

Jasmine Rogers
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Appeal	APP/W1715/W/25/3360025
Application	PN/24/98548
Please ask for	Gary Osmond
Direct dial	023 8068 8490
Working hours	Mon-Fri 9-5
Email	gary.osmond@eastleigh.gov.uk

Wednesday 19th March 2025

Dear Ms Rogers,

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Appeal by:	Greenglen Estates Limited
Appeal No:	APP/W1715/W/25/3360025
Application No:	PN/24/98548
Description:	Application for Prior Approval for the change of use from Class E (commercial) to 1No. one bedroom and 1No. two bedroom flats (Use Class C3), under Class MA of the Town and Country Planning (General Permitted Development) Order
Site:	72 New Road, Netley Abbey, Southampton, SO31 5AB

With reference to the above planning appeal and the Appellant's submitted appeal statement, the Local Planning Authority (LPA) are of the opinion that this statement raises no new issues or evidence and as such would ask that the appointed Inspector treats the delegated officer report and consultee responses, which were submitted with the appeal questionnaire, as the LPA's statement of case together with the following comments.

Refusal Reason 1: Conservation area impact

The Appellant's agent suggests that the LPA has misinterpreted the requirement of Class MA to consider "the character or sustainability of the conservation area" and that the Netley Abbey Conservation Area is residential in character. Therefore, the loss of the appeal commercial units will have no impact. It is also suggested that as no heritage objection was raised to the concurrent planning application (LPA Ref: F/24/98526) for replacement of the existing UPVC shopfront windows, which was permitted, that this proves there will be no adverse impact upon the character of the

conservation area. They also suggest that the LPA refused the prior notification application in order to protect the Station Road Local Centre, which is not an issue which can be taken into account under Class MA changes of use.

In response the LPA would highlight that the Netley Abbey Conservation Area is not entirely residential in nature but includes two local shopping areas – Station Road and Victoria Road – as well as an important local public house, and the coastline of Southampton Water. It is therefore mixed in character, with the appeal site in particular playing an important role as a ‘gateway’ building into the conservation area from the east.

With regards to the concurrent planning application, which was approved, it is correct that no heritage objection was raised. However, what has not been clarified is that the application was to replace a set of unattractive and unsympathetic UPVC windows with a more traditional style of shopfront window to match that which fronts the New Road elevation (see LPA Appendix A). This was considered to be a visual improvement upon the existing, and therefore a visual enhancement of the conservation area. It was not, as suggested at the end of paragraph 2.2 of the Appellant’s Statement of Case “to reduce the ‘goldfish bowl’ effect”. Conversely, the approved window would provide a better view of the internal accommodation as it would have fewer and thinner window mullions and frame. This will very likely lead to the concerns set out in the case officer’s delegated report in relation to the visual impact upon the street scene and conservation area from future residential occupier’s attempts to provide a reasonable degree of privacy.

In addition to the visual appearance of the resulting development, the LPA would argue that the impact of the loss of commercial units upon the Station Road Local Centre does impact the character of the wider conservation area, given that the local centre is partially included within it and is the main gateway into the conservation area from the east. As such, any negative impact upon the vitality and sustainability of the shopping area will in turn have an impact upon the conservation area.

Refusal Reason 2: Transport impacts

The Station Road / New Road crossroads is a busy area with a significant level of local and through traffic. Station Road is the main route into Netley Abbey and is the most used route for visitors to the Royal Victoria Country Park, which is a very popular destination, particularly at weekends and over the summer months. There is also a high parking demand in the locality, from residents, customers using the local shops and businesses, as well as visitors to the country park trying to avoid having to pay parking charges. As such, any increase in parking demand will have an impact. This was highlighted in the consultation response from the Local Highway Authority,

who whilst not objecting on highway grounds, did specifically mention the historic parking issues in the locality.

The parking survey provided by the Appellant at the time of the application only looked at evening parking. It did not consider daytime parking demand and was undertaken during December, when visitor demand for parking is likely to be at its lowest. It also did not take into account the differing implications of the parking need for residential purposes and that for retail/commercial purposes. Parking associated with retail uses has a much higher turnover than that for residential purposes. As such, the argument made by the Appellant that as the total parking demand for the proposed residential use would be less than that of a commercial use is an oversimplification of the issue. Residential parking will reduce the number of spaces available for customers using local businesses by removing the regular turnover of spaces, resulting in displacing this parking into neighbouring streets and/or a greater level of inconsiderate/obstructive parking, which would impede traffic flow along what is already a busy local through route. This would in turn have a negative transport impact upon the locality.

Ultimately, the proposed development cannot provide any form of dedicated parking, and it has not been demonstrated to the satisfaction of the LPA that the development will not result in the loss of or displacement of parking for the local centre into surrounding residential streets and along Station Road.

Other Matters

As new residential development mitigation for the impact of the development on Special Protection Areas Prior will be required prior to the commencement of any development. It is a requirement that the applicant will need to satisfy as part of their obligations under the Conservation of Habitats and Species Regulations 2017 (as amended), in strict accordance with Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Failure to comply with this would mean that the development would have been unlawfully implemented.

In this instance, appropriate mitigation is required to offset the development's impacts on European Protected sites in terms of recreational disturbance on the New Forest SPA and increased nutrient output. The appellant will need to set out their proposed method of mitigation in order for a Habitats Regulations Assessment to be prepared and submitted to Natural England.

Conclusion

Whilst the two retail units which form the appeal site are eligible to be converted under the Class MA legislation, it is considered that their conversion to a residential

use will result in an unacceptable impact upon parking in the locality, and in turn local traffic movements, as well as upon the Netley Abbey Conservation Area through the adverse visual impact and loss of important retail/commercial units within the Station Road Local Centre.

Accordingly, the Local Planning Authority respectfully request that the Inspector upholds the reasons for refusal and dismisses the appeal. However, should the Inspector be minded to grant permission, the Local Planning Authority would ask that the conditions attached in Appendix B are included as part of any approval.

Yours faithfully,

A handwritten signature in black ink, appearing to read "N Parker", with a horizontal line underneath.

Nicholas Parker
Planning Manager