

DELEGATED OFFICER REPORT

Application Ref: F/23/94642

Site Address: 39 FAIR OAK ROAD, BISHOPSTOKE, EASTLEIGH, SO50 6LF

Case Officer: Alex Webb

Description: Erection of two-storey dwelling to rear garden of 39 Fair Oak Road and insertion of new first-floor bay window to rear elevation of 39 Fair Oak Road

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation NE - SSSI Impact Risk Zones, HRA Screening Criteria (River SAC, SPA, Ramsar) New Forest SAC 13.8km BUFFER Hazards/other environmental Environment Agency Surface Water Flooding1000 year extent Aviation safeguarding Airport Safeguarding Zones Nutrient Neutrality Catchment - River Itchen SAC Solent: Includes Chichester and Langstone Harbours SPA/Ramsar, Solent and Southampton Water SPA/Ramsar, Solent Maritime SAC, Portsmouth Harbour SPA/Ramsar		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☐	Site Notice ☒	Newspaper ☐
Representations:	None		
Parish Council:	No Objection		
Ecology	I have reviewed the site photos and they confirm that there is no vegetation on this part of the site. Drainage is still a concern. Improper drainage could have an impact on the surrounding dwellings and gardens. There is no information about surface water drainage proposals either for this dwelling or number 39 Fair Oak Road. Does 39 have a soakaway and if so, where is it located? If a soakaway is proposed for the new dwelling, it must be located at least 5 m from any built structure including fences and neighbouring buildings. I am not sure that this would be possible on this site. I am raising a holding objection until surface water drainage plans have been submitted for this proposal and for number 39. The site is very close to the River Itchen. There are records of bats, slow worms, water voles and nesting swifts nearby. A bat brick/box and a swift brick/box may be appropriate biodiversity enhancements for this proposed new building and for the existing dwelling at 39 Fair Oak Road. Enhancing the garden with flowering plants for pollinators, especially night-scented flowering plants would be another good enhancement		
Trees	No Objection		
HCC Highways	<u>Access:</u> Access for the existing dwelling is unchanged (onto Fair Oak Road) and this is acceptable. The proposed access for the new dwelling is taken from Sayers Road and is positioned in an acceptable location at a distance exceeding the minimum 10.0m from a highway junction. Plans outline that a new drop kerb will enable this access, however it is noted that an existing drop kerb is either in place or close by. If the drop kerb requires an extension to better fit, then this will require further permission from HCC to undertake the works. Additionally, any redundant drop kerb will need to be re-instated to full height kerb. <u>Parking:</u>		

	Whilst the quantum of parking is for EBC to assess in their role as Local Parking Authority, it is noted that the existing dwelling will retain its 3+ vehicle parking spaces to the front of the dwelling. It is onwards proposed that the new dwelling will have 2 allocated off-road parking spaces, and it is understood that this accords to the EBC Parking Standards for an (up to) 3-bed dwelling. The layout of the parking has also been reviewed, and this is acceptable. Conditions Recommended.
Streetscene	No Objection

Site Visit:	Yes ☒	No ☐
29/03/2023		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i>

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2 & S3; and Development Management policies DM1, DM2, DM3, DM6, DM10, DM11, DM13, DM14, DM23, DM29 & DM30. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Bishopstoke, Fair Oak and Horton Heath Character Area Appraisal

Assessment:
The application site contains an extended detached dwelling appearing to date from the earlier part of the 20th century. The area is currently laid to hardstanding to the front, rear and side The front boundary of the site forms the corner of Fair Oak Road and Sayers Road and contains a low wall, the remainder of the side and rear boundaries are made up of a 1.8 metre close board fence. There were a number of outbuildings in the rear garden of the property which have been demolished and the area is laid to hard standing. The proposal is for the erection of two-storey 3-bedroom dwelling in the rear garden of 39 Fair Oak Road and insertion of new first-floor bay window into rear elevation of 39 Fair Oak Road. The new dwelling would be located on the northern section of the site with vehicular access (via a new dropped kerb) from Sayers Road. The new dwelling would have a driveway and 2 on-site parking spaces in a tandem arrangement to the south (side). There would be front (west) and rear (east) garden provision, totalling 82 sq m. There would be additional space for bin storage to the side (north) of the proposed dwelling. The property would be surrounded by 1.8m high timber fencing along the north, east and south boundaries with a 900mm high brick wall to the west. Internally the proposed detached dwelling would have a GIA of 89 sq m with a lounge, hallway, WC and open plan kitchen/diner on the ground floor and 3 bedrooms and a

bathroom on the first floor. There would be casement windows and a front door on the front (west) elevation and casement windows and bi-fold doors on the rear (east) elevation. There would be no windows in the side elevations. The roof would be of a hipped design with a protruding gable bay on the front (west) elevation. It would be finished in brickwork and render with cladding at first floor level.

It is also proposed that the existing window at first floor level on the rear (north) elevation of No 39 Fair Oak Road would be replaced with an angled bay window in order to limit overlooking into the proposed rear amenity space of the proposed dwelling.

Principle:

The site is located within the settlement boundary of Bishopstoke and is within flood zone 1 where the principle of development is acceptable, subject to compliance with the relevant planning policies. There is some evidence of small-scale infilling to the side of plots in the locality, namely 1a and 2a Sayers Road. These dwellings, due to the scale and layout of the plots and resultant plot sizes were considered acceptable and in keeping with the pattern of development in the immediate vicinity.

Character and Appearance:

The prevailing character of the locality is residential with two storey detached and two and single storey semi-detached properties on linear plots. Properties tend to benefit from front and rear amenity provision and No. 39 Fair Oak Road follows this pattern. Where there are corner plots and rear gardens positioned next to side elevations/garden of properties, there tends to be long gardens providing a sense of space and openness.

The insertion of a new dwelling on the application site would reduce the sense of openness on this side of Sayers Road having a negative impact on the streetscene. The development would be out of character with the locality as it would split the existing garden into two, thus creating a new plot much smaller than the neighbouring properties for the proposed dwelling. It would also reduce the size of the existing plot so as to be out of keeping with the other plot sizes along Fair Oak Road.

In order to fit the proposed dwelling into the site, it has been designed with a small footprint for a 3-bedroom dwelling, out of keeping with the larger footprints and proportions of the surrounding properties.

As such the proposed dwelling and plot sizes are not considered to fit in with the prevailing pattern of development within the locality nor would it be in-keeping with the residential character of the area. The proposal therefore fails to take proper account of the context of the site contrary to local plan policy DM1.

Layout and Design:

The site and layout of the proposed dwelling would allow for sufficient amenity space provision as required by the Council's quality places supplementary planning document. It would be sited in line with the side elevation of No. 39 Fair Oak Road and the front elevation of 2a Sayers Road. Being two storeys, it would also have similar characteristics to those in the locality including the casement window configurations and hipped style roof with gable end features.

The submitted planning statement sets out how the proposed dwelling would meet higher national access standards as set out in Part M of the building regulations for new build residential development in accordance with local plan policy DM29. The internal floor area and storage provision within the proposed dwelling would accord with the nationally described spaces standards as required by local plan policy DM30.

Residential Amenity:

The rear elevation of No 39 Fair Oak Road would be 11.5m from the side elevation and rear garden of the proposed property. The angled bay window proposed at first floor level at No 39 Fair Oak Road would reduce some of the potential for overlooking and it is acknowledged that overlooking can be unavoidable in urban environments. Whilst there would be no windows on the proposed side (south) elevation, there would be an introduction of a substantial amount of built form and a permanent boundary fence in close proximity to the rear elevation and amenity space of No 39 Fair Oak Road. On balance, given the separation distances, this relationship would be acceptable.

Access and Highway Issues:

New vehicular access and driveway arrangements would be provided for the proposed dwelling with provision for 2 parking spaces to the side, thus meeting the requirements of the Residential Parking Standards SPD for 1.no 3 bedroomed dwelling. No objection is raised from the highway officer subject to the provision of a dropped kerb to the highway and the necessary permission from Hampshire County Council to excavate the highway.

The plans do not indicate where the on-site car parking provision would be for the existing house, although it is noted that this could potentially be accommodated in the property's rear amenity space or frontage.

Other issues:Refuse

A bin storage area is shown on the plans and there would be sufficient space to provide on-site waste management and meet the requirements of policy DM1.

Ecology

The Council's ecologist has raised a holding objection subject to the provision and approval of a surface water drainage plan. The proposal could provide biodiversity enhancements as part of the redevelopment of the site. If the application were recommended for planning permission, conditions would be imposed to secure these requirements in accordance with local plan policies DM1 and DM11 in this respect.

Trees

The councils tree officer raised no objection. The proposal would therefore meet the requirements of policy DM1 and the Trees and Development SPD (2021) in respect of trees.

Sustainability

The applicant has provided information in the submitted Planning Statement as to how the development would meet the Council's sustainability objectives as set out under local plan policies DM2 and DM3. Had the application been recommended for permission then sustainability conditions would have been imposed to secure such measures.

Impact on SPA:

The site is within the buffer for recreation impact on the New Forest SPA but not on the Solent and Southampton Water SPA.

The site is within the impact zone for nitrogen and phosphorus, which has been shown to have a detrimental impact on the water quality of the River Itchen SPA. A nutrient budget has not been submitted for the development (which would likely have a positive output for

both nitrogen and phosphorous) nor provide any mitigation for the increase in nutrients caused by the housing development.

As such the proposal is likely to have a detrimental impact on the Special Protection Areas.

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: The application is recommended for refusal for the following reasons:

1. The proposed development would reduce the sense of openness on this side of Sayers Road resulting in a negative impact on the streetscene. The resultant plot size for the existing and proposed would be much smaller than others in the locality, not in keeping with the existing pattern of development. It therefore fails to take proper account of the context of the site contrary to Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and The National Planning Policy Framework.

2. The application fails to provide for the required mitigation to offset the impacts of the development on the European protected sites (i.e., River Itchen Special Area of Conservation, Solent and Southampton Water Special Protection Area & Ramsar Site, Solent Maritime Special Area of Conservation) from nutrient loading and recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to Policies S1, DM10 and DM11 of the Submitted Eastleigh Borough Local Plan 2016-2036, provision within the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017.

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...