

DELEGATED OFFICER REPORT

Application Ref: H/22/93248

Site Address: 1 OAKWOOD ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 1LW

Case Officer: Rachael Morris

Description: Replace existing external boundary wall with fence on both side (Oakwood Road and Hiltingbury Road), dropped kerb, erect driveway gate and pedestrian gate

Particular Site Constraints?	Yes ☒	No ☐
- Within the urban edge - Tree Preservation Order(s)		

Planning History?	Yes ☒	No ☐
- T/11146/001/00 - Felling of oak in rear garden – Consent – Oct 1997 - T/11146/002/00 - Felling of oak in front garden – Consent – Mar 2002 - T/11146/003/00 - Crown cleaning and crown thinning of 7no. Oak trees by 15% and removal of fallen birch tree – Consent – Jul 2003 - T/18/83489 - 1 no. Oak T1 - Remove lower dead branch; 1 no. Oak T3 – Fell; 3 no. Cypress T5 T7 and T9 – Fell; 1 no. Birch T11 – Fell; 2 no. Oak T12 & T13 – Fell; 1 no. Sweet chestnut T16 – Fell; 1 no. Cherry T18 – Fell; 1 no. Beech T20 – Fell; 1 no. Sweet chestnut T21 – Fell – Part consent part refuse – Oct 2018 - T/18/84310 - T1. 1 no. Oak – Fell – Refuse – Dec 2018 - F/19/85885 - Erection of 1no. six bed dwelling following demolition of existing bungalow – Dismissed – Sept 2019 - F/20/88190 - Erection of 1no. six bedroom detached dwelling following demolition of existing bungalow – Permit – Dec 2020 - DC/21/90518 - Discharge of conditions 3 (materials), 4 (arboricultural report), 5 (construction method statement), 12 (hedge retention), 13 (root protection) and 14 (landscaping plan) of planning permission F/20/88190 for erection of 1no. six bedroom detached dwelling following demolition of existing bungalow – Discharged – Jul 2021 - PN/21/91335 - Prior notification: Erection of single storey rear extension with flat roof. Depth 8 metres, width 9.2 metres. Height 4 metres – Prior approval refused – Sept 2021 - PN/21/91598 - Prior Notification: Erection of single storey rear extension following removal of existing outbuilding. Depth 8 metres, maximum height 4 metres, eaves height 2.7 metres. – Prior approval not required – Oct 2021		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	16 Oakwood Road. Comment. I have concerns as to the safety implications of the proposed high fencing due to the property being on the corner of Hiltingbury and Oakwood Road – a very busy junction with large numbers of schoolchildren passing the property and junction as well as traffic to Sherborne School a little further along Oakwood Road. The difficulties of traffic entering Oakwood Road from Hiltingbury Road has been recognised by Eastleigh Borough Council recently installing Double yellow lines on both sides. The proposed 1.8meter fencing on both Hiltingbury and Oakwood Road is very high and will obstruct the vision of cars entering Oakwood Road and create an increased hazard for drivers in both directions having very little time to react especially if passing parked cars near the top of Oakwood Road. Currently, the low wall (similar to the property on the opposite corner) offers good visibility to traffic coming around the corner. Also, the proposed new driveway and gate on Oakwood Road, as currently specified, would create a potentially dangerous situation as a car entering the property would have to be partly		

	positioned on the road awaiting entry thereby creating a hazard for cars suddenly coming around the corner. The proposal is very sketchy about the nature of the proposed fencing but a six-foot-high fence with concrete posts, at a seemingly very wide 3m spacing, together with composite slats on both Hiltingbury and Oakwood Road may seem somewhat intimidating and possibly industrial looking given the property has an important key corner position and high visibility.
Parish Council:	No Comment
Hampshire Highways:	In regard to application H/22/93248, having reviewed the information contained within the application pack, a holding objection would be made at this stage, with additional information and amendments required to the submitted plans. EXISTING ACCESS: The existing vehicle access is located in a good position, where visibility splays are above those required, and the access position is situated well away from the junction of Hiltingbury Road / Oakwood Road. As such, clarification is requested as to: (a) why a change in vehicle access is required; and (b) given the HCC preference to limit vehicle access points wherever possible, confirmation that it is the intension of the applicant to formally close up the existing vehicle access and re-instate the kerb and footway? PROPOSED ACCESS: Assuming the existing vehicle access is to be formally closed, there would be no objection in principle to the proposed vehicle crossover drop kerb. However: (left and right) of Oakwood Road when exiting site is required, clearly showing that the proposed fence line is set back out of the splay; (b) A visibility splay drawing demonstrating a 2.4 x 43.0m splay onto the nearside kerb (left and right) of Hiltingbury Road when exiting Oakwood Road is required, clearly showing that the proposed fence line is set back out of the splay; (c) Plans should be updated to remove the vehicle access gates, unless these can be set into site by a minimum of 6.0m from the highway edge. This is to ensure vehicles waiting for the gates to open do not impede free movement of other vehicles, particularly in a location such as this close to a highway junction; and (d) The application form outlines that the driveway will be of gravel, which whilst acceptable in principle, required a minimum of 1.0m of hardstanding (i.e. block paving) between it and the highway. This is to ensure gravel does not migrate out of the site onto the highway where it could become a skid or trip hazard. Plans showing the layout of this are required. Additionally, the applicants should be made aware that should a positive permission be forthcoming from EBC as Local Planning Authority, a secondary permission will be required from HCC to undertake the works. Given the new vehicle access and the requirement to close off the existing vehicle access and re-instate the kerb and footway (should this be the case), this will require a Minor Works S278 agreement to be entered into, details of which can be found via the following link - https://www.hants.gov.uk/transport/developers/section-278 If the updated information and drawings are submitted, a re-assessment of the application can be undertaken accordingly. Should the Case Officer wish to grant permission despite the above issues, then conditions would be requested.

Southern Water:	Southern Water have no objections to the above proposal.
Tree Officer:	With regards to the dropped kerb and driveway, this is a departure from the approved details contained in F/20/88190. The proposed driveway entrance (and presumably the driveway itself) is within the RPAs of significant, protected trees. At this stage, we would raise an objection as the applicant has not demonstrated that the proposal can be achieved without significant harm to the protected trees.

Site Visit:	Yes ☒	No ☐
Details: 10/10/2022		

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, DM11, DM13 and DM14. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals (Hiltingbury Road West).
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Assessment: The development has been considered against policies DM1, DM11, DM13 and DM14 from the 2016-2036 local plan, in that: <u>Principle</u> - The development is within the urban edge where the principle of development is acceptable. - The Character Area Appraisal, Hiltingbury Road West, states that development proposals should ensure that the existing building line along street frontages is respected. <u>Site context</u> - The property occupies a corner plot location on Oakwood Road, on a junction to Hiltingbury Road. Oakwood Road is within an established residential area that includes a variety of dwelling styles including bungalows, dormer bungalows and two storey dwellings. These properties are generally set back from the highway behind open frontages comprising of gardens, driveways and occasional low fencing or walls, sometimes with hedgerows above. Whilst there are a few high boundaries within the wider street scene of Oakwood Road and the adjacent Hiltingbury Road, there is an overall spacious character and appearance to the area. <u>Design and layout</u> - The proposed 1.8m tall fence and gates would create a dominant vertical profile, resulting in a built-up and defensive appearance to the street frontage. The proposed fence would introduce a visually dominant hard edge in a prominent corner location which introduces a vastly different appearance to the existing small

brick wall with a partial open frontage and partial hedgerow frontage currently in place.

- The proposed fence with gates would create a solid structure which in turn would result in an overbearing and oppressive form of development, not reflective of the wider surroundings. The boundary treatment is 1.8m high and has a approx. 26m expanse fronting both Oakwood Road and Hiltingbury Road, thus creating a harsh appearance, uncharacteristic of the area. Owing to the location, abutting the pavement combined with the height and significant length, the boundary treatment is considered to result in an oppressive and intrusive form of development.
- As a result, the proposed fence would appear incongruous and out of keeping with the spacious character and appearance of the area, thus having a detrimental impact upon the wider surroundings.

Highways

- In addition to the proposed incongruous feature to the street scene, the proposed vehicular gate also poses a highway safety concern and would need to be removed or set 6m in from the highway to allow for safe vehicular waiting while the gates opened. Moreover, there is concerns regarding the visibility splays available from this entrance in the event these high fences are put in place and as a result it cannot be ruled out at this stage that this proposed would not be a highway safety issue, even if the gate element is removed.

Trees

- Insufficient information has been provided to demonstrate the root protection areas for protected trees cannot be damaged for the proposal.
- There is the potential that this proposal could have an adverse impact upon trees or other natural features worthy of retention.

Other material considerations

- Whilst not an asset to the amenity within the street nor the wider location, the development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook because the proposal would not detriment a neighbouring private amenity space.
- There are no likely significant impacts on the SPA.

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.

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:

Recommendation:

PERMIT ☐

REFUSE ☒

The proposal would create an incongruous feature at odds with the appearance of and detrimental to the character and pattern of development within the locality. It would, therefore, be contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

Insufficient information has been provided to demonstrate that adequate visibility splays can be provided on site. As such the proposal is contrary to Policy DM13 of the Eastleigh Borough Local Plan 2016-2036, and the provisions of the National Planning Policy Framework.

Insufficient information has been provided to demonstrate that there would be no adverse impact upon the existing protected trees on site. As such, the proposal is contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), the Trees and Development SPD (2021) and the provisions of the NPPF (2021).