

DELEGATED OFFICER REPORT

Application Ref: H/23/96334

Site Address: 7 FALKLAND ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 3FY

Case Officer: Dorothy Hei-Tung-Hoh

Description: Erection of 2m high fence to southern boundary following removal of Conifer Hedge

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

Planning History?	Yes ☒	No ☐
• Z/12655/002/00 - Construction of single storey side extension - Permit - 10/05/2002 • LDC/21/90580 - Lawful Development Certificate for a proposed use: First floor side extension - CLOPUD - Certificate Not Issued - 07/07/2021 • H/21/91068 - First floor side extension - Permit - 01/09/2021		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	One objection letter was received regarding the application. The neighbour raised concerns about the potential loss of privacy due to the removal of the current hedges. Additionally, the neighbour claimed that the hedges are considered a part of the character of the locality, and therefore the proposal will impact the visual and environmental aspects of the surrounding area.		
Parish Council:	The plans are unclear on the height of the proposed fence, at one point appearing to suggest it may be 1.8m from the top of the existing wall. We would welcome a condition that the maximum height of the fence will be 1.8m from ground level.		
Tree Consultant:	No arboricultural objection proposal. The hedge is not significant from an arboricultural perspective.		
Ecologist:	Object to this application on the grounds of loss of biodiversity. If the proposal is supported, the loss of the hedge must be mitigated. Bat and bird boxes could provide biodiversity enhancement, and the fence should provide gaps in the baseboard for small wildlife.		
Highways:	No objection to the proposals from a highway perspective.		

Site Visit:	Yes ☒	No ☐
Details: 12 th March 2024.		

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 Appraisal for Eastleigh (ELAC 27)

Assessment:

The application property is a two-storey end-of-terraced dwelling fronting Falkland Road, situated on a corner plot. Positioned set back from the road by a pedestrian pathway, the property features a wooden fence panel at the front boundary and a low boundary wall with an approximately 5.6m tall Conifer hedges marking the southern boundary adjacent to Cox Row. The immediate vicinity predominantly comprises a diverse range of residential properties in terms of types and styles. The current application seeks planning permission for the erection of a 2.0m high fence along the southern boundary following the removal of the existing tall hedges.

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 Eastleigh (ELAC 27) which provides the following guidance on developments and that they should ensure that:
 - i) Retain/reinforce the semi-mature broadleaved tree planting.
 - ii) Maintain a uniformity in building heights within each street.

Layout, design, and impact upon the character of the area

- 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 proposed southern boundary treatment features a wooden fence panel with trellis on top. Its dimensions, height, design and material align with numerous existing fence boundaries within the vicinity. Moreover, the inclusion of the trellis on top is considered to integrate well with the existing front boundary, which also features similar fence toppers.
- Concerns raised by the neighbour regarding the impact of removing the existing hedges on the visual character of the surrounding area were duly noted. However, during a site visit, it was observed that the immediate vicinity features a diverse array of boundary treatments, including brick walls, wooden fencing, and iron railings. Notably, there are no tall hedges in the area similar to those present on the application site, indicating a lack of uniformity in boundary treatments. Therefore, the removal of the existing hedges is unlikely to significantly impact the area's character. Furthermore, the Character Area Appraisal for Eastleigh (ELAC 27) identifies the area's character as relatively weak, with limited greenery or wooded features, which mitigates concerns regarding visual harm from hedge removal.

- Additionally, it is worth noting that the current southern boundary treatment is not subject to a Tree Preservation Order (TPO) and solely comprises an overgrown Conifer hedges. Therefore, its removal does not require planning consent. Consequently, there are no objections in principle to the hedge removal. Moreover, eliminating the overgrown Conifer hedges along the southern boundary offers the potential to enhance the perception of openness in the area, which could positively contribute to the street scene.

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.
- The objection raised by the neighbour regarding potential overlooking issues resulting from the proposal has been carefully considered. It is acknowledged that the removal of the existing hedges may alter sightlines between properties. However, it is important to note that the application site is situated at a lower ground level relative to the road, while Merritt Court occupies an upper-level position relative to the application site. This significant difference in elevation, combined with the sufficient distance between 7 Falkland Road and Merritt Court, mitigates the likelihood of overlooking concerns from the application site towards Merritt Court.
- While the proposed 2.0m fence will not completely obscure views, it will still serve as a reasonable boundary treatment without unduly compromising privacy. From a planning perspective, it is considered that the proposal would not result in an unacceptable degree of overlooking or intrusion into the privacy of the residents of Merritt Court.

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 ecological concerns raised by the Council's Ecologist regarding the potential impact of removing the existing hedges have been carefully reviewed. The ecologist highlights the diverse habitats provided by the existing vegetation, which support various wildlife species. Therefore, the proposal would result in the loss of these habitats, impacting local biodiversity. However, as the hedgerow is not protected, it is recognised that it could be removed at any time. The Ecologist stated that if the fence were to be approved, biodiversity enhancements should be secured, and the fence should include small gaps in the baseboard to allow the passage of small animals. These recommendations will be included as informatives on the decision notice.

Trees and landscaping

- The Council's Tree Consultant raised no arboricultural objection to the proposal as the hedge is not significant from an arboricultural perspective.

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 been consulted and has indicated no objections to the proposals from a highway perspective. The placement of the proposed fence ensures that it does not compromise highway visibility, being set back significantly from the junction of Falkland Road and Cox Row. Moreover, its installation could enhance pedestrian safety by eliminating potential overhang obstructions resulting from the removal of the conifer hedge.

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:

- Permit subject to conditions.

Recommendation:

PERMIT ☒**REFUSE** ☐