

DELEGATED OFFICER REPORT

Application Ref: H/23/95310

Site Address: Wayside, Hill Place, Busledon, Southampton, SO31 8DX

Case Officer: Summer Sharpe

Description: To replace existing 52m fence on southern boundary with St. Leonard's cemetery. Wooden close boarded construction, 1.8m in height, consisting of upright 2.4m wooden posts (1.8m above ground) at 2.4m intervals.

Particular Site Constraints?	Yes ☒	No ☐
• Within urban edge • Conservaiton Area (Old Bursledon) • River, SAC, SPA & Ramsar • Special Protection Area Recreational Disturbance • To the immediate south is designated countryside • Further south is Church of St Leonards (Grade II* Listed Building)		

Planning History?	Yes ☐	No ☒
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Publicity:	Letters ☒	Site Notice ☒	Newspaper ☒
Representations:	None received.		
Parish Council:	No objection.		
EBC Ecology:	The site is shown in the zone for great crested newt impact. Although there are some ponds nearby there are barriers to dispersal such as roads or urbanised areas which would make it highly unlikely that they would be found on this site. I have reviewed site photos. Although there is no suitable habitat for great crested newts or hedgehogs visible on the view from Wayside the photo with a view from the cemetery shows debris vegetation which hedgehogs or great crested newts could be using as terrestrial habitat. There are records of hedgehogs and stag beetles nearby. At least 3 hedgehog holes (13x13cm minimum) must be included in the gravel boards/ baseboards of all closed board fences to allow the free passage of small mammals through the garden. A precautionary working method for hedgehogs, great crested newts and stag beetles is required. During construction any holes, excavations or open pipes must be covered at night or fitted with a small animal escape ramp to prevent animals from becoming trapped. Materials must be stored on hardstanding or pallets off the ground to prevent hedgehogs from sheltering within them. Piles or materials, dead wood and dense vegetation should be checked for hedgehogs or great crested newts before moving. These areas should be cleared by hand, not using a digger, to allow animals time to escape. Removal of potential habitat must not take place from November through March when animals may be hibernating. No fires can be lit on site. Given the low likelihood of finding great crested newts on this site, a precautionary working method statement will be sufficient. Site operatives must be fully briefed on what to do if they find a great crested newt and Natural England must be contacted. No open holes can be left overnight. Site operatives must also be fully briefed on stag beetles.		
EBC Conservation:	<u>Comments 4 August 2023 (following further information):</u> This graveyard is an additional one on the opposite side of the road from the church, it could only be a case of minor harm, if that, to the		

	setting of the church itself. Additionally, as the existing fence is facing Wayside and is largely obscured by vegetation, continuation of the practice is acceptable. Concrete gravel boards would be a far more suitable retaining wall than wooden gravel boards but are they compatible with wooden posts? Another possibility might be wooden sleepers for retention or If concrete posts were envisaged to go with the gravel boards they would need to have wooden cover boards on the church side. On the above basis there would be no objection. <u>Comments 21 July 2023:</u> In principle, no objection, however concrete gravel boards do not look very pretty and the drawings are not clear which way round the fence is facing. Traditionally the good side faces outward, i.e. the featherboarding would face the graveyard and the 'framing' be on the inside, the Wayside side, which is how I would want it. Additionally the ground is shown stepping down on the first drawing and then becomes level on the second. More clarity is needed for this application.
HCC Archaeology:	Given the limited scale of the proposal, I do not wish to raise any archaeological issues.
Southern Water:	No objection.
BROWAPG:	A fence of this size is totally out of keeping with the conservation area.

Policy:

National Planning Policy Framework

National Planning Practice Guidance

Development Plan:

Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S8 (Historic environment), DM1 (General development), DM11 (Nature Conservation), DM12 (Heritage), BU7 (Residential Extensions Old Bursledon).

Supplementary Planning Documents:

Site Visit

Yes ☒

No ☐

16 August 2023.

Assessment:

Site & Surroundings

The application site comprises a two-storey detached dwelling located on a corner plot to the south of Hill Place and west of Church Lane (at their eastern-most junction). The site is bound by fencing and mature vegetation to the south and east. Further south of the application site is part of the graveyard associated with the Church of St Leonard's, which again is due south of the graveyard and application site.

The Church of St Leonards is a Grade II* Listed Building, and has the following description according to Historic England:

C13, altered circa 1828 and remodelled, with substantial additions by Sedding in 1888. Originally a simple chancel and nave, remaining as a good moulded chancel arch on shafts, and nave walling. Chancel and transepts (with western aisles) are restorations and additions, with lancets, and traceried lights to east end and transept gables. Interesting

western open porch or narthex, with intricate open timber framing on low stone walling. Timber-clad bell turret in similar style. C12 font, an arcaded drum. Some external wall monuments. Lychgate in Arts and Crafts style, dated 1892.

Further to the nearby Church of St Leonard's the application site and wider surroundings also fall within the Old Bursledon Conservation Area.

Proposal

The application proposes to replace the existing fencing. The existing fencing measures 52m, in length, along the southern boundary with St. Leonard's cemetery, and measures 1.8m in height. The application proposes new close board fencing measuring the same 52m along the southern boundary, but with an increased height to 2.4m (1.8m fencing and 0.6m concrete gravel board).

Principle

The application site falls within the urban edge, whereby alterations or extensions to, or within the curtilage of residential dwellinghouses are considered to be acceptable in principle, however, would be subject to the following considerations.

Design & Impact upon Heritage Assets

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. Policy DM12 stipulates that development of a heritage asset (including Conservation Areas) would only be permitted where the proposals do not harm or detract from the significance or special interest of the asset.

The application site also falls within the "Old Bursledon" Conservation Area. Thus triggering Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which requires the local planning authority, or as the case may be, the Secretary of State, pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

The application proposes the replacement of fencing along the southern boundary of the site which adjoins the Church of St Leonard's cemetery. At present the existing fencing is screened by mature vegetation, albeit it is acknowledged that it can be visible from vantage points within the cemetery. From a site visit, it was noted that, in part, there was no fencing, and parts were damaged. The proposals seek to replace the fencing, as well as increasing the overall height by 0.6m. The proposals would be similar in appearance to the existing and are therefore not considered to have an adverse impact in terms of the wider surrounding conservation area, or public vantage points. Furthermore, the Council's Conservation Officer has noted that the proposals are unlikely to impact the setting of the church itself, as a result of the separation distance. Whilst they originally noted that the 'best side' is recommended to front the cemetery the existing arrangement has the 'framing' facing southwards, and therefore, in this specific instance, the Council's Conservation Officer was agreeable to the same arrangement.

Impact upon Neighbouring Amenities

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates 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.

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 application site falls within a zone identified for great crested newts and other protected species and therefore the Council's Ecologist was consulted. They noted that animals and protected species could be impacted upon by the proposed works, and requested a precautionary working method. However, due to the scale of the proposals, seeking the replacement of fencing, this is not considered to be proportionate. To ensure that the applicant and construction workers are aware of the implications, it is recommended that the applicant and construction workers are aware of the implications are recommended to be imposed on the decision notice.

Equalities Act:

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.

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 and development plan 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 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 and 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 limit impacts on climate emissions as a result of the development or its use.

Conclusion:

This application is recommended for approval, subject to conditions.

Recommendation:

PERMIT ☒

REFUSE ☐