

## DELEGATED OFFICER REPORT

**Application Ref:** H/22/93949

**Site Address:** 5 LENNOX CLOSE, CHANDLER'S FORD, EASTLEIGH, SO53 1FR

**Case Officer:** Dorothy Hei-Tung-Hoh

**Description:** Removal of Rhododendron hedge to replace with 2m tall timber fence and replant hedge behind the new fence at the rear garden (Kingsway)

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| <b>Particular Site Constraints?</b>                                                                                                                                | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| <ul style="list-style-type: none"><li>• Within Built-up Area Boundary</li><li>• Within Established Residential Area</li><li>• Tree Preservation Order(s)</li></ul> |                                                |                                    |

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|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Planning History?</b>                                                                                                     | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| <ul style="list-style-type: none"><li>• F/12/71689 - Erection of 2m high gates onto Kingsway - Permit - 14/01/2013</li></ul> |                                                |                                    |

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|---------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------|
| <b>Publicity:</b>   | <b>Letters</b> <input checked="" type="checkbox"/>                                                | <b>Site Notice</b> <input type="checkbox"/> | <b>Newspaper</b> <input type="checkbox"/> |
| Representations:    | No comments received                                                                              |                                             |                                           |
| Parish Council:     | No Comment received                                                                               |                                             |                                           |
| Hampshire Highways: | No Objection                                                                                      |                                             |                                           |
| Tree Consultant:    | Would not raise an objection                                                                      |                                             |                                           |
| Ecologist:          | Mitigation for temporary loss of habitat, biodiversity enhancement, and a CEMP would be required. |                                             |                                           |

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|----------------------------------------|------------------------------------------------|------------------------------------|
| <b>Site Visit:</b>                     | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Details: 3 <sup>rd</sup> November 2022 |                                                |                                    |

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| <b>Policy:</b>                                                                                                                                                                                          |
| <b>National Planning Policy Framework</b><br><b>Planning Practice Guidance</b>                                                                                                                          |
| <b>Development Plan:</b><br>The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM11 and DM14. |
| <b>Supplementary Planning Documents:</b><br>Quality Places; Residential Parking Standards; Character Area Appraisals.                                                                                   |

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| <b>Assessment:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| The application site contains a detached dwelling located on a large corner plot at the junction of Lennox Close and Kingsway. The plot is irregular in shape with it being wider at the front and narrowing moving backwards to the rear of the site. The northern boundary is now enclosed by a 3.5m high Rhododendron hedge. The surrounding area is residential in nature, predominately made up of detached dwelling of varying design and style. The application seeks approval to replace the existing Rhododendron hedge with a 2m high close boarded timber fence with a new hedge situated behind it. The development is |

considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that:

### **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.

### **Character and 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 neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The replacement boundary treatment is suited to the host dwelling in terms of its form, scale, and appearance.
- Whilst the proposal would remove a very large dense hedge along the northern boundary of the application site which can provide visual amenity, it is considered that the design of the new replacement boundary treatment (close boarded timber fence with a hedge behind) is quite commonplace within the close vicinity of the application site. As such, it would not appear as an obvious and alien feature in views along the Lennox Close; the new boundary fence would still respect and enhance the character of the locality.

### **Impact on Residential Amenity**

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- Owed to the nature and the location of the proposal, as well as the separation distance with the neighbouring properties, the proposed new boundary treatment would not cause a significantly harmful impact on the amenity of any neighbouring properties in terms of loss of light, loss of outlook, loss of privacy or overbearing. It should be noted that no objections have been raised by any neighbours during the consultation period.
- From the officer's site inspection, it was noted that there are gaps in between the hedges where a person could walk through to the rear garden. Therefore, it is considered that the new boundary treatment would provide a robust and level of security to the property.

### **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 existing hedges could provide cover for nesting birds and hedgehogs. It will take a while for a new hedgerow to develop to the point where it will provide shelter for nesting birds and hedgehogs, so mitigation for temporary loss of habitat will be required. Biodiversity enhancement will also be required. There is a stream that borders the property to the south, so a CEMP would be required to ensure that no pollutants (such as soil, vegetation, fuel or cement) are allowed to enter the stream.
- Contrary to the description on the application, the design statement in the DAS by Genesis Design Studios (September 2022) proposes replacing the rhododendron hedge with a native species hedgerow. A hedgerow of native species that provide flowers, fruit and seeds that would benefit wildlife would be preferable to a rhododendron hedge. Timing will be an issue due to bird nesting season (March through August) and hedgehog hibernation season (November through March). To avoid disturbance/harm to these protected species the only time that this hedge can be removed or disturbed without ecological supervision is in September or October.
- If a qualified ecologist checks the hedge for nesting birds within 24 hours of planned removal this may be able to be done during nesting bird season, however if an active nest is found, work must stop and the area around the nest must be protected from any disturbance by a 5 m buffer until after the young have fledged and left the nest. There are several records of hedgehogs very close to this property and they may be nesting or hibernating in the existing hedge.
- Mitigation for temporary loss of hedgehog habitat is required. Moving the hedge would result in loss of leaf litter and ground cover, so the British Hedgehog Society recommends that piles of dead wood and brash piles can be created in other areas around the site to mitigate for the removal of suitable nesting sites. These can be created behind hedges or out of the way for smaller developments with limited space. Replacement habitat can include log piles, leaf litter, dead wood and scrub. Hedgehog houses can also be made or purchased.

### **Trees and landscaping**

- Whilst the existing hedge provides some “greening” the species present are not particularly valuable for wildlife, ecosystem services or amenity. As such, the council's Tree Consultant raised no objection to the hedge removal.

### **Highways and Parking**

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- The proposed fence line positioned approximately 2.6m away from the carriageway edge and given the straight line upon which this is located with the junction of Lennox Close with Kingsway, adequate visibility for vehicles exiting Lennox Close will be retained.
- In terms of highway visibility, there could be an improvement over the existing situation, where the existing Rhododendron grows outwards reducing visibility, as well as the width of the footway.
- The application relates to the replacement of boundary treatment, and therefore the proposal does not impact upon the current parking provisions.

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, 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.*

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:**

- Subject to Conditions
- On balance, the proposal would remove a positive feature of Lennox Close, but the application site is not located within the Special Policy Area, it is not considered to affect the wildlife, ecosystem services and amenity to such an extent to warrant a refusal of the application.

Recommendation:

**PERMIT** ☒

**REFUSE** ☐

Comments