

Response to LPA Statement –: 91 Leigh Road, SO50 9DQ APP/W1715/W/24/3350053

Reason for refusal 1 – Residential Amenity

To reiterate, it is usual to have some level of overlooking in a town center location. In the case of the neighboring property at 89 Leigh Road, this is currently in office use and therefore affords an even greater level of privacy for the residents of number 91 Leigh Road, than if both properties reverted back to the residential use of which they were intended.

Whilst the officer stresses that that the bedroom would be the tenant's primary space, it should be noted that there is also a large communal area and utility area, which each tenant can also use in addition to the large spacious bedrooms.

Whilst it is accepted there could be partial overlooking on the first-floor bedrooms of 91 Leigh Road during office hours, the lower bedrooms benefit from a brick boundary wall which add an even greater level of privacy. This is the case for all of the residential properties along this road and in many towns and cities over the UK.



Photograph of the rear between 91 & 89 Leigh Road

With regards to reason for refusal 2- impacts of highway safety

It is noted that the officer makes reference to the decision as to whether the amended plans removing the dropped kerb and the parking space should be accepted. It should be noted that this was covered by email on the 8th July from the agent to the planning officer where the offer to remove the parking space was made. Despite this the officer decided to include this reason for refusal without accepting amended drawings. Whilst the amended drawings had not been previously seen by the LPA, the suggestion to remove the element had been clearly made. The LPA have confirmed if the Inspector is minded to accept the amended site layout the LPA would no longer pursue this reason for refusal.

From: Carianne Wells

Sent: 08 July 2024 17:13

To: Huckfield, David <David.Huckfield@eastleigh.gov.uk>; Oliver Farr

Subject: RE: FAO David Huckfield - F/24/97449 - 91 Leigh Road

Hi David,

I do not share your concern over the existing windows in this property, this building would have been residential as first built, there are no additional new windows. As is the case with many residential properties within a town centre, overlooking can occur. The windows will be fitted with blinds and at the control of the occupants, to have the level of privacy they desire. As the property next door is office use, this would likely be in daytime use, and therefore provides an even greater level of privacy.

There are a number of properties on Leigh Road which have reverted to the residential use, for which they were likely built. If you are saying you are not happy with the window arrangement, then you are realistically saying none of these properties are suitable for residential use. With covid and more people working from home, smaller office spaces are becoming unviable and to repurpose these buildings to provide high quality shared accommodation is providing a much-needed contribution to providing mixed and balance communities. There are a number of properties on this road derelict and being used by squatters. A high-quality spacious HMO will ensure that does not happen to this property. All the rooms are spacious and exceeds space standards, a large communal area with an additional laundry has also been provided, again well in excess of standard. Our client is not looking to cram people into small bedrooms and is wanting to ensure tenants are happy, in a well-designed home. I feel it is important to stress this could have been a 10 bed HMO and still meet your standards, that is not something our client is wanting to provide and is keen to offer larger spacious areas. Can you please consider these points when discussing with your team leader.

With regards to the parking space to the front, we are happy to remove this if you feel this is an issue.

Kind Regards

Carianne

Reason for refusal 3 – Failure to secure appropriate mitigations to offset the impacts upon the European Protected Solent Complex, River Itchen SAC and SSSI, and the New Forest SPA, SAC and Ramsar sites

The appellant is happy to accept the condition suggested by the LPA with regards to this reason for refusal

(5) The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for which they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.
Reason: To mitigate the nutrient impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.