

DELEGATED OFFICER REPORT

Application Ref: F/25/100388

Site Address: DRAPER TOOLS LTD, HURSLEY ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 1YF

Case Officer: David Huckfield

Description: Change of use of internal areas of existing Class B8 warehouse to provide 6 no. padel tennis courts (Use Class E(d)) and an area of co-working office space (Use Class E(g)(i)).

Relevant Site Constraints?	Yes ☒	No ☐
Within the Urban Edge Existing Employment Site (not identified on the Local Plan policies map) Within Flood Zone 1		

Recent Relevant Planning History?	Yes ☒	No ☐
O/10/66978 - Outline: (1) Construction of 130 dwellings comprising 59No. 3-bed houses, 45No. 4-bed houses, 26No. 2-bed flats (use class C3) with access from Hursley Road and associated roads, parking, landscaping, open space and play area, following demolition of existing industrial building. (2) Construction of 60-70 bed care home and 10No. Close care bungalows (use class C2) with access from Ramalley Lane, with associated parking and landscaping. (Matters of access and layout only to be considered) - GRANT OUTLINE PERMISSION - 2012 X/17/80089 - Variation of Conditions 6, 7, 9, 16, 20, 21, 23, 25, 26, 27, 30, 31, 32, 33, 34 and 35, and removal of conditions 14 and 15 of Outline Planning Permission O/10/66978 to alter timing for submission of discharge of condition information and removal of environmental construction requirements – PERMIT - 2017 X/17/80362 - Variation of Condition 1 of Outline Planning Permission O/10/66978 to substitute approved plans and allow for a revised site layout – PERMIT - 2017 RM/17/80952 - Reserved matters application to outline planning permission O/10/66978 dated 24.07.2012 as amended by variation of condition consents X/17/80362 (condition 1) dated 06.07.2017 and X/17/80089 (various conditions) dated 06.07.2017 for the construction of 130 dwellings (use class C3) associated roads, landscaping, parking, open space and play areas with access from Hursley Road and the construction of a care home (60-70 bedrooms) and close care bungalows (use class C2) with associated landscaping and parking and access from Ramalley Lane – APPROVE THE RESERVED MATTERS - 2018 X/18/84384 - Variation to condition 3 of Reserved Matters consent RM/17/80952 to submit hard landscape details prior to the construction of any building above slab level – PERMIT - 2018 LDC/23/96373 - Lawful Development Certificate for a Proposed Use or Development: The proposed use of part of the headquarters building for self-storage – GRANTED (Certificate Issued) – 01/02/2024 A/24/96965 - Consent to display 4no. non-illuminated (signs B, C, D and E) panel signs to outer boundary, and 4no. non-illuminated (signs G, I, J and K) and 1no. internally illuminated (sign H) fascia signs to main building – CONSENTED (7 May 2024)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations (Summarised)	A total of 14 representations were received in relation to the application. The majority of comments made were in support of the proposals, citing the growing nature and increasing popularity of padel as a sport, the health, social and economic benefits of the proposals, the development allowing for the re-use of a disused warehouse, and the desire to have padel facilities / courts within the local area. 3 of the comments received raised concerns regarding the potential noise impacts arising from the padel courts in light of warehouse buildings generally having limited insulation, and 1 referenced concerns in relation to the additional vehicles on Hursley Road as well as highlighting the importance of the padel use being promoted and inclusive for the local community and incorporating disabled facilities.		
Chandlers Ford Parish Council	No comments received.		
HCC Highways	No objection. It would not be anticipated that there would be a significant negative impact upon the local highway network. The change of use from B8 to office would be anticipated to have a relatively minor increase in the overall trip rates for the size of development when comparing existing to proposed. Whilst the padel tennis courts would also add trips to the network, these will be spread across the day with no specific peak anticipated. When considering the use, it would also be anticipated that some of these would be via sustainable modes (walking and cycling) as well as linked trips (i.e. using the facility on the way home from work) which would reduce the impact even further. In terms of parking, it is noted that 207 car spaces (plus 5 LGV sized spaces) and 15 cycle spaces are located on the site with no changes to this proposed. The Case Officer will need to assess the parking is in accordance with the EBC Parking Standards, however it would be suggested that cycle parking numbers are increased due to the proposed leisure element on site, and to fully support sustainable travel.		
Planning Policy	No objection (verbal comments only provided).		
Environmental Health	No objection following receipt of an updated noise impact assessment incorporating additional weekend survey data, subject to conditions in respect of the installation of additional plant and the acoustic design / insulation of the office space to ensure that this is compatible with the padel court use.		
Leisure Services Manager	Following engagement with the Lawn Tennis Association (LTA), the National Governing Body for padel, they have advised that the courts should adhere to the SAPCA Code of Practice for the Construction of Padel Courts to ensure that the appropriate specifications are being met, as well as meeting LTA standards for lighting, clear heights and wheelchair accessibility.		

Site Visit:	Yes ☒	No ☐
A site visit was undertaken by the Case Officer to review the proposals in context		

Policy:**Legislative Background:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan comprises of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: S1 (Delivering Sustainable Development), S2 (Approach to New Development), S4 (Employment Provision), DM1 (General Criteria for New Development), DM2 (Environmentally Sustainable Development), DM3 (Adaption to Climate Change), DM8 (Pollution), DM11 (Nature Conservation), DM13 (General Development Criteria – Transport), DM14 (Parking), DM15 (Safeguarding Existing Employment Sites), DM34 (New and enhanced recreation and open space facilities).

Other material considerations:Supplementary Planning Documents (SPDs):

The following SPDs and Background Papers are of relevance to the proposals:

- Environmentally Sustainable Development (2009)
- Parking Standards (2025)

National Planning Policy/Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2024 and as set out within paragraph 231 the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance (PPG) provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:Principle of development:

The application site lies within the urban edge and forms part of an established existing employment site. Policy S2 of the adopted Local Plan sets a target of 103,500sqm of new employment development within the Borough across the Plan period (2016-2036), with Policy S4 setting out the strategy for how this will be sought to be achieved. This strategy includes retaining existing (and allocated) employment sites which have the potential to contribute towards future employment needs and intensifying their use in accordance with the provisions of Policy DM15.

The existing site is in B8 use although, as explained within the submitted Planning Statement, the intensity of this use by the site's operator, the Draper Tools Group, has lessened in recent years due to the storage and distribution element of their operations being gradually moved to a new facility in North Baddesley. Whilst the operator wishes to retain some storage and distribution at the site along with their ancillary office functions and research and development, the change in the location of the primary storage and distribution function of the business has resulted in space within the building becoming vacant or under-utilised.

The application proposes to use some of this vacant space at the building's western extent as flexible office space (754sqm at first floor level) and for the provision of a leisure/sport use in the form of padel courts (2,111sqm of floor space at ground floor

level). Neither of these uses are specifically employment uses as defined in the Local Plan (which comprise of B2, B8 and E(g)(ii)/(iii) uses) and, as such, criteria '3' of Policy DM15 applies. This states that the change of use of existing employment sites not identified on the Local Plan policies map to non-employment uses will be permitted where, amongst other things, it can be demonstrated that the site is no longer in demand for employment use and the proposals would not have a significant impact on the continued primary use of the site.

The combined floorspace of the area of the proposed change of use represents a relatively modest proportion (c. 10%) of the overall floorspace at the site which would remain in B8 use. Therefore, the development would not have a significant impact on the primary use of the site. In respect of the demand for the floorspace for employment purposes, the information submitted in support of the application makes reference to a recent marketing exercise for the first floor area which received only two enquiries, neither of which were for B2, B8 and E(g)(ii)/(iii) uses, with one being for a leisure use and the other being for office premises.

The marketing undertaken is considered sufficient to demonstrate limited interest in the first floor space for traditional employment uses, with the exercise carried out having incorporated appropriate methods (signage boards, web listings on national property sites, marketing particulars being sent out to local and regional agents, etc.) and having been undertaken for a reasonable period (a minimum of 6 months). In addition, it is also a material consideration that the floorspace is currently vacant and the proposals would see this brought back into active use, as well as that office uses do generate a degree of employment which is often at a higher employment density than a B8 use. Both of these factors would be economic benefits of the scheme and overall, therefore, the principle of the proposed office use is accepted in this case.

In terms of the ground floor area and the padel court use, much of the information provided in this regard relates to previous assessments that were done for the wider site which were associated with consents for its redevelopment for residential purposes (Ref. O/10/66978 and RM/17/80952) rather than being specific to any recent marketing for the particular part of the building the subject of the current application, and there is arguably a difference between potential demand for an area of just over 2,000sqm compared to demand for the entirety of the site which (based on the information provided) incorporates c. 29,000sqm of floorspace.

Nonetheless and whilst the information provided may not fully demonstrate that there is no current demand for the space for employment related purposes, it is still of material relevance in terms of the suitability of the accommodation on offer for modern commercial and industrial uses, with it demonstrating in general terms that such demand is likely to be more limited. In addition, and similar to the first floor area that also forms part of the application as set out above, the vacant nature of the space is also a relevant consideration with the proposals seeing this brought back into a form of active use and creating some, albeit not to the same extent as the office use, employment opportunities.

In addition, the proposals would provide for a leisure / recreational facility within the local area for padel which is a fast growing sport within the UK for which there is a known demand and for which specific types of accommodation are required (i.e. larger floor areas and higher ceilings) which the application unit lends itself to. The site is also in a relatively sustainable location whereby users of the facility would be able to access it by means other than solely the private car. In these respects, the proposals would accord with the provisions of Policy DM34 of the Local Plan which relates specifically to the provision of new recreation facilities in the Borough.

Taking account of these factors and whilst acknowledging that there would be some conflict with the provisions of certain elements of Local Plan policy in relation to the padel court use, on balance and on the basis of the specific circumstances of the case, it is not considered that such conflict would be sufficient to justify the refusal of planning permission. Accordingly, the principal of the development is accepted in this instance. Any

subsequent planning approval is however subject to the proposals being considered to be appropriate in other respects, which includes in terms of their layout and design, as well as with regards to highway and amenity related considerations. These matters are covered below.

Design, layout and impact on the character of the area:

The proposals do not involve any external alterations to the building or the land around it, save for the introduction of some Sheffield cycle stands close to what is proposed to be the entrance to the premises. These will have a very limited impact on its external appearance which will otherwise remain unaltered and, accordingly, the prevailing character of the area will be maintained. The development is therefore considered to comply with the provisions of Policy DM1 of the Local Plan in this respect.

Highway matters:

The vehicular and pedestrian access to the site will remain unchanged, with both being considered to be suitable for the proposed end use. In terms of vehicle movements, the change from B8 use to office space would result in additional trips during the peak AM and PM periods, whilst the padel court use would also add additional trips to the network. The former however would be relatively minor (approx. 10 trips in the AM peak and 11 in the PM peak as set out within the submitted Transport Technical Note (TTN) which accompanies the application), whilst the latter would be spread across the day with no specific peak time anticipated. As such, it is not considered that the development would have a significant or detrimental impact on the highway network and no objection has been raised by the Highway Authority.

In addition, it is likely that some trips to and from the site would be linked-trips and/or made via sustainable means, for example by way of walking and cycling, particularly in the case of the padel courts taking account of the nature of this end use. In order to further facilitate this and to take on board the comments of the Highway Authority, the applicant has proposed the provision of an additional 14no. Sheffield cycle hoops providing 28no. cycle parking spaces and a condition will be imposed to require that these be installed prior to the development being brought into use.

Finally in terms of car parking, the Council's adopted Parking Standards SPD sets out the requirements for different types of use. The relevant standards in this case are for 1 space per 35sqm of office space, 2 spaces per court for the padel use and 1 space per 80 sqm for the warehousing use. Based on the proposed provision of 754sqm of office space and 6 padel courts, and the remaining area of the building being retained in B8 use, this would equate to a total requirement of 305 spaces (including 22 for the offices and 12 for the padel use).

The site currently benefits from a total of 207 car parking spaces which thereby falls below the aforementioned requirement for 305 spaces specified within the SPD. The SPD does, however, state that whilst these are 'expected standards', each development should be considered on an individual basis taking account of local circumstances. In this regard, the submitted TTN appraises the level of parking demand specifically associated with the B8 operations that are undertaken on the application site, with this incorporating details provided by the operator on the levels of on-site staff employed (a total of 157) and the number that are present on site on each day of the week, which varies between 61 and 118. As set out within the TTN, therefore, even in the unlikely event that every member of staff travelled to the site individually by private vehicle, and also allowing for visitors (which are relatively limited given that much of the site is used for storage), there would be a surplus of spaces, more than sufficient to allow for the required capacity for the new office and padel uses.

Overall and taking account of the above matters, it is considered that the development is acceptable in highway terms and the application complies with Policies DM13 and DM14 of the Local Plan.

Residential amenity (including noise):

The proposals involve no external alterations or extensions to the building and, as such, the development will not be unduly overbearing or materially affect light, outlook or privacy for neighbouring occupiers when considered relative to the existing situation. The primary consideration in respect of amenity therefore concerns the potential noise related impacts arising from the operations and activities associated with the proposed uses.

In this respect and following comments from the Council's Environmental Health Officer and concerns raised by neighbouring residents, an acoustic impact assessment has been submitted and subsequently updated during the course of the application process. This assessment considers the impacts on neighbouring residential receptors from potential breakout noise from the premises and the implications of any additional plant that may be installed, as well as the relationship and compatibility of the two proposed end uses with specific focus on the appropriateness of the environment that would be available for the office use having regard to the likely noise arising from the padel courts.

The assessment concludes that predicted noise from the padel court activity will result in negligible changes to the existing ambient noise environment at the nearest noise sensitive receptors, with external sound levels remaining within accepted guidance values. Similarly, the predicted increase in road traffic noise will be below the threshold of perceptibility. The acoustic assessment states that it is not envisaged that additional plant will be required and that the development will make use of the existing equipment, however, should it be necessitated, it should be designed to achieve a specified rating level which does not exceed the representative background sound levels at the nearest residential receptor. Finally, recommendations are made to appropriately safeguard acoustic amenity within the proposed office accommodation, including in respect of insulation measures, with a target noise level being specified to ensure that the proposed uses are compatible.

This information has been considered by the Council's Environmental Health Officer who is satisfied with its findings and that, with the suggested controls in place, it will not adversely impact upon the amenity of existing sensitive receptors or future occupiers of the development. Conditions will be imposed to control the impacts of any additional plant / machinery that may be installed, as well as to specify the noise rating that should be achieved within the proposed office accommodation in line with the recommendations within the submitted acoustic assessment.

With these conditions the development is considered to comply with the requirements of Policies DM1 and DM8 in respect of amenity and noise.

Nature conservation:

As the scheme consists of internal alterations to an existing building with no external changes proposed, there are considered to be no likely significant impacts on protected species, or either local or European designated sites for nature conservation. The development would also be subject to the *de minimus* exemption for Biodiversity Net Gain and therefore the mandatory 10% gain requirement would not apply in this case.

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; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality; (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 supports economic growth and productivity with the aim of building a strong competitive economy, and Policy S2 of the Local Plan sets a target for 103,500sqm of new employment development to be provided within the borough over the plan period as noted earlier in this report. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and the Council's adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. Taking account of the site context and the nature of the proposals, the development is expected to be resilient to the potential effects of climate change and to have limited material impact on climate emissions.

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. The need to meet LTA and SAPCA Code of Practice standards for padel courts, including in relation to wheelchair access as highlighted by the LTA via the Council's Leisure Services Manager, falls outside of the planning process, however, this has been brought to the applicant's attention and will also be included as an informative on the decision notice.

Recommendation:

PERMIT ☒

REFUSE ☐