

DELEGATED OFFICER REPORT

Application Ref: H/23/95172

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

Case Officer: Dorothy Hei-Tung-Hoh

Description: Construction of a garden room at the rear

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Established Residential Area • Within Built-up Area Boundary • Sold EBC Land		

Planning History?	Yes ☒	No ☐
• H/19/85143 - Single storey front and rear extensions - Permit - 09/05/2019 • H/22/93107 - Enlarge the existing rear extension and outbuilding (under Permitted Development) - Permit - 24/08/2022 • LDC/22/93775 - Lawful Development Certificate: Construction of an Annex (Outbuilding) - CLOPUD - Certificate Not Issued - 21/10/2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	3 letters of representations were received to the application. 2.no of these were objections and 1.no was a comment. They raised the following issues and concerns: • The used of the garden room • Affect the residents of Bramble Close • No access from Bramble Close (at the rear of the plot) • No access to the rear garden by removing the rear boundary fence		
Parish Council:	Objection – It is not clear what the use of the building will be. If the building is erected that the below conditions be implemented: 1. Condition 1 – The building is never to be used as a dwelling or become a permanent living space. 2. Condition 2 – No access to premises allowed via Bramble Close.		
Southern Water:	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. Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.		

Site Visit:	Yes ☒	No ☐
Details: 8 th June 2023		

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 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 current application is the third submission for an outbuilding at this plot, which intends to construct a detached garden room at the rear garden. The design features include a bi-flood door and timber cladding. The dimensions of the garden room are expected to be 7.0m in width, 4.0m in depth, and 2.5m in height.

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.
- 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.

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 garden room proposed in the current application would not be considered an independent dwelling. Firstly, the agent has provided written confirmation that the intended use of the garden room is solely for recreational purposes, such as a garden room or office. Additionally, the absence of kitchen facilities indicates that occupants would still rely on the amenities provided by the host dwellinghouse for cooking. Furthermore, the floorspace of the garden room would be insufficient to

meet the national space standards for an independent dwelling. To prevent the application plot being sub-divided into two units at a later date, a condition will be imposed to explicitly restrict the use of the garden room.

- In terms of the street scene impact, the garden room would be located at the bottom of the rear garden and therefore would not be seen from the street scene. While it may be visible from neighbouring properties and Bramble Close, its visual impact would be mitigated by its height and the choice of materials. The height of 2.5m ensures that it would remain in proportion to the surroundings, and the use of timber cladding contributes to a natural appearance.

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 long plot on which the proposed building is to be constructed offers ample space to accommodate such a structure without significantly impacting residential amenity. The generous size of the plot allows for the appropriate placement of the proposed garden room at the bottom of the rear garden, maintaining sufficient distance from neighbouring properties. By situating in a suitable location, the proposal is considered to preserve the privacy level of the surrounding residential area and avoid any overshadowing or loss of sunlight to adjacent neighbours.
- Concerns were raised by residents living in Bramble Close (rear of the plot) regarding the potential removal of the rear fence for delivery or vehicle access. However, it is important to note that there is currently no evidence to suggest that the applicant intends to do so. To address these concerns and mitigate any potential disruption, a condition will be imposed to ensure that there is only one designated vehicle access point to the application site from Lawn Road. It should also be noted that any modification to the fencing would require consent from the affected neighbours.

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.
- Since the proposed garden room is not intended for use as an additional bedroom, the existing parking provision would remain unaffected.

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
- In conclusion, the dimensions, materials, and positioning of the proposed garden room would minimise any potential visual and neighbour impacts. The structure itself does not qualify as an independent dwelling, and the concerns raised by the neighbours regarding the removal of the rear fences can be addressed through conditions. The recommendation is to permit.

Recommendation:

PERMIT ☒

REFUSE ☐

Comments