

**Planning and Rights of Way Panel 25<sup>th</sup> January 2022**  
**Planning Application Report of the Head of Planning & Economic Development**

<b>Application address:</b> 20 Howard Road, Southampton			
<b>Proposed development:</b> Change of use of premises to Offices (Class E(g)(i), removal of Condition 07 of the consent dated 23 September 2021 (Application No. 21/01047/FUL) to remove limit on number of staff employed on the premises			
<b>Application number:</b>	21/01578/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Stuart Brooks	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	16.12.2021	<b>Ward:</b>	Freemantle
<b>Reason for Panel Referral:</b>	Request by Ward Member	<b>Ward Councillors:</b>	Cllr Shields Cllr Windle Cllr Leggett
<b>Referred to Panel by:</b>	Cllr Shields	<b>Reason:</b>	Road Safety and Traffic
<b>Applicant:</b> Enthuse Care Limited c/o Agent		<b>Agent:</b> Mr Carl Patrick	

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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**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 (2021). Policies – CS8, CS18, CS19 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP4, SDP5, SDP10, SDP16 of the City of Southampton Local Plan Review (Amended 2015).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Relevant Planning History
3	Committee Meeting Minutes 21.09.21	4	Previous Decision Notice & Report
5	Business Plan		

**Recommendation in Full**

## Conditionally approve

### Background

This proposal was considered by the Planning Panel in September 2021 where the Panel supported the proposed office use, but only after a vote was taken to include a planning condition with a restriction to the number of employees. This application seeks to remove the added restriction as it has significant impacts upon the viability of the business.

#### **1. The site and its context**

- 1.1 The application site has an area of 450sqm and comprises a large two storey semi-detached property (with rooms in the roof) with a floor area of 252sqm. Prior to the recent planning permission granted to change the premises to office use (ref no. 21/01047/FUL), since 1983 the site was permitted and occupied for a Guest House use (8 guest bedrooms with owner accommodation), albeit there is an extant permission to create 4 flats (2 x 1 bed and 2 x 2 bed) under LPA ref no. 19/01136/FUL. The property has off-road parking to the front and rear of the plot.
- 1.2 The site is located within a residential area comprising a mix of higher density flatted blocks/conversions amongst family dwellings. The adjoining property at 22 Howard Road is also a guest house, and on the opposite side is a Nursery (Paint Pots) at no. 19 Howard Road with a maximum attendance limit of 52 children permitted (LPA ref no. 10/01196/FUL).

#### **2. Proposal**

- 2.1 Planning permission for change of use of the premises to offices was considered at the Planning and Rights of Way Panel on 21 September 2021 and the panel resolved to grant conditional planning approval and added a number of conditions which included a restriction on the number of staff on site at any one time to a maximum of 7 employees (condition 7). The decision was issued on 22 September 2021 (Ref 21/01047/FUL). Full details of the additional conditions imposed are set out within the minutes from the PROW panel meeting attached as **Appendix 3**.
- 2.2 This application seeks permission to change the use of the premises with removal of condition 7 which limits the maximum number of staff employed on site to seven employees at any one time. In effect, to allow unlimited staff occupancy.
- 2.3 Condition 7 was added by the Panel members in addition to the officer's original recommendation (see Appendix 4). The condition is intended to serve a dual purpose to safeguard from a more intensive use of the office premises in relation to a) the amenity of nearby occupiers; and b) manage the impact of parking associated with the office. The condition is worded as follows:

**Condition 7 - Occupancy Limit**

*The maximum number of staff employed on site at any one time shall not exceed 7 employees.*

*Reason: To protect the amenities of the occupiers of existing nearby residential properties and to manage parking behaviour.*

- 2.4 With regards to the published minutes of the panel meeting (see Appendix 3), the applicant sought clarification why the wording of the 'reason' in condition 7 differs to the formal decision notice (see Appendix 4) i.e. 'to manage parking behaviour' wasn't shown in the minuted version of the condition. The committee clerk has confirmed that this was a drafting error when the panel minutes were prepared.
- 2.5 The applicant's business plan set out in Appendix 5, projects medium-term need of the premises to potentially accommodate a HQ Management Office for 8 full time equivalent (comprising 3 Directors, 4 Finance, 1 Recruitment) and 5 part-time (4 Regional Care Managers, 1 Training Manager) and, therefore, serve up to 13 employees at any one time. It should be noted that this is a guide to the potential growth of the applicant's business and not intended to stipulate a further upper limit.
- 2.6 The applicant considers that the maximum occupancy limit removes flexibility and negatively and unreasonable impacts on their business growth. Furthermore, the applicants argue that the intended purpose and wording of the planning condition fails the requisite legal planning tests for valid conditions as summarised in paragraphs 55 and 56 of the National Planning Policy Framework (NPPF) and as set out within Planning Practice Guidance. As such, the acceptability of the change of use is now being considered with unlimited staff occupancy of the office premises.
- 2.7 The office accommodation (252sqm) will serve a local homecare business known as Enthuse Care Limited. The proposed offices would be used primarily for business administration functions. The applicant explains that Enthuse Care is a growing organisation with Staff Offices across the south coast, the Howard Road premises are to support the group and function as the Head Quarters, providing offices for the three Managing Directors, as well as the Head of Finance, Head of Training and Head of Recruitment/HR.
- 2.8 As such there is no expectation that Care Staff will need to call on the premises and both Staff training and new recruitment is undertaken at existing premises elsewhere in Bournemouth, New Forest, Portsmouth and Southampton. The applicant previously stated in their previous submission that the Howard Road office premises would generate the equivalent of 7 full time employees (5 full time and 3 part-time), which led to the Panel's intervention.

**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 1**.

- 3.2 The NPPF was revised in 2021. Paragraph 219 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 2** of this report.

#### **5. Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, and erecting a site notice 19.11.2021. At the time of writing the report **2 representations** have been received from surrounding residents and an objection from ward Cllr Shields. The following is a summary of the points raised:

- 5.2 ***20 Howard Road was (and is) an unsuitable site for offices. Howard Road is extremely dangerous for pedestrians and also local residents trying to enter and exit their properties by car as traffic does not give way. Howard Road is an extremely busy road, with ever-increasing amounts of traffic, that now includes articulated lorries, buses, and coaches. The volume of traffic is increasing, especially with expansion of St Marks School. Impact compounded by traffic issues associated with the children's nursery opposite the site. The pedestrian safety of local school children using the road will be adversely affected. Allowing more employees to work at 20 Howard Road inevitably means that there will be more vehicles and more vehicle use from the site. The site of 20 Howard Road has no additional capacity for parking any more vehicles and neighbouring properties are not going to be treated as an overflow car park. An accident that took place immediately outside the property on the 19th November 2021 at approximately 1:35 in the afternoon. A cyclist was in collision with a car, causing serious damage to the front of the vehicle and evident injury to the cyclist. The accident occurred 57 days after planning consent was issued. The Highways Officer was not available at the previous meeting to ask questions about highways impacts.***

##### **Response**

SCC Highways team advise that the level of trip rates for office use is not considered significant due to the relatively small floorspace. Peak hour trips are around 3-4 with average 1 per hour outside the peaks and, therefore, do they not have significant concerns from traffic generation with regards to road safety impact and interrupting the free flow of traffic on the road network in the neighbourhood. While local residents are seriously concerned about the

severe nature of existing traffic/road safety conditions and road capacity issues, the residual cumulative impact on the road network from traffic and congestion generated by the small scale office use itself will not be severe enough to warrant refusal, especially taking in account the fall back position of the existing use and extant permission for flats. The cumulative and incremental effects on the capacity and safety of the local urban road network associated with other development locally approved in the neighbourhood and wider area, such as the nursery opposite and expansion of St Marks School, is individually assessed at the time of their own planning applications.

5.3 ***There is no indication on the potential upper limit of staffing required for the business.***

**Response**

Since the submission, the applicant has provided a medium term business plan which projects potential growth of employees at the office premises (see **Appendix 5**) - 8 full time equivalent (comprising 3 Directors, 4 Finance, 1 Recruitment) and 5 part-time (4 Regional Care Managers, 1 Training Manager) and, therefore, serve up to 13 employees at any one time. Despite the more intensive use of the office, officers deem it unnecessary to impose an upper occupancy limit given there will be no adverse impact caused by the small scale of the offices in this location.

**Consultation Responses**

5.4

Consultee	Comments
Cllr David Shields	<p>I wish to object to this application as planning permission was previously granted in September this year for a change of use in spite of opposition from local residents and me as a ward Councillor where one of our primary objections related to the number of vehicle movements that would be generated on and off the site. A condition was agreed by Panel members to restrict the number of employees located at the premises which would in part mitigate against the volume of these vehicle movements. It is wholly unacceptable now that the planning application has been approved for one of the key conditions attached to it to be removed in such a short passage of time.</p> <p><b><u>Case Officer Response</u></b>  <i>The applicant is entitled to apply to seek removal of previously imposed planning conditions rather than enter into the appeal process. It now rests with the Local Planning Authority to decide whether the condition meets the tests of a planning</i></p>

	<p><i>condition and to weigh up whether the office use would be otherwise acceptable without reapplying condition 7. Despite the request for greater flexibility with unrestricted staffing numbers and the potential growth of employees in the medium term, officers consider that unlimited occupancy of the office use can operate without causing adverse harm to road safety and parking in the local area in relation to traffic and parking generated having regard to the limited size of the office floor space proposed (252sqm) Therefore it is considered unnecessary and unreasonable to restrict staffing numbers by condition and this was the advice previously given ahead of the decision to impose the condition.</i></p>
Environmental Health	No objection
Highways	<p>No objection</p> <p>The advice is unchanged from the previous application. In summary, the application can be supported subject to the following conditions:</p> <p>1) Parking and Access. Only two parking spaces to be permitted on the forecourt which could be centralised to provide best possible sightlines. Parking spaces to be fully marked out. On site management is needed to prevent vehicular access via the side alleyway in the interest of highway safety.</p> <p>2) Cycle Parking. Details to be submitted and agreed in writing by the LPA.</p> <p><u>Case Officer Response</u></p> <p><i>The applicant has confirmed they will not amend the existing parking arrangements and that the scheme should be determined based on plans as submitted. Whilst it is preferential to seek betterment through the planning process, officers agree that the continued use of the existing parking arrangement serving an 8 bed guest house and owners accommodation, would not have further adverse impact on road safety following the change of use.</i></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; and
- Parking highways and transport

### 6.2 Principle of Development

6.2.1 The guest house use is not safeguarded by the Council's local plan policies. Policy CS8 (Office Location) requires the location of medium scale offices and larger (greater than a threshold of 750sqm) to be first directed sequentially to suitable sites in the city, town and district centres. The small scale office use proposed (floor area 252sqm) falls below this sequential test threshold and, therefore, the residential location of the office use will not be contrary to local plan policy by falling outside the defined centres in the city. The principle of development can therefore be supported. This is subject to an assessment of the impacts against the relevant material considerations as set out below with a specific focus on the restrictive planning condition.

### 6.3 Design and effect on character

6.3.1 An office use at these premises was previously permitted subject to conditions (see **Appendix 4**) in September last year by the panel. These conditions included a maximum occupancy limit of seven staff employed at the site. In **Appendix 5**, the applicant has advised what their medium term business plan potentially will be. With a projection of 13 staff employed at the site, there would be a more intensive use than the maximum 7 staff currently permitted. That said, the Council must still judge the degree of material harm relating to the impact of the proposed land use as a matter of 'fact' and 'degree'.

6.3.1 The 252sqm office premises is classed as small size office under policy CS8 of the Core Strategy (threshold for medium scale offices starts at 750sqm). As a starting point, the Use Classes Order acknowledges that an office use (*class E(g)(i)*) can be carried out in a residential area without detriment to its amenity. Taking into account the small scale of the office premises, the quiet nature of the daytime office use would be compatible with the character of this residential area with regards to the administrative related function for the care business and the overall scale and intensity of the use and, therefore, would not adversely impact the character of the area. There are no material alterations proposed to the external appearance of the building or existing parking area.

6.3.2 Whilst members considered that the office use could only be made acceptable through a condition to limit the maximum number of staff employed at the premises, officers do not consider that an office premises of this small scale with unfettered control of occupancy would be out of character within the

neighbourhood. Firstly, the location of the small office (252sqm) is not contrary to spatial strategy of policy CS8 which does not prescribe where small sized offices under 750sqm floorspace shall be in the city. Secondly, floor size capacity of the premises will naturally curtail the growth and activity of the business. Thirdly, controlling staff occupancy limits on the premises will negatively impact on the local economy by overly restricting the opportunity for future investments and growth by the business and, therefore, would be contrary to the overarching economic objectives of the NPPF (paragraph 8) – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.*

6.3.3 So officers maintain their professional opinion, despite the condition that was previously imposed, and the Panel need to decide whether or not to reimpose the condition and, potentially, open the Council up to an appeal or agree with the applicant's justification and support the recommendation to remove the condition.

#### 6.4 Residential amenity

6.4.1 As explained above, the administrative activities and tasks associated with the office use will be quiet in nature and does not involve any noisy industrial processes or use of heavy machinery. The broad range of the Class E use can be restricted to office use by condition to prevent changing to other types of Class E uses which could involve more noisier and more intensive commercial activities i.e. retail, restaurant, light industry, nursery, etc. Furthermore, the daytime hours of the office use (08:00 to 18:00 Monday to Saturday, 10:00 to 16:00 Sundays and Bank Holidays 09:00 to 13:00) would minimise disturbance within evening hours when the neighbouring occupiers expect to enjoy peace and quiet or sleeping in the residential area. The Environmental Health team have no objection with regards to noise concerns.

6.4.2 Given the unfettered planning controls over the guest room occupancy and hours of arrival/departure, it is considered that the comings and goings associated with the traffic and movements of the office use comprising of 7 or more employees (having regard for potential business growth as per **Appendix 5**) will not cause any significant noise disruption to the neighbouring occupiers in comparison to the existing guest house use. As advised under the previous application and further to the reasoning in section 6.3 above, officers do not deem a restriction of the staff occupancy necessary given the nature of the business and the limited floorspace available to it. As such, the proposed office use would not adversely affect the residential amenity of the neighbouring occupiers and residents.

#### 6.5 Parking highways and transport

6.5.1 The starting point to assess the material harm for safety and traffic impacts on the local road network is set out in paragraph 111 of the NPPF – "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". The site is just located outside the defined



high accessibility area in the Council's Parking Standards SPD, which specifies a maximum parking standard of 8 spaces for office use (1 per 30sqm of gross floor area). The existing parking area will provide 6 off-road spaces and the Council's guidance states that provision of less than the maximum parking standard is permissible. Developers should demonstrate that the amount of parking provided will be sufficient, whether they provide the maximum permissible amount, or a lower quantity. The majority of parking on Howard Road is controlled by yellow lines which prohibits waiting along the street (between 08:00–18:00 Monday to Saturday) and kerbs are dropped in front of most properties to allow driveway access. No further justification for the off-road shortfall was submitted by the applicant. That said, the overspill impact associated with the office use parking demand during the daytime hours of use is not considered to adversely affect the road safety or amenity of nearby residents from the displacement of kerbside parking.

- 6.5.2 The Highways Officer previously advised that the level of trip rates for office use is not considered to be significant due to the relatively small floorspace. Peak hour trips are around 3-4 with average 1 per hour outside the peaks and, therefore, do they not have significant concerns from traffic generation with regards to road safety impact and interrupting the free flow of traffic on the road network in the neighbourhood. While local residents have serious concerns about the current traffic and safety conditions, the residual cumulative impact on the road network from traffic and congestion generated by the small scale office use itself will not be severe enough to warrant refusal, especially taking in account the fall back position of the existing use and extant permission for flats. Traffic and safety impacts on the road network associated with the neighbourhood and wider area such as the nursery opposite and expansion of St Marks School are assessed individually at the time of their own planning applications.
- 6.5.3 The Highways Officers recommendation was passed to the applicant to improve sightlines by centralising the frontage parking spaces and to adopt on site management to prevent vehicles obstructing each other on the narrow vehicular access via the side alleyway. The applicant commented under the previous application that the changes to parking layout and circulation are unnecessary given that the historic use for a number of years in a similar parking and access arrangement for the existing guest house and, therefore, make no material difference in harm if continued by the office use. Whilst betterment is always sought through the planning process, it is considered on balance that the material harm from re-utilising the existing access and parking arrangement would not be sufficient enough to substantiate a robust and sound reason for refusal against road safety. The applicant has confirmed that the existing rear garage will be provided for cycle storage to serve the office users. As such, no layout changes are deemed necessary and the business itself will be able to monitor and manage its own parking.
- 6.5.4 Furthermore, officers are satisfied that change of use of the premises to office accommodation without imposing a staffing level restriction would not adversely harm the amenities of the occupiers of existing nearby residential properties or lead to adverse parking management problems that would

demonstrably prejudice highway safety.

## **7. Summary**

7.1 In summary, the applicant is within their right to apply to have conditions imposed by the Council removed. The Council has a duty to determine such applications. The applicant also has the right to appeal the first, and any subsequent, decision. In this case the proposed office use is considered to be compatible with the surrounding residential uses, and will not adversely affect the local character and amenity, and highways safety. Having regard for the planning balance, whilst the new premises for the applicant does not offer a direct economic benefit from local employment generation itself, it has the benefit of supporting a local business seeking to relocate to a suitable premises in the city. The office premises will operate without causing adverse impact in the absence of staff occupancy limits under condition 7 in the extant permission. Condition 7 is not deemed necessary to make the impact of the proposed office use otherwise acceptable. The retention of the condition would negatively impact on the local economy by imposing an unreasonable burden on the applicant's opportunities to invest in the growth of their business.

## **8. Conclusion**

8.1 It is recommended that planning permission be granted without a restrictive occupancy condition, subject to the conditions set out below.

### **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) 4. (ee) (vv) 6. (a) (b)

**Stuart Brooks** PROW Panel 25<sup>th</sup> January 2022

### **PLANNING CONDITIONS**

#### **1. Full Permission Timing Condition (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).

#### **2. Restricted Use (Performance)**

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall only be used as accommodation for the purposes indicated in the submitted details and not for any other purpose, including any other use within Use Class E.

Reason: In the interest of the amenities of neighbouring occupiers and highways safety.

#### **3. Hours of Use(Performance)**

The office use hereby approved shall not operate outside the following hours.

Additionally, there shall be no deliveries outside of the following hours:

Monday to Saturday – 08:00 to 18:00;

Sunday – 10:00 to 16:00;

Recognised public holidays – 09:00 to 13:00

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

#### **4. Cycle parking (Performance Condition)**

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved and the details contained in the applicant's correspondence dated 20.08.2021 submitted under application no. 21/01047/FUL. The storage shall thereafter be retained as approved.

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

#### **5. Parking (Performance)**

The parking layout shall be provided in accordance with the plans hereby approved before the offices first comes into use and shall thereafter be retained as approved for the lifetime of the office use and the non-designated parking areas shall be kept clear at all time.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

#### **6. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

#### **7. Occupancy Limit**

Condition 7 deleted as per the recommendation

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

Core Strategy - (as amended 2015)

CS8 Office Location  
CS18 Transport: Reduce-Manage-Invest  
CS19 Car & Cycle Parking

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

SDP1 Quality of Development  
SDP4 Development Access  
SDP5 Parking  
SDP10 Safety & Security  
SDP11 Accessibility & Movement  
SDP16 Noise

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Howard Road Character Appraisal (1991)

Other Relevant Guidance

The National Planning Policy Framework (2021)

**Application 21/01578/FUL**  
**Relevant Planning History**

**APPENDIX 2**

<b>Case Ref:</b>	<b>Proposal:</b>	<b>Decision:</b>	<b>Date:</b>
1631/W14	CHANGE OF USE FROM RESIDENTIAL TO GUEST HOUSE	Conditionally Approved	28.06.1983
W22/1641	ERECTION OF A GROUND FLOOR EXTENSION	Conditionally Approved	13.03.1984
W14/1650	ERECTION OF A GARAGE	Conditionally Approved	25.09.1984
891313/W	ERECTION OF A FIRST FLOOR REAR EXTENSION TO OWNERS ACCOMMODATION	Conditionally Approved	24.08.1989
18/01109/FUL	Conversion of a guest house (Class C1) to residential and single storey rear extension to provide 5 x flats (3 x 1 bed and 2 x 2 bed) with associated car parking bin and cycle storage.	Application Refused	11.09.2018
19/01136/FUL	Conversion of a guest house (Class C1) to residential (Class C3) including erection of a single storey rear extension to provide 4 x flats (2 x 1 bed and 2 x 2 bed) with associated car parking, bin and cycle storage (Resubmission of 18/01109/FUL).	Conditionally Approved	03.10.2019
21/01047/FUL	Change of use of premises to Offices (Class E (g)(i))	Conditionally Approved	23.09.2021

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**PLANNING AND RIGHTS OF WAY PANEL**  
**MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021**

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**Present:** Councillors L Harris (Chair), Prior (Vice-Chair), Coombs, Magee, Savage, Vaughan and Windle

25. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED:** that the minutes for the Panel meeting on 24<sup>th</sup> August 2021 be approved and signed as a correct record.

26. **PLANNING APPLICATION - 20/00138/FUL -QUAY 2000**

The Panel considered the report of the Head of Planning and Economic Development recommending refusal for an application to vary the planning obligation set out at The Second Schedule (Waterfront Access) of the Section 106 Agreement dated the 16th November 1998, allowing the Waterfront Access (the walkway) gates to remain locked outside of the following hours: 1st April - 31st October (Summer Period) 08:00 - 20:00, 1st November - 31st March (Winter Period) 08:00 - 16:00 (Revised submission to application 19/00719/FUL).

Ian Johnson (agent), Andrew Mitchell (applicant), and Councillor Mitchell (ward councillor) were present and with the consent of the Chair, addressed the meeting. In addition the Panel statements from Sarah Brightwell and the Southampton Commons and Parks Protection Society, (SCAPPS), were circulated to the Panel and posted online.

The Panel then considered the officer recommendation to refuse to vary access to the walkway. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that the Panel:

- (i) Rejected the request to vary the previous decision (19/00719/FUL) of the Planning & Rights of Way Panel (July 2019) under S106A of the Town & Country Planning Act that the planning obligation shall continue to have effect without modification, as contrary to CLT10 – Public Waterfront and Hards and CS 12 – Accessible & Attractive Waterfront.
- (ii) Authorised the Head of Planning and Economic Development – Infrastructure, Planning and Development to take enforcement action in respect of any breach of the extant planning obligation if the Deed of Variation is not completed within 3 months from the date of this Panel meeting and/or the Management Plan hasn't been agreed as required; and,
- (iii) Authorised the Head of Planning and Economic Development – Infrastructure, Planning and Development to take enforcement action in respect of any breach of the revised hours, in line with the agreed amendment within 1 month from the written approval by the Council of the Management Plan.

27. **PLANNING APPLICATION - 21/00764/FUL -30-32 ST MARYS PLACE**

**RESOLVED** The Panel noted that this item had been withdrawn from consideration at this meeting.

28. **PLANNING APPLICATION - 21/01047/FUL - 20 HOWARD ROAD**

The Panel considered the report of the Head of Planning and Economic Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Change of use of premises to Offices (Class E (g)(i))

Duncan Bendermarcher (local resident objecting), Carl Patrick (agent), and Councillor Shields (ward councillors/objecting) were present and with the consent of the Chair, addressed the meeting. In addition a statement from Mr Brian True was circulated to the Panel and posted online.

The presenting officer reported that Condition 4 required amending and that an additional condition would be required for parking layout. Members voted to add a further condition that detailed occupancy levels. The additional conditions are set out below.

The Panel then considered the recommendation to grant conditional planning permission (subject to the additional conditions set out below. Upon being put to the vote the recommendation was carried.

RECORDED VOTE to grant planning permission

FOR: Councillors L Harris, Prior, Magee, Savage, Coombs and Windle

AGAINST: Councillor Savage

**RESOLVED** that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

**ADDITIONAL AND AMENDED CONDITIONS**

4. CYCLE PARKING (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved and the details contained in the applicant's correspondence dated 20/08/2021. The storage shall thereafter be retained as approved.

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

6. PARKING (PERFORMANCE)

The parking layout shall be provided in accordance with the plans hereby approved before the offices first comes into use and shall thereafter be retained as approved for the lifetime of the office use and the non-designated parking areas shall be kept clear at all time.

REASON: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

7. OCCUPANCY LIMIT

The maximum number of staff employed on site at any one time shall not exceed 7 employees.

REASON: To protect the amenities of the occupiers of existing nearby residential properties.



**Planning and Rights of Way Panel 21<sup>st</sup> September 2021**  
**Planning Application Report of the Head of Planning & Economic Development**

<b>Application address:</b> 20 Howard Road, Southampton			
<b>Proposed development:</b> Change of use of premises to Offices (Class E (g)(i))			
<b>Application number:</b>	21/01047/FUL	<b>Application type:</b>	FUL
<b>Case officer:</b>	Stuart Brooks	<b>Public speaking time:</b>	5 minutes
<b>Last date for determination:</b>	03.09.2021	<b>Ward:</b>	Freemantle
<b>Reason for Panel Referral:</b>	Request by Ward Member	<b>Ward Councillors:</b>	Cllr Windle Cllr Shields Cllr Leggett
<b>Referred to Panel by:</b>	Cllr Shields	<b>Reason:</b>	Impact on residential amenity and street parking
<b>Applicant:</b> Enthuse Care Limited c/o Agent		<b>Agent:</b> Consultant Planning Services	

<b>Recommendation Summary</b>	<b>Conditionally approve</b>
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**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 (2021). Policies – CS8, CS18, CS19 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP4, SDP5, SDP10, SDP16 of the City of Southampton Local Plan Review (Amended 2015).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Relevant Planning History
3	Appeal decision 36 Thornbury Avenue		

**Recommendation in Full**  
**Conditionally approve**

## **1. The site and its context**

- 1.1 A change of use is sought at 20 Howard Road. The application site has an area of 450sqm and comprises a large two storey semi-detached property (with rooms in the roof). Since 1983, it has been permitted and occupied for a Guest House use (8 guest bedrooms with owner accommodation), albeit there is an extant permission to create 4 flats (2 x 1 bed and 2 x 2 bed) under LPA ref no. 19/01136/FUL. The property has off-road parking to the front and rear of the plot.
- 1.2 The site is located within a residential area comprising a mix of higher density flatted blocks/conversions amongst family dwellings. The adjoining property at 22 Howard Road is also a guest house, and on the opposite side is a Nursery (Paint Pots) at no. 19 Howard Road with a maximum attendance limit of 52 children permitted (LPA ref no. 10/01196/FUL).

## **2. Proposal**

- 2.1 The proposal is for a change of use from guest house to an office premises (class E (g)(i)) for a homecare local business known as Enthuse Care Limited. The proposed offices would be used primarily for business administration functions.
- 2.2 The proposed offices will serve 7 administrative employees over a 252sqm floor area with 7 office rooms and ancillary facilities and storage space for staff welfare and filling/PPE. The office use will operate between 08:00 to 18:00 Monday to Saturday, 10:00 to 16:00 Sundays and Public Holidays 09:00 to 13:00, where peak times fall with contractual hours 9 to 5 Monday to Friday in a typical working day. The off-road parking provision will be 6 spaces utilising a similar arrangement to existing.
- 2.3 The Company, which has Staff Offices in Southampton, Portsmouth, Bournemouth and the New Forest, provide qualified staff for work in the Care Sector with services as a Homecare Agency, specialising in dementia, mental health conditions, personal care, physical disabilities, sensory impairments, substance misuse problems, caring for young adults under 65 years and caring for adults over 65 years. The group is seeking to relocate its administrative offices from 33 Highfield Lane. The Group currently have their combined Registered Office and Staff headquarters at 94 Oakley Road, Shirley. The Staff and customer focussed facilities and headquarters are to remain at the Oakley Road premises, with all the administrative functions and staff being located at the Howard Road site. The Howards Road office is not proposed to be used as a base for care workers to visit. The nature of the use class type applied for means that the office use would only primarily be allowed for office administrative purposes.

### **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 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 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 2** of this report.

### **5. Consultation Responses and Notification Representations**

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, erecting a site notice 30.07.2021. At the time of writing the report **2 representations** have been received from surrounding residents, in addition to the Panel referral by Ward Cllr Shields (see below). The following is a summary of the points raised:

- 5.2 ***No site notice erected.***

#### **Officer Response**

*A site notice was erected by the Planning team on 30.07.2021 and 13 neighbouring properties were notified in accordance with statutory consultation requirements.*

- 5.3 ***Noise disturbance from transmission through party wall in relation to office related activities such as telephone rings and visitors and additional traffic.***

#### **Officer Response**

*The Environmental Health Officer has raised no significant concerns about the noise disturbance impact on the neighbouring occupiers. The quiet nature of the office use coupled with scale and intensity is not considered to adversely harm the amenity of the neighbouring occupiers and customers of the guest house at 22 Howard Road.*

- 5.4 **Fire hazard from the IT room in the roofspace from a high use of electrical equipment in a room that would be close to the wood structure of the roof.**

**Officer Response**

*This matter falls outside the scope of planning controls and fire safety is a Building Regulations matter.*

- 5.5 **Increased traffic and vehicle trips not improving pollution or traffic issues in the locality. Howard Road is a very busy road, and the nursery on the opposite side of the road to the property already contributes to traffic hazards in the morning and the late afternoon, and disruption from HMO occupants block pavements with parked cars. These existing issues are likely to be compounded with the opening of the new St. Mark's Secondary School. Lack of visitors parking.**

**Officer Response**

*The predicted level of vehicle trips and parking demand generated with the proposed office use and limited administrative staffing numbers is not considered to adversely impact on road safety and local street parking. This conclusion is also reached in the context of the existing guesthouse use.*

- 5.6 **Out of character. Inappropriate location for a commercial business in a primarily residential area and given the housing demand in the city. There are other vacant offices in the city centre which would be more suitable. Signage would detract from the appearance of the Victorian houses. The appearance of the building is likely to fall into a state of disrepair given the recent neglect and lack of maintenance of flatted properties elsewhere in the local area.**

**Officer Response**

*The nature of the commercial use is considered compatible with the residential area. Class E(g)(i) in the Use Classes Order is deemed a use which can be carried out in a residential area without detriment to its amenity. The floor area of the office use falls under the threshold for sequential testing to locate in centres first under policy CS8 (Office Location). Any signage would either need express consent or can be installed under deemed consent within specific size and illumination limits. The upkeep of the building is outside the control of planning application as it is a private matter for the owner.*

- 5.7 **The empty property at night-time will increase the risk of crime for local residents. The large rear garage to 20 Howard Road was the target of a serious night-time arson attack in approximately the year 2003/4, which resulted in the total destruction of the garage and flames leaping so high and wide that the property at 20 Howard Road, along with the neighbouring properties at 22 Howard Road and 1 Thornbury Avenue, were placed in serious danger. There should be 24 hour CCTV installed to mitigate risk.**

**Officer Response**

*It is the responsibility of the land owner or tenant to provide appropriate*

security measures for this office accommodation.

5.8 ***The office premises should not be extended in the future.***

**Officer Response**

*The Local Planning Authority will be able to decide the impacts of an extension at the time based on any planning application submitted in the future.*

**Consultation Responses**

5.9

<b>Consultee</b>	<b>Comments</b>
Cllr David Shields	<p>I wish to object to this planning application as wholly inappropriate to and totally out of character in a predominantly residential area. Moreover I am concerned that the proposed conversion to offices takes place in a busy road close to a major junction which regular experiences road traffic accidents - including ones involving serious injury and even death.</p> <p>Further comments received on 27.08.21:- I want to provide support to those local Howard Road residents who object to this application. My main reason is concern over parking and transport movements in a predominantly residential area. There are plenty of alternative locations elsewhere in the Freemantle ward (e.g. Paynes Road, Shirley Road and Millbrook Road East) that are far better suited to the type of business wanting to relocate here e.g. with good access to public transport.</p> <p>I note that Enthuse Southampton currently operates from offices in a shopping parade in Oakley Road (Millbrook) as well as a base in 33 Highfield Lane (a small row of shops next to the Highfield public house) so I'm unsure of any additional local employment benefits that will be generated by a move to Howard Road.</p> <p>Enthuse Southampton are primarily providers of domiciliary care which will, I suspect, generate vehicle movements for home care staff as well as administrative personnel. Where there is insufficient on-site car parking at the proposed Howard Road HQ their home care workers (who use cars to visit clients right across the City and in Totton) will inevitably park in neighbouring residential streets (e.g. Thornbury Avenue or Atherley Road) where residents express concerns about excessive commuter parking and longer term parking by visiting cruise ship passengers. I would also reference resident concerns with parking problems generated some years ago with Paint Pots Nursery on the other side of Howard Road.</p>

	<p>I appreciate that the applicants seek a change of use from one type of business to another but there is a big difference between a traditional family-owned B&amp;B business (within easy walking distance to the Central Station) where the owners also reside here and an office.</p> <p>I would like to maintain my objection and request that this planning application is determined by Panel.</p>
<p>SCC Highways Development Management</p>	<p>No objection In summary, the application can be supported subject to the following conditions:</p> <p>1) Parking and Access. Only two parking spaces to be permitted on the forecourt which could be centralised to provide best possible sightlines. Parking spaces to be fully marked out. On site management is needed to prevent vehicular access via the side alleyway in the interest of highway safety.</p> <p>2) Cycle Parking. Details to be submitted and agreed in writing by the LPA.</p> <p><u>Case Officer Response</u> <i>The applicant has confirmed they will not be amending the existing parking arrangements and that the scheme should be determined based on plans as submitted. Whilst it is preferential to seek betterment through the planning process, officers agree that the continued use of the existing parking arrangement serving an 8 bed guest house and owners accommodation, would not have further adverse impact on road safety following the change of use.</i></p>
<p>SCC Environmental Health</p>	<p>No objection</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; and
- Parking highways and transport

### 6.2 Principle of Development

6.2.1 The guest house use is not safeguarded by the Council's local plan policies. Policy CS8 (Office Location) requires the location of medium scale offices and larger (greater than a threshold of 750sqm) to be first directed sequentially to suitable sites in the city, town and district centres. The proposed 252sqm office

use falls below this sequential test threshold and, therefore, the proposed location of the office use is not contrary to local plan policy by falling outside the defined centres in the city. The principle of development can therefore be supported.

### 6.3 Effect on character

6.3.1 Class E of the Use Classes Order acknowledges that an office use (class E(g)(i)) can be carried out in a residential area without detriment to its amenity. It is considered that the quiet nature of the daytime office use with regards to the administrative related activities and the overall scale and intensity of the use would be compatible with the character of this residential area and, therefore, would not have an adverse impact. This application is for change of use only and there are no material alterations proposed to the external appearance of the building or existing parking area.

### 6.4 Residential amenity

6.4.1 As explained above, the administrative activities and tasks associated with the office use will be quiet in nature and does not involve any noisy industrial processes or use of heavy machinery. The broad range of the Class E use can be restricted to office use by condition to prevent changing to other types of Class E uses which could involve more noisier and more intensive commercial activities i.e. retail, restaurant, light industry, nursery, etc. Furthermore, the daytime hours of the office use (08:00 to 18:00 Monday to Saturday, 10:00 to 16:00 Sundays and Bank Holidays 09:00 to 13:00) would minimise disturbance within evening hours when the neighbouring occupiers expect to enjoy peace and quiet or sleeping in the residential area. Given the unfettered planning controls over the guest room occupancy and hours of arrival/departure, it is considered that the comings and goings associated with the traffic and movements of the office use comprising of 7 employees will not cause any significant noise disruption to the neighbouring occupiers in comparison to the existing guest house use. As such, the proposed office use would not adversely affect the residential amenity of the neighbouring occupiers and residents.

6.4.2 In the interests of protecting the residential amenity of neighbouring occupiers and allowing the Local Planning Authority to retain control, the Planning Panel might decide to impose a restriction on the number of employees associated with this business. This would be consistent with the conditions imposed by the Planning Inspectorate on a nearby privately owned Nursery business in a residential area at 36 Thornbury Avenue (**see Appendix 3** PINS ref no. APP/D1780/A/04/1153114), and subsequently a permission this month (under officers delegated authority) to increase staff numbers from 5 to 8 at the Nursery (LPA ref no. 21/01071/FUL). Officers do not, however, deem such a restriction necessary given the nature of the business and the limited floorspace available to it.

## 6.5 Parking highways and transport

6.5.1 The Highways Officer has advised that the level of trip rates for office use is not considered to be significant due to the relatively small floorspace. Peak hour trips are around 3-4 with average 1 per hour outside the peaks and, therefore, do they not have significant concerns from traffic generation with regards to road safety impact and interrupting the free flow of traffic on the road network in the neighbourhood.

6.5.2 The Highways Officers recommendation had been passed to the applicant to improve sightlines by centralising the frontage parking spaces and to adopt on site management to prevent vehicles obstructing each other on the narrow vehicular access via the side alleyway. The applicant has commented that the changes to parking layout and circulation are unnecessary given that the historic use for a number of years in a similar parking and access arrangement for the existing guest house and, therefore, make no material difference in harm if continued by the office use. Whilst betterment is always sought through the planning process, it is considered that the material harm from re-utilising the existing access and parking arrangement would not be sufficient enough to substantiate a robust and sound reason for refusal against road safety. The applicant has confirmed that the existing rear garage will be provided for cycle storage to serve the office users. As such, no layout changes are deemed necessary and the business itself will be able to monitor and manage its own parking.

## 7. Summary

7.1 In summary, the proposed office use is considered to be compatible with the surrounding residential uses, and will not adversely affect the local character and amenity, and highways safety. Furthermore, whilst the new premises for the applicant does not offer a direct economic benefit from employment generation itself, it has the benefit of supporting a local business seeking to relocate to a suitable premises in the city.

## 8. Conclusion

8.1 It is recommended that planning permission be granted subject to the conditions set out below.

### 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) 4. (ee) (vv) 6. (a) (b)

**SB for 21/09/21 PROW Panel**



**PLANNING CONDITIONS to include:**

**1. Full Permission Timing Condition (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).

**2. Restricted Use (Performance)**

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall only be used as accommodation for the purposes indicated in the submitted details and not for any other purpose, including any other use within Use Class E.

Reason: In the interest of the amenities of neighbouring occupiers and highways safety.

**3. Hours of Use(Performance)**

The office use hereby approved shall not operate outside the following hours.

Additionally, there shall be no deliveries outside of the following hours:

Monday to Saturday – 08:00 to 18:00;

Sunday – 10:00 to 16:00;

Recognised public holidays – 09:00 to 13:00

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

**4. Cycle parking (Performance Condition)**

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved. The storage shall thereafter be retained as approved.

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

**5. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

**POLICY CONTEXT**

Core Strategy - (as amended 2015)

CS8	Office Location
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking

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

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP16	Noise

Supplementary Planning Guidance

Parking Standards SPD (September 2011)  
Howard Road Character Appraisal (1991)

Other Relevant Guidance

The National Planning Policy Framework (2021)

**Relevant Planning History**

<b>Case Ref:</b>	<b>Proposal:</b>	<b>Decision:</b>	<b>Date:</b>
1631/W14	CHANGE OF USE FROM RESIDENTIAL TO GUEST HOUSE	Conditionally Approved	28.06.1983
W22/1641	ERECTION OF A GROUND FLOOR EXTENSION	Conditionally Approved	13.03.1984
W14/1650	ERECTION OF A GARAGE	Conditionally Approved	25.09.1984
891313/W	ERECTION OF A FIRST FLOOR REAR EXTENSION TO OWNERS ACCOMMODATION	Conditionally Approved	24.08.1989
18/01109/FUL	Conversion of a guest house (Class C1) to residential and single storey rear extension to provide 5 x flats (3 x 1 bed and 2 x 2 bed) with associated car parking bin and cycle storage.	Application Refused	11.09.2018
19/01136/FUL	Conversion of a guest house (Class C1) to residential (Class C3) including erection of a single storey rear extension to provide 4 x flats (2 x 1 bed and 2 x 2 bed) with associated car parking, bin and cycle storage (Resubmission of 18/01109/FUL).	Conditionally Approved	03.10.2019





## DETERMINATION OF APPLICATION

### TOWN AND COUNTRY PLANNING ACT 1990

#### Town & Country Planning (Development Management Procedure) (England) Order 2015

Consultant Planning Services  
Mr Carl Patrick  
29 Ruby Road  
Bitterne  
Southampton  
SO19 7NB

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

#### FULL APPLICATION - CONDITIONAL APPROVAL

**Proposal:** Change of use of premises to Offices (Class E (g)(i))

**Site Address:** 20 Howard Road, Southampton, SO15 5BN

**Application No:** 21/01047/FUL

Subject to the following conditions:

##### 1. Full Permission Timing Condition (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).

##### 2. Restricted Use (Performance)

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall only be used as accommodation for the purposes indicated in the submitted details and not for any other purpose, including any other use within Use Class E.

Reason: In the interest of the amenities of neighbouring occupiers and highways safety.

##### 3. Hours of Use(Performance)

The office use hereby approved shall not operate outside the following hours. Additionally, there shall be no deliveries outside of the following hours:

Monday to Saturday -	08:00 to 18:00;
Sunday -	10:00 to 16:00;
Recognised public holidays -	09:00 to 13:00

Reason: To protect the amenities of the occupiers of existing nearby residential properties.



WEBCHAT

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DX115710 SOUTHAMPTON 17

#### 4. Cycle parking (Performance Condition)

Before the development hereby approved first comes into occupation, the storage for bicycles shall be provided and made available for use in accordance with the plans hereby approved and the details contained in the applicant's correspondence dated 20/08/2021. The storage shall thereafter be retained as approved.

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

#### 5. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

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

#### 6. Parking (Performance)

The parking layout shall be provided in accordance with the plans hereby approved before the offices first comes into use and shall thereafter be retained as approved for the lifetime of the office use and the non-designated parking areas shall be kept clear at all time.

Reason: To prevent obstruction to traffic in neighbouring roads and in the interests of highway safety.

#### 7. Occupancy Limit

The maximum number of staff employed on site at any one time shall not exceed 7 employees.

Reason: To protect the amenities of the occupiers of existing nearby residential properties and to manage parking behaviour.

#### **Reason for granting planning permission**

The development is acceptable considering the policies and proposals of the Development Plan as set out within the Officers Report. 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 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 the National Planning Policy Framework (2021).

**Additional Note:** Should you require new addresses to be created for your development you are advised to use the following link at the appropriate time:

**<http://www.southampton.gov.uk/planning/planning-permission/getting-street-names-numbers.aspx>**



**Paul Barton**  
**Interim Service Lead- Planning & Economic Development**

22 September 2021

If you have any further enquiries please contact:  
**Stuart Brooks**

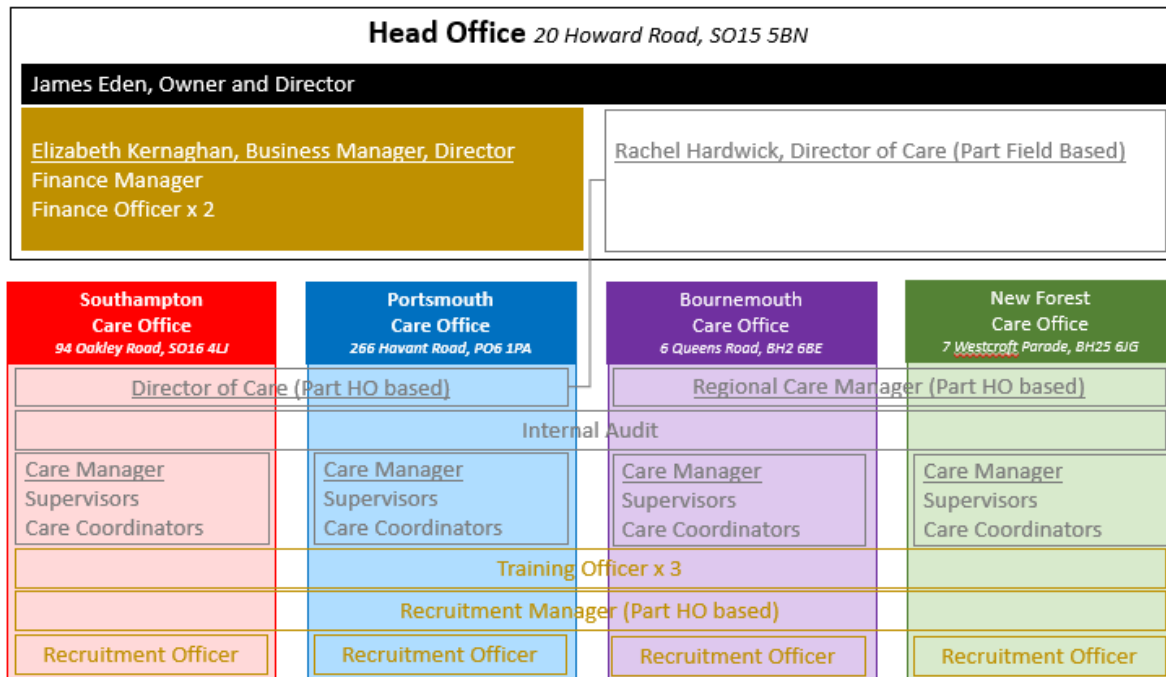
**Plans and information considered**

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the following plans and drawings:

<b>Drawing No:</b>	<b>Version:</b>	<b>Description:</b>	<b>Date Received:</b>	<b>Status:</b>
E.003.01.LP.01		Location Plan	09.07.2021	Approved
E.003.02.BP.01		Block Plan	09.07.2021	Approved
E.003.04.PPL.01		Proposed Plans	09.07.2021	Approved
CPS/E/003/PLP1		Proposed Plans	09.07.2021	Approved

## Medium term Business Plan

CURRENT organisational chart for the applicant:



The original application form refers to 7 fte - and provides that there would be 5 full time and 3 part-time - making the equivalent of 7fte.

The Company has recently taken on another full-time Finance Officer - who would be based at the Head Office.

The Director of Care and the Regional Care Manager are largely field based, being the main focus of the business, but periodically attend the HQ.

The Company was started 10 years ago and has seen steady growth. This structure has held up throughout the COVID period, while staff numbers have varied from 200 to 420 Carers, based from the four Local Offices. During this period it has been necessary to add an extra Finance Officer fte.

The nature of the business is very lean on non-staff engaging Managers (those not customer facing). The business model is primarily the recruiting, maintaining and management of Carers which by its nature needs to be undertaken from Local Offices. Margins for this type of work are very tight and you are at liberty to discuss this with Social Service colleagues within the Council.

As stated, the 10 year operation of the Company has seen steady growth, although experiencing unprecedented pressures and changes to working practices throughout the pandemic. The medium-term plan for the Company would ideally be to open a further 4 Local Offices, but this is both demand and location dependant/driven.

Without currently knowing the precise number of Care Staff this might entail, with economies of scale it may be anticipated that the payroll function is capable of being outsourced. There would still be a need for the central Finance function to remain within the HQ, and potentially further increased by 1 fte - retaining and bolstering invoicing and purchasing in-house.



With the ideal increase of Local Offices it may be anticipated that the Director of Care role might be likely to come into the HQ on a full time basis. Furthermore, depending on location, it is anticipated that there would be opportunities for upto 2 additional Regional Managers, whose roles although field based, would be expected to periodically attend the HQ management office.

Whilst interviews and training are and will remain to be conducted at Local Offices, and each of the Local Offices have a Recruitment Officer, it may be anticipated that with the expansion of the Local Offices (or potentially regional coverage), the Regional Recruitment Manager may become more HQ based.

Finally, it may be anticipated that there will become a need for a Training Manager (Staff retention and compliance) who will be part-time within the Office, as the primary role will be the delivery of training at Local Offices.

None of the above may be cast in stone, as you will be aware there are many factors affecting the Care Sector, and the applicant is just one part of the delivery of care across the Region.

The administrative and management function of the HQ premises provides for essential functions of the Senior Management and Finance section, but critically as part of the overall management of the business (as opposed to the operation of the service) Managers hold meetings with one another periodically - and it is anticipated that this will take place at the Howard Road HQ.

If the medium-term plan were to come into fruition in every aspect (and there were no unforeseen changes\_) this would potentially create a HQ Management Office of 8FTE (comprising 3 Directors, 4 Finance, 1 Recruitment)  
5 part-time (4 Regional Care Managers, 1 Training Manager).

