

DELEGATED OFFICER REPORT

Application Ref: H/26/100810

Site Address: 35 NICHOL ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5AY

Case Officer: Dorothy Hei-Tung-Hoh and Rachael Morris

Description: Retention of 1.8m high boundary fencing and gates following removal of existing hedge and replacement of existing fencing

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Established Residential Area • Within Built-up Area Boundary • Tree Preservation Orders		

Planning History?	Yes ☒	No ☐
• H/22/92912 - Retention of timber fence (Retrospective Application) - Refuse Planning Permission For - 13/06/2022 (Dismissed 22/12/2022)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	34 Nichol Road. Support (summarised). It is in keeping with surrounding area and the pavement is now not blocked by the hedge. Security has been now improved after a break-in. 1 Heathfield Road. Support (summarised). This fence is a vast improvement to the old hedge which was an eyesore. More in keeping than others that have been approved over the last couple of years.		
Parish Council:	No Comment		
Tree Consultant:	No arboricultural objection to the proposed retention of the boundary feature.		
Ecologist:	There are records of hedgehogs and water shrews in this area. Removal of hedgerow removes habitat for nesting birds and hedgehogs. A native species hedge could be planted inside the fence which would provide some habitat for these species. The concrete gravel boards prevent hedgehogs and other small animals from moving between the gardens. Hedgehog holes (13 x 13 cm minimum) can be included in the baseboards of any closed board fences to allow the free passage of small mammals through the garden. Biodiversity enhancements will be required in accord with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192 b. Planting for pollinators, trees with fruit and seeds as food for birds or a hedgehog home may be appropriate for this site.		
HCC Highways:	In regard to application H/26/100810, following on from the previous HCC Highway Consultation response dated 20 June, it is understood that the boundary fence is simply for a short section to the western end of the boundary with Heathfield Road, and not for the whole boundary of the site as thought, which would have included the frontage of the property along Nichol Road. Having re-reviewed the application, there would be no objection to the proposals from a highway perspective. The fence only affects visibility onto Heathfield Road, and due to the adjacent footway and grass verge, appropriate visibility splays can be achieved. Indeed, the replacement of the hedge with a fence will have a positive impact as there will no longer be the potential for hedge growth to obstruct the footway.		

Site Visit:	Yes ☒	No ☐
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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, DM11 and DM14.

Supplementary Planning Documents:

Quality Places; Parking Standards; Character Area Appraisals (Chandler's Ford and Hiltingbury Character Areas - Hiltingbury Road West)

Assessment:

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

Principle

- The application site lies within an urban edge 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.
- Although the application is retrospective this does not form any weight in the decision-making process.
- The site is also part of the character area of Chandler's Ford and Hiltingbury (Hiltingbury Road West) which provides the following guidance on developments and that they should ensure that:
 - i) sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.
 - ii) no healthy mature trees would be felled or likely to be damaged.
 - iii) the design of any new building work, including extensions, is compatible with the character of adjacent good quality properties and fits well into the overall street-scene.
 - iv) the existing building line along street frontages is respected.
- The previous dismissed appeal (H/22/92912) on site relates to a different stretch of boundary fence and was refused based on its oppressive and intrusive appearance on the streetscene and landscape made worse by its long length.

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 neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The proposal lies within a sylvan area characterised by vegetation but with some properties having fencing of varying heights situated on boundaries. For example, there is a large stretch of tall boundary fencing as you enter Nichol Road from Hiltingbury Road, tall boundary fencing opposite the application site at no.37 Nichol Road and a few doors away at no.2 Maytree Road. It is not believed these examples gained planning permission, however, have been in position for a

prolonged period of time to now be immune from enforcement action and contribute to the character of the area.

- The application site also has a stretch of shorter boundary fencing adjacent to this application location, erected under permitted development, with an element of vegetation situated behind it to help soften the appearance.
- This application proposes 5 panels of 1.8m tall boundary fencing facing Heathfield Road with a small return into the site's driveway. As the application is retrospective, the fencing does look stark however it is considered that this will soften as the fencing ages and weathers.
- The fence replaced a scrappy looking hedge and as a result the fence does improve the appearance of this section of boundary. Whilst the fence is 1.8m tall with no vegetation to soften it, the fact the fence is only 5 panels makes it acceptable in this case. If this had been a long stretch of fencing, similar to the dismissed appeal case on site, this would not have been acceptable.
- Overall, the design and layout of the fence is considered acceptable in this case as it does not create any overwhelming harm to the locality.

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.
- This fence does not negatively impact residential amenities.

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.
- A note to applicant will be added to the decision notice to request a biodiversity enhancement. This will be suggested as a new hedge located behind the fence to provide a similar habitat to that which was lost.

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. However, this proposal does not impact parking provision.
- Hampshire Highways have confirmed that the replacement of the hedge with a fence will have a positive impact as there will no longer be the potential for hedge growth to obstruct the footway.

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; (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 Environment 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. 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:

Recommendation:

PERMIT ☒

REFUSE ☐

Comments ...