

DELEGATED OFFICER REPORT

Application Ref: H/23/95203

Site Address: 45 PENSHURST WAY, EASTLEIGH, SO50 4RH

Case Officer: Dorothy Hei-Tung-Hoh

Description: To replace the existing conservatory/rear porch with a new rear conservatory with lean to roof and with cool blue self cleaning glass (Amended ownership certificate)

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Established Residential Area • Within Built-up Area Boundary • Not benefit from Permitted Development Rights (Maisonette)		

Planning History?	Yes ☒	No ☐
• F/07/60768 - Retrospective rear porch - Permit - 25/09/2007 • PN/22/93857 - Prior notification for the erection of a single storey rear extension - Prior Approval Refused - 26/09/2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Two supporting letters were received to the application as originally submitted. Following the submission of the amended ownership certificate, no additional comments were received during the re-consultation period.		
Parish Council:	No Objection		

Site Visit:	Yes ☒	No ☐
Details: 20 th September		

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 31)

Assessment:
The application property is a ground floor 1-bedroom semi-detached maisonette situated on the north western edge of Eastleigh. It currently features a front porch and a rear conservatory. Beyond the rear fencing lies the rear garden of the upper-floor maisonette neighbour (47 Penshurst Way). The surrounding area is primarily residential in nature comprising various dwelling types such as maisonettes, terraced, and semi-detached

properties. The application seeks planning permission to replace the existing rear conservatory with a larger conservatory, measuring 4.2m in depth, 5.0m in width, and 2.7m in height. The proposed conservatory is intended to enlarge the existing living area.

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 proposed conservatory will be constructed using white UPVC and brick for the walls, harmonising with the existing structure. This design approach and the materials chosen will ensure the development can integrate well with the host dwellinghouse.
- Given its rearward positioning, the proposed conservatory is not considered to cause any detrimental impacts on the overall street scene.
- Despite being more than double the size of the existing conservatory, the submitted site plan indicates that the new structure will maintain a suitable rear amenity space, thereby eliminating any concerns related to overdevelopment.

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.
- Upon a site visit, it was noted that the existing conservatory appears more of a porch. As such, the proposed larger conservatory is anticipated to provide an improved and expanded living space, allowing both existing and future occupants to live comfortably.
- Despite its significantly larger dimensions compared to the existing structure, the proposed conservatory will still maintain a gap from the shared boundary fence. Its single storey nature will also eliminate the concerns regarding loss of light and loss of outlook.
- Half of the side wall facing the adjacent semi-detached property will be constructed using brick, with the upper section utilising UPVC windows. Given its elevated position, concerns regarding potential overlooking and loss of privacy are not anticipated from these side-facing windows.

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 proposal does not include the addition of any bedrooms therefore does not generate a need for additional parking provision.

Other matter

- Given the maisonette status of the application property, a request was made for the submission of a certificate B to ascertain its ownership status. The certificate B was duly submitted on 06/10/2023. Subsequently, the Local Planning Authority re-consulted all necessary parties for a period of 3 week.

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:

- Permit subject to conditions

Recommendation:

PERMIT ☒**REFUSE** ☐

Comments