

DELEGATED OFFICER REPORT

Application Ref: F/25/99368

Site Address: THE HAWTHORNS, MADDOXFORD LANE, BOTLEY,
SOUTHAMPTON, SO32 2DG

Case Officer: Gregg Chapman

Description: Change of use from a six person six bedroom House in Multiple Occupation (Use Class C4) to a ten person six bedroom House in Multiple Occupation (Sui Generis).

Particular Site Constraints?	Yes ☒	No ☐
Inside Urban Edge		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	A proposal was received, seconded and unanimously voted to comment that members have concern that there are not adequate washing facilities or a right to privacy with this change. There is also a concern that while this may work as its linked to the hotel currently, there is concern if it's sold on and no longer linked to the hotel staff usage.		
Housing Standards Team:	The property does not meet the standards as the property should have 2 full bathrooms with bath or shower and one separate W.C. Looking at the plans it currently has 1 bathroom and 1 W.C. The Kitchen should also have 2 ovens , 2 hobs , the Kitchen plans indicate inadequate amenities for 10 persons.		
HCC Highways:	No objection in principle. It is however noted from the application form, that whilst the existing 6-bed / 6- person HMO is proposed to increase to a 6-bed / 10 person HMO, no uplift in vehicle parking is to be given, with a retention of just two parking spaces listed. Whilst it is understood that the HMO is to be for staff use, associated with the adjacent hotel, and as such vehicle ownership would likely be lower with less need to undertake trips, there are concerns that parking levels could be an issue if the HMO was ever to become independent. Given this, the Case Officer may wish to review the site against the EBC Parking Standards, when considering the uplift in residents. Additionally, if a planning permission is forthcoming, then it may be prudent to provide a condition that the uplift is only permitted as ancillary to the hotel, and not as an independent unit.		
Environmental Health:	The property is a detached property but still in close proximity to neighbouring properties. It's understood the property will be occupied by staff from the nearby hotel. I do have some concerns regarding noise arising from the number of occupants proposed and how this can impact the neighbouring		

	properties. With this said we have no complaints in the system from this property at this moment in time, but this is a concern. Vehicular traffic can also generate considerable noise specially if the staff works night or late shifts but at the same time due to the close distance to the nearby hotel, I assume a vehicle is not needed for the short commute. If a considerable number of vehicles are linked to this property then there is a risk of noise nuisance.
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Site Visit:	Yes ☒	No ☐
Details: 10 June 2025.		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036 (EBLP)</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM13, DM14, DM24, DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Hedge End, West End and Botley Character Area Appraisal Area 40.

Assessment:
<u>Principle of Development:</u> The house is already in use as a House in Multiple Occupation for up to six persons (class C4 use) which can be carried out under permitted development, moving from a class C3 family home, without the need for planning permission. The site is within the built up area, and therefore, the principle of intensification in itself is acceptable, subject to consideration of the impacts of such intensification, as considered below. <u>Character of the Area:</u> The proposal would not result in any changes to the appearance of the building. Additional vehicles, domestic paraphernalia, bins, cycles, and additional comings and goings could reasonably be expected. However, the plot is of a reasonable size, with a good sized rear garden, which could accommodate the additional ancillary impacts without significant harm to the character and appearance of the area. <u>Living Standards:</u> Policy DM1 of the EBLP, which sets general criteria for development, seeks to ensure that suitable standards of residential amenity are provided for new and existing residents. Also of relevance is the expectation within policy DM30 that new residential development should meet the minimum Nationally Described Space Standards. Whilst the property is an existing HMO, and the room sizes are established, and would not change, it is relevant the policy, seeks to ensure that living accommodation is not inappropriate. Paragraph 124 of the NPPF, however, can be There are no planning policies within the EBLP that relate to HMOs, or thus set standards for HMOs. There are, however, housing standards established through section 65 of the

Housing Act 2004, and set out at regulation 8 and Schedule 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Whilst these are not planning regulations, they are a material consideration, and establish appropriate standards of living conditions.

The Council Housing Standards Team have reviewed the submission and have confirmed that *"the property does not meet the standards as the property should have 2 full bathrooms with bath or shower and one separate W.C. Looking at the plans it currently has 1 bathroom and 1 W.C. The Kitchen should also have 2 ovens , 2 hobs , the Kitchen plans indicate inadequate amenities for 10 persons."*

It is also relevant that the occupants of rooms would be unrelated. Whilst not, in itself a matter of planning concern, and a choice for occupants, as a result of the lack of any meaningful communal space (6.2m² only for some 10 residents), there would be no opportunity for solitude, which is considered to be important for mental and emotional wellbeing.

It is, therefore, the case that the proposed introduction of four additional residents within the existing HMO, would result in a level of occupation above that which is set out in legislation as being appropriate, given the available bathroom and kitchen facilities. The proposal would, therefore, result in inadequate living conditions contrary to policy DM1 of the EBLP, and the National Planning Policy Framework.

Highway Matters

The scheme provides space for some off road parking, although turning within the site is not possible. Whilst the existing 6-bed / 6- person HMO is proposed to increase to a 6-bed / 10 person HMO, no uplift in vehicle parking is to be given, with a retention of just two parking spaces listed. Whilst it is understood that the HMO is to be for staff use, associated with the adjacent hotel, and as such vehicle ownership would likely be lower with less need to undertake trips, the Highway Officer has raised concerns that parking levels could be an issue if the HMO was ever to become independent. A personal permission could be imposed if permission were recommended.

On site cycle and bin storage could be secured through condition within the garden areas if the submission were otherwise acceptable.

Residential Amenity:

The submission does not include any new windows or new built form. There would be increased occupancy of the existing rooms instead, where views are already offered. Whilst the concerns of the Environmental Health Officer and Parish Council are acknowledged and shared, it is not considered that the intensification of the use would cause any significant harm in terms of outlook/overlooking/unwanted social contact from such views, that could warrant refusal of the application. This would be the case as the management of the HMO could be controlled through condition, if permission were to have been recommended, and a personal permission linked to the hotel, with travel plan could all be secured. It is also relevant that there have not been complaints from the current use as a six bedroom HMO.

The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.

Other Matters:

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

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 Environment 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 adopted local 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 local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

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

Conclusion:

Recommendation:	PERMIT ☐	REFUSE ☒
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Comments ...
