

12<sup>th</sup> June, 2026



Development Management,  
Eastleigh Borough Council,  
Eastleigh House  
Upper Market Street,  
Eastleigh,  
SO50 9YN

Lucy Topp BA (Hons)  
E: [lucy.topp@blackboxplanning.co.uk](mailto:lucy.topp@blackboxplanning.co.uk)  
T: 07825 447510  
36 King Street  
Bristol  
BS1 4DZ  
**BlackBoxPlanning.co.uk**

BY EMAIL

Dear Development Management Team,

**22 Mill Court, 2 Mortimers Lane, Fair Oak, Eastleigh, Hampshire, SO50 7PG**

On behalf of our client, My Future Living, we submit this application for a change of use of a housing Managers Flat to be used as an age restricted accommodation (over 60).

My Future Living are the market leading UK retirement rentals company, with over 2,000 high quality apartments designed exclusively for the over 55s. My Future Living offer good quality, age-exclusive rental properties, in modern purpose-built developments across the country.

### **The Proposed Development**

Mill Court comprises 38 no. independent retirement living 1-bed and 2-bed flats for the over 60's. It offers independent living for its residents, with each flat having its own kitchen, bathroom and living area. The Site also benefits from a private communal car park for use of any residents on site as well as managed gardens for residents. Additional assistance and facilities are also available with a Careline Alarm Service. For the reasons set out below, the application is submitted for a change of use of the Housing Manager's Flat to create 1no. age restricted 2-bed flat (C3).

Mill Court does not provide care services, however it does provide support to enable residents to live independently, including a 24-hour alarm system. Due to the way in which Mill Court is managed, the limited level of assistance required and the ability of the residents to live independently, there is no requirement for a live-in manager. Additionally, the presence of the flat increases the running costs of the site, which in turn increases the charge for the residents.

In response to residents raising concerns over the service charge, My Future Living have been reviewing their portfolio and where appropriate are seeking to reutilise the Housing Manager's Flat where they are no longer required. As part of this review, My Future Living

have help ballots amongst residents to determine which properties no longer require a Manager's Flat and are seeking to reutilise the flat where this is the case.

The Site is a singular enclosed flat and is fully hard surfaced. Due to this, the proposal should be considered to be under the De Minimus exception from providing BNG since there is less than 25sqm of habitat within the Site.

The Site is situated within Flood Zone 1 and does not experience any surface water flooding. Due to this, and the nature of the development, it is considered that a Flood Risk Assessment would not be required for the application.

### **Age Restricted Dwellings**

It must be considered that 'older people' are not a homogenous group. As recognised within Annex 2 of the NPPF, which defines older people are those 'over and approaching retirement age' this incorporates a range of 30 to 40 years and can include those that are 'active and newly retired through to the frail and very elderly'. As such, the requirements for housing are very different and the need for live-in assistance and a Housing Manager's Flat can vary significantly across different homes.

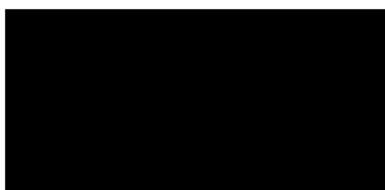
Policy DM25 'Delivering Older peoples housing' of the Eastleigh Borough Local Plan (2016-2036) states that the Council will support the provision of accommodation suitable for the needs of older people. The Policy also sets out a criterion for older peoples housing proposals. It should be considered that due to Mill Court's location in Fair Oak, this criterion is met.

There has been some debate over the use of C2 and C3 units to provide age-restricted accommodation, and the differences have been well tested through appeals and high court decisions. One prominent example is *Leelamb Homes v Maldon District Council*, which determined that where two or more hours of care are provided, it is generally accepted to fall under a C2 classification. In addition, it is considered that receipt of care is an occupancy condition of C2 units, however not of C3 units. In accordance with these definitions, it is concluded that the flats within Mill Court fall under a C3 Sheltered Housing Definition, rather than a C2 nursing home, and therefore the change of use from a Wardens Flat to an age restricted dwelling will work to align with all existing flats.

In the case of Mill Court, 24-hour assistance is available through a Careline Alarm Service, however residents live independently, with no requirement for a 'live-in' manager. In addition to the justification related to the on-going operation and management of Mill Court, the application will result in the added benefit of an otherwise un-occupied dwelling being utilised and brought back into operation with the creation of 1no. 2-bedroom age restricted dwelling, to compliment the other flats in the building. The application will also help contribute towards Eastleigh's provision of housing for older people.

We trust the information submitted is sufficient to support this application and enable the Council to determine it, however, should you require anything further, please do not hesitate to contact me.

Yours Sincerely,



**Lucy Topp BA (Hons)**  
Assistant Planner