

# DELEGATED OFFICER REPORT

**Application Ref:** H/22/94102

**Site Address:** 29 TWYFORD ROAD, EASTLEIGH, SO50 4HD

**Case Officer:** Claire Campbell-Best

**Description:** Temporary permission for retention of 2m boundary fence adjacent to a highway (Retrospective Application)

| Particular Site Constraints                                                                                                                     | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| Within Urban Edge<br>Within Established Residential Area<br>Eastleigh Character Area Appraisals – ELAC 9<br>Southern Water Sewers Buffer - Foul |                                         |                             |

| Planning History | Yes <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                    | No <input type="checkbox"/> |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Reference        | Description                                                                                                                                                                                                                                                                                                                                                | Decision                    |
| Z/08071/001/00   | Change of use of 2 ground floor rooms to Office (A2)                                                                                                                                                                                                                                                                                                       | Permit – 27/07/1994         |
| Z/08071/002/00   | Alterations to shop front to form new entrance doorway                                                                                                                                                                                                                                                                                                     | Permit – 05/03/1998         |
| Z/08611/003/00   | Erection of side conservatory following demolition of existing                                                                                                                                                                                                                                                                                             | Permit – 23/07/2002         |
| F/22/93842       | Change of use of 2no. rooms on ground floor from Class E(c)(ii) (previously A2) to C3 dwellinghouse, removal of conservatory and construction of side porch, alterations to front ground floor and first floor bay fenestration, block-up side door, removal of rear chimney and installation of new side fenestration at first floor with obscure glazing | Permit -                    |

| Publicity:                         | Letters <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                   | Site Notice <input type="checkbox"/> | Newspaper <input type="checkbox"/> |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------|
| Representations:                   | 1 x Objection letter received from 25 Twyford Road:<br><br>We fully object to any plans to extend or permit future plans to the fence or expand further out, this is a private road for residents to use fully without obstruction, we are currently not able to use now because of the builders, if the fence is allowed then extreme high risk to life is going to cause a death to happen, so again fully opposed to any plans to keep or extend the fence |                                      |                                    |
| Eastleigh Town Council:            | No comments received<br><br><b>LPA Note: The Town Council did query how long the temporary fence would be in place and details of the Quality Places SPD and Eastleigh Character Area Appraisals were provided but no formal comments were received.</b>                                                                                                                                                                                                      |                                      |                                    |
| Hampshire County Council Highways: | There is no objection to the temporary permission of the 2m boundary fencing<br><br>The fencing is in place to secure the site during works, as well as retain pedestrian safety on adjacent footways. Onwards, the fencing does not interfere with adjacent visibility splays.                                                                                                                                                                               |                                      |                                    |
| Southern Water Services:           | No objection                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      |                                    |

|                                            |                                                |                                    |
|--------------------------------------------|------------------------------------------------|------------------------------------|
| <b>Site Visit:</b>                         | <b>Yes <input checked="" type="checkbox"/></b> | <b>No <input type="checkbox"/></b> |
| Details: Site visit carried out 14/12/2022 |                                                |                                    |

#### **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 and S2; and Development Management policies DM1, DM2, DM11 and DM14.

##### **Supplementary Planning Documents:**

Quality Places; Residential Parking Standards; Eastleigh Character Area Appraisals.

#### **Assessment:**

##### Site and Surroundings

The application site contains a two storey Victorian/Edwardian end of terrace property located on the western side of Twyford Road. The property recently had planning permission granted under F/22/93842 for a change of the use to the ground floor rooms from Class E(c)(ii) to Class Use C3. The property is now entirely residential and ongoing works and renovations are currently commencing. The surrounding area comprises an employment site containing several commercial uses to the west and residential properties to the north, south and east with front and side boundaries facing footways/highways featuring brick walls.

##### Proposal

This application seeks the temporary retention of a 2m boundary timber fence that was erected along the northern boundary with an expanse of 11.6m. The fence would also run along the western boundary with an expanse of 4.9m with Heras fence gates of the same height to provide vehicular access to the rear of the site while the current works are taking place. A 1.9m brick boundary wall was in a similar location prior to the renovations but this has been removed.

The Agent of the application has confirmed the temporary fence will be in place for a period of nine months while the development works commence. A formal planning application for a brick replacement wall to match the previous boundary treatment will then be submitted for consideration and the timber fence will be removed if planning permission is granted.

##### Principle

The development is considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that the development is within the urban edge of Eastleigh where the principle of development is acceptable.

##### Design

- The guidance provided within the Quality Places SPD advises that a key design principle is appropriate boundary structures stating 'Boundary treatment must be appropriate to the context, well-detailed and robust. The guidance also states, 'For existing properties, the boundary treatment should be reflective of the general character of an area'.
- Additionally, the site falls within the Eastleigh Character Area Appraisals SPD (ELAC 9) which states the plot boundaries within this area should be brick walls.

- As such the proposed timber fence is contrary to the SPD guidance stated above. However, consideration needs to be given in that this application is for a temporary fence which will provide a robust level of security to the plot while works are undertaken and will not be a permanent feature within the street scene.
- As noted, a planning application for a brick boundary wall will be forth coming once renovation works to the site are complete, which if granted would be more in-keeping with the character area. An informative will included to advise the applicant to submit an application for a brick wall before the temporary permission expires as the Council is unlikely to support an extension to this permission.

#### 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.
- The timber fence does not extend further out than the previous brick boundary wall into the private access road to the rear and therefore there are no encroachment concerns.
- In response to builder/contractors blocking the access road, an informative will be applied to advise the applicant that building works are carried out considerably to minimise disruption to the occupiers of the neighbouring properties.

#### Highways Safety and Parking

- Owing to the timber fencing being in excess of 1.0m in height and adjacent to a highway, Hampshire County Highways were consulted upon. They advised they had no objections, the fence would retain pedestrian safety on adjacent footways and does not interfere with adjacent visibility splays. As such, there are no concerns with the boundary fence with regards to highway matters.

#### 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.

#### 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:** This application is recommended for temporary approval, subject to conditions which will include the removal of the boundary fence nine months after the planning consent has been granted

Recommendation:

**PERMIT** ☒

**REFUSE** ☐