

DELEGATED OFFICER REPORT

Application Ref: H/23/94806

Site Address: 29 LADYWOOD, EASTLEIGH, SO50 4RW

Case Officer: Alexandra Stone

Description: Removal of chimney

Particular Site Constraints?	Yes ☐	No ☒
- Within Urban Edge		

Planning History?	Yes ☒	No ☐
Z/18009/000/00 – Permit – 06/03/1978 Proposed housing development 54 houses and garages T/287729/000/00 – Consent to Tree Works – 14/05/1986 Felling of tree. Z/28729/001/00 – Permit – 23/05/1989 Erection of two storey side extension Z/28729 – Refuse Planning Permission – 25/04/1995 Two storey side extension Z/28729/003/00 – Permit – 09/01/1996 Two storey side extension F/04/50087 – Permit – 17/03/2004 Single storey rear extension T/05/54581 – Consent to Tree Works – 05/09/2005 T1. Alder, remove Southern-most suppressed stem. Crown lift main stem by removing 2 lower limbs. T2. Alder (with decay at base), fell to ground level. T3. Alder, remove 2 small stems and crown reduce 2 large stems by 25%. T4. Alder, remove Eastern-most stem, and crown reduce remainder by 25% T/09/65880 – Consent to Tree Works – 16/10/2009 Areas of coppice to be re-coppiced over the next 2 years and clearance of trees on stream banks T/21/90339 – Consent to Tree Works – 02/07/2021 2 no. Alder (T1 and T2) – Re-pollard to previous pruning points T/21/91368 – Refuse Tree Consent – 01/11/2021 1 no. Alder (T1) - Dismantle in sections to ground level. 1 no. Alder (T2) - Remove all the regrowth from the main stems up to the crown break. Pollard the 2 stems to approximately 12 metres in line with the other recently pollarded trees. G5 - Council owned trees (approximately x6 stems on the boundary of the rear garden) - Prune all the regrowth off the main stems back to the stem. Re-pollard the x2 stems back to previous points. Reduce the x3 stems not previously pollarded by up to 3 metres and prune any lateral branches overhanging the garden back to the previous pruning points.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No Objection		
Ecologist:	No Objection		

Site Visit:	Yes ☒	No ☐
Details: 19/04/2023		

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:

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

Principle

- The development is within the urban edge where the principle of development is acceptable.

Design and layout

- The removal of the chimney is does not detract from the appearance of the locality.
- The development would not be an overdevelopment of the site, would retain sufficient amenity space and meet parking standards.
- The design and layout respects the character and appearance of the locality.

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.
- It may be possible that the removal of chimney would be permissible under Permitted Development.

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.

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 ...		