

DELEGATED OFFICER REPORT

Application Ref: H/25/99245

Site Address: 447 FAIR OAK ROAD, FAIR OAK, EASTLEIGH, SO50 7AJ

Case Officer: Charlie Vallis

Description: Erection of double garage with home office at the rear of the garden

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Fair Oak Village Centre • TPO Oak (535-E) in north east corner of site • Part of site sits within Flood Zone 2		

Planning History?	Yes ☐	No ☒
• No relevant history		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None were received		
Parish Council:	No comments received		
Ecology:	<u>21.7.25:</u> I have reviewed the site photos which show that some building work is already in progress on this site. The trees and vegetation at the northern end of the property have potential for nesting birds, hedgehogs and reptiles. The TPO oak at the north-eastern end of the site has some split bark which could be a potential bat roost feature. <u>26.6.25:</u> There are records of bats near this site. Aerial photos show trees at the northern end of the property. Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192 b. A bat box and a bird nest box may be appropriate for this building.		
Tree Consultant:	<u>28.8.25:</u> If you are minded to approve the application, please condition one compliance condition and one pre-commencement condition. We had originally requested a pre commencement condition, but the submitted information defers the final foundation design to post-determination (see section 18 in report reference CBA11940). <u>14.8.25:</u> We are broadly satisfied with the proposal to use screw piles. However, we will require more information pre-commencement to demonstrate that the proposal can be achieved on this specific site. A further point is that we would not be happy with the proposal if it follows the example shown in the supplied image due to the excavation carried out in that instance. <u>8.7.25:</u> There is a protected oak tree to the north east of the proposed office/garage, which is in influencing distance. Further, the area of the proposed development has a number of other trees that would be impacted by the proposal.		

Site Visit:	Yes ☒	No ☐
Details: 17.7.2025		

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, DM11 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:Site and surroundings:

- The application site is located towards the northeast of Fair Oak Road, containing a two-storey semi-detached dwelling, with a long rear garden, set back from the road behind a front driveway.
- The surrounding area consists of a mix of commercial and residential properties, with variation in their built form.

Proposal:

- The application form and submitted plans originally outlined a proposal for the erection of a home office and garage incidental to the enjoyment of the dwellinghouse.
- Further information and plans have since been provided by the applicant which indicate it would be represent a commercial unit beyond a use ancillary to the application dwelling.
- The building would be used to operate a business, with updated plans showing the garage as a space for the storage of goods and tools, a workshop and a product display demonstration area. The office space would accommodate three desks and space for a drawing board.
- In addition, the applicant has not provided information which demonstrate a direct link between the residents of the main dwellinghouse and the proposed outbuilding, further indicating that the building would amount to a separate commercial unit within the curtilage of an existing dwellinghouse.

Design and impact on the character and appearance of the locality:

- The size of the proposed structure although large in floor area and higher than expected for a single storey structure, is not positioned in a location which would be overly noticeable from the street scene.
- There is precedent in the locality for similar structures, with an outbuilding of a similar form and size present on an adjacent plot at 449 Fair Oak Road.
- The proposed materials also appear in-keeping with the character and appearance of the host dwelling.
- The building would be positioned amongst and well screened by existing trees on and adjacent to the application site, so as not to appear overly prominent within the locality.
- As such, in terms of its physical form, scale and appearance the proposal would be suited to the character and appearance of the host dwelling and its locality.

Impact on residential amenity and highway safety:

- The single storey nature of the proposal and its positioning at the end of a long plot is such that surrounding properties are not likely to be affected in terms of loss of light and outlook.
- Of greater concern, however, is that the operation of the business is likely to bring additional traffic movements, parking pressures and noise beyond what would normally be expected at a residential property.
- As employees would reside off-site, it is reasonable to assume that they would drive to the application site. This would require additional space to be set aside for parking, which has not been shown on the proposed plans. The nature of the business is also likely to require vehicular movements in and out of site during the

course of the day for site visits. In addition, the indication on the proposed plans of a product demonstration area suggests that customers would visit site, which would add to local traffic flows and result in additional parking requirements.

- On road parking along this stretch of Fair Oak Road was noted to be limited. Without details of parking provision, it is assumed that the proposal would add to and result in increased local parking pressure, at odds with highway safety.
- The storage of goods and tools associated with the business is likely to result in an associated increase in deliveries made to site. Although the applicant has stated that deliveries would only be for small items, this would still result in increased activity beyond what would be expected on a residential plot.
- There is no indication as to the proposed operating hours, and therefore no certainty as to whether its hours of use would be compatible with the residential use of the application dwelling.
- The above is likely to result in an intensification of the use of the site and points to the creation of a separate commercial unit within an existing residential plot.
- No information has been provided which demonstrates a link in occupancy between the application dwelling and the business. There is also no information which demonstrates that the proposed business and associated noise and traffic movements would not adversely impact the amenity of the occupier of the application dwelling and neighbouring properties. It is therefore assumed that the occupants of the residential dwelling would be severely impacted by the proposal.
- Without information as to the extent of any private amenity space, or distinct curtilage or boundary treatment for both units, it is assumed that application dwelling would not be afforded sufficient amenity space, whilst windows on the proposed office directly facing the residential property are likely to limit its privacy.

Trees and ecology:

- During the course of this application arboricultural information has been submitted, due to the presence of a protected tree in the northeastern corner of the site and other trees on and adjacent to the application site.
- In consultation with the Council's tree consultant, the arboricultural details are broadly satisfactory and would not result in an adverse impact on trees, subject to a pre-commencement condition requiring details of the final foundation design.
- As such, the details provided suggest that the development is feasible without harm to trees, however further details would be required regarding the proposed foundations.
- The Council's ecologist is satisfied that, providing the appropriate precautions and enhancements are put in place in relation nesting birds, hedgehogs and reptiles, the proposal would be acceptable and in accordance with policy DM11.
- It is also worth noting that, although this application was validated as a householder application, as outlined earlier, this was before additional information was received in relation to the extent of its proposed use. Therefore, the proposal is likely to be subject to the requirements under Biodiversity Net Gain, for which no additional information has been submitted.

Other matters:

- There are no likely significant impacts on the SPA.

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.

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 ☒
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Based on the information provided, the proposed development would amount to the creation of a separate commercial building within the curtilage of but not connected to the residential property. Insufficient information has been provided to demonstrate that the creation of such a use would not result in unacceptable harm to the amenities of residents of the application dwelling and neighbouring properties and uses, through an intensification of use resulting from activities associated with the intended business/commercial use. As such the application is considered to be contrary to Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and the Council's 'Quality Places' Supplementary Planning Document.