

DELEGATED OFFICER REPORT

Application Ref: F/22/93238

Site Address: 23 OATLANDS ROAD, BOTLEY, SOUTHAMPTON, SO32 2DE

Case Officer: Gary Osmond

Description: Construction of detached three bedroom dwelling with parking, amenity space and creation of new access

Particular Site Constraints?	Yes ☐	No ☒
- Within the urban edge - Within an established residential area - Within Solent Disturbance and Mitigation Zone		

Planning History?	Yes ☒	No ☐
F/16/77958 – Two storey front, side and rear extension – Approved April 2016		
F/13/72598 - Erection of timber framed carport – Approved July 2013		
O/07/60832 - Outline: Erection of 3no. Detached dwellings (2 no. 4 Bed & 1no. 3 bed) and associated parking with new vehicular access to Oatlands Road, following demolition of existing dwelling (layout & access to be considered) – Refused Nov 2007		
O/06/57869 – Outline: Erection of 4No. Detached dwellings & associated parking with new vehicular access to Oatlands Road following demolition of existing dwelling – Refused Nov 2006		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	A total of four representations were received, all objecting to the application on the following grounds: - Overdevelopment of site - Development is 'squeezed in' - Not in keeping with the prevailing character of the area - Resulting plots would be much smaller than neighbouring plots - Insufficient room for parking and turning - Very close proximity to No.22 Maddoxford Lane - Loss of privacy, outlook and light - Noise and disturbance - Proximity of new access driveway to windows of neighbouring property - Additional traffic which would add to existing problems in the area - Concerns that a first floor will be added at a later date		
Botley Parish Council:	Objection Members of the committee are concerned with the over-development of this site given no. 23 has previously been extended. The proposed development changes the character of Oatlands Road and the long gardens to the rear. The development backs on to the gardens of several other properties with specific impact being placed on No 22 Maddoxford Lane as the boundaries are extremely close. Vehicular access would impact on No. 21 due to the location of the proposed driveway.		

Tree Officer:	No arboricultural objection subject to tree protection conditions being added to any approval.
Ecology Officer:	Further details in relation to the potential presence of bats is required, as are proposals to provide suitable SUDs drainage given space constraints of the site. Biodiversity enhancement recommendations are acceptable and exterior lighting should be avoided if possible.

Site Visit:	Yes ☒	No ☐
Details: 11/07/2022		

Policy:

National Planning Policy Framework Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM3, DM6, DM11, DM13, DM14, DM23, DM29, DM30 & DM38.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals, Biodiversity.

Assessment:

The Site:

No.23 Oatlands Road is a sizable, detached period dwelling, originally dating from around 1900 but which has been substantially enlarged over recent years. It sits within a good size plot with ample parking to the front and generous garden to the rear. The immediate surrounding area is suburban in character, predominantly made up of single and two storey detached dwellings on reasonable size plots. Dwellings are mixed in age and character, dating from around 1900 up to present day, albeit most are mid-twentieth century in age.

The Proposal:

The application seeks consent for the construction of a three bedroom single storey detached dwelling to the rear of No.23, following subdivision of the existing plot and provision of a new access to the side adjacent to the boundary with No.21 Oatlands Road through demolition of the existing garage. The dwelling is of a more 'contemporary' style, utilising a flat roof form with 'L' shaped footprint. Facing materials include render, as well as metal and timber cladding.

Policy & Principle:

The application site is within the urban edge and within an established residential area where the basic principle of development is acceptable. However, any proposed development must be in accordance with the relevant local plan policies. Of particular relevance in this instance is Policy DM1 which requires development to be appropriate to the nature and character of the area, be of a good quality design, minimise impact on neighbouring uses and occupiers, as well as respecting the character of the area.

Layout & Design:

Whilst No.23 is generally larger and wider than most neighbouring plots and its dwelling positioned a little closer to the road, thereby having more space to the rear, it is not considered that it is large enough to allow its subdivision and construction of an additional dwelling in a manner that respects the prevailing pattern of development in the immediate area. It would also result in two plots which are noticeably smaller than neighbouring plots

along Oatlands Road, albeit it is accepted that the resulting garden space for the existing dwelling would not be unreasonable in most circumstances.

In terms of layout, sufficient parking and turning space would be retained to the front of No.23, as would a policy compliant size garden. However, the resulting plot for the proposed dwelling would be somewhat constrained. Whilst parking and turning for three cars can be provided – although only two spaces are required to meet Council standards – the whole of the frontage is given over to this function, with little to no scope to provide any soft landscape planting to soften the appearance of the development, albeit there may be scope for narrow planting strips along the access drive.

However, the main concern in relation to layout is the space given over to provision of private amenity space for the proposed dwelling. In terms of physical area, the amenity space does meet the 60% of floor area requirement within the Council's 'Quality Place' SPD, however, it is somewhat off the recommended minimum depth of ten metres. Whilst it is accepted that this is a recommendation and that a degree of judgement must be used, particularly when garden spaces are not a 'standard' shape, the space remaining to serve that proposed is not considered to be acceptable. The existing garden is heavily screened along its north-western rear boundary by dense and quite deep planting – getting close to 3.5 metres in places. If this is retained, as is being suggested to preserve privacy, it would take up a very large proportion of the proposed garden space, leaving approximately a 2.5 metre useable strip around the outside of the dwelling. This is not considered to be appropriate for what could be a family dwelling. Even if the existing boundary planting were to be dramatically reduced or even removed, the available amenity space would still be very constrained and out of keeping with the character of neighbouring properties. Removal of the boundary planting would also likely result in adverse and unacceptable overlooking and loss of privacy to the garden space from 20a Maddoxford Lane to the rear. The very tight and constrained site, together with it being out of context with the prevailing pattern of development is considered to be contrary to Policy DM1 of the Local Plan and the Council's 'Quality Place' and 'Character Area Appraisals' SPDs and will form the principal reason for refusal.

With regards to the scale, form and appearance of the proposed dwelling, it is somewhat out of keeping with the more traditional architectural style and pitched roof form of existing development. However, in this instance the more 'contemporary' appearance of that proposed is not considered to be an issue and would only add to the existing variety of styles in the locality. Although, the flat roof form proposed is most likely a result of trying to lessen impact upon neighbouring properties as opposed to being for aesthetic reasons. Architecturally, the design of the dwelling itself is inoffensive, being of a fairly standard 'contemporary' design approach but is not of a design standard which would add any weight against the recommendation to refuse.

Access, Parking & Highways:

The proposal would create a new access onto Oatlands Road, which in highway terms is unlikely to be an issue and would be subject to separate approval from Hampshire County Council as the Local Highways Authority.

As stated above, the proposal could provide up to three off-road parking spaces, as well as a suitable turning area, which would be one more parking space than is required to meet the Council's 'Residential Parking Standards' SPD for a three bedroom dwelling.

The concerns with regard to the proximity of the proposed driveway to the flank elevation of No.21 Oatland Road are noted. However, when visiting site, it did not appear that there were any main habitable room windows within this flank elevation which would be directly impacted by the proposed driveway. Whilst these concerns are not unreasonable, such a relationship is not unusual in an urban area and the number of vehicle movements associated with a single dwelling would be relatively small. Additional protection could also be provided by a suitably robust boundary treatment. As such, this could not be used as a reason to refuse the application.

Street Scene & Area Character:

Due to the proposed dwelling being set back behind existing development, the building itself will have no significant impact upon the street scene, other than the removal of some of the existing boundary planting to provide the new access. Partial views of the dwelling will be visible along the new driveway but this raises no concern.

With regards to the impact of that proposed upon the character of the area, whilst visually there may be no significant concerns, the principal concern is that it does not sufficiently reflect or respect the prevailing pattern of development in the immediate locality, as has already been set out above. Whilst it is acknowledged that there are a couple of other examples of 'backland' development along Oatlands Road, these utilised significantly larger plots, even after subdivision, and are at the other end of or on the opposite side of the road. There are no examples of similar such development along the northern side of Oatlands Road between Oatlands Close and Maddoxford Lane, of which the application site forms a part. The introduction of such a development, particularly one which does not reasonably reflect the size of neighbouring plots, would be out of keeping with the locality to its detriment and contrary to Policy DM1 of the local plan.

Amenity:

Concerns in relation to the size and useability of the private amenity space provided for the proposed dwelling have already been discussed above, which on its own is considered to be sufficient to warrant refusal of the application. With regards to occupier's privacy, light and outlook, in general the proposal meets or is very close to acceptable standards. There is the potential for some overlooking from the first floor of No.23 Oatlands Road into the kitchen and living area of the proposed dwelling but at approximately 19 metres distance between windows, this is unlikely to be to an unacceptable extent. Removal of the existing rear boundary planning however, would mean that first floor windows of No.20a Maddoxford Lane would be around 16 metres away from the large area of glazing serving the main habitable area of the proposed dwelling and Bedroom 3. This would likely lead to a loss of privacy. With regards to light and outlook, most main windows face north and do not necessarily have the most attractive of views, but not to any unacceptable degree.

With regards to impact upon neighbouring properties, concerns have been raised in relation to loss of privacy, light and outlook. In terms of privacy, the single storey nature of the dwelling and retention of boundary fencing/planting would ensure no loss of privacy. Equally, loss of light should not be excessive due to the orientation and relationship of that proposed to neighbouring dwellings, together with its flat roof form.

As to outlook, the property most impacted would be No.22 Maddoxford Lane. This property sits marginally lower than the application site and is separated by a 2.5 metre high hedge. The proposed dwelling would only be 4.0 metres away at its closest point and would likely be visible above the boundary hedge despite its flat roof form. The elevation of No.22 facing the application site contains windows which serve the kitchen and dining rooms, the outlook from which would be negatively impacted by that proposed. However, it is borderline as to whether the impact upon outlook would be to such an extent as to justify a reason for refusal in planning terms, particularly given that this could be addressed to a reasonable extent by lowering the floor level of the proposed dwelling, or by pulling its built form further away from the boundary by reducing the size of Bedrooms 1 and 2.

Trees & Nature Conservation:

Whilst there are a number of modest trees around the site edges, none are subject to any preservation orders, although they should not be impacted by the development provided protection measures are included.

Equally, there is limited existing habitat on site due to the amount of existing hard landscaping and a large artificial lawn. Whilst there is an opportunity to provide some enhancement as part of the proposed development, scope for this is fairly limited due to the limited space which would be available.

Sustainability:

It is noted that the proposed dwelling would utilise sustainable construction methods and materials, as well as meet the latest standards in terms of insulation, water and energy use. However, no indication of anything above current minimum building regulation standards has been suggested.

Habitat Regulations:

No Habitat Regulations Assessment has been undertaken for the proposed development, given the intention to refuse the application. However, were the application to be approved, there would be a need to secure mitigation towards designated nature conservation sites within and around The Solent and New Forest National Park which are being impacted by pressures from increased recreational use and increased nutrients from waste water associated with new residential development impacting water quality and effecting sensitive habitats. Failure to secure this mitigation will therefore be used as a further reason for refusal.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

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

Equalities Implications:

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

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion:Recommendation: **PERMIT** ☐**REFUSE** ☒

Whilst in very basic principle terms, subdivision of the existing plot to construct an additional dwelling may be acceptable, the size of the existing plot is not considered to be sufficiently large enough to allow this to be achieved in a manner which would respect the existing pattern of development in the area, or which would provide a reasonable quality of amenity for future occupiers of the development. As such the application is considered to be contrary to Policy DM1 of the adopted Local Plan and guidance within the Council's 'Quality Places' SPD. The application is therefore recommended for refusal.