

DELEGATED OFFICER REPORT

Application Ref: H/23/94653

Site Address: 62 COMMON ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 1HB

Case Officer: Claire Campbell-Best

Description: Part retrospective replacement of 2m high Leylandii boundary hedge and low brick wall with 1.8m high fence and low brick wall to front and side boundaries

Particular Site Constraints	Yes ☒	No ☐
Within Urban Edge Nature Conservation: SAC, SPA, Ramsar and River TPO (58-H)		

Planning History	Yes ☒	No ☐
Reference	Description	Decision
Z/13157/003/00	Erection of conservatory	Permit – 10/06/1981
Z/13157/004/00	Ground floor front extension	Permit – 28/02/1984

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>4no objections and 1no. comment (summarised):</u> - Fence is not in keeping with the area - Use of materials and decorative design is inappropriate - Highway Concerns - Unsightly and would have an adverse impact on the visual amenity		
Chandlers Ford Parish Council:	We have major concerns over this retrospective application. The metal fence as already erected is out of keeping with the area in terms of its design, materials, and the fact that it seeks to enclose part of the front garden. It is visually intrusive, an aspect heightened by its position on the street corner. We suggest a more sensitive treatment which, if a fence or wall, should come no further forward than the building line of the front of the house.		
Trees:	No objection		
Hampshire County Council Highways:	In regard to visibility splays, Standing Advice outlines how these must be achievable to distances appropriate to local vehicle speeds, which in this case would be a visibility splay of 2.4 x 43.0m left and right when exiting Heathlands Road. The splay must have no vertical obstruction within it of a height of 0.9m or higher. Given the width of footways on the perimeter of the application site, it is not clear whether this splay would be achievable with a fence / wall in place, and as such it is suggested that the Case Officer requests a visibility splay drawing accordingly. This will onwards identify if the fence / wall needs to be set back within the site for visibility to be achievable. If the scaled drawing to be produced by the applicant demonstrates an obstruction over 0.9m within the visibility splay, the the fence / wall will need to be pulled inwards into the site boundary, until the visibility splay is clear.		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 22/02/2023		

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; Character Area Appraisals.

Assessment:Site and Proposal

The application site contains a two storey detached dwelling which occupies a corner plot of the junction of Common Road and Heathlands Road. The dwelling is set back from the highway by a hardstanding driveway and front garden which wraps around to the side and rear of the property. There is a 1.8m high fence along the eastern boundary which replaced a 2m high boundary hedge and is the subject of this planning application.

This application seeks the retention of this boundary fence which was subject to Enforcement action and the boundary fencing has not been fully completed. The full proposals include the boundary fencing having an expanse of approx. 23m and would be sited along the eastern (side) and part of the northern (front) boundary to the site. The fencing would have a height of 1.8m and would comprise of a low level brick wall and brown metal fence decorative panels and metal posts of the same colour.

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 Chandlers Ford where the principle of development is acceptable.

Design and Layout

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 neighbouring, and be compatible in terms of mass, scale, layout density, design and siting.

Further to the above policy context, the Quality Places SPD makes reference to boundary structures, being robust railings or brick walls and gates within urban areas, or hedge plants within rural areas. It also goes on to note that where private gardens adjoin a public space, they should be enclosed with brick walls of an appropriate height, rather than timber fences. In addition, and *in general terms, it is advisable for boundaries that abut a public footway to be as robust as possible. Should planting be the preferred option, then prickly hedge species may offer a good choice for crime prevention reasons.*

This application is seeking the retention and permission to complete the expanse of fencing along the eastern and northern boundary, fronting both Heathlands Road and Common Road. The previous boundary treatment was established leylandii hedging. Due to the corner location, the site forms the entrance and initial part of the journey (for pedestrians and road users) along Heathlands Road, which is a through road providing access onto Valley Road. Common Road also leads to Hursley Road where bus-stops are located. Therefore, it is considered the site located in a prominent and busy location. Upon the site visit it was noted the section of Heathlands Road have open frontage with low level hedging, walls or timber fencing forming the boundary treatments. The properties

within Common Road have similar open frontages and boundary treatments resulting in a green, open visual aesthetic.

The use of brown metal fencing in this location, with specific regards to the height, length and siting results in a harsh and intrusive form of development fronting the public footpath and highway. The metal material used is inappropriate and not usually seen within a residential area nor it is found within the local vicinity. The fencing therefore is considered to have a visually adverse impact upon the character of the street scene and appears at odds with the existing boundary treatment present throughout Heathlands and Common Road and is unacceptable in terms of its design, scale and appearance.

It was noted upon the site visit, 1.8m timber boundary fencing can be seen on the adjacent neighbour, 60 Common Road, however, this fencing is along the side boundary of the plot and a small portion of the front boundary with vegetation/hedging placed in front of this section of fencing which partially screens it and softens its appearance. Due to these factors, the nearby fencing is not comparable with the boundary fencing proposed in this planning application.

Paragraph 134 of the NPPF states 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance documents'. To conclude, the fencing, owed to its prominent location, height and length, is considered to be contrary to the abovementioned policy and SPDs. In accordance with Paragraph 134 of the NPPF this development is not considered well designed, nor does it reflect local design policies or the surrounding vicinity, thus warranting refusal.

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 location and type of development, the physical structure of the fencing is not considered to have an adverse impact upon the amenities of the neighbouring properties. As noted within the design consideration, the visual amenities of the neighbouring properties have been impacted upon, however, the proposal is not considered to warrant reason for refusal in terms of its impact upon the amenities of the neighbouring properties.

Highway Safety

Due to the location of the fencing, Hampshire Highways were consulted upon. Hampshire Highways have concerns the proposed fencing to the northern boundary would not meet the standing advice with regards to visibility splays and highway safety. As a result, Hampshire Highways requested the fence be lowered to 0.9m along this section of the boundary in order for them to be satisfied that visibility would be achievable for both pedestrians and road users. Had the fence been acceptable in terms of design, this information would have been requested.

Other Matters

There will be no adverse impact upon trees or other natural features worthy of retention and 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:

Reason for refusal:

The fencing by reason of its design, height, siting and length fronting Common Road and Heathlands Road results in a visually oppressive form of development, that is incongruous and has an adverse impact upon the character of the surrounding street scene. The fencing is therefore contrary to Policy DM1 of the Eastleigh Borough Local Plan (2016-2036), Quality Places SPD (2011) and the contents of the National Planning Policy Framework (2021).

Recommendation:

PERMIT ☐

REFUSE ☒