

DELEGATED OFFICER REPORT:**Application Ref:** X/22/93753**Site Address:** SPARSHATTS OF BOTLEY LTD, BROAD OAK, BOTLEY,
SOUTHAMPTON, SO30 2EU**Case Officer:** Clare Martin**Description:** Variation of condition 6 (landscaping) to retain barbed wire on top of fence along south eastern boundary of planning permission F/17/82076 for the demolition of outbuilding and retention of retaining wall and boundary fence with associated alterations to parking arrangement (Retrospective)

Particular Site Constraints?	Yes ☒	No ☐
Details ...		

Planning History?	Yes ☒	No ☐
- F/17/82076 - Demolition of outbuilding and retention of retaining wall and boundary fence with associated alterations to parking arrangement (Retrospective) – Permitted (September 2018) - DC/18/84336 - Discharge of condition 3 (Staff car parking details), 5 (Vehicle delivery strategy) and (6 (Landscaping plan) of planning permission F/17/82076 – Details Approved (April 2019)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1 letter of objection (Cobbett Way)</u> We have endured decades of inconvenience with staff parking, this was finally sorted with the allocation of staff parking on site. Changes to this will inconvenience residents in Cobbett Way. There is continual noise of car alarms, horns being sounded during daytime operation with loud music during summer from their workshop. At night there is excessive light pollution. Their alarms frequently go off with out any in attendance and work people are making loud deliveries during the early hours. The barbed wire is an absolute eyesore, they have CCTV which is not confined to their property and is invasive. During the 23 years I have lived behind this property they have shown No consideration for any of the residents in the surrounding areas. They frequently block roads for their deliveries they are solely focused on themselves. I try to support local businesses as the add to the community in which we live, however this company has no empathy, for anyone. <u>Local Planning Authority Response</u> Whilst we are sympathetic to the issues raised, the planning application can only consider the impacts of the current proposal to retain the barbed wire on top of the existing fencing.		
Parish Council:	The committee have no issue with the variation to retain barbed wire on the fence. However, the committee request enforcement visit the premises as it is believed staff parking has not been allocated as per the original application. <u>Local Planning Authority Response</u> The parish's comments have been passed to the Council's enforcement team as requested.		

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Site Visit:	Yes ☒	No ☐
Details: Site visited on 22/9/22		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"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."</i>

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. Supplementary Planning Documents: Quality Places

Assessment:
Principle The site is within the urban edge where the principle of development is acceptable, subject to complying with the relevant planning policies. Character and Appearance The current application is to retain the barbed wire on top of the existing approved 2m high wire fence along Brook Lane, which has been installed as an additional security measure to protect cars stored at the site. The barbed wire is a small, light weight, structure that is not overly noticeable from the lane and not considered to unacceptably harm the character and appearance of the locality. Landscaping A landscape scheme was secured as part of the earlier planning permission and the approved tree planting has gone in along Brook Lane. Once this landscaping has established it should obscure some views of the barbed wire and help the whole site to better blend in with the leafy character of Brook Lane. Other Considerations • The barbed wire is not visible from the dwellings along Cobbett Way and will not adversely impact their residential amenity. • There will be no adverse impact upon trees or other natural features worthy of retention. • There are no likely significant impacts on the SPA.

Equalities Act:
Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 (1) 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 Environment 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 emerging 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 emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging 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 Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted 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.

Conclusion:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...