

DELEGATED OFFICER REPORT

Application Ref: H/22/93107

Site Address: 48 LAWN ROAD, EASTLEIGH, SO50 4GN

Case Officer: Dorothy Hei-Tung-Hoh

Description: Enlarge the existing rear extension and outbuilding (under Permitted Development)

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• H/19/85143 - Single storey front and rear extensions - Permit - 09/05/2019		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Two letters of representations were received to the revised proposal. All of these were objections. The neighbours have raised the following issues and concerns: • Concern about the rear boundary fences • Any access through Bramble Close is unacceptable • The movement of any heavy vehicles or site traffic causing the loss of parking and the requirement for regular visits from carers to attend our vulnerable residents will be severely affected.		
Parish Council:	No Comments received		
Southern Water:	It appears that the developer is intending to build close-to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building close-to the sewer.		

Site Visit:	Yes ☒	No ☐
Details: 30 th June 2022		

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, DM11 and DM14.
Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisal for Eastleigh (ELAC 5)

Assessment:

The application site comprises a two-storey semi-detached dwellinghouse setting in a long plot. It forms part of a large inter-war estate in north Eastleigh and as such the surrounding area is predominately residential in character. The surrounding area has a particularly strong character due to the irregular grid layout and formal building compositions around route intersections and open spaces. The streets are also very distinctive, principally as a result of the narrow tree-lined roads, wide grass verges and gable-end frontages. The proposal originally included a rear conservatory and a detached annexe at the bottom of the rear garden. However, it was considered that the design with the extensive glazing (proposed rear conservatory) would create an incongruous feature with the appearance of the host dwelling. Additionally, the proposed annexe would result in the creation of a separate dwelling on the site due to its size and its separated position in relation to the main dwelling. The property could easily be subdivided resulting in a separate dwelling on the site and there is limited dependency between the dwelling and the proposed annexe. The proposed detached annexe and rear conservatory were therefore not capable of officer support. Following discussion with the agent, it was agreed to omit the detached annexe from the proposal and reconsidered the design and height of the rear extension.

Principle

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.

Character and Design

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The site is also part of the character area of Eastleigh (ELAC 5) which provides the following guidance on developments and that they should ensure that:
 - i) Maintain the formal building compositions around route intersections and open spaces.
 - ii) Retain the wide grass verges and associated semi-mature/mature broadleaved tree planting.
 - iii) Maintain the importance of the recreation ground in any new development.
 - iv) Maintain the predominant plot widths and continuity in building line.
 - v) Ensure that the form of new development relates effectively with the gable-end frontages prominent in existing development.

It is considered that the proposal is compatible with the character of ELAC 5 and relates effectively with the host dwelling.

- The dwelling has been previously extended to the rear with an approximately 3m x 8.8m extension. The proposed single storey extension, owed to its matching roof form and matching materials, is considered as an enlargement to the existing rear extension. Further, due to its rear location, the development would not be detrimental or adversely affect the appearance of the street scene of Lawn Road. Glimpse views of the rear extension would be visible from Bramble Close, however given the separation distance, it would not cause harmful visual impact from the

wider area.

- Sufficient garden depth and area is retained. It is considered that the site does have sufficient space to accommodate an enlarged rear extension without diminishing the sense of space around it.

Impact on Residential Amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- The proposed brick wall extension would be positioned along the common boundary with 50 Lawn Road and is deemed to have an impact on levels of light. However, it is considered that the garden area adjacent to the common boundary is not a habitable room and would not block the light to such an extent to warrant a refusal of the application. The outlook from the rear habitable room windows of 50 Lawn Road would not significantly change.
- No side facing windows are proposed to the north elevation, therefore there would not be any significant detrimental impact in terms of privacy or overlooking to 50 Lawn Road.
- The proposed enlarged rear extension could result in a bulky and unsympathetic addition to the property and as such the overall visual impact is not ideal. Following discussion, the agent agreed to reduce the height to an acceptable level and as such reduce the prominence of the structure.

Trees and landscaping

- The site does not contain any trees offered protection by a tree preservation order. Furthermore, the proposal has been deemed not to be in conflict with any trees or landscape features of particular amenity to the area. There are no likely significant impacts on the SPA.

Highways and Parking

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- The proposed extension does not incorporate any additional bedrooms so it would not impact on the existing car parking arrangements.
- Many neighbours from Bramble Close have raised the matter of the rear boundary fence. They stated that there is a potential for 48 Lawn Road to knock down the existing rear fence or add a rear garden gate following the planning permission. Then, their vehicles or contractors' vehicles can park in Bramble Close, resulting in an obstruction to the residential cul-de-sac. This concern highlighted by the neighbours are noted, however the rear fence is not the proposal under consideration at this time and such works may be required express planning consent. For the avoidance of controversy, an informative note could be added in the decision notice to advise that no construction vehicles or deliveries shall access the site from the Bramble Close.

Other Considerations

- Following discussions, the agent has advised that the proposed outbuilding is to be constructed via 'permitted development'. Therefore, this element has not formed part of the consideration of this current application, the onus would be placed on the applicant to ensure that the proposed outbuilding would fully comply with the content of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class E.

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, 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.

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:

- Subject to Conditions
- The proposed outbuilding has not been assessed as the onus would be placed on the applicant to ensure that the proposed development would fully comply with

'permitted development'.

- An informative has been added to the conditions to ensure building works are carried out considerately to minimise disruption to Bramble Close.
- On balance, it is considered that the proposal is in keeping with the appearance of the original dwelling and the character of the local area and would not have any significant harmful impact upon residential amenity and is therefore recommended for approval.

Recommendation:

PERMIT ☒

REFUSE ☐

Comments