

Planning and Rights of Way Panel 17th September 2024
Planning Application Report of the Head of Transport and Planning

Application address: 348 Winchester Road, Southampton			
Proposed development: Change of use from C2 (residential care home) to 10 person house in multiple occupation (Sui Generis)			
Application number:	24/00405/FUL	Application type:	FUL
Case officer:	Craig Morrison	Public speaking time:	5 minutes
Last date for determination:	17.07.2024	Ward:	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors :	Cllr Sam Chapman Cllr Sarah Wood Cllr Richard Blackman
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Mr Veizaj		Agent: MARChitecture Design	

Recommendation Summary	Conditionally Approve
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Community Infrastructure Levy Liable	Yes
Biodiversity Net Gain Applicable	No

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (revised 2023). Policies –CS4, 13,16,18,19,22 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1,4,5,9,10,11,16*of the City of Southampton Local Plan Review (Amended 2015). Policies – BAS1, BAS 4 and BAS 6 of the Bassett Neighbourhood Plan.

Appendix attached			
1	Habitats Regulations Assessment	2	Development Plan Policies
3	Relevant Planning History	4	40m radius assessment.

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in **Appendix 1** of this report.
2. Conditionally Approve

1. The site and its context

- 1.1 The application site contains the former Abbey Retirement Home located on the north side of Winchester Road to the west of the roundabout serving Hill Lane and Winchester Road. The front of the building appears to date from the 1930s. The building has a significant, primarily flat roofed, extension to the rear which was granted planning permission in 1984 when the change of use from two flats to a care home was also permitted.
- 1.2 The building is constructed of brick for half of the ground floor with render above and of the first floor. The building has two bay windows on the front elevation with a dormer within the front face of the concrete. The application site is a short walk to a local bus shop and centre providing some day to day services.

2. Proposal

- 2.1 This application seeks to change the building to a 10 bedroom House in Multiple Occupation. 2 kitchens are provided, one each on the ground floor and first floor (measuring 18.sq.m, and 17.1sq.m respectively). A further living room is provided on the ground floor measuring 11.9sq.m. There are 3 shower rooms shown.
- 2.2 As submitted 13/14 bedrooms were shown including a second floor of accommodation, but following negotiation the scheme has been reduced in scale and use'
- 2.3 5 car parking spaces are provided with two to the front of the site and 3 to the rear.
Access to the retained rear garden is available to all residents via a door in the ground floor corridor. The garden measures 21sq.m.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the "saved" policies of the City of Southampton Local Plan Review (as amended 2015) and

the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 2**.

- 3.2 The National Planning Policy Framework (NPPF) was revised in 2023. Paragraph 225 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 A schedule of the relevant planning history for the site is set out in **Appendix 3** of this report.

5. Consultation Responses and Notification Representations

- 5.1 A publicity exercise in line with department procedures was undertaken, following an initial error, which included notifying adjoining and nearby landowners, and erecting a site notice on 28th June 2024. At the time of writing the report 21 representations have been received from surrounding residents. The following is a summary of the points raised:

5.2 *The development would exacerbate a shortage of parking in the area.* **Response**

The proposal provides 5 car parking space together with turning space. The HMO SPD requires a maximum of 5 car parking spaces for a 10 person property and, therefore, the development provides an appropriate level of parking and is fully compliant.

5.3 *A poor quality living environment would be provided* **Response**

The proposal provides an internal living environment in excess of the space requirements set out in the Council's Guidance on Standards For Houses In Multiple Occupation. Other amenity matters are discussed later in this report.

5.4 *The housing type is temporary* **Response**

It is possible that the occupants of the property may reside in the property for shorter times than other tenures of housing, however the Council's HMO SPD acknowledges that the provision of HMOs provides an important housing option as part of a wider mix; including for those on lower incomes or requiring shorter term accommodation.

5.5 ***Property should be converted into apartments***

Response

The application site is not allocated for any specific purpose in either adopted or emerging plan policy. The decision should be made on the basis of whether or not the applied for development is acceptable, rather than whether it is the preferred option for the use of the site.

5.6 ***Impacts of noise and anti-social behaviour on the local area***

Response

Whilst a 10 person HMO is an intensive use it is considered that the comings and goings from proposed use are unlikely to be significantly different to those of the former care home – when staffing and visitors are factored in. Given that the site is located adjacent to Winchester Road, which is a high traffic route, any change in timings or volumes of vehicle movements is unlikely to have a significant impact on the character or local area. As the property is detached any noise transfer from the building is unlikely to be significant. While there may be greater use of the rear garden, it's reasonable use would not be likely to disturb neighbouring occupiers. Any unreasonable generation of noise, either internally or externally, would be addressed via the statutory noise nuisance legislation contained within the Environmental Protection Act (1990).

5.7 ***The loss of Care Home would contribute to shortages of care places***

Response

Care homes are not protected within existing or emerging policy and so this becomes a market decision. It is not therefore reasonable to object to their loss, particularly given that the proposal would retain a level of residential accommodation.

5.8 ***Additional Overlooking from additional floor.***

Response

The additional floor, as originally proposed, has been removed from the proposal due to concerns raised by neighbours and supported by officers.

5.9 ***Poor refuse management from HMOs***

Response

The plans show an area that is sufficient in size to store a number of Euro Bins and further details are required by condition to ensure that the store is adequately sized and ventilation is provided.

5.10 ***Anti-Social Behaviour from use of fire escape***

Response

Officers are investigating solutions to this matter and will verbally update the panel at a later time. It may be feasible to either (i) impose a planning condition to secure the removal of the fire escape prior to 1st occupation or (ii) seek a delegation from Panel to secure a further amended plan showing the removal of the fire escape ahead of planning permission being issued.

5.11 ***The development is close to the hospital and city centre and therefore limited car parking is required***

It is noted that the proposal provides the maximum standard of car parking spaces and is considered to be acceptable as a result.

5.12 ***The proposal provide a safe and cost effective way of living***

Agreed, however this needs to be balanced against other material planning considerations. This balancing test is set out in the remainder of this recommendation.

5.13 ***The development should be car free***

It is noted that the proposal provides the maximum standard of car parking spaces, this is a balanced position in terms of car parking which acknowledges the likelihood that some occupiers may require a car to travel for work but that not all residents of HMOs will choose to or be able to own a car. As the car parking standard is a maximum it seeks to avoid over provision of spaces to encourage non-car travel but also seeks to avoid additional parking pressure on local roads.

Consultation Responses

5.11

Consultee	Comments
CIL Officer	<p>The development is CIL liable as there is a net gain of residential units through the change of use and extension. With an index of inflation applied the residential CIL rate is £119.06 per sq. m, to be measured on the Gross Internal Area floorspace of the building.</p> <p>If the floor area of any existing building on site is to be used as deductible floorspace the applicant will need to demonstrate that lawful use of the building has occurred for a continuous period of at least 6 months within the period of 3 years ending on the day that planning permission first permits the chargeable development.</p>
Environmental Health	<p>Environmental Health have no objections in principle to this application and recommend a condition for hours of construction work, a construction and demolition management plan and measures to suppress dust and noise.</p> <p><u>Officer Response</u> The revised proposal involves no external alterations to the property and therefore</p>

	conditions relating to construction work and associated amenity impacts are not considered necessary.
HMO Licensing	No objection to the scheme as submitted, subject to detailed issues that can be addressed through the SCC Licensing scheme
Natural England	<p>OBJECTION</p> <p>Natural England objects to these proposals. As submitted, we consider they will:</p> <ul style="list-style-type: none"> • Have an adverse effect on the integrity of the New Forest Special Areas of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site through increasing visitor numbers. <p>We have reached this view for the following reasons:</p> <ul style="list-style-type: none"> • The planning proposal, as currently submitted, is likely to lead to an increase in recreational disturbance in the New Forest designated sites via increasing visitor numbers and there is not enough information to demonstrate that the impacts will be mitigated.
Southern Water	No objection subject to informatives around protecting existing water infrastructure.
Highways Development Management	<p>No objection</p> <p>It is difficult to determine a significant difference between the existing and proposed uses in terms of parking demand; trip generation and servicing needs.</p> <p>In terms of parking demand, it is not always clear how many occupants would own a vehicle at a care home as it is very much specific to the individual and nature of the care home in terms of its care services. There is also the parking demand of staff both part time and full time including doubling up of parking during shift changes.</p> <p>Trip levels again could be similar when</p>

	<p>compared to both and it is considered that both uses would generate some servicing and delivery vehicles. Care home is likely to generate slightly higher and more frequent service vehicle trips as it is likely they will require them for catering, laundry and general supplies and deliveries. Due to the tight access and lack of turning space on site, it is unlikely that larger servicing vehicles would enter and turn on site and would likely stop along the kerb side. This section of Winchester Road contains double yellows which legally allows vehicles to load and unload (time restricted).</p> <p>However, it would be good for a condition to be included to secure and formalise the parking layout. Turning areas should be highlighted on the site plan and suitable wording should ensure that the turning areas are to be kept clear at all times.</p> <p>As such, there will be no objections subject to conditions to secure one long stay cycle space per occupant and a parking layout plan including wording to ensure turning areas are kept clear at all times.</p>
<p>Cllr Sarah Wood</p>	<p>I am glad that the plans for this development have been reduced from 14 (13 bedrooms labelled plus one unlabelled) to 10 bedrooms.</p> <p>However I still have the following concerns:-</p> <ul style="list-style-type: none"> • Very cramped accommodation. Undersized for 10 people assuming one per room but as double beds are indicated could be as many as 20 people. • Only lounge area scales as less than 4 metres by 4 metres . The lounge's only window is on the side very close to the boundary and currently has obscured glass. If this is changed to clear glass it would infringe the privacy of number 352 Winchester Road and they could increase the height of the fence. Not good living conditions. • Only 5 parking spots. Although

	<p>Winchester Road is on a bus route this leads to the Hospital and University only. There is cycle storage but unclear if this is adequate or secure.</p> <p><i>Officer Response</i> <i>The HMO can be limited to a maximum of 10 people with an enforceable planning condition, and the rooms on offer meet the minimum space standards. Residents have access to 2 shared kitchens and a communal lounge and 5 parking spaces is the maximum permitted by current standards.</i></p>
<p>Councillor Richard Blackman</p>	<p>Although the plans have been amended, I remain concerned about this application for the reasons stated in my initial objection.</p> <p>I request that the serious concerns, relating to the impact of these plans, voiced by neighbouring residents are considered in detail when the revised application is assessed.</p>

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- The principle of development;
- Design and effect on character;
- Residential amenity;
- Parking highways and transport; and
- Biodiversity Net Gain & Habitats Impact

6.2 Principle of Development

6.2.1 There is no 'in principle' objection to the loss of the existing care home to another residential use and there is no policy protection for such uses. Policy BAS4 of the Bassett Neighbourhood Plan allows HMOs within the neighbourhood plan area subject to a 10% threshold test which mirrors that set out within the Council's HMO SPD. HMOs provide much needed housing; particularly to those on lower income and should be considered as contributing to mixed and balanced communities. The provision of a HMO provides an essential part of the mix of housing required in the city and is supported in principle by the Development Plan.

6.2.2 Saved Policy H4 (HMOs) and CS16 (Housing Mix) supports the creation of a mixed and balanced communities, whilst these policies require an assessment of how the introduction of HMOs maintain the character and amenity of the local area. A 10% threshold test (carried out over a 40m radius) is set out in section 4 of the Council's House in Multiple Occupation Supplementary Planning Document (SPD) to avoid over-concentrations of HMOs leading to an imbalance of mix of households within a local neighbourhood.

6.2.3 The 40 metre test has been carried out and 10 properties have been identified for assessment within this radius. A number of these contain self-contained flats and are therefore do not require investigation as they are unlikely to contain HMOs as set out in paragraph 4.2.1 of the HMO. Those properties which appear to be self contained dwellings have been assessed using the up to date records for the Planning Register, Licensing Register, and Council Tax data and show that there are currently no HMOs within the area. The resulting concentration of HMOs would be 10% (1 HMO out of 10 residential properties) and, therefore, the application does not breach the 10% threshold limit for the mix of HMOs within the local neighbourhood. The properties included and excluded from the calculation are included in **Appendix 4** of this recommendation.

6.2.4 The principle of the change of use to a HMO is therefore considered acceptable. Policy H4 then requires detailed consideration of matters relating to the character of the area and the amenity of neighbouring properties which are considered in the following sections.

6.3 Design and effect on character

6.3.1 Following amendment of the plans to remove the construction of an additional floor the use of the property as a HMO requires no changes to the exterior of the building itself. Therefore, the proposal would not affect the visual character of the area.

6.3.2 348 Winchester Road is located on a main route from the west of the city towards the M3 Motorway and other local destinations. It is therefore highly trafficked. As there is already a high level of activity in the area already, particularly associated with vehicle movements, it is not considered that any additional comings and goings associated with the change of use would significantly alter the character of the area.

6.3.3 The application building consists of 10 bedrooms, and in order to ensure that adequate parking and bin storage is available on site, a condition restricts the occupation to 10 persons. The application shows an adequate area for waste storage and further details of an appropriate shelter in the location shown is recommended to ensure that the bins are adequately screened from the public realm.

6.4 Residential amenity

- 6.4.1 A number of concerns have been raised regarding the impact of the proposal, primarily on noise and disturbance grounds. It is likely that residents of the building would generate more noise than those of the previous care home use, however as the building is detached there would be limited impact from direct noise transference through the fabric of the building. Additional noise insulation would not be required.
- 6.4.2 Additional use of the garden could result in some additional noise generation compared to the existing use; where residents of the care home would be more likely to be outside during daytime hours whereas evening use is more likely in a HMO setting. Planning decisions must be made on the basis of how a use would be operated by a reasonable person or group of people. Reasonable use of the garden would not result in unacceptable levels of noise for neighbouring occupiers, even if some additional noise would be generated compared to the existing use. Where the level of noise is unreasonable due to volume, or use at anti-social hours, the protections covered by the Statutory Noise legislation within the Environmental Protection Act would apply.
- 6.4.3 Concern has been raised regarding the use of the side access to the property and the impact of vehicular comings and goings to the neighbouring properties. As the access is located on the western side of the site, and the western boundary of the site is adjacent to a similar vehicular access at 352 Winchester Road, the main property affected would be 346 Winchester Road and the block of flats beyond the rear of the site. The side access is already in existence and would have provided access for staff and visitors to the former care home. It is likely that there would be a difference in the nature of vehicular movements at the site associated with residents work and leisure trips, rather than the arrival and departure of staff working at the care home. It is not considered, however, that this would be significantly more harmful given that the former care home is likely to have been staffed 24 hours a day. Vehicle movements late in the evening and early in the morning would have likely been common.
- 6.4.4 Representations have been received regarding the quality of the internal layout for proposed residents of the building. The Council's Guidance on HMO Standards sets out a minimum bedroom size of 6.51sq.m for a bedroom to be acceptable for a single adult. All bedrooms meet this standard with the smallest bedroom being 9.9 square metres. The property has 4 shower rooms (2 is the minimum required). 2 kitchens and a living room are provided measuring a combined 48 square metres (19.5 square metres being the minimum required). The proposed living room area is acknowledged to have poor outlook with an obscured glazed window required to protect the privacy of the neighbouring flat and the privacy of users of the living room. However given the size of the shared space (being double the minimum required) and the large size of the majority of bedrooms it is considered that on balance the living accommodation

would provide a reasonable standard of living for prospective occupiers.

6.4.5 Concerns regarding the rear stairway and impact on the privacy and amenity of neighbouring occupiers has been raised. This is acknowledged and discussions are taking place to determine whether the staircase can be removed. A verbal update will be provided as discussions on this matter evolve.

6.5 Parking highways and transport

6.5.1 The Council's HMO SPD sets out that for a 10 bedroomed HMO outside of the designated high accessibility zone 5 car parking spaces are required. Two spaces are provided to the front of the site as well as 3 towards the rear of the site meaning a total of 5 which meets the maximum parking standard required. Given the unusual layout of the site and the need for vehicles to be able to turn on site and leave in a forward gear a condition is recommended for details of how parking, turning and no parking areas will be physically demarcated within the site.

6.5.2 A representation referencing the use by cars of a grass verge within the ownership of the neighbouring building has been received. If this were to occur this would be a civil matter, however as sufficient car parking is provided on site to meet standards it is not considered that this should be a matter that results in a Planning refusal.

6.6 Protected Sites and Biodiversity Net Gain

The Council's adopted saved LDF Core Strategy Policy CS22 requires all new development to produce a net gain in biodiversity by designing in provisions for wildlife. In this instance the development results in less than 25 metres squared of built development and is, therefore, exempt from the requirements of the 10% Biodiversity Net Gain.

6.7 Natural England has objected to the proposal on the basis that it will generate additional impacts on recreation and nitrate loading on European Designated Sites in the area. As the proposal would result in a decrease in the number of residents at the site this impact is not considered likely to occur and therefore no mitigation is considered to be required in this respect. This is explored in further detail in the Habitats Regulations Assessment in **Appendix 1**.

7. Summary

The proposal is acceptable in principle and is considered, on balance, to not result in any significant adverse impacts on the character or amenity of the area or the function and safety of the highway. The proposals results in the loss of a residential care home and its conversion to a large (10 person) HMO. This would be the only HMO within a 40m radius and so complies with our current policy and guidance.

For the reasons set out in **Appendix 1** the proposal is considered to not result in any significant adverse impact on the integrity of European Designated Sites including in combination with other plans and projects.

8. Conclusion

- 8.1 It is recommended that planning permission be granted subject to the following conditions

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

PLANNING CONDITIONS

01. Full Permission Timing (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. Approved Plans (Performance)

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below.

Reason: For the avoidance of doubt and in the interests of proper planning

03. Cycle storage facilities (Pre-Occupation)

Before the development hereby approved first comes into occupation/use, secure and covered storage for bicycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The storage shall be thereafter retained as approved for the lifetime of the development.

Reason: To encourage cycling as an alternative form of transport.

04. Parking and Turning Areas (Pre-Occupation)

The occupation of the development hereby approved, shall not take place until a scheme for the marking of parking and turning areas, allowing vehicles to enter and leave the site in a forward gear, has been implemented in accordance with details that have first been submitted to and approved in writing by The Local Planning Authority. Thereafter the scheme shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To prevent anti-social parking and ensure that vehicles can enter and leave the site safely.

05. Refuse & Recycling (Pre-Commencement)

Prior to the commencement of development, details of storage for refuse and recycling, together with the access to it, shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided in accordance with the agreed details before the development is first occupied and thereafter retained as approved. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the development hereby approved.

Reason: In the interests of visual amenity, the amenities of future occupiers of the development and the occupiers of nearby properties and in the interests of highway safety.

Note: In accordance with para 9.2.3 of the Residential Design Guide (September 2006): if this development involves new dwellings, the applicant is liable for the supply of refuse bins, and should contact SCC refuse team at Waste.management@southampton.gov.uk at least 8 weeks prior to occupation of the development to discuss requirements.

06. Retention of communal spaces & numbers of occupiers (Performance Condition)

The rooms labelled kitchen/dining, and Communal Lounge on the approved floor plans, together with the external amenity areas shall be retained and available for communal purposes at all times. No more than 10 residents shall occupy the premises the subject of this permission at any time.

Reason: To ensure that suitable communal facilities are provided for the residents, and in the interests of protecting the amenities of local residents.

07. Obscure Glazing (Performance)

All windows in the eastern side elevation and above, of the hereby approved development, shall be obscurely glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason: To protect the amenity and privacy of the adjoining property.

08. No Other Windows or Doors (Performance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the adjoining residential properties.

09. Residential Permitted Development Restriction (Performance)

Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 2015 as amended or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Parts 1 and 2, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Part 1

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Class D (porch),

Class E (curtilage structures), including a garage, shed, greenhouse, etc.,

Part 2

Class A (gates, fences, walls or other means of enclosure)

Reason: In order that the Local Planning Authority may exercise further control in this locality given the specific circumstances of the application site and in the interests of the comprehensive development with regard to the amenities of the surrounding area.

Habitats Regulations Assessment (HRA)

Habitats Regulations Assessment (HRA)	
Application reference:	24/00233/FUL
Application address:	Dolphin Hotel 34-35 High Street Southampton
Application description:	Change of use from an hotel (Class C1) to fully catered student accommodation (Sui Generis) with up to 99 bedrooms and associated spaces and the retention of existing car parking (no external/internal alterations)
HRA completion date:	17 April 2024

HRA completed by:	
Lindsay McCulloch Planning Ecologist Southampton City Council lindsay.mcculloch@southampton.gov.uk	

Summary
<p>The project being assessed is as described above.</p> <p>The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.</p> <p>The site is located close to protected sites and as such there is potential for construction stage impacts. It is also recognised that the proposed development, in-combination with other developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.</p> <p>In addition, wastewater generated by the development could result in the release of nitrogen and phosphate into the Solent leading to adverse impacts on features of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.</p> <p>The findings of the initial assessment concluded that the proposal would not result in an additional overnight population based on the proposed occupancy of the building as student accommodation and likely population</p> <p>Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects, which are likely in association with the proposed development, can be adequately mitigated and that there will be no adverse effect on the integrity of protected sites.</p>

Section 1 - details of the plan or project

<p>European sites potentially impacted by plan or project: European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website</p>	<ul style="list-style-type: none"> ▪ Solent and Dorset Coast Special Protection Area (SPA) ▪ Solent and Southampton Water SPA ▪ Solent and Southampton Water Ramsar Site ▪ Solent Maritime Special Area of Conservation (SAC) ▪ River Itchen SAC ▪ New Forest SAC ▪ New Forest SPA ▪ New Forest Ramsar site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development is not connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The PUSH Spatial Position Statement plans for 104,350 net additional homes, 509,000 sq. m of office floorspace and 462,000 sq. m of mixed B class floorspace across South Hampshire and the Isle of Wight between 2011 and 2034.</p> <p>Southampton aims to provide a total of 15,610 net additional dwellings across the city between 2016 and 2035 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed development of this site is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population and economic activity.</p>

Regulations 62 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) are clear that the assessment provisions, i.e. Regulations 63 and 64 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the

development described above on the identified European sites, as required under Regulation 63 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

- **This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 63(1) (a) of the Habitats Regulations.**

The proposed development is located close to the Solent and Dorset Coast SPA, Solent and Southampton Water SPA and Ramsar site and the Solent Maritime SAC. As well as the River Itchen SAC, New Forest SAC, SPA and Ramsar site.

A full list of the qualifying features for each site is provided at the end of this report. The development could have implications for these sites which could be both temporary, arising from demolition and construction activity, or permanent arising from the on-going impact of the development when built.

As the proposal is for a change of use only and does not require any external works the identifiable impacts are in relation to

- Increased leisure activities and recreational pressure; and,
- Deterioration in water quality caused by nitrates from wastewater

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 63(1)(a) of the Habitats Regulations.

The project being assessed is as described above. The site is located close to the Solent and Dorset Coast Special Protection Area (SPA), the Solent and Southampton Water SPA/Ramsar site and the New Forest Special Area of Conservation (SAC)/SPA/Ramsar site.

The lawful use of the site at this time is as a care home with a condition restricting its maximum occupation to 14. Overall the number of overnight residents of the property are likely to be lower than the permitted use as hotel accommodation and therefore the levels of water discharge affecting the water quality of the Solent and Southampton Water Special Protection Area. For the same reasons as above it is likely that fewer leisure trips would be taken to both the new Forest and Coastal Areas included within the Solent and Southampton Water Special Protection Area and New Forest Special Protection Area and Special Area of Conservation.

It is therefore considered that there would be no significant adverse impacts on the Solent and Southampton Water and New Forest Special Protection Areas and the New Forest Special Area of Conservation. An Appropriate Assessment is therefore not required.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP16	Noise
H4	Houses in Multiple Occupation

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)
Bassett Neighbourhood Plan (July 2016)

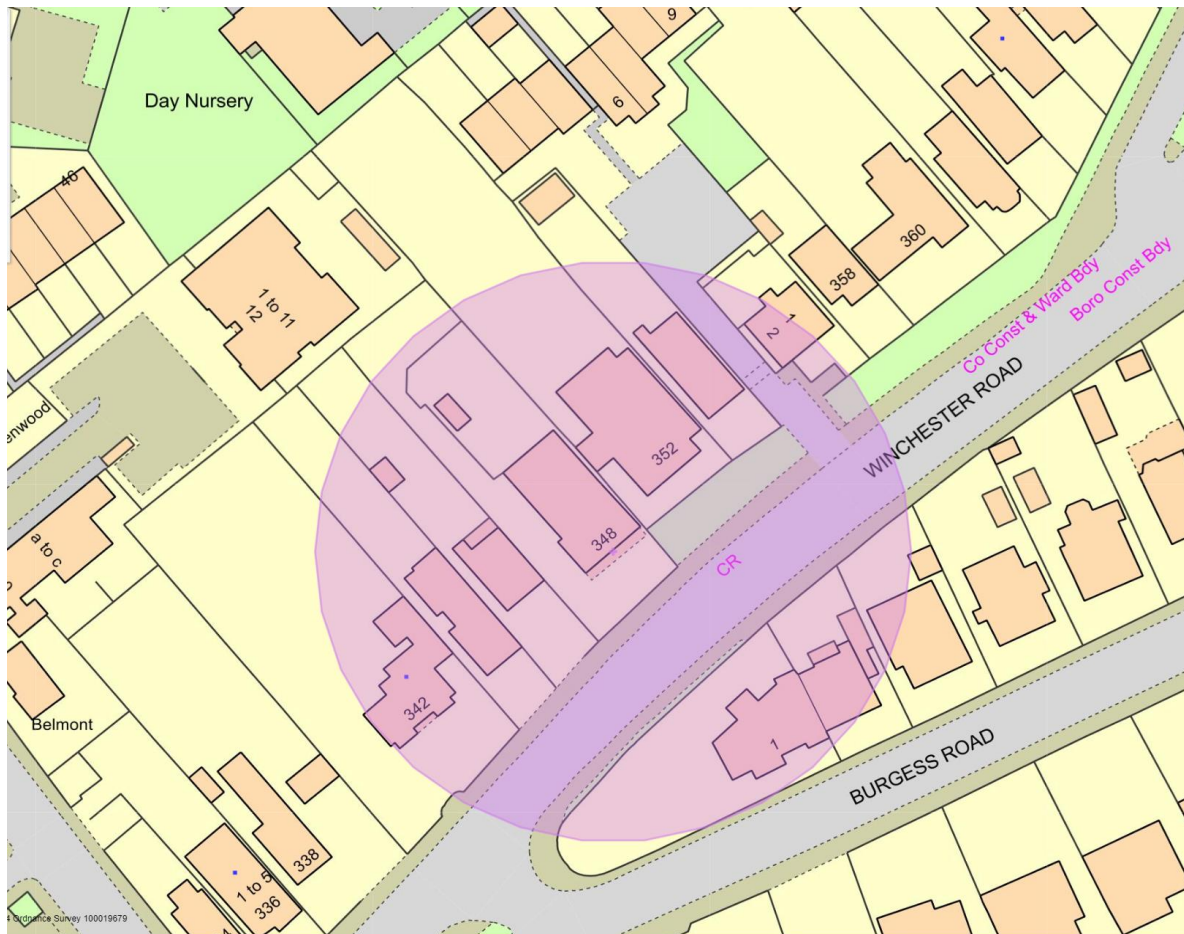
Other Relevant Guidance

The National Planning Policy Framework (2023)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

Case Ref	Proposal	Decision	Date
W17/1674	Two storey rear extension - Revision to W09/1651	Application Refused	11.03.1986
W09/1651	Change use from 2 flats to rest home & two storey rear extension	Conditionally Approved	16.10.1984
W14/1645	Use as 8 x bed sitting rooms and one flatlet	Application Refused	01.05.1984
1626/W20	Erection of 2 storey rear extension to provide self contained unit	Conditionally Approved	22.02.1983
1622/W16	Erection of two storey rear extension to provide an additional residential unit	Application Refused	30.11.1982
1410/P8	Use as guest house	Application Refused	23.02.1971
1409/P19	Use as guest house	Application Refused	23.02.1971
1180/P19	Use of land at rear for bungalow	Application Refused	04.07.1960

Properties within 40m Radius



Eligible Properties Investigated

- 342 Winchester Road
- 346 Winchester Road
- 354 Winchester Road
- 2 Burgess Road
- 4 Burgess Road

Properties not investigated

- 344 Winchester Road
- 352 Winchester Road
- 1-2 Holly Place
- 1 Burgess Road
- 3 Burgess Road