

S.78 PLANNING APPEAL - 79 Kingsway Chandlers Ford
Hampshire SO53 1FH



MRS FIONA BAKER
79 KINGSWAY
CHANDLER'S FORD
EASTLEIGH
SO53 1FH

Application H/22/92941
Please ask for Dorothy Hei-Tung-Hoh
Direct dial 023 8068 8314
Working hours Mon to Fri 8:30am to 5pm
Email dorothy.hei-tung-hoh@eastleigh.gov.uk

Wednesday 20 July 2022

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. H/22/92941

In pursuance of their powers under the above Act and in accordance with your application received on Wednesday 1 June 2022 the Council, as Local Planning Authority hereby
Refuse Planning Permission For the following :

Description: Retention of the current boundary treatment, new fence and wall
at front of property (Retrospective Application)
Site: 79 KINGSWAY, CHANDLER'S FORD, EASTLEIGH, SO53 1FH

For the following reasons:

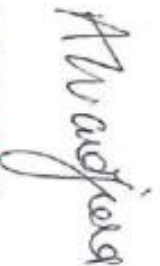
- 1 The replacement boundary treatment, by reason of its design and prominent siting, results in a discordant addition. It has an adverse impact upon the character of the surrounding street scene. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021). For the reasons above, this proposal is recommended for refusal.

Note to Applicant: The application was refused following the assessment of the following plans: 01, 02, 03, 04, 05 and 06. In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Eastleigh Borough Council, Eastleigh House, Upper Market Street, Eastleigh, Hampshire SO50 9YN

T: 023 8068 8000 E: direct@eastleigh.gov.uk W: www.eastleigh.gov.uk

Yours faithfully

A handwritten signature in black ink, appearing to read "A Grandfield".

Andy Grandfield
Executive Head for Planning and Economy

N.B. See Attached Notes

DELEGATED OFFICER REPORT**Application Ref:** H/22/92941**Site Address:** 79 KINGSWAY, CHANDLER'S FORD, EASTLEIGH, SO53 1FH**Case Officer:** Dorothy Hei-Tung-Hoh**Description:** Retention of the current boundary treatment, new fence and wall at front of property (Retrospective Application)

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• F/05/53478 - Two storey side and single storey rear extensions with new attached garage and access - Permit - 29/04/2005 • X/05/54299 - Relief of condition No.7 of planning permission reference F/05/53478 to allow for retention of existing access - WITHDRAWN (RET'D UNDETERMINED) - 04/10/2005 • F/06/58053 - Two storey side and single storey rear extensions with attached garage and new vehicular access off Kingsway. (Amendments to planning application F/05/53478) - Permit - 26/10/2006 • H/18/84182 - Single storey rear extensions, roof alterations to existing single storey rear element - Permit - 14/12/2018		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No Comments received		
Parish Council:	No Comments received		
Tree Consultant:	No Arboricultural Objection		
Ecologist:	Biodiversity enhancements are required.		

Site Visit:	Yes ☒	No ☐
Details: 17 th June 2022		

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; Chandler's Ford and Hittingbury Character Areas - Kingsway

Assessment:

The application site contains a two-storey detached dwelling set in a generous plot. The dwelling has two, two storey projecting gable end bays which are rendered at first floor and facing brick at ground floor. There is an attached single storey garage and off-road parking for 2-3 vehicles. This application is retrospective and seeks to retain the replacement boundary treatment at 79 Kingsway. During a recent site visit, it was noted that the new fence and wall, subject to this application, had already been undertaken.

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 also falls within the Kingsway character area, and as described within the Chandlers Ford and Hittingbury Character Area Appraisal (Kingsway), this area includes a range of detached dwellings, many with individual characteristics. The average plot size is about 0.11 hectares. There are many mature trees in the locality.

Development proposals should ensure that:

- i) sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.
- ii) no healthy or mature trees would be felled or likely to be damaged
- iii) the design of new building work, including extensions, is compatible with the character of good quality adjacent properties and fits well into the overall street-scene

Character and Design

- Policy DM1 of the submitted 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. The guidance provided within the Quality Places SPD also advises that boundary treatments must be appropriate to the context, well-detailed and robust. For existing properties, the boundary treatment should be reflective of the general character of an area.
- The replacement boundary treatment is a mix of brick wall and open wooden slatted which was erected to replace the former front boundary (mix of brick pillars and wooden fence). It was constructed in line with the former brick pillar heights of the original boundary treatment, and as such does not exceed its former height regarding the brick pillars. The replacement boundary treatment has also retained part of the former hedging behind the wall and fencing. Given that the new boundary fencing design is open wooden slatted, so that the hedging is seen through the fencing.
- From a site visit, it was noted that whilst there are some similar mix of brick/wooden fencing examples on other sections of Kingsway, the front boundary

treatments of the majority of properties in the immediate surrounding area only consist of hedges/mature vegetation or low-level fencing, so those examples are not comparable to the boundary treatment of the application site. Further, brick boundary wall is not commonly found along this section of Kingsway, therefore its introduction, especially to such a prominent location (frontage), is considered to have a detrimentally harmful impact upon the surrounding street scene.

- Paragraph 134 of the NPPF states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance documents. To conclude, the replacement boundary treatment, owed to its design and siting, is considered to be contrary to the abovementioned policy. In accordance with Paragraph 134 of the NPPF and the Kingsway Character Area Appraisal, this development is not considered well designed, nor fit well into the overall street-scene, thus warranting refusal.

Impact on Residential Amenity

- Owed to the dimensions, separation distance, and location of the replacement boundary treatment, it does not cause a significantly harmful impact on the amenity of neighbouring properties in terms of loss of privacy and light. However, the visual amenities are impacted upon, but this is predominantly a design issue as addressed above and therefore does not warrant reason for refusal.

Ecology

- Any permanent fencing that is erected at the property boundaries must have periodic holes (measuring 13cm by 13 cm minimum) at its base to allow the movement of animals, such as hedgehogs, to promote habitat connectivity and extended foraging ranges.

Trees and landscaping

- It appears that no significant trees were removed or impacted by the construction of the wall, so EBC Tree Consultant raised no arboricultural objection to its retention.

Highways and Parking

- The replacement boundary treatment is not considered to be the detriment of highway safety as it does not alter visibility and it remains possible for a vehicle to fully exit the highway.
- The application relates to the retention of boundary treatment. The proposal does not impact upon the current parking provisions, and therefore does not have an adverse impact in this regard.

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 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, 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 reduce/limit impacts on climate emissions as a result of the development or its use.

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:

- The replacement boundary treatment, by reason of its design and prominent siting, results in a discordant addition. It has an adverse impact upon the character of the surrounding street scene. The proposal is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011), and the contents of the National Planning Policy Framework (2021). For the reasons above, this proposal is recommended for refusal.
- Given that the boundary treatment is retrospective, there is little to no scope to amend the proposal. Therefore, the submission of amendments or withdraw are not the option to progress with. It is appropriate to proceed the application with a refusal.

Recommendation:	PERMIT ☐	REFUSE ☒
Comments		