

DELEGATED OFFICER REPORT

Application Ref: F/22/93663

Site Address: 143 and 145 Passfield Avenue, Eastleigh, SO50 9NH

Case Officer: Rachael Morris

Description: Single storey rear extension to enlarge the two existing retail units with associated landscaping works to the rear to provide off road parking with 3no. garages to the rear following the demolition of an existing garage structure.

Particular Site Constraints?	Yes ☒	No ☐
- Within the urban edge		

Planning History?	Yes ☒	No ☐
<u>143 Passfield Avenue</u> - Z/24765/000/00 - Single storey rear extension – Permit – Sept 1980 - Z/24765/001/00 - Erection of replacement shop front – Permit – Sept 1981 - F/05/55080 - Change of use of Post Office (A1) to take away Fish & Chip shop (A5) with new access ramp to shop and 1 & 2 storey rear extensions – Refuse – Nov 2005 - O/09/66351 - Outline: Erection of 1 and 2 storey rear extension to provide 2No. studio apartments, together with 1No. 1 bedroom flat and associated parking – Refuse – Mar 2010 - F/13/73438 - Single storey rear extension, internal alterations & associated parking to the rear following demolition of existing outbuilding – Permit – Jun 2014 - A/14/74892 - Display of 1 no. internally illuminated fascia sign – Refuse – Sept 2014 - F/14/74877 - Change of use from A1 hairdressers & beauty salon to A5 hot food takeaway shop, installation of new shop front, single storey rear extension and associated rear parking – Refuse – Mar 2015 <u>145 Passfield Avenue</u> - Z/35906/000/00 - Single storey rear extension with balcony over served by external staircase – Permit – Apr 1999 <u>143 & 145 Passfield Avenue</u> - F/20/88912 Erection of 1no. 2-bedroom, single-storey Wheelchair User Dwelling (Category M4(3) Building Regulations, 2010) to the rear of 143-145 Passfield Avenue, Eastleigh, SO50 9NH, together with associated access from Passfield Avenue – Dismissed at appeal - Apr 2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	139 Passfield Avenue. Comment (summarised). Access to the rear of all properties from 135 to 145 is via an unmetalled driveway that is directly between 141 and 143 Passfield Avenue. The driveway that runs between 141 and 143 Passfield Avenue allows vehicular access to the rear of properties from 137 to 145. A turning area - via three-point manoeuvre - is required for all vehicles; this is situated at the Eastern end. It should be noted that both 139 and 137 use this driveway and turning area daily and throughout that day for various reasons. Therefore, it is vital that this driveway is not blocked during any construction should the application be granted. This driveway is currently a mix of earth (at times overgrown grass/brambles), broken and loose concrete, bricks, ruts and holes that has received no maintenance by the property owners in the 15+ years I have lived in our house. It is uncomfortable and possibly damaging to use a vehicle		

	down this driveway if not taken at very slow speed. At the very least I would expect the Application to mention an intent to level the driveway or even dress it, considering they expect staff to be parking at the rear of the property and the fact several houses use it. We (139 +137) also share a concern that, if the application is successful, the knowledge of a rear parking area will spread from staff usage into customer usage, customers will then park on the driveway if they find no available spaces or just to 'pop in to make an appointment', which would prevent us accessing our properties. 137 Passfield Avenue. Comment (summarised). Although I have no objection to the actual extension to the buildings, I have reserved feelings about the safety of the proposal. The additional side door proposed is dangerous for people using it. Presuming it will be used by staff accessing an entrance from the car park the side access is not suitable for pedestrians because of the constant use by neighbours leaving and accessing their properties and it is only just the width of a vehicle. We have already encountered this with children leaving the existing door. I see no purpose for 3 garages being built the existing one has never been used in the 35 years we lived here. There are no permanent residents with cars any residents in the flats would have a parking space on the landscaped property. The potential therefore could be for them to be leased to non-residents and used for storage or business of some nature. It should also be taken into account that this in the main is a residential area and that the rear access is not for anything other than residential access. 135 Passfield Avenue. Objection (summarised). Hoping that this latest planning application is not again another pre-step/manoeuvre to prepare the ground/ help get through a future change in the business license terms from the current hairdresser etc to a fish and chips shop. The current key main issue seems to be around the forecasted increase of vehicle usage in such "private alleyway" because increase of business use. Potentially badly impairing as a result the entitlements and rights of usage by other property users/ neighbours. With such alleyway having also the matter to consider about an underground communal sewer running underneath the alleyway which maintenance was brought under Southern Water within the last few years. I want to re-emphasise that as per the property deeds, that private alleyway, was for the exclusive (and equal right to use) by the owners of 135, 137, 139, 141, 143 and 145 Passfield Avenue. That means that it is reasonable to assume that such one-way narrow private alleyway was designed to support the needs of maximum total population of 18 potential vehicle users. Although it is welcomed as part of the planning application the commitment to resurface the alleyway at the sole cost of the owner of 143 and 145 Passfield Avenue, it does not fully address the concerns around likely over-usage of the alleyway because the substantial increase of car parking capacity. 1/3 of the property owners will in effect represent over 50% of the forecasted usage of the alley way.
Parish Council:	No Comment
Southern Water:	It appears that the developer is intending to build-over 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-over the sewer. The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The

	conditions and application associated with the build-over a public sewer are available at Southern Water's Get Connected service: developerservices.southernwater.co.uk It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
Hampshire Highways:	In regard to application F/22/93663, since the initial HCC Highways Consultation response dated 06 December 2022, it is noted that updated plans have been submitted - Drawing P100 Rev D. This now shows adequate aisle widths for both the open and garage parking proposed (6.0m), and as such there would be no objection to the proposals, as shown above, from a HCC Highways perspective. 08/12/2022

Site Visit:	Yes ☒	No ☐
Details: 18/11/22		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The Eastleigh Borough Local Plan 2016-2036 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:
The development is considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that: <u>Principle</u> - The development is within the urban edge where the principle of development is acceptable. <u>Design and layout</u> - The design of the single storey rear extension to enlarge the two existing retail units with associated landscaping works to the rear to provide off road parking with 3no. garages to the rear following the demolition of an existing garage structure is suited to the host building in terms of its form, scale and appearance. - The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards. There is an increase in parking availability on site and the proposed rear garages will be constructed to a size suitable to accommodate car parking (3m x 6m internally). This is to support staff parking and residential parking. This space is not intended to be used by clients/customers. - The design and layout respect the character and appearance of the locality. - The proposed extension and erection of garages will be supported by an enhancement of the surfacing to the existing side access/alleyway that serves other properties too; this is to mitigate against the proposed increased usage that this access will experience.

- Vehicular tracking has been submitted to demonstrate that the site is capable of providing enough room for vehicles to re-enter the highway in forward gear and also access the garages to the satisfaction of Hampshire Highways.
- The proposed single-storey rear extensions to both no.143 and no.145 are appropriate to their location and are stepped back from the closest residential neighbour at no.141 Passfield Avenue which will reduce this impact.
- The proposed rear parking is proposed for residential and staff parking. This will take the strain off the existing parking to the front of the units so this area at the front can be used exclusively for customer parking. A condition to this effect shall be placed to re-iterate this rear area is for staff and residents parking only. Clients and customers can use the area to the front and there is parking to Passfield Avenue (un-restricted parking) also available.
- The existing external staircase will be extended to maintain the separate access for the flat above no.145. As this external staircase is an existing feature, the expected impact of this extension to the staircase is minimal. Likewise, the existing ground floor side access will be maintained for the flat above no.143.

Residential amenity

- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The largest side of the extension (south), at 10m deep, would be bordered by the Shell Garage which does not accommodate habitable space. The potential impact to this neighbour is negligible as this use is already in almost constant active use (5am-midnight opening hours).
- The proposed extension to the north side, closest to no.141 Passfield Avenue is stepped back to approx. 4.7m deep. This is akin to a residential extension and is considered suitable within this mostly residential setting. In addition, there are no proposed side windows that would create potential overlooking to this neighbour.
- The proposed side access is expected to increase in activity which has the potential to create disturbance to the neighbouring property. However, this is not expected to be to an extent un-similar to existing and not to an increased unacceptable extent.
- The proposed rooflights are proposed above head-height and so it is not expected to create any unacceptable overlooking or loss of privacy.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- 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 ☐

Comments ...