

DELEGATED OFFICER REPORT:**Application Ref:** L/24/98090**Site Address:** THE OLD STABLES, 7 WINCHESTER STREET, BOTLEY,
SOUTHAMPTON, SO30 2EB**Case Officer:** Clare Martin**Description:** Listed building application for the change of use from Offices (Class E) to
1no. 2 bed dwelling. No external changes are proposed.

Particular Site Constraints?	Yes ☒	No ☐
• Within Botley Conservation Area • Adjacent to Grade II Listed Buildings (3 & 5 Winchester Street to South and 7 Winchester Street to North)		

Planning History?	Yes ☒	No ☐
<u>Application Site</u> • F/24/96663 - Change of use from offices to 1no. two bedroom dwelling with associated external alterations and extension of drop kerb – Refused (10/6/24) • C/31996 – Change of use from A1 (retail) to A2 (financial and professional services) – Permitted (May 1993) <u>7 Winchester Street (adjacent)</u> • L/10/67717 – Listed building consent: Change of use from Office to Dwellinghouse – Granted (Aug 2010) • C/10/67715 – Change of use from Office to Dwellinghouse – Permitted (Nov 2010)		

Publicity:	Letters ☐	Site Notice ☐	Newspaper ☐
Representations:	<u>2 letters of objection</u> (5 & 7 Winchester Street) • Inadequate amenity space, neighbour has a right of access to area at side of property. • Failure to provide two on site car parking spaces, street parking would add to congestion along Winchester Road. Disagree with highway officer view that change of use from office to residential would result in a decrease in parking demand. • Overlooking • Inadequate drainage • Noise disturbance from new residents • Nutrient loading and recreational disturbance to special protection area. • Encroachment onto no.7 with car parking space crossing boundary. • Disruption during building work. <u>Planning Officer Response</u> The application is for listed building consent and therefore only comments regarding the impact upon the building, its setting or the setting of the Botley Conservation Area can be considered.		
Listed Building Officer:	<u>No Objection</u> This is a curtilage building to No.7, built against No.5 which is also listed, and is a significant element of the setting of both buildings.		

	The principle of this building being changed from office use to dwelling is no problem from a building conservation viewpoint, however the large area of timber boarding, where perhaps a garage opening was crudely made, detracts from both properties and would be better returned to matching brickwork. Any form of fencing along the claimed boundary through the yard would not be acceptable; the yard and its cobbled finish are an important part of the setting of the main house and the relationship of one property to the other.
Parish Council:	No response

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out September 2024		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i> The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: <i>"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)</i> In addition, the proposal affects a Listed Building or its setting and section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states: <i>"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".</i>

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 S8; and Development Management policies DM12. Supplementary Planning Documents: Botley Conservation Area

Context
No.7 Winchester Street is one of eight listed buildings in this lower part of the street, most of which are in zone 4 of the Botley Conservation Area. No. 7 is List Entry Number

1111963 Grade II listed on 14th. February 1983 and identified as :- 'Early C19. Two storeys. Formerly a symmetrical façade of 3 windows, but with slightly later extension of 2 windows on the north side (with side entrance to second dwelling). Red tile-hipped roof, with brick dentil eaves. Brick walling in blue headers with red flush quoins, panels and high plinth. Sashes in reveals (one widened ground floor window). Doorcase with broken pediment and thin pilasters, enclosing arched doorway.'

The Historic England website says opposite the official list entry 'Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage (boundary) of the building. For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st. July 1948.' The list entry does not state otherwise, so the Stables are a curtilage building to No.7 requiring LBC for any changes to it.

Listing includes the boundary treatment of the property, in this case the wall across the front of the stable yard which is obviously an adjunct to Winchester House itself which was in the same ownership of Polson Solicitors for many years. Any change to this structure affects the setting of two listed buildings, No.5 against which it is built and No.7 for which it would have been built.

Assessment:

No external changes are proposed to convert the building from an office into a residential use and no boundary treatment is included in the application. The site is within a mostly residential area close to Botley Village Centre and the residential use will fit in with the character of the conservation area. Furthermore, the proposed dwelling will bring the building back into occupation and help ensure its future upkeep.

No objection has been raised by the Built Heritage Consultant. While it would be beneficial if the boarding at the side of the property was returned to brick work, the proposed change of use will not affect the current appearance of the building.

Overall, the listed building application is acceptable as the conversion will preserve the current setting of the listed buildings and that of the Botley conservation area.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) 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.

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 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 plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:		
Recommendation:	CONSENT ☒	REFUSE ☐
Comments ...		