

DELEGATED OFFICER REPORT

Application Ref: H/23/95898

Site Address: 46 DEAN ROAD, FAIR OAK, EASTLEIGH, SO50 7JE

Case Officer: Claire Campbell-Best

Description: Proposed 2.1 metre high garden fence to southern boundary adjacent to Dean Road

Particular Site Constraints	Yes ☒	No ☐
Within Urban Edge Within Established Built Up Area Public Right of Way (south of the site) EBC Owned Land Southern Water 2m Buffer – Foul Nature Conservation – Great Crested Newts Amber Zone		

Planning History	Yes ☒	No ☐
The site has no relevant planning history		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received		
Fair Oak Parish Council:	No objection		
Ecology:	<u>Comments received from review of site photos received 02/10/2023:</u> I have reviewed the site visit photos. Removal of this hedgerow would decrease habitat for nesting birds and hedgehogs. It is not likely that great crested newts or slow worms would be using this area. Bird boxes such a sparrow terrace or a swift nest box would be appropriate mitigation for loss of this hedgerow. They can be mounted on the house and positioned according to the guidelines below: Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight. https://www.swiftconservation.org/Nestboxes%26Attraction.htm Bird nest boxes should also be sheltered from prevailing rain, wind and strong sunlight and it is helpful for there to be a clear flight path to the box. Further information is available on the RSPB website, under wildlife advice, making and placing a bird box. Hedgehog holes in the new fence, and an area of the garden with replacement shelter for hedgehogs are also required as mitigation and described in the previous ecology response. An appropriate biodiversity enhancement would be planting flowering plants to attract pollinators on both sides of the fence. <u>Original Comments received 19/09/2023:</u> This site is in an amber great crested newt impact risk zone, and there are records of slow worms and bats nearby. To determine whether any further survey will be required I need to review current photos of any area which will be affected by this proposal. If hedgehogs are using the site they would be sheltering under dense vegetation or		

	within long grass, dead leaves or piles of dead wood. 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. The British Hedgehog Society recommends that Areas should be cleared on rotation with scrubby patches left to provide nesting habitat and cover. If this is not possible, piles of dead wood and brash piles can be created in other areas around the site to mitigate for the removal of suitable nesting sites. These can be created behind hedges or out of the way for smaller developments with limited space. Replacement habitat can include log piles, leaf litter, dead wood and scrub. Hedgehog houses can also be made or purchased. https://www.hedgehogstreet.org/help-hedgehogs/hedgehog-homes/ Hedgehog holes (13 x 13 cm minimum) must be included in the baseboards of any closed board fences to allow the free passage of small mammals through the garden.
Southern Water Services:	No objection
Asset Management:	No response required

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out 11/09/2023		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> 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:
<u>Site and Surroundings</u> The application site contains a two storey, link detached dwelling and sits at one end of a small group of similar properties. The property is also positioned in a prominent corner location on Dean Road, as a result the private amenity space wraps around the side of the dwelling and backs onto the footpath along Dean Road, this boundary (to the south) is currently enclosed by a mature leylandii hedge. The wider surroundings comprise of residential dwellings set back from the road with open frontages. The most common boundary treatment in the locality is hedgerows and vegetation with some boundary fencing in the nearby vicinity, 48 Dean Road and 2 Trafford Road. <u>Proposal</u> This application seeks the approval of a 2.1m boundary timber close board fence along the southern boundary and would abut the fence to the adjoining neighbour to the west, no. 2 Trafford Road. The fence would be the same width of the existing hedgerow (21m approx.) The mature hedgerow would not be removed to make way for the installation of the fence, instead the lower section of the hedgerow would be reduced in depth to accommodate the fence along the boundary.

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 Fair Oak where the principle of development is acceptable.

Character and Appearance

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 railing or brick walls and gates with 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.

As noted, the site is located in a prominent location on dean Road which is a through road providing access into Allington Lane and other closes/cul-de-sacs, therefore it is considered to be a prominent and bust location in an urban area.

The majority of boundary treatments within the vicinity have an open and green visual aesthetic and careful consideration has been given as to whether the proposed fencing would have a detrimental impact upon the character of the area. The applicant has advised in the submitted planning statement that they intend to retain the established hedgerow which would be directly behind the fence and would maintain the green, visual aesthetic currently seen along the southern boundary and within the street scene. The fence also proposes similar materials and appearance to the fence recently permitted at 2 Trafford Road (H/22/94306) which is of good quality design. The site would also continue to have an open frontage which is a characteristic of the wider surroundings. Therefore, given the above factors, it is considered the fence would not cause detrimental harm within the local vicinity and is acceptable in terms of character and appearance, a condition will be applied to ensure the retention of the hedgerow in order to protect the surrounding visual amenity.

Residential Amenity

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 such, 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.

Ecology

Ecology were consulted upon due to the site being in close proximity to Great Crested Newts. The Council's Ecologist initially requested site photos and upon review of these photos advised biodiversity enhancements would be required due to the partial removal of the hedgerow. These will be recommended by way of informative.

Other Matters

There would be no adverse impact upon trees or other natural features worthy of retention and there are no likely significant impacts on the SPA.

The site falls within a 25m buffer zone for a Public Right of Way which is to the south of the site and a sufficient distance from the proposed fence with a road in between, as such it is considered the proposal would not affect this Public Right of Way.

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 approval, subject to conditions

Recommendation:

PERMIT ☒

REFUSE ☐