

DELEGATED OFFICER REPORT

Application Ref: F/25/99603

Site Address: 81 THE CRESCENT, EASTLEIGH, SO50 9BQ

Case Officer: Gregg Chapman

Description: Change of use of dwelling (Use Class C3) to a five bedroom eight person House in Multiple Occupation (HMO)(Sui Generis Use Class) including internal alterations and external alteration (change to side facing ground floor door and removal of window). This follows LDC/25/99178 which confirmed the lawfulness of a proposed use as a 6 bedroom 6 person HMO.

Particular Site Constraints?	Yes ☒	No ☐
- Within Urban Edge		

Planning History?	Yes ☒	No ☐
LDC/25/99178 – Change of use from residential dwelling (Class C3) to a 6 bedroom house in multiple occupation (HMO, Class C4).		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	6 letters – Objection - Existing parking pressures in The Crescent are already high. - Concerns that eight unrelated occupants may significantly increase demand for on-street parking, where there is a lack of sufficient off-street parking provision. - Questions raised regarding parking permit allocation and potential overuse of visitor permits. - Increased noise and disturbance due to multiple unrelated occupants. Existing party walls between terraced properties are not considered soundproof. - Partner visits could further increase occupancy and noise. - Increased occupancy likely to generate additional household waste. Risk of bins overflowing and affecting hygiene and the appearance of the area.. - Area predominantly made up of long-term family homes. Introduction of large HMOs may alter the residential character and reduce community cohesion. - Original dwelling was a 3-bedroom family home. The proposed number of occupants constitutes overdevelopment of the original dwelling. - There are already two HMO properties on this stretch of The Crescent. Fears of a cumulative negative impact if additional HMOs are permitted. - Strain on local infrastructure - Property damaged from works. - Lack of prior consultation. - Failure to serve a party wall notice. - Comparisons drawn with HMO restrictions in Southampton and Portsmouth, and concern over Eastleigh becoming a target area for conversion.		
Parish Council:	No Comments received		
Housing	No Objection		

Site Visit:	Yes ☒	No ☐
Details: 26 th June 2025		
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u>, of which the most relevant policies are: <u>Strategic policies</u> - S1 (sustainable development) & S2 (approach to development) and S3 (location of new housing); <u>Development Management Policies:</u> - DM1 (general development), DM3 (climate change), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM29 (Dwellings with higher access standards) & DM30 (internal space standards) <u>Area Policies:</u> - E9 (Southampton airport) Supplementary Planning Documents: Quality Places; Residential Parking Standards & Character Area Appraisals.		

Background and Proposal: The site is currently being converted from a dwelling into a six bedroomed HMO. This work is being carried out under permitted development, as shown on the issued certificate of lawfulness (LDC/25/99178). The current planning application is to allow the building to be used as an eight bedroom HMO. This would occur from three of the bedrooms being occupied as double occupancy rooms.

Assessment: Principle The site is within the urban edge where the principle of development is acceptable, subject to the detailed matters according with the relevant planning policies. As set out within the planning history above, the use of the property as a six bedroom HMO is permitted development, and this is a realistic fall back position, which is being implemented. Character and Appearance No additional external alterations are required to the building other than the slight repositioning of a ground floor door, in the location of an existing window. The proposals would therefore not result in any harm to the character and appearance of the area in this respect. It is noted that there are a small number of other HMOs in the vicinity, and concerns have been raised about the potential for a cumulative impact. The overall number of HMOs in the area remains low in comparison to family homes. There is no adopted policy which sets the level at which a concentration is acceptable in planning terms. As such, the existing level of HMO presence is not considered to result in a harmful concentration, and this would not form a reasonable basis for refusing the application.
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It is acknowledged that an increase in occupancy may result in higher volumes of household waste. However, the level of increase from a six-person to an eight-person HMO is limited, and does not, in itself, indicate that there will be a waste management issue. It is expected that waste would be managed through the Council's existing collection services. Concerns about bins overflowing or affecting local amenity can be addressed through normal waste enforcement processes (Environmental Protection Act) and are not considered a material reason to resist the application.

Living Conditions

The three double occupancy bedrooms would be 18.73m², 12.22 m² and 13.3m² respectively. The anticipated minimum under Housing Standards (there are no planning standards is 11.5m²). There is no objection from the Housing Team in this respect, or in respect of other matters related to the layout of the property.

The rear garden provides private outdoor amenity space for the new residents and the site is within a few minutes' walk of Leigh Road Recreation Ground.

On this basis the proposal is considered to create a reasonable living environment.

Highways and Parking

No on-site car parking is provided, but this is considered acceptable given the site is in a very sustainable location (under 10 minutes walk of Eastleigh Town Centre, train and bus station). The site is within a residents parking zone and therefore the proposal will not result in overspill car parking onto the public highway. Storage for eight cycles is within the existing shed at the back of the site, which is proposed to be extended. Details of this are to be secured through condition.

Notwithstanding this, the applicant has previously commissioned a parking survey for application F/24/97687, the nearby 33 George Street (approximately 70 metres to the South East), which proposed an HMO with one additional bed space (i.e. a seven bedroom HMO) from that allowed under permitted development. The Officer Report for that applications stated that;

"in relation to parking and highway matters; the site is in a very sustainable location where there is no need to have a car; the property already has two allocated parking permits, as is the case for neighbouring properties; it has been demonstrated that there are available on-street parking spaces even during busy periods; and no objection has been raised by the local Highway Authority. In addition, the impact of one extra bed space on top of that allowed under permitted development is unlikely to have any noticeable impact. As such, it is considered that a refusal of the application on the grounds of parking and highway impact would be unreasonable in planning terms"

Residential Amenity

The proposal is for dual occupancy use of three bedrooms within the HMO, with up to eight occupants.

The proposal will not result in any impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook as no external changes are proposed other than the ground floor window/door change discussed above.

Concerns in relation to disturbance from future occupiers are noted. However, there is nothing to suggest that the future occupiers of the HMO will cause additional disturbance to neighbouring properties over and above that of a busy family property. Equally, it again must be taken into account that the property can be used as a six person HMO without the need for planning approval. Occupation by two additional persons would not be likely to materially increase the level of noise generated in this urban/residential environment. As such, the application conforms to the requirements of Policy DM1.

It is acknowledged that the works undertaken to the property may have caused disturbance to neighbouring occupiers. However, the physical works to the dwelling to implement conversion do not require planning approval.

Other Matters

Concern regarding damage to neighbouring properties during conversion works is a civil matter between the parties involved, and is not a material planning consideration.

There is no statutory requirement for applicants to carry out consultation with neighbours prior to submitting a planning application. Consultation is carried out when a planning application is received by the Council. The Council has fulfilled its statutory duties by notifying neighbours.

The Party Wall Act governs procedures for building works that affect shared walls or structures between properties. It is separate from the planning system and is enforced through a private process between property owners. The failure to serve a party wall notice, if applicable, is not a matter that is relevant to the planning application.

Representations have referred to more restrictive approaches to HMO development in other local authority areas, including Southampton and Portsmouth, and have expressed concern that Eastleigh may become a target for similar conversions. Planning applications must be determined in accordance with the adopted policies of the relevant planning authority. Comparisons with other authorities' approaches do not constitute a material planning consideration. Eastleigh Borough Council does not have specific planning policies restricting HMO development.

Concerns have been raised regarding potential impacts on local infrastructure. The difference between a six-person HMO (which does not require planning permission) and the proposed eight-person use is not significant. Planning applications are not required to resolve existing infrastructure issues, which are the responsibility of the relevant service providers. This matter is not considered to be material to the determination of the application.

Impact of SPA:

For planning purposes, the HMO will continue to function as a single dwelling. As such the proposal is not likely to have a detrimental impact on the Special Protection Area, either in terms of recreational disturbance and an increase in nutrients.

Equalities Act:

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

Section 149 (1) 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.

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 Environmental 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 emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

Conclusion:		
Recommendation:	PERMIT ☒	REFUSE ☐
Comments ...		