

DELEGATED OFFICER REPORT

Application Ref: H/22/94127

Site Address: MAPLE RIDGE, WINCHESTER ROAD, FAIR OAK, EASTLEIGH, SO50 7HA

Case Officer: Rachael Morris

Description: Retention of fence and a gate

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Tree Preservation Order(s)		

Planning History?	Yes ☒	No ☐
• Z/29312/000/00 - Outline: erection of detached house and garage – Refuse – Mar 1987 • Z/29312/001/00 - Outline: erection of dwelling and garage – Refuse – Aug 1990 • Z/29312/002/00 - Outline: erection of dwelling – Refuse – Jul 1993 • Z/29312/003/00 - Outline: erection of 4 dwellings – Refuse – Aug 2002 • Z/29312/004/00 - Erection of two detached dwellings – Refuse – Aug 2003 • Z/29312/006/00 - Erection of 2no. Detached dwellings with garages – Permit – Oct 2006 • O/05/55074 - Outline: Erection of 3No. Detached dwellings – Refuse – Dec 2005 • F/06/58730 - Erection of 2 detached five bed dwellings with associated car parking, car port and garage – Permit – Feb 2007 • F/07/60255 - Erection of 1no. Detached 5 bed dwelling (Revision to planning permission F/06/58730) – Permit – Jul 2007 • T/18/83408 - 1 no. Beech - TPO 479-E. Prune back to boundary line – Consent – Aug 2018 • T/22/93667 - 1 no. Beech (T2)- Reduce the western crown by 1.5m away from the property, stem diameter cuts no greater than 35mm. Crown lift lower tertiary foliage 4m from ground level, with stem diameter cuts no greater than 25mm. 1 no. Sycamore (T3) - Reduce the western crown 1.5m away from the property, stem diameter cuts no greater than 35mm. Crown lift lower tertiary foliage 4m from ground level, with diameter cuts no greater than 25mm. 1 no. Sycamore (T4) - Crown lift lower tertiary foliage 4m from ground level, stem diameter cuts no greater than 25mm. 1 no. Sycamore (T5)- Crown lift lower tertiary foliage 4m from ground level, stem diameter cuts no greater than 25mm – Consent – Oct 2022		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	Jasmine Fields, Winchester Road. Support. We live next door and had made pulling out easier now as visibility it better, also people can now find the houses. Highview House, Winchester Road. Support. I wish to support the above application, as it tidies up the frontage.		
Parish Council:	No Objection		
Tree Officer:	We raise no arboricultural objection to the retention of the fence and gates. There were no significant trees within close proximity.		
Southern Water:	No objections to the above proposal.		

Site Visit:	Yes ☒	No ☐
Details: 13/12/2022		

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, S2 and S5; and Development Management policies DM1, DM11, DM13, DM14 and DM26.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Assessment:

The development is considered acceptable and complies with policies DM1, DM11, DM13, DM14 and DM26 from the 2016-2036 local plan, in that:

Principle

- The development is within the countryside where the proposals must accord with the Development Plan.

Design and layout

- The design of the fence and gate is suited to the host dwelling in terms of its form, scale and appearance.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards. The parking arrangements remain unchanged as a result of the planning application proposal.
- The design and layout respect the character and appearance of the locality.
- The proposed surrounding area often sees fencing abutting the highway with no form of separation to soften its appearance in which this proposal will follow this trend.
- The proposed fencing and gate are already erected as this is a retrospective application. It is recognised that the colour of the new fencing and gate will soften into its environment the longer it is in position. This will improve its appearance and reduce potential prominence over time.
- The proposed fence is not too dissimilar in height than that of the existing taller fence that was stepped back off the highway. If the proposed fence had followed this same line and ensured the height was the same, this could have been achieved through permitted development. However, as the fence line has moved and the proposed height exceeds 1m (adjacent to the highway), measuring approx. 1.8m-1.95m (depending on location), planning permission is required.
- The proposed fence replaces two existing fence-lines, with one taller fence (1.5m) and one smaller fence (1m) to the front with trees in between. This form of boundary treatment is an effective way to reduce a vertical profile straight onto the highway and street scene. However, it is also recognised that the proposed fence is of a similar character to those also seen within the street scene. In addition, the existing hedgerow that was in place between the 2 fence lines has been observed over the past few years (through Google Maps Street View) to have been unmaintained which also would create a large, screened profile, as well as a potential highway safety concern when trying to pull out onto the main road if majorly overgrown. This proposed fence does provide a neater frontage.
- The proposed gate is stepped off the highway and proposes a gate which measures 1.5m in height and has an element of permeability through it to glimpse views of the main dwelling which is evident when on site.

Residential amenity

- 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.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- As set out in the 'Consultation with Hampshire County Council as the Local Highway Authority - Notification to local planning authorities' document, available online, paragraph 3.7 states that "If gates are to be fitted across the vehicle access, then these must open away from the highway (inwards). To ensure that there is sufficient space for a vehicle to exit the highway gates must be set back 6m from the edge of the carriageway." The proposed gate is set 6m away from the edge of the carriageway and opens inwards and so therefore complies.

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 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 ☐

Comments ...