

DELEGATED OFFICER REPORT

Application Ref: F/23/95271

Site Address: 17 O'CONNELL ROAD, EASTLEIGH, SO50 9GN

Case Officer: Alex Webb

Description: Erection of new 3.no bedroom detached dwelling on site of existing workshop/store

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 Aviation safeguarding Airport Safeguarding Zones Sewers SW Sewers 2m Buffer		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	1 x comment - Not against infill building, - reference to being sustainable yet does not appear to be utilising Sustainable Urban Drainage Systems (SuDS) or permeable paving - surface water drainage, treatment and attenuation should be considered. - Surface Water Flooding and Exceedance Flows -achieving this, particularly to the front of the dwelling will be challenging query whether soakaways as a single point management feature are appropriate - Impact upon existing foul sewer -location of the proposed development clashes with an existing transferred sewer - Southern Water should be consulted. - In support of well-considered infill development- further aspects need to be investigated and / or considered, particularly concerning drainage and flood risk.		
Parish Council:	No Response		
Highways	Having reviewed the information contained within the application pack, there would be no objection to the proposals from a highways perspective, subject to the conditions outlined below being applied. The proposals are to construct an additional 3-bed dwelling in the rear garden of the existing No. 17 O'Connell Road, and it is noted that plans introduce parking for both the existing and proposed dwelling in the form of two side-by-side spaces for each appropriately. This is acceptable, given the appropriate dimensions of the parking, anticipated localised speeds, and given that the nearest point of the drop kerb to the junction with Spencer Road is in excess of 10.0m. There will however be a requirement to reduce the frontal hedges to a maximum of 1.0m so that appropriate visibility from the parking to the highway can be achieved. Vehicle crossover drop kerbs will be required for both (a widening for one, new for the other), and the applicant should be made aware that a subsequent permission will be required from HCC as local highway authority in order to undertake the works, details of which can be found via the following web address: https://www.hants.gov.uk/transport/parking/droppedkerbs		

	Additionally, it is noted that a street lamp column is located within the area of the to be widened existing single drop kerb proposed to serve the new dwelling. This will require relocating at the developers expense as part of the overall drop kerb works. Conditions recommended
Pollution	The former/current use of the land has the potential to have caused contamination of the ground, however no information is included in the application showing how land contamination risks have been appropriately considered. Due to this and the sensitive end use proposed we recommend that the application be permitted only subject to condition requiring the investigation and assessment of land contamination, and a requirement that appropriate mitigation of any discovered risks be carried out to the satisfaction of the LPA, as necessary. We append conditions to this effect
Ecology	There are records of bats, hedgehogs, common toads, grass snakes, adders and slow worms near this site. The site is approximately 150 m east of Monk's Brook, which is a tributary of the River Itchen, although Passfield Avenue would be a barrier between the site and Monk's Brook. The site photos show that both the existing store building, the shrubs/hedgerow and area of vines have potential to support nesting birds, and possibly foraging bats. The area around the site boundaries have potential to support hedgehogs and possibly toads and slow worms. A preliminary ecological appraisal is required before determination. The report should also include a precautionary working method, and biodiversity enhancements appropriate for this site. A surface water drainage plan will also be required. An explanation of the proposed surface water drainage system is required. During construction any sediment or pollutants must be prevented from being washed off site to avoid any contamination of Monk's Brook. Any closed board fences must have hedgehog openings in the base boards (13 x 13 cm minimum) to allow free passage of small animals through the garden. Biodiversity enhancements will be required and conditions/informatives recommended
Streetscene	No Objection
Trees	No Objection

Site Visit:	Yes ☒	No ☐
06/07/2023		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 (sustainable development), S2 (approach to development), S3 (location of new housing), DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM4 (zero or low carbon energy), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development within urban areas), DM24 (Creating a mix of housing), DM30 (internal space standards), and DM38 (funding infrastructure). . Supplementary Planning Documents:
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Assessment:

The application relates to part of the garden to the side of 17 O'Connell Road. The property is a semi-detached property, located on a corner plot on the south side of O'Connell Road, and to the west of Spencer Road, with Passfield Avenue due west. The surrounding area is predominantly residential, with areas of public open space in the immediate vicinity (Fleming Park due west). The residential properties along O'Connell Road are two-storey, semi-detached dwellings of a similar design and appearance giving a strong sense of uniformity within the surroundings. Properties tend to benefit from front and rear amenity provision and No. 17 O'Connell Road follows this pattern.

The proposal is for the erection of a new 3-bed detached, two-story dwelling on the area of existing garden to the west of 17 O'Connell Road with vehicular access (via a new dropped kerb) from O'Connell Road. There is an existing single storey ancillary workshop (with a footprint measuring 40sq m) which would be demolished to make way for the new dwelling. The new dwelling would be set approx. 4m further forward (to the north) than the existing workshop. The new dwelling would have a driveway and 2 on-site parking spaces, a bike rack and area for bin storage to the front (north). The main amenity provision would be rear (south).

Internally the proposed detached dwelling would have a GIA of 84 sq m with an open plan living room/kitchen/dining area, hallway and WC on the ground floor and the 3 bedrooms including one double with an en-suite and a family bathroom on the first floor. There would be casement windows and a front door on the front (north) elevation and casement windows and a set of French doors on the rear (east) elevation. There would be a single obscure glazed window at first floor level on the side (west) elevation and two longer obscure glazed windows at both ground and first floor on the other side (east) elevation. The roof would be of a gabled design with a protruding gable projection on the front (north) elevation. It would be finished in brickwork.

Principle

The application site lies within the urban edge; therefore, the basic principle of residential development is considered 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 Spencer Road. These dwellings, due to the width/size of the plots and resultant orientation of the buildings, such infill development was considered acceptable and in keeping with the pattern of development in the immediate vicinity.

Layout, Character and Appearance

The proposal is for the addition of 1no. 3-bedroom dwellinghouse, resulting in the subdivision of the plot for 17 O'Connell Road. The proposed dwellinghouse would be set slightly in-front (0.25m) of the established building line. This distance is not considered to have an adverse impact upon the established main road.

The proposed dwelling would be a two-storey detached property with gabled rooflines. Whilst 17 O'Connell Road is characterised by hipped rooflines, gabled rooflines and projections are found in the streetscene. The proposed casement windows and provision of a canopy porch would also be characteristic to those in the locality.

There is evidence of infilling along O'Connell Road but this is typically single storey development of an ancillary nature. The insertion of a single detached dwelling of this form along O'Connell Road would be out of keeping with the prevailing character and streetscene where there is a sense of openness and separation between the semi-detached properties which dominate the road.

To fit the proposed dwelling into the awkward proposed plot shape, it has a small footprint for a 3-bedroom dwelling, out of keeping with the larger footprints and proportions of the surrounding properties. Due to the site constraints, the form and size of the proposed dwelling is not considered to fit in with the prevailing pattern of development along O'Connell Road. The proposal therefore fails to take proper account of the context of the site contrary to local plan policy DM1.

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 proposed dwelling would be situated on part of the existing garden area for 17 O'Connell Road. The proposed dwelling would have total private amenity provision of approx. 80 sq m, and approx. 175 sq m for 17 O'Connell Road. The resultant proposed and the retained amenity provision for both properties would therefore meet the required threshold (least 60% of the floor space of the host dwellinghouse) as set out in the Council's Quality Places SPD.

The proposal would also result in two storey development 3m from the ground floor window serving the living room and the same distance from the first-floor window serving the bedroom to the rear of 17 O'Connell Road. This would result in a poor spatial relationship and potential overshadowing reducing the natural light entering those habitable rooms. The applicant states that those habitable rooms affected currently benefit from having dual aspect, however it would still result in an overbearing impact and change the outlook from to the rear (south west) which is considered unacceptable. Whilst it can also be argued that there is an existing workshop in a similar location to the proposed dwelling, this is a single storey, flat-roofed structure and so would not have as great an impact as a two-storey property in terms of loss of light and encroachment. Due to the resultant cramped arrangement the proposal is considered to have a detrimentally harmful impact upon this neighbouring amenity contrary to local plan policy DM1.

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 front, 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 conditions including the reduction in hedges being reduced in size, the provision of a dropped kerb to the highway.

Ecology

The Council's ecologist has raised an explanation of the proposed surface water drainage system. 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 and necessary protection measures 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.

Planning Obligations – Impact upon SPA

The addition of residential development is considered to have an impact upon the recreational disturbance and water quality of the European Protected Sites, which would need to be offset, in accordance with the Habitats Regulations.

Recreational Disturbance SPA - Solent & Southampton Water

The site is outside of the 5.6km buffer zone of the Solent & Southampton Water Special Protection Area., therefore Solent Recreation Mitigation Strategy contributions would not have been sought.

Nitrates – Water Deterioration

Another environmental issue is the impact of the increase in nitrates and phosphates from wastewater treatment plants discharging into local protected waters, which drain into European protected Solent SPA, SAC and Ramsar sites. A nutrient budget was included within the submission to show the nitrates balance and no nitrates contribution has been secured as part of this application. As the application is recommended for refusal this has not been progressed further.

Without appropriate mitigation in place, the proposal will have a detrimental impact on the Solent & Southampton Water Special Protection Area, Solent Maritime Special Area of Conservation and Solent and Southampton Water Ramsar sites. As such the proposal is contrary to Policy DM11, the National Planning Policy Framework and provisions within The Conservation and Habitats and Species Regulations 2017.

Recreational Disturbance – New Forest SPA

Natural England have raised the issue of new residential development resulting in more visitors to the New Forest National Park and subsequent increased recreational disturbance. The site falls within the 13.8km radius of the New Forest where new residential schemes need to contribute toward mitigation projects.

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.

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.

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 proposed development has been assessed against national and local plan policies and the application is refused for the following reasons:

1. The proposed development would result in overdevelopment of the site as the cramped spacing and the separation distances would result in an unacceptable relationship with 17 O'Connell Road and harmful effect on neighbouring amenity contrary to local plan policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the National Planning Policy Framework.
2. The form and size of the proposed dwelling would not be in-keeping with the streetscene and prevailing character of O'Connell Road. The proposal fails to take proper account of the context of the site contrary to local plan policy DM1 of the Eastleigh Borough Local Plan (2016-2036) and the National Planning Policy Framework.
3. The application fails to provide for the required mitigation to offset the impacts of the development on the European protected sites from additional nutrient loading and recreational disturbance generated by the population increase resulting from the development. The application is therefore contrary to the requirements of Policies S1, DM10 and DM11 of the Eastleigh Borough Local Plan 2016-2036, The National Planning Policy Framework, and the provisions of The Conservation of Habitats and Species Regulations 2017

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...