

DELEGATED OFFICER REPORT

Application Ref: H/22/93413

Site Address: 12 Maypole Villas, Eastleigh, SO50 4LN

Case Officer: Summer Sharpe

Description: Retention of 243 cm closed board rear fence (Retrospective Application).

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - Airport safeguarding zones - HRA screening; River, SAC, SPA & Ramsar		

Planning History?	Yes ☐	No ☒
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Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	3no. support comments.		
Parish Council:	No objection.		
Ecology:	Any permanent fencing that is erected at the property boundaries must have periodic holes (measuring 13cm by 13cm minimum) at its base to allow the movement of animals, such as hedgehogs, to promote habitat connectivity and extended foraging ranges. Biodiversity enhancements could include native hedgerows planted along the fence line. Species that provide flowers for pollinators and fruit and seeds for wildlife should be used instead of non-flowering conifers. Additional information on biodiversity enhancements is available at: https://sussexwildlifetrust.org.uk/discover/in-your-garden/article/31 planting to bats https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators		
Natural England:	None received.		

Policy:
National Planning Policy Framework
National Planning Practice Guidance
Development Plan:
<u>Eastleigh Borough Local Plan 2016-2036</u> Policies: S1 (Delivering sustainable development), DM1 (General development), DM11 (Nature Conservation), and DM13 (Transport).
Supplementary Planning Documents: Quality Places; Residential Parking Standards.

Site Visit	Yes ☒	No ☐
7 September 2022.		

Assessment:
<u>Site & Surroundings</u> The application site comprises a two-storey semi-detached dwelling located to the north of Maypole Villas. The main subject of this application is the fencing to the northern boundary, enclosing the rear garden. To the north of the boundary are vehicular parking provisions located to the south of Pitmore Close, a Close which predominantly comprises residential properties with a combination of single storey and two-storey dwellings. It

should be noted that properties 7 to 13 Maypole Villas have rear gardens which border Pitmore Close.

Proposal

The application seeks the retention of a close board timber fence measuring 2.43m in height and spanning a length of approx. 8.7m along the northern boundary (enclosing the rear garden).

Principle

The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations.

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 neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

Further to the above policy context, the Quality Places SPD makes reference to boundary structures, being robust railings or brick walls and gates within urban areas, or hedge plants within rural areas. It also goes on to note that boundary treatment should be reflective of the existing surroundings and appropriate when read within their context. In addition, and *in general terms, it is advisable for boundaries that abut a public footway to be as robust as possible. Should planting be the preferred option, then prickly hedge species may offer a good choice for crime prevention reasons.*

The proposals seek to retain the existing fencing to the rear garden of the application site along the northern boundary fronting Pitmore Close. The fencing is located adjacent to other fencing which encloses the rear gardens of the neighbouring properties (no.11 and no.13), which also front Pitmore Close. As a result of the siting, the proposals are a prominent feature along Pitmore Close. It was noted from a site visit that the majority of the southern boundary of Pitmore Close comprises rear garden boundary treatment of properties relating to Maypole Villas. The other examples of boundary treatment comprise lower close board fencing, some properties to the west of the application site are also screened by vegetation along Pitmore Close.

It is evident from a site visit that the proposals are a highly prominent feature within the streetscene, and therefore the main consideration with regard to design, is whether its appearance is harmful enough to warrant reason for refusal. The LPA would note that the fencing is not considered to be of a high-quality design or appearance and does not have a particularly positive impact upon the streetscene. However, the proposals do reflect the existing boundary treatments with regard to their materiality, albeit taller in height. The proposals are therefore not considered to be contrary to the abovementioned Policy or SPD, and therefore, on balance, would be recommended for approval.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

Owed to the location and type of development, the physical structure of the fencing is not considered to have an adversely harmful impact upon the amenities of the neighbouring properties.

Highway Safety & Parking

Policy DM13 of the Eastleigh Borough Local Plan (2016-2036) requires that development is or could be well served by public transport, cycling and walking and it includes measures which minimise its impact on the existing highway network. The policy provisions are consistent with the requirements of the NPPF and in particular those of paragraphs 107 and 108.

The proposal seeks the retention of fencing abutting the vehicular parking provisions along Pitmore Close. The proposals do not have an adversely harmful impact upon the existing parking provisions, nor do they have an adverse impact upon road users. Therefore, the proposals are considered to be acceptable in this regard.

Ecology

Policy DM11 of the Eastleigh Borough Local Plan (2016-2036) stipulates that the Borough Council will work with statutory and voluntary agencies and developers to; protect, conserve and enhance areas subject to international, national and local nature conservation designations, and promote the net gain of biodiversity on all sites through the protection, enhancement and connection of existing provisions and new habitats and features compatible with the native biodiversity characteristics of the Borough.

The Council's Ecologist has been consulted as part of this application, they advised any permanent fencing that is erected at the property boundaries must have periodic holes to allow the movement of animals, as well as including biodiversity enhancements. These are recommended to be included as informatives on the decision notice.

Equalities Act:

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.

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 and development plan 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 Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and 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 and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion:

The application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐