

DELEGATED OFFICER REPORT

Application Ref: H/22/93435

Site Address: 2 KINGSMILL DRIVE, FAIR OAK, EASTLEIGH, SO50 7QE

Case Officer: Alexandra Stone

Description: Rear Conservatory linking house to detached garage

Particular Site Constraints?	Yes ☒	No ☐
- Within Urban Edge - Southern Water Sewers – Foul - Waste/ Mineral Sites – HCC MWCA Minerals - Fair Oak Closed Landfill Consultation		

Planning History?	Yes ☒	No ☐
F/17/80640 – Permit – 26/01/2018 Hybrid application – seeking: 1) outline permission for thirty-four (34) dwellings with all matters reserved; and, 2) full permission for four (4) office buildings (B1a Use Class) including access, parking, landscaping, pumping station and associated works following demolition and clearance of site. DC/18/94617 – Partial Discharge 01/02/2019 Part discharge of condition 13 (contaminated verification report) of permission F/17/80640 for 34 dwellings and 4 no. office buildings. DC/18/84587 – Partial Discharge – 06/01/2022 Discharge of conditions 5 (CEMP), 9 (Materials levels and access management), 10 (footway details), 12 (ground conditions), 16 (landscaping), 19 (foul and surface water), 20 (bin and cycle storage), 24 (noise assessment) of planning permission F/17/80640- 34 dwellings and 4 no. office buildings. RM/18/83737 – Approve Reserve Matters – 01/11/2018 Reserve matters application pursuant to outline planning permission F/17/80640 for 34 dwellings (matters of access, appearance, landscaping, layout and scale to be considered). H/21/90229 – Permit – 12/07/2021 Single storey side and rear extension to detached garage		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Objection		
Southern Water:	The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water, before the layout of the proposed development is finalised.		
Pollution:	Our records show that the residential development of Kingsmill Drive was required to fit ground gas mitigation measures to ensure the safety of the residents and properties and protect them from the risks of ground gas ingress. The proposal for a conservatory would create an enclosed occupied space where ground gases could accumulate if not properly protected. Attaching the structure to the existing dwelling may undermine the existing ground gas protection measures installed creating pathways into the dwelling for gas ingress, further, connecting the conservatory to the garage (which is unlikely to have gas protection measures installed) creates an additional route for gas to ingress if not correctly considered. As no information is provided to show how ground gas hazards are to be dealt with we are unable to support the application at this time, and would recommend that the application is refused if ground gas risks are not adequately considered and suitable protection measures not provided.		

Site Visit:	Yes ☒	No ☐
Details: 17/09/2022		

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, DM2, 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:

Principle

The application is for a conservatory to the rear of the existing dwelling. This will measure approximately 4m by 4m, linking to the existing garage.

- The development is within the urban edge where the principle of development is acceptable.

Design and layout

- The design of the rear conservatory is suited to the host dwelling 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.
- The design and layout respects the character and appearance of the locality.

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.

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 ...