HOUSEHOLDER PLANNING APPLICATION REPORT Ref No. F/16/79132

DESCRIPTION	Erection of 2m high steel fence
ADDRESS	1 Cambrian Close Bursledon Southampton SO31 8GW

SITE VISIT DATE	14 November 2016
ARE PLANS ACCURATE?	The submitted details are sufficient to determine the application
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	The application seeks to extend the amenity area at the rear of the dwelling by the relocation of the rear boundary treatment. The Boundary treatment will be 1.8m in height on top of the existing raised ground levels. The proposed materials are concrete posts and metal panels. The application form advises that timber panels could be used if preferred.
TOPOGRAPHY	The site slopes from west to east and from south to north.
TREES	There are no trees or landscape features of particular amenity to the area that will be affected by the proposal
BOUNDARY TREATMENT	The western side of the property is fairly open with there being 1.8m high close-boarded timber fencing along the southern side boundary serving to enclose the property's private amenity space. The eastern side boundary with No. 3 Cambrian Close is marked by a hedge of approximately 2.5-3m in height.
SITE CHARACTERISTICS	The application dwelling is situated at the end of a small terrace of properties and adjoins neighbouring dwellings on both its north and eastern sides.
CHARACTER OF LOCALITY	No. 1 Cambrian Close falls within an established residential area consisting predominantly of small terraces of modest sized properties. As the area forms part of an estate development the neighbouring properties are of a similar age, design, and palette of materials.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/13/73360	First floor extension including raising of ridge height to allow for creation of first floor accommodation	PERMIT - 2013
Z/18886/013/00	Erection of 87 dwellings, some with garages, roads, foot paths and parking areas	PERMIT – 1983

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
	No Letters of representation have been received from the public

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Bursledon Parish Council	Object on the following grounds: • It is out of keeping with the area. • The materials are inappropriate to the area. • Detrimental impact on the street scene and neighbouring properties. • Contrary to Policy 59.BE(i) • The Parish Council are concerned that the proposed development is over land currently maintained by EBC. • The Parish Council are concerned about the site and location of the shed on the site.
Head of Transportation and Engineering	Objection Checks have to be completed to ensure the land to be enclosed within the fence is private land and under the ownership of the applicant. It looks like the panels on south east side by the parking area would restrict use of the end parking space in the car court. I would recommend that panels there are set back at least 0.5m away from the end parking space to allow access to car doors.

POLICY CONTEXT

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

DEVELOPMENT PLAN SAVED POLICIES, EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), saved policies
Saved Policy 59.BE applies

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising:

- Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and
- Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014'
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Supplementary Planning Guidance : Quality Places
Supplementary Planning Guidance: Residential Parking Standards

CHARACTER APPRAISAL AREA

Bursledon, Hamble-le-Rice and Hound Character Area – *BHH50* (Summary Description Only):

1980s terraced/semi-detached development on loop/multi-headed cul-de-sacs in north Bursledon.

SPECIAL POLICY AREA

N/A

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

Of particular relevance to this application is *Section 7: Requiring good design* which states that good design is a key aspect of sustainable development and is indivisible from good planning; that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment; and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

POLICY COMMENTARY

The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, street scene and character of the area

COMMENT ON CONSULTATION RESPONSES

None received		See below	x	
The matters raised are addressed in the report below.				

COMMENT ON REPRESENTATIONS RECEIVED

x	None received	See below		

PLANNING OBLIGATION/CONSIDERATIONS

Not applicable

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."

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

MATERIAL CONSIDERATIONS

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 application site is located on a prominent corner that borders both Cambrian Close and Lionheart Way. The application seeks approval for a 1.8 metre fence to enclose an extended area of amenity space to the southern side of the application dwelling. By increasing the level of enclosed amenity space to the rear of the property an irregularly shaped boundary to the rear of the property is formed rather than the square shaped rear amenity areas that form the predominate character of the area.

The existing rear boundary of the property is located in closer proximity to the dwelling and away from the pedestrian highway of Lionheart Way. This results in an open feature and a feeling of spaciousness. The proposed fence will be sited on top of a block retaining wall taking the height to approximately 2.5m (at its highest point) adjacent to the footpath. 1.8 metre high timber fencing or similar such treatments demarcating the rear boundaries of individual dwellings do form part of the character of the area. However, due to the layout of the estate these boundary treatments are infrequent and a spacious feel is created by the open front boundaries of the properties and the open areas such as those to the south of the application site. The proposal due its siting on ground levels that are higher than the adjacent footpath will result in an overbearing form of development of the users of that footpath.

Play equipment such as large trampolines, washing lines, canopies, parasols and all other manner of domestic paraphernalia could be erected on the land if the area of enclosed land is increased. Whilst partially screened from view many of these items would still be visible above the permitted fencing. Furthermore, general human activity in this area would also erode its undeveloped character. Whilst it would be possible to restrict the construction of outbuildings, it would not be reasonable to restrict all paraphernalia associated with the domestic use of the land as this would effectively nullify the benefit of the permission. In any event, such a condition would not satisfactorily mitigate all of the harm identified above.

Owing to the materials proposed, as well as the irregular layout of the fencing when combined with its height adjacent to the footpath, it is considered that the fencing will appear both visually unattractive as well as unduly prominent within both of the street scenes creating a stark, harsh boundary treatment and materially harmful the prevailing character of the area. The development is, therefore, considered to fail to respect and cause significant harm to the character of the area, being out of keeping with the nature of residential boundary treatments in the vicinity of the site and conflicting with the requirements of Saved Policy 59.BE (i), the guidance contained within the Council's adopted Quality Places SPD, as well as the provisions of Section 7 of the National Planning Policy Framework.

Residential Amenity:

Saved Policy 59.BE (vii.) requires that development avoids unduly impacting upon the amenity of the occupiers of neighbouring dwellings, in particular by way of overbearing impact, loss of light or outlook, and overlooking. It is considered that there is no conflict with this policy requirement in respect of the development and no neighbour representations have been received. Proposed fence is sited on the road side of the property. As such there is sufficient distance from the neighbouring dwellings to protect the light, outlook and privacy currently enjoyed by the occupants of the neighbouring dwellings.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Highway Matters:

Saved Policy 59.BE (v.) requires that development provides a satisfactory means of access and layout for vehicles which includes an appropriate level of parking provision in accordance with the Council's adopted Residential Parking Standards Supplementary Planning Document (SPD).

The Head of Highways and Transportation has advised:

'It looks like the panels on south east side by the parking area would restrict use of the end parking space in the car court. I would recommend that panels there are set back at least 0.5m away from the end parking space to allow access to car doors.'

As such the proposal is not considered to comply with the requirements of the SPD and fails to comply with the requirements of criteria (v) of policy 59.BE.

Trees and Landscaping

Saved Policy 59.BE (i) of the adopted Eastleigh Borough Local Plan 2001-2011 requires that development takes full and proper account of the context of the site including natural features and trees worthy of retention. The site does not contain any trees offered protection by a tree preservation order. Furthermore whilst the issues regarding the impact to the openness of the area have been stressed above the proposal will not be in conflict with any trees or landscape features of particular amenity to the area.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made to the submitted Eastleigh Borough Local plan 2011-2029 July 2014. However, very little weight can be given to these policies as, although the Submission Local Plan has not been formally withdrawn, the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regard to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSION

The development fails to comply with the requirements of Policy 59.BE as such the proposal is recommended for refusal.