

DELEGATED OFFICER REPORT

Application Ref: F/24/97730

Site Address: 107 & 109 Leigh Road, Eastleigh

Case Officer: Gary Osmond

Description: Conversion of offices (Class E) to form 2.No HMO's each for 7 unrelated persons (sui generis), single storey side/rear extension to No 107, amenity space, parking and alterations to fenestration

Particular Site Constraints?	Yes ☒	No ☐
- Within the urban edge - Withing an Air Quality Management Area (AQMA) - Sewer easement		

Planning History?	Yes ☒	No ☐
Application No.	Proposal	Decision
F/23/96585	Conversion of offices to 2.No HMO's for 6 unrelated persons (C4), single storey side/rear extension to No 107, amenity space, parking, boundary containment, alterations to fenestrations.	Approved April 2024
F/23/95415	Conversion of offices into 2no. dwelling houses (Class C3), including associated external alterations and bin and cycle stores.	Approved November 2023
Z/10277/002/00	Change of use from Dental Surgery and offices to offices.	Approved April 1978
EAB050785000000	Change of use from residential and dentist surgery to dental surgery and office.	Approved December 1972
EAB0549300000	The erection of extensions.	Approved April 1967

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	One objection received sighting concerns in relation to overdevelopment and parking.		
Eastleigh Town Council:	Objection. Increased stress on parking. Quality of internal and external accommodation for future occupiers.		
Hampshire Highways:	No objection in principle. Existing pedestrian and vehicle access is to be retained. Sightline from rear service road onto Nutbeem Road will need to be retained. It needs to be demonstrated that rear parking is workable with sufficient space to manoeuvre into and out of parking spaces. Cycle parking is to be provided.		
Environmental Health:	No objection in principle but more information is required in relation to protection of occupants from air quality and noise issues.		
Ecology:	No objection provided biodiversity enhancements are included.		
Southern Water:	Any new connection to the public sewer would require a formal application.		

Natural England:	No comments received. However, an objection was raised to the previous scheme regarding impact upon the New Forest.
------------------	---

Site Visit:	Yes ☒	No ☐
Details: 09/09/2024 – See separate photographs.		

Policy: National Planning Policy Framework National Planning Practice Guidance Development Plan: <u>Eastleigh Borough Local Plan 2016-2036</u> Policies: S1 (delivering sustainable development), S2 (approach to development), S3 (location of new housing), DM1 (General development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (transport), DM14 (parking), DM23 (residential development within urban areas), DM29 (dwellings with higher access standards), DM30 (internal space standards), DM38 (funding infrastructure), and E4(1a) (Urban Renaissance Quarter Boundary). Supplementary Planning Documents: Quality Places; Residential Parking Standards; Eastleigh Character Area Appraisal.
--

Assessment: Site Context: The application sites comprise 107-109 Leigh Road, 2no. semi-detached buildings situated to the south of Leigh Road, on a corner plot, with Nutbeem Road to the west. The buildings are a mirror image of one another, including decorative entrance doors, and projecting bow-bay windows at ground and first floor with a pitched roof, with the main roof being hipped. The buildings are finished in red facing brick work, a combination of timber and upvc fenestration, and a tiled roof. The sites are also currently bound by a low-level brick wall fronting Leigh Road and Nutbeem Road. To the rear it is evident that there have been extensions to both sites. Further south is a large open area of hard standing which provides car parking provisions for the commercial units which is accessed via a rear service road. The surrounding area comprises a mixture of uses, predominantly residential, however there are some commercial uses, including a nursery to the east. There is also a dentist and pub within close proximity to the west, and Eastleigh town centre is a few minutes' walk to the east. The site fronts Leigh Road, which is the main western route into and through the town centre. Proposals: The application seeks consent for the conversion of both buildings from offices (Class E) to a pair of seven person HMOs (sui generis). Physical works include internal alterations to provide four bedrooms at ground floor and three at first floor to each property. All bedrooms will also have en-suite shower rooms. At ground floor to the rear of each property will be a communal kitchen/dining/living room with access to a rear south facing communal garden. This communal space will be within an existing single storey flat roof extension, which in the case of No.107 will be enlarged to the side. Alterations to the fenestration of the western side elevation will also be revised, reflecting the changes to the internal accommodation.
--

Externally, the site frontage onto Leigh Road is to be tidied up, as is the boundary wall along Nutbeem Road, which will be raised to 1.2 metres along most of its length, but dropping to a metre at the front and rear. Secure covered cycle storage for each property will be provided within the rear amenity space, with off-street parking for four cars to the rear, accessed via the rear service road, as well as secure bin storage.

Policy & Principle:

The application site falls within the urban edge, whereby the general principle of residential development is considered to be acceptable. The site also falls within Policy E4, the 'urban renaissance quarter'. Part 1 of this policy encourages well-design, people-intensive development within Eastleigh Town Centre. Therefore, in principle there is general support for this type of development. However, any formal planning approval will be dependent upon how well that proposed is considered to accord with the relevant policies of the adopted Local Plan, the most relevant in this instance being DM1, DM8, DM14 and E4.

Policy DM1 requires all new development to be of a good standard of design; to take appropriate account of the site context and that of the surrounding locality; to ensure a good standard of accommodation for future occupiers; as well as ensure minimal impact upon existing neighbours, or to appropriately mitigate any impact caused.

Policy DM8 relates to pollution and requires any new development which may result in additional pollution, or which may be impacted by existing pollution, to ensure that appropriate mitigation is provided. In this instance the pollution issues relate to air quality and traffic noise impact from Leigh Road.

Policy DM14 relates to parking and requires new residential development to provide off-street parking in accordance with the Council's 'Residential Parking Standards' SPD. It goes on to state that "Applications with parking levels which deviate away from the expected standard should be substantiated by robust evidence".

Also of relevance, and a significant material consideration is the approval in April of this year for conversion of the properties into a pair of six person HMOs (F/23/96585). This clearly establishes the acceptability of conversion to HMOs. In principle therefore, the proposed conversion to a pair of seven person HMOs is acceptable. However, as has been stated above, planning approval will be dependent upon what additional impact the proposed seven person HMO would have upon the amenity of future occupiers, existing neighbours, and the wider area.

Layout, Form, Scale, Design & Street Scene:

During the course of the application discussions have been undertaken to secure an improved internal and external layout for future occupiers and to improve the development's impact upon the public realm. These amendments have now been secured.

In terms of form, scale and design, the development will appear as a pair of dwellings, as they originally were before being converted to offices. Improvements to the site frontage and new boundary walls will improve the street scene and the surrounding public realm.

Overall in terms of design and appearance, that now proposed is considered to be in accordance with Policy DM1 of the adopted Local Plan and the Council's 'Quality Places' SPD.

Highways & Parking:

The originally submitted proposals included the provision of a dropped kerb onto Leigh Road and parking to the site frontage. Although no highway objection to this was raised, there were concerns that the introduction of such a feature along this side of Leigh Road would have a detrimental impact upon the street scene, as well as potential safety issues

for the neighbouring children's nursery. As such, this was removed from the application proposals.

Whilst this would reduce the proposed parking provision down to two spaces at the rear of each property, which would be under the three spaces required by the Council's 'Residential Parking Standards' SPD, given the close proximity of the site to the town centre and its sustainable location, as well as the intended level of cycle storage provision, a reduction in the usual minimum parking requirements is considered justified and in accordance with Policy DM14. It is also the case that the surrounding streets are subject to parking restrictions, meaning that the potential for unwanted overspill parking will be negligible.

In terms of highway impact, that proposed raises no concerns. The boundary wall along Nutbeem Road is to be kept low adjacent to the rear service road, to ensure that sightlines are not interrupted, as well as visually improving the street scene and preventing unwanted parking on the footway.

Cycle provision at the rear of the properties, whilst taking up some amenity space, are well located with direct access onto the rear service road, which is also an identified safe cycle route into the town centre.

Amenity:

Future Occupiers:

All proposed bedrooms are of a reasonable size, each with en-suite bathrooms, and will receive a reasonable level of natural light. Whilst the outlook from some rooms will be better than others, none would have an unacceptable outlook, all either looking onto the street or amenity spaces around the buildings.

Externally, whilst the main amenity spaces to the rear are modest, they are still useable and bright, being south facing. In addition, there are useable spaces down the sides of the properties which could be used as small amenity spaces for those rooms which look onto them.

The concerns raised by Environmental Health regarding the impact of traffic noise and air quality are noted. Whilst no information has been provided as part of the application, there are measures which can be implemented to alleviate this impact upon occupiers, such as acoustic glazing and ventilation. A condition requiring details of these measures to be submitted and approved by the LPA is recommended, as it was for the previous HMO planning approval.

There is also the potential for noise disturbance from the neighbouring children's nursery at No.105. However, this operates during the day and weekdays only. As such, there would be no disturbance in the evenings and at weekends.

Existing Neighbours:

As set out above, the closest neighbour at No.105 Leigh Road is currently a children's nursery. As such, the conversion of the former offices to a residential use is unlikely to result in any unacceptable disturbance to the nursery. Other neighbouring properties are sufficiently far enough away or orientated such that there would be no loss of privacy, light or outlook.

There is the potential for disturbance during the course of building works. As such a condition requiring the submission and approval of a Construction Environment Management Plan (CEMP) to the LPA prior to works commencing is again recommended,

Area Character:

In terms of the general character and amenity of the wider area, conversion of the properties back into residential use raises no concerns. This is an area of mixed uses

along one of the main routes into the town centre. As such it is already a busy area which should not be negatively impacted by that proposed.

The proposal also conforms to the type of development encouraged by Policy E4 by providing much needed residential accommodation in a sustainable location.

Whilst the provision of HMOs can cause concern in some predominantly residential areas, in this instance, the mixed nature of the area and its close proximity to the town centre means that it will have little impact upon the general character of the area.

Ecology & Trees:

The Council's Ecologist has raised no objection to the application but has recommended that measures to improve local biodiversity could be included within the proposals. Presently the site is predominantly laid to hardstanding, with the exception of a tree in the north-west corner at the site frontage. The proposed scheme includes to creation of external amenity areas, which if appropriately landscaped can assist in enhancing local biodiversity and habitat.

Whilst the tree on the site frontage is not protected, it nonetheless is a noticeable natural feature within the Leigh Road street scene. As such its retention is desirable. Whilst not consulted as part of this application, the Council's Tree Officer was consulted for the previous application and conditions requiring tree protection measures and retention of the tree were included as part of that planning approval. These will be replicated.

Nitrates & Phosphates:

Natural England have advised that the increase in wastewater from new housing developments within the borough is having a detrimental effect on the quality of water entering the Itchen and Solent catchment areas through nitrification. As such all developments for additional housing are required to reach nutrient neutrality (ensuring that development does not add to existing nutrient burdens), in order to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

The application site would use the Chickenhall Lane wastewater treatment works, which discharges into the River Itchen. As such the proposed development is required to achieve nutrient neutrality for both nitrogen and phosphorus. Eastleigh Borough Council does have a scheme which takes land out of agricultural uses and creates recreational spaces, thus reducing the nutrient output of the land. This scheme would be available to the applicant, although they have not confirmed if they intend to make use of this scheme or provide another form of mitigation. In either case, suitable mitigation can be secured by way of an appropriately worded planning condition.

Recreational Disturbance:

The site lies within the 13.8km catchment area for the New Forest Special Protection Area but outside the 5.6km catchment area for the Solent Bird Aware Scheme. As such, mitigation is required for recreational disturbance upon the New Forest resulting from the development. The applicant has provided the necessary contributions towards the Council's New Forest Mitigation Scheme.

Habitats Regulations:

Any proposed residential development in this area will have a likely impact upon The Solent SPAs. As such, an Appropriate Assessment under the Habitats Regulations has been completed and forwarded to Natural England for comment. However, the statutory consultation period has now expired, and no comments have been received. Notwithstanding, the LPA as the competent authority can still determine the application.

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. 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 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

Conclusion:

Recommendation:	PERMIT ☒	REFUSE ☐
-----------------	---	--

For the reasons set out above, it is not considered that proposal for a pair of seven person HMOs will have any significant or adverse impact over and above the already approved six person HMOs. As such, the application is recommended for approval subject to the same conditions as the previous planning approval for conversion to HMOs.