampshire County Council. An informative note can be added to inform the applicants of this required.

There is no cycle storage on site, but there is space within the rear garden areas for cycle storage provision. This can be conditioned.

Impact on European protected sites

The site lies in an area where there is the potential for new residential development to impact on the integrity of European protected sites through increased nutrient loading. However, in this case, whilst an additional dwelling has been created on the site, the overall occupancy level of the site would not be increased (1 x 2-bed bungalow to 2 x 1-bed flats for single occupancy each). A HRA Screening Assessment was sent to Natural England concluding that the development would not result in an adverse impact on protected sites.

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.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. The applicant has confirmed that as part of the conversion, the existing roof was improved with insulation and new double glazed UPVC windows and doors have been installed, which have helped enhance the energy efficiency of the building.

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. It is noted that the development provides accommodation for persons with additional needs, increasing the range of specialist accommodation within the Borough.

Conclusion:

Recommendation:	PERMIT ☒	REFUSE ☐
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1. The development hereby permitted shall be implemented in accordance with the following plans numbered: 200037 10 (Site Location Plan); 200037 11 A (Proposed Site Plan); and 200037 13 B (Proposed Floor Plans & Elevations).

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The flats hereby permitted shall be for single occupancy only.

Reason: To ensure that the occupancy of the building is not intensified to prevent adverse impacts on the integrity of European protected sites from increased nutrient loading, in accordance with Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).

3. The parking provision for at least 4 cars shall be retained at the frontage of the site for vehicle parking purposes only.

Reason: To ensure adequate on-site parking provision is retained, in the interest of highway safety in accordance with Policy DM14 of the Eastleigh Borough Local Plan (2016-2036).

4. Within 3 months of the date of this decision, provision shall be made for the secure storage of 2 x bicycles on the site and shall be retained thereafter for cycle storage purposes only.

Reason: To encourage alternative means of transport in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

Note to applicant: Please note that an application to Hampshire County Council will be required to extend the dropped kerb in front of the property: [Apply for a vehicular access | Hampshire County Council \(hants.gov.uk\)](https://hants.gov.uk/apply-for-a-vehicular-access/).

Note to applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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.

Note to applicant: This decision is made in accordance with Section 73A of the Town and Country Planning Act 1990 (as amended), which allows for the granting of planning permission for development that has been commenced and/or been completed.