

Appeal Statement:

This statement has been prepared on behalf of Mr. B Prebble concerning land at 10-12 Botley Road, Hedge End, Southampton, SO30 2HE. This appeal regards application PN/24/97070 Prior Notification under Class MA for the change of use from offices to 3no. dwellings. This application was refused on the 24th May 2024 with the singular reason cited being noise from existing commercial premises would have a detrimental impact upon the living conditions and amenity of future residents.

10-12 Botley Road is located directly north of the roundabout junction which connects A334 Charles Watts Way and Grange Road in Hedge End, Southampton. The site is situated along Botley Road with this section of the road operating as a one-way system with entry stemming from Shamblehurst Lane South. Botley Road also converges with Charles Watts Way with this road providing linkage to the M27 at Junction 7.

The site adjoins Hedge End Retail Park with industrial/commercial units directly adjacent the site using Botley Road as an access point. A vehicle body repair garage is to the west and to the east are two fast-food takeaway units. There are multiple parking spots directly facing the site along with these fast-food units.

The site itself consists of former terraced houses with the ground floor now operating as a car dealership. The first floor of this building continues to be used for residential purposes with private parking facilities round the back of the building in the northern section of the site. The southern portion of the site is currently used to store cars which are sold through the dealership. The existing layout of the site is similar to that of the fast-food outlets adjacent the site albeit with less private parking.

A pedestrian footpath runs along Botley Road which connects to additional footpaths along Shamblehurst Lane South and also pedestrian bridges which cross over the roundabout. There are public transport links along Shamblehurst Lane South in the form of bus stops which offer services to Southampton and Hedge End.

As outlined within the Officer's report concerning this application, no significant constraints were identified.

Outline of proposed development

The development proposed was a Prior Notification application to change the use of the building from offices back into residential dwellings exclusively for said purposes in the form of 3 terraced houses. The southern portion of the site adjoining Botley Road would be converted into parking spaces for the properties.

This change would provide Eastleigh with 3 bespoke homes which one would expect would be well received by Eastleigh Borough Council given they are currently unable to demonstrate 5 years' worth of deliverable sites with an appeal derived decision concluding the council's housing land supply position is 4.7 years. Furthermore given the site is considered a brownfield development there should be no issues from an ecological perspective in which the Case Officer rightly pointed out in their report.

Statement of Case

The concern from the Case Officer's perspective with this application is the commercial noise from existing employment premises within close proximity of the site. The Case Officer states that such noise would have a '*detrimental impact*' upon future occupiers. Whilst I wholeheartedly respect the Case Officers conclusions I would point to the fact that this site has had continuous tenants for at least

the last 10 years. The resident of 10 Botley Road states that they have lived at the address for over 10 years which demonstrates the site has not been exclusively used for employment usages but rather a mixed-use site. The Noise Assessment which was carried out in the site concluded that *'there should be no adverse impact at the proposed dwellings as a result of existing noise. The site is suitable for the promotion of residential development'*.

I would like to make the Inspector aware that developments have been permitted adjoining Hedge End retail park, most notably application F/10/66869 which concerned the construction of 9 dwellings along Shamblehurst Lane South following the demolition of 3no. Bungalows. I draw attention to this application as there are many similarities in terms of locale and also noise stemming from nearby employment/commercial units. The gardens for these properties back onto said commercial units along with a bakery. Upon reviewing this application I found there to be no Noise Assessment to accompany the application which was a surprise given the size of the development in relation to its surroundings. Given the singular reason for this applications refusal was down to noise I would ask the Inspector to consider the above given the similarities from an acoustics perspective.

The Case Officer in their decision notice specified that this application was contrary to Policies DM1 and DM8 of the Eastleigh Borough Local Plan. Whilst the Case Officer does not explicitly outline the rationale for stating this application is contrary to said policies, I believe that this application does in fact adhere to these guidelines. Point b. wants developments to *'make efficient use of the site, maximise opportunities to increase density'*. Furthermore given this site could also be considered a brownfield development point d. is also met as there is no loss or damage to environmental features given the sites location.

With respect to Policy DM8 I believe that as outlined in the Noise Assessment produced by Dice Environmental this development would not produce or suffer from adverse noise pollution from adjoining commercial premises.

The site aforementioned above was continuously resided in albeit outside of the construction phase given that 3 bungalows were in situ before the development came to fruition. Given 10-12 Botley Road had been continuously inhabited then rather than a change of use *per se*, this application is more the removal of the employment space on the ground floor of the building.

I would also note that Hedge End Town Council held no objection to the development in principle but did state their concern that changing the commercial use would reduce the potential employment opportunities in the area. Whilst this development would remove the employment space on the ground floor of the building, I would argue that significant weight should be given to providing bespoke homes over the loss of a singular employment space, this would not be contrary to Policy DM15 of the Eastleigh Borough Local Plan.

To summarise, this permitted development request would provide Eastleigh Borough Council with 3 bespoke homes situated within a sustainable location given the sites proximity to local services and amenities. The Noise Assessment which was produced to accompany this application is technically sound and as I have outlined in this statement, this application is also Policy compliant despite the Case Officer stating otherwise. The site has had continuous inhabitants for over 10 years who state they have never had any issues with noise emitted from neighbouring premises. I hope the Inspector will take a pragmatic approach when dealing with this appeal and come to the conclusion that this application is valid and should be allowed.