

DELEGATED OFFICER REPORT

Application Ref: H/23/96459

Site Address: 17 MOORGREEN ROAD, WEST END, SOUTHAMPTON, SO30 3EA

Case Officer: Dorothy Hei-Tung-Hoh

Description: Erection of an automated wooden gate to the front of the property.

Particular Site Constraints?	Yes ☒	No ☐
• Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☐	No ☒
There does not appear to be any planning history relating to the site.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	10 supporting letters were received, emphasising that the proposed entrance gate aligns with the character of the area and will enhance resident's privacy and security.		
Parish Council:	No comments were received.		
HCC Highways:	Objection		

Site Visit:	Yes ☒	No ☐
Details: 12 th January 2024		

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 Appraisal for Hedge End, West End and Botley (HEWEB 12)

Assessment:
The application property is a two-storey detached brick-built dwelling situated within a corner plot, adjacent to Old School Gardens and facing Moorgreen Road. The front boundary of the property is defined by a brick wall with pillars. The surrounding area primarily comprises residential dwellings, with West End Surgery located opposite the application site. The current application requests planning approval for the installation of an automated wooden gate at the front of the property. After a comprehensive review of the submitted plans, an on-site evaluation, and consultation with HCC Highways, it is concluded that the proposal cannot be considered supportable due to highway safety reasons. The subsequent sections will elaborate on the specific concerns identified during the assessment.

Principle

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.
- The site is also part of the character area of Hedge End, West End and Botley (HEWEB 12) which provides the following guidance on developments and that they should ensure that:
 - i) Retain the grass verges/island and associated semi-mature broadleaved planting along the eastern edge of Moorgreen Road.
 - ii) Maintain the predominant brick wall/hedge plot boundaries.
 - iii) Maintain the predominant deep building setbacks in order to retain/reinforce the existing levels of on-plot planting.

Need

- While acknowledging the particular personal circumstances of the applicant and their family, in planning terms, these considerations carry minimal weight and cannot be the sole basis for justifying departures from adopted planning policies.

Character and Design

- 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 neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- According to the submitted information, the proposed development would be an automated wooden gate with an open panelled style, measuring 6m in width, and reaching a maximum height of approximately 1.5m. During the site visit, it was observed that the prevailing front boundaries along Moorgreen Road predominantly consist of low brick walls and hedges, with some properties featuring entrance gates that do not exceed the height of the front boundary treatment. While the proposed entrance gate would be slightly higher than the existing brick wall, it is considered that its height would not be of such significance as to conspicuously stand out within the street scene, thereby not warranting grounds for refusal.

Impact on 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.
- Given the separation distance from the neighbouring properties and its height, it is anticipated that the proposed entrance gate would not result in issues such as loss of light, loss of outlook, or loss of privacy for adjacent residents. However, it is worth noting that the introduction of the entrance gate in this specific location may give rise to highway safety concerns that could potentially affect neighbouring properties, which will be further discussed in subsequent sections of this report.

Highways and Parking

- Policy DM14 of the Eastleigh Borough Local Plan (2016-2036) requires residential development to provide off-highway parking which is adequate in terms of highway safety/traffic management.
- HCC Highways has raised an objection to the application on the grounds of highway safety concerns. The objection is primarily centred around the positioning of the vehicle access gates at the front of the property adjacent to Moorgreen Road. It is worth noting that entrance gates of this nature should be set back a minimum of 6m from the highway edge to eliminate the potential for vehicles to wait on the highway during gate operation. This concern becomes especially critical given the site's location between the access points for both West End Surgery and Old School Gardens. Upon examination of the submitted site plan, it is evident that the proposed entrance gate is set back only 2m from the highway edge. This raises significant concerns about potential congestion and safety risks near highway junctions. Even if the gate could potentially be activated remotely, visitors may still park on site without access to gate controllers.
- Highways' comments carry significant weight in the evaluation of this application due to their expertise in traffic management and safety regulations. Their objection highlights specific concerns regarding the proposed gate's potential impact on traffic flow and safety in this particular location, emphasising the need for adherence to established guidelines to mitigate any adverse effects.

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, 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.

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:

Reasons for Refusal

The proposed automated wooden gate, by reason of its location and proximity to the highway edge, would give rise to safety concerns related to the highway. The proposal is therefore contrary to Policy DM14 of the Eastleigh Borough Local Plan (2016-2036), and the contents of the National Planning Policy Framework (2023).

Recommendation:	PERMIT ☐	REFUSE ☒
-----------------	--	---

Comments: In conclusion, while the proposed automated wooden gate aligns with the prevailing architectural characteristics of the area and is unlikely to affect residential amenities, the significant concern related to highway safety outweighs these considerations.