

DELEGATED OFFICER REPORT:**Application Ref:** F/25/100194**Site Address:** THE OLD STABLES, 7 WINCHESTER STREET, BOTLEY,
SOUTHAMPTON, SO30 2EB**Case Officer:** Clare Martin**Description:** Change of use from Vacant Class E Office building to Class C1 Guest House

Particular Site Constraints?	Yes ☒	No ☐
• Inside Urban Edge • Within Botley Conservation Area • Adjacent to Grade II Listed Buildings (3 & 5 Winchester Street to South and 7 Winchester Street to North) • Within Solent Mitigation and Disturbance Zone • With New Forest Buffer • Nutrient Neutrality Catchment Area – Nitrogen		

Planning History?	Yes ☒	No ☐
• F/24/98077 - Change of use from offices (Class E) to 1no. 2 bed dwelling. No external changes are proposed – Refused (November 2024). • L/24/98090 – Listed building application for the change of use from offices (Class E) to 1no. 2 bed dwelling. No external changes are proposed – Granted (November 2024). • F/24/96663 - Change of use from offices to 1no. two bedroom dwelling with associated external alterations and extension of drop kerb – Refused (10/6/24) • C/31996 – Change of use from A1 (retail) to A2 (financial and professional services) – Permitted (May 1993)		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	<u>1 letter of objection (5 Winchester Street)</u> • Guest house should require adequate car parking and amenity space like a dwelling. Insufficient on-site car parking for proposal and 7 Winchester Road. • It may be converted to a permanent dwelling in the future. • Loss of privacy and increased noise • Potential damage to no.5 during renovation works. • Drainage inadequate to support additional dwelling. • Additional guest accommodation not needed. <u>Local Planning Authority Response</u> • Comments regarding the garden and car parking are noted and these issues are discussed in the assessment section. • Conditions will be used to ensure that the building is not used as a permanent residence. • The site is within a predominantly residential area close to central Netley. In this location it is unlikely that the tourism use		

	would cause an unacceptable level of disturbance to neighbouring residents. • Drainage information is not required for change of use applications. • Any potential damage to a listed building during conversion would be considered under separate listed building legislation. • The planning application can not consider the need for the tourist accommodation.
Built Heritage Consultant:	<u>No Objection</u> This is a curtilage building to No.7, built against No.5 which is also listed and is a significant element of the setting of both buildings. The principle of this building being changed from office use to dwelling or guest house is no problem from a building conservation viewpoint and would indeed be a suitable use which will benefit the structure and help to keep it in good order, however the large area of timber boarding, where perhaps a garage opening was crudely made, detracts from both properties and ideally would be better returned to matching brickwork. The internal alterations involved in the change of use will require Listed Building Consent.
Highways (HCC):	<u>No Objection</u> No pedestrian access changes are proposed by the development, and it is understood from the 'Planning Statement' that 1 parking space will be available for users of the proposed 'single unit short term holiday or tourist accommodation' which would be anticipated to be adequate for use. Should a second vehicle space be required, then local car parks are available which won't be significantly impacted upon by one 'tourist' vehicle, particularly given that it would be anticipated that any parking would be required in the evenings rather than daytime. Whilst low level, the change of use will also likely bring a reduction in trip rates associated with the property, which will have benefits to the wider local highway network.
Environmental Health:	<u>No Objection</u> I reviewed the proposed internal floorplans from Knigh Consulting dated August 2024 that show the ground floor living room and the first-floor bedroom 2 facing Winchester Street. Winchester Street is not considered a major road but sees a considerable amount of traffic. Both the living room and bedroom 2 are step back from the road. The Brewery Bar, diagonally opposite to the site allows for live/recorded music until midnight with no conditions as to the control of entertainment noise. The site is in a considerable distance from The Brewery Bar front door and car park and there are closer residential properties to the public house. The proposed bedroom window does not have direct line of sight to the public house car park. I find the proposed change of use acceptable in noise terms.
Natural England	<u>Objection</u> to the use of the Eastleigh Borough Council's mitigation scheme for recreational disturbance on the New Forest Special Protection Area.

Parish Council:	<u>Objection</u> Existing parking issues in the location and uncertainty from the application regarding the intended occupancy following the change of use.
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Site Visit:	Yes ☒	No ☐
Details: Carried out 5/12/25		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i> The site also lies within a Conservation Area and Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: <i>"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)</i> In addition, the proposal affects a Listed Building or its setting and section 66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states: <i>"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the Local Planning Authority ... shall have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are: • Strategic policies: S1 (sustainable development) & S2 (approach to development) • Development Management Policies: DM1 (general development), , DM3 (climate change), DM8 (pollution), DM11 (nature conservation), DM14 (parking), DM23 (residential development within urban areas), DM30 (internal space standards). Supplementary Planning Documents: • Quality Places; • Residential Parking Standards; • Botley Conservation Area Appraisals.

Proposal:

The application is to convert the vacant office into a two bed guest house, which will be rented out as a single unit of short stay visitor/ tourist accommodation. No external changes are proposed.

The application follows on from an application to convert the property into a dwelling, which was refused due to a lack of outdoor amenity space, insufficient car parking and lack of mitigation for the impact on the special protection areas. All of the reasons for refusal were later upheld at appeal.

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.

Tourist Accommodation

The proposed guest house differs from the earlier dwelling application in that the occupiers will not be permanently residing at the property but rather visiting for short durations (which will be limited to 56 days by condition).

While the internal living accommodation conforms to the nationally described space standards, the proposal has almost no outdoor amenity space apart from a very small concrete yard at the rear that is heavily overshadowed. However, it is considered less important for tourist accommodation to provide outdoor amenity space than a dwelling as, as tourists are likely to spend less time at the property and require less space for daily activities (such as drying clothes or space for children to play). Indeed, it would be expected that tourists would visit other attractions in the locality, which would provide for their outdoor needs.

It is also noted that there is a public house opposite the site, which has late evening functions. However, none of the windows at the property has a direct line of site and on the advice of the Environmental Health team any noise disturbance is unlikely to be substantial.

As such the proposal is considered to provide reasonable tourist accommodation.

Highways and Car Parking

The proposal includes one on site car parking space at the front of the property accessed via an existing dropped curb off Winchester Road. While the Council's parking standards SPD requires one parking space per room for hotels, it is likely that most occupants of the small two bed guest house would only have one vehicle. In the event that two car parking spaces are required than a second car could potentially be accommodated within the side driveway, which has now been purchased from 7 Winchester Road by the Applicant. It is noted that 7 Winchester Road will maintain some on site car parking on a second driveway at the northern side of their house.

On this basis, the proposal is considered to provide sufficient on-site car parking for the tourist use and so would not adversely impact the flow of traffic along Winchester Road.

Heritage Assets

The site is part of a heritage asset, being within the curtilage of 7 Winchester Street and physically attached to 5 Winchester Street, both of which Grade II Listed Buildings. It is also within Botley Conservation Area.

No external alterations are proposed to the building, ensuring that the visual appearance of the property and its contribution to the listed buildings and Botley Conservation Area are unchanged. The proposal will also fit in with the mixed residential character of the locality on the edge of Botley Village Centre.

Residential Amenity

The proposal does not involve external alterations to the building and as such its conversion will not have an impact on the outlook or daylight currently received by the adjoining dwellings.

The proposal is directly adjacent to 7 Winchester Street, which has its main windows at the front and rear of the building. It is noted that there are two side facing windows in no.7, and while it is not clear what rooms these serve they do appear to be slightly offset with the windows in the proposed conversion. Furthermore, the neighbours ground floor side window has nets on the lower half, which would reduce the level of overlooking from the proposed side facing living room windows. No.7 first floor window is smaller, suggesting a landing or secondary room so again reducing the level of overlooking.

The proposed tourist accommodation is not considered to have an unacceptable impact upon the amenities of the neighbouring residents, which would already have been impacted by the office previously present at the site.

Other Considerations

- No significant work is needed to convert the building into tourist accommodation and there will be no impact upon protected/ priority species or their habitats. There will be no adverse impact upon trees or other natural features worthy of retention.
- In terms of biodiversity net gain, the application would not apply to the development as it would be considered de minimus.
- Had the application been recommended for permission an acoustic survey and glazing/ventilation strategy could have been imposed to deal with potential noise from the nearby public house.
- A sustainable drainage strategy is not required as the proposal is for a change of use application.

Impact of SPA:

Recreational Disturbance

The site is within both the 5.6km catchment area for the Solent Special Protection Area and Ramsar Site and the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors and potential damage to these protected sites. In order to mitigate for these impacts new housing developments, need to contribute towards the Solent Recreation Mitigation Strategy (which manages visitors to the coastline) and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough and funding towards an additional range post for the New forest). Contributions for the Solent Recreation Mitigation Strategy & New Forest Mitigation Strategy have been received.

Nutrients

The site is within the impact zone for nitrogen, which has been shown to have a determinantal impact on the water quality of the Southampton and Solent Water Special Protection Area. A nutrient budget has been submitted for the development, which shows a positive output for nitrogen. The Applicant is intending purchase credits within the Council's nutrient mitigation scheme, and this mitigation can be secured via a planning condition.

Appropriate Assessment

An appropriate assessment under the habitat regulations has been completed for the development and Natural England have confirmed that the Council's nitrogen mitigation is acceptable. Natural England are comfortable with the Solent Recreation Mitigation Strategy but have objected to the Council's New Forest Mitigation Strategy. However, the Local Planning Authority, as competent authority, is content that the New Forest Migration Strategy is acceptable and delivers the appropriate levels of mitigation. The formal twenty eight day notification of permission has been given to Natural England. The development requires listed building consent and is subject to a pre-occupation condition, which will ensure that the guest house is not occupied within the notification period.

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

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...