

DELEGATED OFFICER REPORT

Application Ref: H/26/101205

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

Case Officer: Katie Lasham

Description: Erection of a garden room for use as a home gym.

Particular Site Constraints?	Yes ☒	No ☐
Within the urban edge Great Crested Newts red zone		

Planning History?	Yes ☒	No ☐
F/22/94200: Construction of detached three bedroom dwelling with parking, amenity space and creation of new access revision to application F/22/93238. Refused and dismissed at appeal October 2023. F/22/93238: Construction of detached three bedroom dwelling with parking, amenity space and creation of new access. Refused August 2022. 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 and 1no. 3 bed) and associated parking with new vehicular access to Oatlands Road, following demolition of existing dwelling (layout and access to be considered). Refused October 2007. O/06/57869: Outline: Erection of 4No. Detached dwellings and associated parking with new vehicular access to Oatlands Road following demolition of existing dwelling. Refused November 2006. Z/34812/001/00: Addition of conservatory at side, front porch and first floor bay windows. Approved September 1998. Z/34812/000/00: Siting for temporary period of polyethene covered frame over yacht. Refused and dismissed at appeal. November 1998.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Two letters objecting to the proposal have been received, raising the following issues: • Outbuilding is located too close to boundary. • Outbuilding is 31m from neighbours garden but 15m from a neighbours bedroom and has direct line of sight to area • Visual amenity harm caused by provision of new outbuilding by way of both its height and other dimensions • Due to siting of neighbouring properties, they are set closer to outbuilding than the applicant • Existing outbuilding to be demolished already creates noise, new outbuilding will be intensification of noise. • Noise disturbance concerns of gym equipment / associated noises in proximity of neighbouring properties. • Less concern if sound proofing added to outbuilding • Previous site history had schemes refused on proximity to boundary. • There is no mention of sound proofing		

	• There is no mention of Air conditioning, if installed it would create further noise issues. With no air conditioning, windows will be required to be opened creating increasingly harmful noise impacts from gym equipment and music on neighbouring occupants. • Concern gym could change use to be used in the future as a business to train clients, further increasing noise and frequency of use.
Botley Parish Council:	An objection has been submitted, raising the following points: • Due to proximity of neighbours, sound proofing should be stipulated. • Gym use may be different to an outbuilding, so suggestion regarding a condition being added for hours of use.
Ecology:	<u>Ecology comments</u> No objection. Ecology officer has reviewed site photos showing an existing outbuilding to be replaced by the garden room. The existing building is on a wooden deck over bare soil so it is unlikely that great crested newts would be found here. It is unlikely that the existing shed has bat roost potential. Requests precautionary working method to be agreed and addition of informative note to make clear to applicants that should bats be found, works should cease and Natural England should be informed. Surface water drainage required.

Site Visit:	Yes ☒	No ☐
Details: 29 April 2026		

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 and S2; and Development Management policies DM1, DM2, DM8 and DM11. Supplementary Planning Documents: Quality Places; Character Area Appraisals.

Assessment:
<u>Summary of application site and proposal</u> The application site is located within the residential area of Botley and is set to the northeast end of Oatlands Road near to the junction where it joins onto Maddoxford Lane. Oatlands Road comprises sizeable, detached properties where front building lines are set well back from the roadside and each dwelling benefits from off-road parking. No.23 Oatlands Road comprises a spacious gap between its flank neighbours at no.21 and 25 Oatlands Road. The dwellinghouses of no's 18, 20 and 22 Maddoxford Lane are in close proximity to the rear garden of the application site. This planning application seeks permission for the erection of a new outbuilding to replace an existing outbuilding set to the western corner of the site. The proposed outbuilding is to be larger in scale, measuring 6.05m in length and 4.88m in width. A mono pitch flat roof is proposed, where at the lowest point it measures 2.9m in height and at its highest point measures 3.05m in height. The front elevation, which faces in the direction of no.25 Oatlands Road, comprises a double door and two full length windows and a further set of windows are proposed to the left (south) side elevation which faces into the applicant's own

garden. The outbuilding is proposed to be used as a gym for the occupants only, and no commercial gym use is proposed.

Principle of development

The development is within the urban edge where the principle of development is acceptable, in accordance with policy S2 of the Local Plan.

Impact on character and appearance of the area

Policy DM1 of the Local Plan requires all development to respect and where possible enhance the character and appearance of the area, taking full account of mass, scale, materials, layout, density, design and siting and proposal must positively respond to the surrounding character of the area.

The replacement outbuilding measures 6.05m in length, 4.88m in width and a height of up to 3.05m. Whilst it is larger than the outbuilding it replaces and is located immediately adjacent the north and western site boundary, the height and scale of the building is suitable within its surrounding context to ensure the character and visual amenity of the area is safeguarded, particularly as a proportion of the outbuilding is screened from prominent view by way of existing boundary treatment surrounding the property and as it is single-storey in scale only. Representations have been received raising concerns with the scale of the outbuilding and its proximity to the property boundary. The Council considers the scale of this outbuilding is wholly acceptable, ensuring it does not appear unduly prominent or jolting within the wider area. Furthermore, there are many examples of outbuildings on this road where the outbuilding is located to the corner boundary, demonstrating this form of development is acceptable with regards to its impact on visual amenity.

The materials proposed include a grey composite flat roof, with grey composite cladding to the rear and north side elevation adjacent the boundaries of the property and timber cladding to the front and south side elevation that are more visually prominent within the garden. These materials are acceptable to ensure the visual amenity of the area is safeguarded.

For the reasons outlined, the proposal safeguards the character and appearance of the area and is a suitable design and scale to respond positively to the surrounding context, in accordance with the aims of Policy DM1 of the Local Plan.

Impact on residential amenity

Paragraph 135(f) of the NPPF and Policy DM1 of the Local Plan requires all development to preserve the amenity of neighbouring residents and where possible enhance it to provide a high standard of amenity for existing and future occupiers. Policy DM8 of the Local Plan stipulates that development will not be permitted if it is likely to cause loss of amenity by way of noise or vibration.

The proposed outbuilding to the rear of the garden is of a suitable siting, scale and height to not unduly harm neighbouring properties residential amenity, ensuring there is no harmful loss of light, overshadowing, overbearing impacts or loss of privacy. The windows and doors facing onto no.22 Maddoxford Lane are set a suitable distance away to preserve this neighbour's privacy, particularly due to existing boundary treatment and as the proposed doors and windows are set a suitable distance away from the curtilage of no.22.

The outbuilding is proposed to serve as a private home gym to be used incidentally to the dwelling, and no commercial use is proposed. Objections from no.20 and 22 Maddoxford Lane have been received with regards to the use of the outbuilding as a gym, in part due to the noise levels concerns as the outbuilding is to be closer to these dwellings than the dwelling of the application site itself. An objection from Botley Parish Council has also been received raising concerns with the noise output of a gym and requests that noise insulation measures should be included. The applicant has provided a Noise Mitigation Strategy which

provides details of measures to be taken to minimise noise implications on surrounding neighbours. This includes gym matting fitted across the floor area to absorb impact sound, isolation pads beneath heavier gym equipment to reduce vibration transfer; this is to act as an underlay of gym matting above. Acoustic panelling is also proposed to the walls. With these mitigation measures in place, the proposal is acceptable to ensure the preservation of amenity of neighbouring occupiers is maintained, as noise pollution can be mitigated. The environmental health officer was consulted on the proposal and requested that a condition should be added to ensure that noise levels of the gym should not be audible from surrounding gardens and given the proximity of this sizeable outbuilding to nearby dwellings and their immediate garden area, this is reasonable to ensure the amenity of neighbouring occupiers is preserved.

Representations have been received, objecting to the proposal because the gym could in the future become a commercial gym. This proposal is clear that it is only to be used for private use as purposes incidental to the dwelling. A commercial business would require planning permission as it would be a change of use, which this application has not applied for. The Council cannot determine an application based on speculation of a future change of use and will assess a scheme based on what is proposed before them. In any case, a condition has been added to make explicitly clear the gym must not be used for commercial use where there is a reward or financial incentive to be gained. The Parish request hours of use be restricted; for use as a home gym which will not be used commercially, this is considered unjustly onerous and restrictive, and to reiterate this is not a change of use to the dwelling, the gym will be used incidentally to the dwelling.

Objections also raise concern that the proposal does not provide air conditioning, and this could require the opening of windows to allow for air ventilation into the gym, and if air conditioning was proposed this would create additional noise concerns. Noise impacts on the neighbours by way of music playing or noise from gym equipment, even with windows / doors open for this private gym is considered acceptable to not create such adverse noise implications as to significantly harm neighbouring occupiers, particularly as it will be only used for parts of the day as it is not a commercial business use. Furthermore, music could be played within the garden and not within an outbuilding which would not have imposed restrictions on the occupiers. The environmental health officer has requested a further condition is added whereby if any air conditioning unit is to be provided, prior to its use, a noise impact assessment must be submitted to the Council to demonstrate the rating level of any plant is at least 5 dB below the existing background sound level of the nearest noise receptor.

Whilst it is accepted that the neighbours at no.20 and 22 Maddoxford Lane are in close proximity to the outbuilding, as discussed above, with the Noise Mitigation Strategy in place and conditions added to control the noise output from the gym, this appropriately mitigates the harm. Accordingly, the proposal is not considered to significantly detriment the enjoyment of neighbouring private garden areas, in accordance with Policies DM1 and DM8 of the Local Plan.

Impact on ecology

Policy DM11 of the Local Plan requires the protection, conservation and enhancement of all international, national and local nature conservation and designations and networks of habitats. It also requires a net gain of biodiversity on all development sites.

This site is in an amber impact risk zone for great crested newts. There are records of bats and hedgehogs nearby. The ecology officer was consulted on the proposal and raised no objection, stating that the existing outbuilding is on a wooden deck over bare soil, so it is not likely that great crested newts would be found in this area. The ecology officer also explains the existing shed is unlikely to have bat roost potential. With a precautionary working method conditioned with the application, the demolition works can be undertaken whilst ensuring the protection of surrounding wildlife. The application is exempt from the 10% biodiversity net gain requirements however in accordance with Policy DM11 of the

Local Plan, biodiversity enhancements are required, which are added as an informative note within the application.

A drainage strategy is not conditioned as this outbuilding replaces much of an existing outbuilding and surface water drainage as a result of the outbuilding can be appropriately managed by Building Control Regulations, as the site is within an area at low risk of flooding.

With appropriate conditions and informative notes added, the scheme protects wildlife appropriately whilst creating a biodiversity enhancement, in accordance with the aims of Policy DM11 of the Local Plan.

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; (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 ☐

Comments ...