

Change of use and extension of 3 bed dwelling to a flexible dual use (as permitted under Class V, Part 3 of the GPDO) for supported living for 3 persons (Use Class C2) and use as a single dwelling (Use Class C3)

47 The Drove
West End
Southampton
SO30 2EF

DESIGN, ACCESS AND PLANNING STATEMENT

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Client: Acorns (Southern) Propco Ltd

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Ref: E-500-NM

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1.0 Introduction

- 1.1 Southern Planning Practice Ltd is instructed by Acorns (Southern) Propco Ltd to apply for planning permission for the 'Change of use and extension of 3 bed dwelling to a flexible dual use (as permitted under Class V, Part 3 of the GPDO) for supported living for 3 persons (Use Class C2) and use as a single dwelling (Use Class C3)' at 47 The Drove, West End, Southampton, SO30 2EF.
- 1.2 The applicant owns 6 properties in the Southampton area, which are used to provide supporting living to people with learning difficulties and is looking to expand the portfolio through the purchase of 47 The Drove, which is currently for sale.
- 1.3 In part, this is due to the neighbouring property, No. 49 The Drove, having been granted planning permission in February 2022 for 'Change of use from Class C3 (dwellings) to Class C3b incorporating alterations to create two separate dwellings to provide supported living for two residents including support worker accommodation' (application ref: F/22/94078).
- 1.4 The applicant's sister company, Acorns (Southern) Ltd (trading as Acorns Health Care), already provides care support to one of the occupants living in No. 49 who has learning difficulties and would also provide the care support for the occupants in No. 47 as well.
- 1.5 Acorns Health Care was established in 2019 and provides personal care for severely mentally impaired people living with learning difficulties in supported living accommodation in a number of properties across the Southampton, Winchester and Eastleigh/Fair Oak areas. They are committed to delivering exceptional outcomes, giving the individuals they support the opportunity to lead a full and active lifestyle within their local communities and continue with life-long learning and personal development. They work closely with commissioners and other health professionals to ensure that suitable housing is available to proactively support individuals within the community who would otherwise need to be housed in more institutional type facilities, which can impact their quality of life.
- 1.6 The existing property is a 3 bed single storey dwelling sat within a good sized plot at the end of a cul-de-sac in the Moorgreen area of West End. The proposal involves changing the use of the property to supported living for 3 persons with learning difficulties. The proposed layout will constitute 3 self-contained units along with a staff office. A small extension is proposed on the front of the garage to facilitate the proposed layout, along with the necessary internal alterations and some external alterations on the rear elevation (infilling an existing open area at the rear of the garage). Visually, the appearance of the dwelling will not significantly change. The parking area in the front garden of the property will be enlarged slightly to accommodate space for 4 vehicles, but again this will not result in any significant changes. The alterations will be very similar to what has been undertaken next door (No. 49).

- 1.7 The provision of small group homes providing supporting living accommodation is an important part of the Government's community care policy, which enables disabled and mentally disordered people to live as normal lives as possible in touch with the community.
- 1.8 The C3(b) use class was introduced to enable up to 6 persons living together within a single household and receive care. An existing C3 dwelling can therefore be changed to C3(b) use without needing planning permission (being uses within the same use class). However, as this proposal involves the provision of 3 self-contained units with no communal living space, it is more likely to be classified as Use Class C2.
- 1.9 The applicant would also like the flexibility to change the property back to C3 at some point in the future. Permission is therefore sought for a dual use (for C2 and C3) as permitted under Class V of Part 3 of the GPDO. As the existing property is already C3, there is no compelling planning reasons why reversion back to C3 should be prevented. Under the provisions of Class V, whichever use is in operation at the end of 10 years from the date permission is granted becomes the lawful use.
- 1.10 This statement sets out the justification for the proposal with regards to the relevant local and national planning policies and demonstrates that it would be an acceptable form of development within the context of the site and the surrounding area.
- 1.11 The application submission comprises the following plans and documents:
- Site Location Plan
 - Block plan (Existing)
 - Floor plan (Existing)
 - Elevations (Existing)
 - Site survey
 - Proposed floor plans and elevations
 - Additional floor plan showing alternative use as C3 dwelling with granny annexe
 - Nutrient Budget Calculators x 2:
 - No.1 (showing annual nitrogen load for 2.4 average occupancy)
 - No.2 (showing annual nitrogen load for 3 persons occupancy)
 - Biodiversity checklist

2.0 Site and surroundings

- 2.1 The application site comprises a single storey 3 bed residential dwelling situated at the end of a cul-de-sac in a residential area known as Moorgreen, situated on the western side of West End, beyond the M27 motorway (which lies within a cutting).



Fig. 1 – Location map

- 2.2 The site is situated within the Urban Edge where there is a presumption in favour of new development.



Fig. 2 – Local plan map (showing Urban Edge boundary)

- 2.3 The site is in a sustainable location. The centre of West End is short distance away where there are a wide range of amenities and services, including shops and supermarkets, post office, doctors, hairdressers, schools and fitness facilities. There are regular buses to Southampton and Hedge End. There are request bus stops on Moorgreen Road. There are also bus stops on Botley Road (a 10 / 15 min walk along pavement with street lighting). There is good access to the local road network and with the M27 also nearby
- 2.4 The properties along The Drove are a mixture of two storey, single storey and chalet style properties, although a large number of the properties are single storey. Materials are a mixture of brick or render and tiles, although brickwork and tiles are the predominant material used.
- 2.5 No. 47 is situated at the end of a cul-de-sac, along with No. 49. There are a further three properties set back behind No. 47 to the north (No's. 41, 43 and 45) which are accessed via a driveway running along the western boundary of No. 47.



- 2.6 The existing dwelling sits within a good size plot, with areas of garden to the front and rear. The boundaries are mostly leylandii hedging, which provide some screening and privacy.
- 2.7 The property has an attached double garage on the side / western elevation, which is slightly stepped back from the front elevation. In front is a tarmacked driveway and turning area.
- 2.8 The property conveys a conventional suburban quality within a relatively quiet residential setting on the outer edge of West End.



Front elevation



Rear elevation

Planning History

- 2.9 The property has no recent planning history (since 2004).

No. 49 The Drove

- 2.10 The adjacent property (No. 49 The Drove) was granted planning permission in February 2022 for 'Change of use from Class C3 (dwellings) to Class C3b incorporating alterations to create two separate dwellings to provide supported living for two residents including support worker accommodation' (application ref: F/22/94078).

- 2.11 As part of the submission for that application a letter was provided by Southampton City Council (Commissioning Manager) confirming that there is shortage in housing suitable for adults with learning disabilities and the application would aid the provision that the city requires. The need for such specialist housing is still very much in demand. Acorns Health Care are in contact with the Commissioning and Referrals team at SCC and are hoping to acquire a letter reiterating their comments in 2022 confirming that there remains a shortage of housing suitable for adults with learning disabilities within the local area.
- 2.12 Planning permission was also granted in June 2008 for 'Single storey front & rear extension to garage to provide habitable accommodation' (application ref: F/08/62600). This included an extension to the front of the garage, similar to that being proposed at No. 47.
- 2.13 In November 2008, planning permission was granted for 'Erection of a rear conservatory' (application ref: F/08/63854).

3.0 Proposal

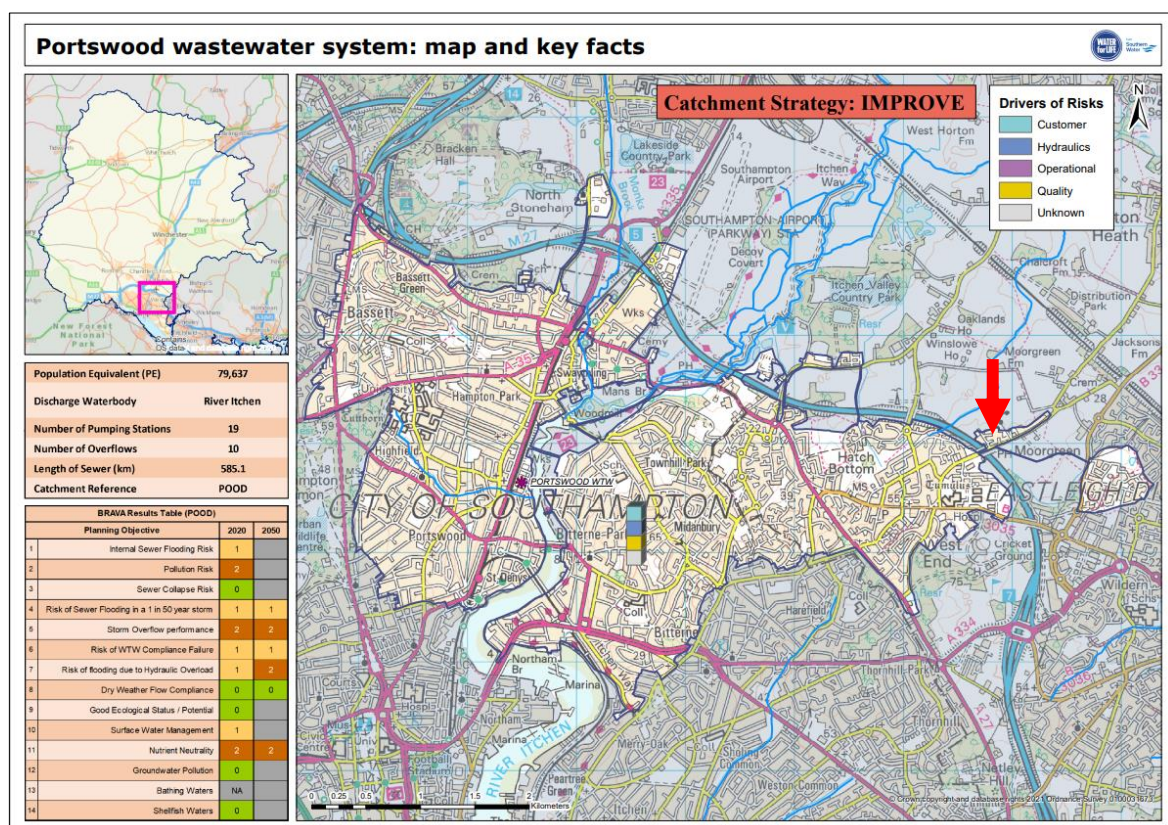
- 3.1 Planning permission is sought to change the use of the property from a 3 bed dwelling to a C2 use for supported living for up to 3 residents, with the ability to change it back to C3 in the future. So, a flexible dual use (under Class V or Part 3 of the GDPO).
- 3.2 The proposed C2 use would involve alterations to the internal layout of the property to create 3 separate units, as well as the erection of a small extension on the front of the garage. A small open area of the rear of the garage would also be infilled.
- 3.3 The occupants of the 3 separate units would be adults with severe autism or learning difficulties. They would be termed high dependency with high acuity needs and therefore require as a minimum 1:1 staff support to assist with their daily living activities, although in some cases this would be 2:1 and in some extreme cases could be 3:1. Many of these individuals may have experienced a loss of skills or confidence and therefore need assistance with nearly every aspect of their lives. The personal care support provided will seek to encourage and promote their independence, helping them regain as much autonomy as possible. The arrangement is still classed as supported living and operates in a supervisory capacity. i.e. helping them with their personal hygiene and dressing, helping them to manage their medication and also money and bills, helping them undertake daily tasks within the home such as cleaning and preparing healthy meals, accompanying them to appointments and external trips out to the shops, etc. Each of the tenants living in the property will have their own Assured Shorthold Tenancy (AST) agreement. Their rent is paid for by the local authority (in the form of housing benefit) and they also receive disability benefits. Their care package is paid for jointly by the local authority and the Department of Health, which is a more cost effective way of providing the housing and care they need and by having their own individual AST's means they have greater housing security. The tenants are responsible for paying their own bills, including utility bills, buying their own food, drink and clothes and covering the cost of any activities they want to do.
- 3.4 A small office would be provided within the property (off the hallway, inside the main entrance) for support staff to undertake paperwork, have meetings with colleagues and also take breaks. The rear garden would remain communal, i.e. shared.
- 3.5 The care support provided is 24 hours a day, usually over two 12 hour shifts (a changeover at 8am and 8pm). An Area Manager would also usually visit the property sometime during the day. The level of personal care provided / needed depends on the care needs of the individual and the progress made with their independence and autonomy.
- 3.6 The changes to the internal layout of the property to facilitate the proposed C2 use utilises most of the existing windows and door openings. Only a small number of the internal walls

will need to be removed or partially removed. There will therefore be minimal changes to the external appearance of the building.

- 3.7 The proposed extension on front of the garage is of modest size and proportions and will remain subservient to the existing dwelling. It would be similar to what has been undertaken to the next door property (No. 49) under 08/62600. The external materials of the extension will match as closely as possible the existing.
- 3.8 The parking and turning area will be enlarged slightly to accommodate 4 car parking spaces. This will involve the loss of a small part of the front lawn. There is a layby at the end of the cul-de-sac, situated opposite the entrance to the property, which has to be kept clear (to aid access and turning) This will assist vehicles when entering and egressing the site. As vehicles travelling along The Drove will be slow moving and proceeding with care, there is not considered to be any highway safety issues with the proposal.

Drainage / Nutrient Neutrality

- 3.9 The property is situated within the Itchen River catchment, but is on main drains which discharges to Portswode WWtW (see map below). For the purpose of Nutrient Neutrality, it therefore effects the Solent Marine Catchment area (Nitrates) and not the Itchen River Catchment (Phosphates and Nitrates). Only Nitrates therefore needs to be assessed and potentially mitigated.



- 3.10 Natural England's Nutrient Neutrality Calculator uses a default of 2.4 persons as an average occupancy figure per dwelling. The annual nitrogen load for the existing dwelling (Pre-2030) is therefore 3.09 kg TN/Yr (after 2030 the figure will reduce to 0.85 kg TN/Yr). See Nutrient Budget Calculation 1.
- 3.11 As the occupancy of the property for the proposed C2 use will involve 3 persons, a further calculation has been carried out applying an occupancy figure of 3 – see Nutrient Budget Calculation 2. This would result in an annual nitrogen load (Pre-2030) of 3.88 kg TN/Yr (1.08 kg TN/Yr after 2030).
- 3.12 The proposed C2 use (with 3 occupants) would therefore generate an increase an annual nitrogen load of 0.79 kg TN/Yr. In order for the proposed development to be nutrient neutral, this additional increase in the annual nitrogen load will need to be mitigated and that can be achieved through the purchase of nitrate credits from Eastleigh's own Nutrient Off-Set scheme. An approach to the Nutrient Off-Scheme will be made once we have received notification that the proposal is heading for approval, so that a formal offer of the appropriate nitrate credit can be obtained. The standard approach is for a Grampian condition to be imposed requiring the details of the purchase of the nitrate credit (though a Vesting certificate) to be submitted and approved by the LPA prior to the development being first occupied.
- 3.13 Surface water run-off will be drained via soakaways.

Ecology / BNG

- 3.14 As the proposal involves the change of use of an existing dwellinghouse (to another form of residential use) along with the erection of a small domestic style extension (on an existing area of hardstanding) there are no implications for ecology. A Biodiversity checklist has been completed as part of the application submission confirming that there are no matters of ecological interest resulting from the proposal.
- 3.15 As the proposal would not result in more than 25sqm of habitat being lost, it is exempt from BNG (under the *de-minimis* provision).

4.0 Policy

National Planning Policy Framework (Dec 2024)

- 4.1 The NPPF sets out the Government's approach to planning and is a significant material consideration.

Section 2: Achieving sustainable development	
The guiding principle of the framework is achieving sustainable development, which comprises three over-riding objectives: economic, social and environmental. The social objective includes supporting strong, vibrant and healthy communities, by ensuring that <u>a sufficient number and range of homes</u> can be provided <u>to meet the needs of present and future generations</u>. The environmental objective involves contributing to the protection and enhancement our natural, built and historic environment; including making effective use of land.	Paras 7 & 8
Section 4: Decision making	
Local planning authorities should approach decisions on proposed development in a positive and creative way	Para 38
Section 5: Delivering a sufficient supply of homes	
One of the key requirements of the NPPF (and Government policy) is to boost significantly the supply of housing. It is also important that the needs of groups with specific housing requirements are addressed	Para 61
The size, type and tenure of housing <u>needed for different groups in the community should be assessed and reflected in planning policies</u>. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; <u>people with disabilities</u>; service families; travellers; people who rent their homes and people wishing to commission or build their own homes	Para 63

Development Plan

4.2 The Development Plan comprises:

- Eastleigh Borough Local Plan 2016-2036

4.3 The policies most relevant to this application are:

S1	Delivering sustainable development
S2	Approach to new development
DM1	General criteria for new development
DM11	Nature conservation (International designations)
DM14	Parking
DM24	Creating a mix of housing
DM25	Delivering Older peoples housing

4.4 There is not a specific policy that deals with the proposed C2 use (for supporting living).

4.5 Policy S1 states that to be sustainable, new development in the Borough should include meeting community needs without compromising the identity of the Borough or its individual settlements, or the ability of future generations to meet their own needs.

4.6 It also states that planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- where specific policies in that Framework or other international or national legislation indicate that development should be restricted

4.7 Policy S2 states that the Council will promote the delivery over the plan period 2016-2036 of a minimum of 14,580 new dwellings; and that the urban edge shown on the policies map defines the main built-up areas within which there is a presumption in favour of new development (subject to the policies of this plan).

- 4.8 Policy DM1 sets out a number of criterion that all developments in the Borough must have regard to. This includes:
- Not having have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents and the character and appearance of urban areas
 - Making efficient use of the site, maximise opportunities to increase density and having regard to potential development opportunities on adjoining land;
 - Taking full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.
 - Incorporate provision for people with disabilities and create accessible communities that cater for all.
- 4.9 Policy DM11 states that development which is likely (either individually or in combination with other developments) to adversely affect the integrity of an international or European nature conservation site will not be permitted subject only to imperative reasons of overriding public interest and securing any necessary compensatory measures in the absence of alternative solutions. A 'project level' Habitat Regulations Assessment will be required where there are likely significant effects or uncertainty. Any mitigation measures required to ensure no adverse impact must be implemented at the appropriate time.
- 4.10 Policy DM14 states that new residential development will be required to provide off-highway parking which is adequate in terms of highway safety/traffic management. Provision will take account of the adopted Eastleigh Borough Council's Residential Parking Standards SPD which sets out minimum requirements for parking provision
- 4.11 Policy DM24 aims to achieve a mix of housing and ensure there is demand for such housing.
- 4.12 The need for a mix of housing, including specialist accommodation is also mentioned elsewhere with the Local Plan. The supporting text to Policy DM25 (para. 5.126) states:
- 'Vulnerable and older people have a range of individual housing needs... Therefore it is necessary to provide for a range of housing for older people, and other vulnerable groups where there is an identified need, both in the general housing mix and through the provision of specialist accommodation.'*

5.0 Assessment

Principle

- 5.1 The proposal is situated within the Urban Edge where there is a presumption in favour of new development
- 5.2 Whilst there is no specific policy for the proposed C2 change of use, the Local Plan recognises under Policy DM25 that:
- 'Vulnerable and older people have a range of individual housing needs... Therefore it is necessary to provide for a range of housing for older people, and other vulnerable groups where there is an identified need, both in the general housing mix and through the provision of specialist accommodation'.*
- 5.3 Policy DM24 also aims to deliver a mix of housing types (where demand exists).
- 5.4 Under the NPPF, local authorities are required to identify the types of housing needed for different groups in the community and (these) should be assessed and reflected in planning policies. Ensuring that a sufficient number and range of homes are provided to meet the needs of present and future generations helps supports strong, vibrant and healthy communities is also an integral part of achieving sustainable development.
- 5.5 There is therefore inherent support for the proposal in both the Local Plan and the NPPF.
- 5.6 The provision of small group homes providing supporting living accommodation is an important part of the Government's community care policy, enabling disabled and mentally disordered people to live as normal lives as possible in touch with the community. In many instances this is delivered through the C3(b) use class, although in this case, the provision of 3 self-contained units, with no shared internal spaces, means that the proposal is more likely to fall within Use Class C2. The supporting living arrangement and provision of personal care is very much the same as would be provided in a C3(b) dwelling.
- 5.7 The proposal includes the ability to revert the property to C3 use under the provisions of Class V of Part 3 of the GDPO and a plan showing how that would be laid out has been provided as part of the submitted details. This is simply to provide flexibility to change back to C3 (single dwelling) use in the future, should, for example, the applicants wish to sell the property (although noting that under the provisions of Class V, whichever use exists at the end of 10 years from the grant of planning permission would become the lawful use). The flexibility provided under Class V to grant permission for a dual use is exactly what the provision was designed to do. Both the C2 use, as described, and C3 use (which is the

current use of the building) would be appropriate uses, so there should not be any concerns granting the dual use permission.

Impact on character and amenities of the area / neighbours

- 5.8 The proposed change of use to C2 supported living would not result in any significant changes to the appearance of building.
- 5.9 The proposed extension is modest in size and proportion and will remain subservient to the existing building. A similar extension has been built on the property next door (No. 49).
- 5.10 The surrounding development is mixed character suburban housing. The proposal would not therefore look out of place or different to the types of properties in the vicinity.
- 5.11 The coming and going of staff and the parking of additional vehicles at the front could result in occasional increases in activity, although would be no different to a busy household (e.g. with young adults with their own vehicles). Also, the property could be converted to C3(b) use without needing planning permission where the same level of personal care is provided (up to 6 occupants).
- 5.12 Being at the end of a cul-de-sac, next to an existing property that is already used for supporting living, and having a reasonable level of privacy and screening, the proposal is not deemed to be an unacceptable in this location, or to the other uses in the area, and would therefore accord with Policy DM1

Parking

- 5.13 The provision of 4 on site parking spaces is sufficient for the proposed use.
- 5.14 There are no specific parking standards for the proposed C2 use. As a benchmark, the Council's parking standards requires 2 parking spaces for a 3 bed dwelling. However, the occupants themselves will not drive or own vehicles, and not all shift support staff are drivers (or own vehicles) either. Some car share / get lifts. Many use public transport / taxi.
- 5.15 For Nursing or Rest Homes, 1 space per 6 bedrooms plus 1 space per staff member is required. The provision of 4 spaces would therefore equate to 1 space per staff member, plus an additional space for the Area Manager (or an occasional visitor). Rotas are carefully managed to take into account staff travel arrangements. If 2:1 or 3:1 support is required for any of the residents, only 1 support worker with a car would be on shift – the other staff would arrive by other means. In the event that overflow parking is required, an agreement had been made with the Southampton Arms (on Moorgreen Road) so that staff can

temporarily park their vehicles there if required. There would therefore only be a maximum of 4 vehicles parked at the property.

- 5.16 With reference to the Council's own parking standards and the specific site operations, the proposed parking provision is therefore sufficient and would comply with Policy DM14.

Ecology / BNG

- 5.17 The proposal has no ecological implications and is exempt from BNG.

Nitrates

- 5.18 The proposal will result in a small increase to the annual nitrogen load (0.79kg TN/Yr), although this can be off-set through the purchase of a nitrate credit from Eastleigh's own Nutrient off-set scheme. The off-set can be secured prior to occupation through the imposition of a Grampian condition.
- 5.19 As a result, the development will be nutrient neutral and therefore ensure that internationally protected nature conservation areas in the Solent will not be adversely impacted by the development, in accordance with Policy DM11

6.0 Conclusion

- 6.1 The application site is within the Urban Edge where there is a presumption in favour of new development.
- 6.2 The proposed change of use (to C2 supported living) will provide a specialist form of housing for up to 3 adults with severe learning difficulties, and therefore meet a specific housing need, as well as contributing to a mix of housing types, as promoted by the Local Plan and the NPPF.
- 6.3 It will enable disabled and mentally disordered people to live as normal lives as possible in touch with the community, which is a major part of the Government's community care policy.
- 6.4 The proposal would be compatible with its surroundings and would not be harmful to neighbours or the character or amenities of the area.
- 6.5 The proposed parking would be sufficient and there would be no highway issues.
- 6.6 There would be no impact on ecology and is exempt from BNG.
- 6.7 The development would be nutrient neutral (subject to mitigation, through the purchase of a nitrate credit from the Council's own off-setting scheme). As a result, nature conservation sites in the Solent would not be adversely affected.
- 6.8 The proposed dual use (to include flexibility to revert back to C3) is entirely appropriate, as the existing C3 is already an acceptable and established use and would continue to be so, after conversion to C2 use. The modest extension and C2 layout is compatible with future C3 use (as demonstrated in the submitted plans) and would only require minor internal alterations in order to be effected.
- 6.9 The proposal is consistent, and would be in accordance, with the Development Plan and National Planning Guidance.
- 6.10 Accordingly, planning permission should therefore be granted.