

DELEGATED OFFICER REPORT

Application Ref: PN/26/101547

Site Address: 91A THE CRESCENT, EASTLEIGH, SO50 9BJ

Case Officer: Katie Lasham

Description: Prior Notification Application Under Class MA for the change of use from office / workshop to 1no. two bed dwelling.

Particular Site Constraints?	Yes ☒	No ☐
Within urban edge SW sewers 2m buffer Within a controlled parking permit zone.		

Planning History?	Yes ☒	No ☐
There is no planning history of relevance to this site.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Eastleigh Town Council	No comment received		
Hampshire Highways	No objection: The proposal will need to be car free as there will be no entitlement to permits given it is a converted / change of use application. There would also be minimal change in vehicle trip rates, and it would be anticipated that they would be lower than the existing. I would suggest that an informative is added to any planning approval, to outline how as a new/converted use, future residents will not be entitled to join the Controlled Parking Zone.		
Environmental Health Officer	Land contamination: No objection. No disturbance to made ground so no objection. Noise: No objection. Total removal of commercial unit to be replaced with a single dwelling in a residential area so no impacts on future occupants by way of commercial noise.		
Southern Water	Insufficient information provided: Condition requested whereby construction of development shall not commence until details of the proposed means of foul / surface water drainage disposal has been submitted to the Local Planning Authority in consultation with Southern Water. Comments also made that a sewer now deemed to be public could be crossing the development site. If any sewer is found during construction works, an investigation of the sewer will be required to ascertain its ownership before commencement works begin.		

Site Visit:	Yes ☒	No ☐
Details: 8 July 2026		

Legislation:
The Town & Country Planning (General Permitted Development) (England) Order 2015 (Amendment) Part 3 of Schedule 2, Class MA grants planning permission for a change of use from Class E (commercial, business or service) and any land within its curtilage to residential, subject to certain exceptions, limitations and conditions.

Under this act the developer must apply to the Local Planning Authority, before starting development, to determine whether the prior approval of the authority will be required, and if so whether this is granted by the LPA. The matters to be considered under the prior approval are:

- a) transport impacts of the development, particularly to ensure safe site access;*
- b) contamination risks in relation to the building;*
- c) flooding risks in relation to the building;*
- d) impacts of noise from commercial premises on the intended occupiers of the development;*
- e) not applicable as the site is not within a Conservation Area*
- f) the provision of adequate light in all habitable rooms of the dwellinghouse;*
- g) not applicable as site is not within an industrial area*
- h) not applicable as current use is not a nursery or health facility*
- i) not applicable as development as a fire risk condition is not required.*

Eligibility:

The building is eligible for a Class MA prior notification application as:

- The building is in use as a shop with a workshop (Class E)
- The building has been in Class E use for at least two years prior to the date of this application for prior approval.
- The building, and its curtilage, is not within a site of special scientific interest, listed building, scheduled monument, in a safety hazard area, military explosives storage area, in an area of outstanding natural beauty, in a national park, within an area specified by the secretary of state or under an agricultural tenancy.

Policy:

National Planning Policy Framework Planning Practice Guidance

Paragraph W(10) of Schedule 2 Part 3 of the GPDO requires that in assessing this Prior Approval application, the LPA must take into account any representations made to it on the proposals by neighbours or by relevant consultees and must have regard to the NPPF where relevant to the subject matter of the Prior Approval. The NPPF re-iterates that planning law requires that applications for planning permission be determined in accordance with the development plan, and consequently those policies of the adopted Local Plans that are relevant to the subject matter of the Prior Approval are cited here and have been taken into consideration in the assessment of the application.

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM5, DM8 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:

A. Transport Impacts

The proposal will remove the entirety of the existing commercial unit (office and workshop – Use Class E), to be replaced with a two-storey two-bed (4 persons) dwelling. As the office and workshop is to be replaced by a two-bed dwelling, it is not considered that the number of trips is to be greater than those of the existing commercial unit and could also result in less trip generations, as confirmed by the transport officer.

The transport officer raises no concern with regards to the scheme not proposing parking spaces for the dwelling, as this replaces an existing commercial unit that also did not benefit

from any parking spaces. The site is located with proximity of Eastleigh Town Centre and so future occupants will benefit from being located near to bus and rail services. Furthermore, in accordance with the EBC Parking Standards SPD, a two-bedroom dwelling across two floors would require fewer parking spaces (2no.spaces and 1no.visitor space) than the existing commercial unit (4no.spaces for 115sqm of floorspace); this demonstrates that the proposed use will lessen the impact on the local road network. The site is within a area that requires permits to park on the residential roads, and the transport officer makes clear that a converted building will not benefit from joining the Controlled Parking Zone and will not receive a parking permit and as such, the dwelling will be required to be car-free.

With regards to servicing, deliveries for the dwelling will continue from The Crescent and residential bin storage can be stored within the proposed rear private garden, which benefits from an existing gated access onto The Crescent for bin collection days. A cycle space can also be stored within the private garden area.

B. Contamination Risks

The conversion involves above ground works only for the conversion and change of use of an existing building. There will, therefore, be no contamination risks.

C. Flooding

The site is within Flood Zone 1 (low risk of flooding), the introduction of a ground and first floor residential unit will not create a significant flood risk, particularly as there is no additional footprint added as part of this proposal.

With regards to Southern Water's consultation response received, the building already comprises connection to the foul drainage network and no below ground works are proposed that would potentially create disruption to the sewer network, therefore the proposal is considered acceptable in this regard without the need for conditions to be added. Furthermore, as no new built form is proposed, surface water run-off is not considered to be worsened because of this proposal, therefore Southern Water's requirement for surface water information to be provided is not necessary.

D. Impacts of Commercial Noise on intended occupiers

The application site is set within a predominantly residential area of Eastleigh, with this Class E unit being the only commercial unit within the vicinity. The application proposes the complete removal of the commercial unit to be replaced with a two-storey, two-bedroom dwelling. As the commercial unit is to be entirely removed from the building, there is no concern raised in relation to the occupier being impacted by surrounding commercial noise.

E. Impacts on character and sustainability if within conservation area

The application site is not located within a conservation area, so this is not applicable.

F. Adequate light in all habitable rooms of the dwellinghouse

The ground floor habitable rooms each benefit from a window. However, the rear of the site as existing comprises a canopy across the full expanse of the plot utilised for the commercial operations. Amended plans were provided during the application process to demonstrate that the canopy is to be removed to ensure each of the habitable rooms at ground floor level receive adequate daylight. A condition has been added to ensure that the canopy is entirely removed prior to occupation of the dwelling.

The first-floor bedrooms each benefit from a satisfactory number of windows and size of windows to ensure adequate light is provided into these habitable rooms.

As existing there is no clear boundary treatment dividing no.91A from no.97. Amended plans were provided during the process which added a 1.8m fence along the proposed boundary

split line (shown on drawing number Block01 rev A), to ensure that both properties benefit from sufficient privacy. The boundary treatment will ensure that the proposed lounge window does not need to add any form of privacy screening, such as the use of curtains to maintain privacy, that would consequently restrict adequate light from serving the habitable room. A condition has been added requiring the fence shown on the plan to be erected prior to occupation of the dwelling and for this to be maintained in perpetuity, to ensure adequate natural daylight can serve all habitable rooms of the dwellinghouse.

G. Impact on occupiers if site is within important industrial area

This is not applicable as the site is not within a general or heavy industrial area, a waste management facility or storage and distribution site.

H. Loss of services if site is registered nursery or health centre

This is not applicable as the current use is not a registered nursery or a health facility.

Article 3 Permitted Development - Nationally Described Space Standards

An important Statutory Instrument (2020 No.1243) which made amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015 in relation to space standards came into effect on 6 April 2021:

In article 3, after paragraph (9) insert—

(A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

(a) where the gross internal floor area is less than 37 square metres in size; or

(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.

Therefore, the nationally described space standards are also a consideration for the Council in determining this application.

A calculation of internal space standards has been undertaken. For a two-storey dwelling with two bedrooms (2-bed 4-persons), minimum gross internal floor space must be at least 79sqm. This proposal proposes a dwelling measuring 115sqm of minimum gross internal floor area and therefore meets the required space standards.

Impact of SPA:

Conservation of Habitats and Species Regulations 2017: Under Regulation 77 of the Habitat Regulations, development which would be permitted by a Development Order, and which would be likely to have a significant effect on a European site or a European off-shore marine site, (in this case, through additional nitrates loading on the waste water system and New Forest SAC and SPA impacts from increased recreational pressure) must not commence until the Local Planning Authority has given its written approval for the development and appropriate mitigation has been secured against the developments for its harmful impacts on the European Protected Site. The applicant is required to submit a separate Regulation 77 application to the LPA to secure this mitigation.

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 2030; (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. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Act:

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.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...