REF. NO. X/12/70357

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	-	Removal of condition 16 of planning application F/05/54237 to allow removal of existing Leylandii trees on south west boundary Dragon Lodge Kanes Hill Southampton SO19 6AH

SITE VISIT DATE – 1/3/12

ARE PLANS ACCURATE? - Yes

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? - Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approx 330m2
TOPOGRAPHY	Site is relatively flat.
TREES/ BOUNDARY TREATMENT	Very tall Leylandii trees along the rear boundary
SITE CHARACTERISTICS	Two storey detached house with a small side and rear garden. The house is located at the rear of the Haven and surrounded by neighbours gardens.
CHARACTER OF LOCALITY	Residential area

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/05/54237	Construction of 2 storey dwelling & alterations to existing access	Permit

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Cherry Tree	No objection to the proposal

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
West End Parish Council	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Within Established Residential Area

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) 59.BE
Supplementary Planning Document : Quality Places

PLANNING POLICY GUIDANCE / STATEMENT

REF. NO. X/12/70357

PLANNING POLICY GUIDANCE / STATEMENT

PPS 1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed.

COMMENT ON CONSULTATION RESPONSES

Noted

COMMENT ON REPRESENTATIONS RECEIVED

Noted

PLANNING OBLIGATION/CONSIDERATIONS

None

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

Policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

The dwelling was granted planning permission in 2005 (under F/05/54237). Condition 16 of the permission states: *"The existing evergreen hedge indicated in green on the submitted plan shall be retained and maintained to a height of 5 metres. Reason: In the interest of amenity."* As the hedge backs onto residential properties (no.48-50) I assume it was applied to protect the amenity of these residents.

The hedge is located along the properties rear boundary just 6m from their house. It is made up of Leylandii trees, which have previously not been well managed and as a result have grown very tall and thick. This makes the properties small rear garden feel very enclosed, dark and fairly unusable. Reducing the trees to 5m has been considered but could not be achieve as further cutting may damage or kill them. The applicant would like to fell the Leylandii trees and replace with a new evergreen laurel hedge to be retained at a height of 3m.

The Leylandii trees currently form a backdrop to the gardens of no.48-50. The replacement hedge will mean that Dragon Lodges is visible from the neighbouring gardens. However, this is not

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

unacceptable as both no.48 & 50 have a reasonable length garden and only the hipped roof line of Dragon Lodge would be seen. Dragon Lodge has one rear first floor bedroom roof light that would be roughly 20m away from the windows in the rear properties. Although this falls slightly below the required 22m separation distance the applicants have offered to obscure glaze this window so there is no material overlooking. Views from Dragon Lodge ground floor windows would be obscured by the replacement hedge.

Overall it is considered that the Leylandii trees could be replaced with a three metre hedge without materially harming the amenity of neighbouring residents, by way of overlooking, loss of light or outlook. The proposal is considered to comply with relevant Development Plan policies.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and legislative background.

CONCLUSIONS

Recommend Permit