

DELEGATED OFFICER REPORT

Application Ref: F/22/93833

Site Address: 61 - 63 Leigh Road, Eastleigh, SO50 9DF

Case Officer: Summer Sharpe

Description: Retention of external canopy structure on first floor balcony area.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - Airport safeguarding - SGN Gas pipeline - HRA screening: SAC, SPA, Ramsar - River Itchen SAC - Sewers (2m buffer)		

Planning History?	Yes ☒	No ☒
Planning App no.	Proposal	Decision
F/10/67049	One and two storey rear extension to include first floor deck to play area and covered parking below.	Permitted (June 2010)
F/09/64756	Erection of detached 4 bay carport with play facilities above at rear.	Refused (May 2009)
F/05/54679	Change of use from offices to children's day nursery D1.	Permitted (September 2005).
F/05/53797	Change of use form offices to children's day nursery for temporary period of 3 years.	Temporary Permission (June 2005)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	None received.		
EBC Environmental Health:	No objection to this being retained over a permitted outdoor use of the nursery.		
Hampshire Highways:	No objection.		

Policy:
National Planning Policy Framework
National Planning Practice Guidance
Development Plan:
<u>Eastleigh Borough Local Plan 2016-2036</u>
Policies: S1 (Delivering sustainable development), E3 (Eastleigh Town Centre), E4 (1d Leisure and cultural zone, Leigh Road) (Urban Renaissance Quarter), DM1 (General development), DM11 (Nature Conservation), DM13 (Transport) and DM14 (Parking).
Supplementary Planning Documents:
Quality Places; Residential Parking Standards; Eastleigh Character Area Appraisal.

Site Visit	Yes ☒	No ☐
6 October 2022.		

Assessment:
<u>Site & Surroundings</u>

The application site relates to a detached two-storey building located to the south of Leigh Road, between Cranbury Road and Desborough Road. The application site is currently in use as a children's nursery and as noted above has been extended and altered.

The surroundings to the east and west, along Leigh Road comprise a mixture of different commercial uses, to the south of the site and wider surroundings there are residential properties.

Proposal

The application seeks the retention of an external canopy structure on the first-floor balcony area. During the course of this application, the canopy has been reduced in height. Originally submitted the application proposed the retention of a canopy with a maximum height of 2.4m, covering an area of approx. 4.7m by 11.1m. Following discussions, the height has been reduced and has a slight sloping roof with a height ranging from approx. 1.9m – 2.1m. The materials would remain the same, comprising: timber frame and corrugated plastic roof.

Principle

The application site falls within the urban edge, whereby alterations or extensions to buildings in existing and viable uses are considered to be acceptable in principle, however, would be subject to the following considerations.

Further, the application has been supported by a 'Planning Statement' whereby the applicant explains the need for the canopy. This is to provide shade and shelter for children to ensure they have sufficient and safe access to external spaces in accordance with their necessary framework and services the nursery deliver.

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 neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

From the history section of this report, it notes that there were previous extensions/ alterations. Namely planning application referenced "F/10/67049" which approved the construction of a two-storey extension including a first-floor deck. Within the report, the Officer noted that the design was a *clever response to providing the required additional internal accommodation without compromising on the current external play provision or on-site parking*. It was also noted that *the style of extension is quite contemporary in its appearance and form but relates well to the existing building and neighbouring sites*. In addition, the Officer noted that Leigh Road would not be affected as the extension is to the rear of the building.

This application seeks to improve the previously approved facilities. As noted within the Planning Statement there is a requirement for the nursery to provide shade/ sheltered external play areas for children. The proposal has been amended during the course of this application process whereby the overall height has been reduced. It is considered that the reduced height does aid the appearance of the canopy. It should be noted that the proposed canopy is not an ideal design solution and does not necessarily enhance the contemporary and 'clever' design of the extension on which it is sited. However, the proposals are light weight as a result of the materials used and are not considered to be visually intrusive. Whilst acknowledging that the proposal will be visible from wider public vantage points (namely along Desborough Road), its presence is not considered to be

detrimentally harmful to warrant reason for refusal. As such, and on balance, the proposals would be recommended for approval.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

The nursery use was permitted temporarily under planning application referenced F/05/53797. A subsequent planning application (F/05/54679) was then submitted, proposing a change of use permanently. This was approved, whereby the Officer noted that the proposals were fully supported by all consultees, thus not resulting in an adverse impact upon the neighbouring amenities. The site was also previously extended under planning application F/10/67049, which was also not considered to adversely affect neighbouring amenities. This application seeks the retention of a canopy on the previously approved balcony. Due to the nature of the proposals, the Council's Environmental Health Team have been consulted upon and have raised no objection. It is noted that the proposal is not considered to intensify the usage of the site, solely to improve/ enhance the existing facilities. Therefore, the proposal is considered to be acceptable in this regard.

In terms of physical structure, the proposal is located at first floor level above the previously approved balcony, whereby the overall height has been reduced. Whilst it is visible from wider public vantage points, its lightweight materials, and appearance aids with its siting, whereby it is not considered to be an overtly dominant or harmful feature. The neighbouring properties to the east and west are commercial premises, whereby the rear of the sites comprise parking provisions. The addition of the canopy structure is therefore not considered to have an adverse impact upon the neighbouring amenities in terms of being overbearing (largely due to its lightweight appearance) and given the use of the rear of the neighbouring sites.

Highway Safety & 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 Residential Parking SPD sets out the relevant parking provisions for dwellinghouses, which are dependent upon the amount of bedrooms.

As noted within the amenity section, the use of the nursery has already been approved. The proposals, subject to this application, are considered to enhance the existing facilities, and would not result in additional comings and goings. Further, Hampshire Highways have raised no objection in this regard to the proposals. As a result, the proposals are considered to be in accordance with the abovementioned policies and would therefore be acceptable.

Equalities Act:

Section 149 of the Equalities Act 2021 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.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, 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 and development plan 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 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 and 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 limit impacts on climate emissions as a result of the development or its use.

Conclusion:

The application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐