

DELEGATED OFFICER REPORT

Application Ref: H/24/97916

Site Address: 10 NICHOL ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 5AS

Case Officer: Dorothy Hei-Tung-Hoh

Description: Replacing 13 existing fence panels along the northern boundary of the front garden with new 1.5m high panels and install four 3.0m high fence panels along the northern boundary of the rear garden (Amended description)

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

Planning History?	Yes ☒	No ☐
• Z/15720/000/00 - Extension to front of bungalow - Permit - 11/12/1974 • Z/15720/001/00 - construction of covered way at side - Permit - 12/11/1980 • H/19/86827 - Two storey side extension, addition of first floor living accommodation, single storey rear extension and alterations to fenestration - Permit - 30/03/2020 • F/20/89230 - Construction of a two-storey five bedroom detached dwelling following demolition of existing bungalow. - Withdrawn – 28/01/2021		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	No responses were received during the first consultation period. During the second consultation, one objection was raised, expressing concerns that a 1.5m high fence in the front garden would detract from the open-plan street scene. The neighbour also highlighted an existing 2.0m high street boundary fence, which they claim lacks planning permission, is visually unappealing, and contributes to plastic pollution. They expressed concern that this application might retroactively approve that fence.		
Parish Council:	During the first consultation, the Parish Council noted inconsistencies in the application, particularly the conflicting heights of 3.0m and 4.0m for the rear garden fence and objected to the 4.0 height. In the second consultation, the Parish Council queried the impact of the proposed 3.0m high fence on neighbours and the street scene, suggesting that a hedge might be a more appropriate screening solution.		
Tree Consultant:	No arboricultural objection was raised during the first consultation and provided no additional comments during the second consultation period.		
HCC Highways:	No objection from a highway perspective.		

Site Visit:	Yes ☒	No ☐
Details: 31 st October 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 Appraisals (Chandler's Ford and Hiltingbury Character Areas - Hiltingbury Road West)

Assessment: <u>Site context and surroundings</u> The application site comprises a two-storey detached dwelling set back from the road, allowing for ample parking within the front garden. To the rear, the property includes an enclosed garden, predominantly laid to lawn. The existing northern boundary, adjacent to the front garden, features wooden fencing with vertical panels and trellis tops, supported by timber posts. The fencing shows signs of weathering. Along the remainder of the northern boundary, which encloses the rear garden, the treatment consists of hedges, shrubs, and greenery. The surrounding area is residential in nature and forms part of the Chandler's Ford and Hiltingbury Character Area (Hiltingbury Road West). This area is characterised by relatively large plot sizes, with the majority of dwellings being detached properties. Mature trees are a notable feature. <u>Proposal</u> The application seeks planning approval to replace 13 fence panels along the northern boundary of the front garden with new panels measuring 1.5m in height. It also includes the installation of four additional fence panels, each 3.0m high, along the northern boundary of the rear garden. Initially, the proposal indicated replacing the front garden fencing with 1.8m high panels and installing 4.0m high panels in the rear garden. However, following clarification from the applicant, it was confirmed that the front garden fencing would be replaced with 1.5m high panels, while the rear garden would have 3.0m high panels installed. To address inconsistencies and ensure consultees were informed of the changes, the plans were amended, and a 10-day re-consultation period was initiated to notify consultees of the revised details. <u>Principle</u> 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 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 ore 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.

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 existing fencing along the northern boundary of the front garden consists of wooden panels with vertical slats and open trellis tops. The proposed fencing will replace the existing design with wooden panels featuring vertical slats and fully solid tops, removing the open trellis. While the overall height will remain similar at 1.5m, the removal of the trellis will reduce some degree of transparency. However, the solid panels are not expected to appear out of character for the area. The materials and design are standard and typical for residential settings, ensuring they will not look incongruous or out of place. Moreover, the change from trellis to solid panels will not diminish the openness or character of the area to an extent that would justify refusal.
- The proposed fencing adjacent to the rear garden will reach a height of 3.0m, which is relatively tall for a residential boundary treatment. However, its location at the rear of the property will ensure it is largely screened from public view and will not be readily visible from the street scene. As a result, the proposed fencing is not expected to have any visual impact on the street scene or detract from the character of the surrounding area.

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.
- During the site visit, it was observed that the adjacent property at 12 Nichol Road features a raised patio that is situated significantly higher than ground level. The existing boundary treatment along the shared northern boundary is insufficient to provide effective screening between the two properties. The proposed installation of 3.0m high fence panels along this section of the boundary is therefore considered reasonable and beneficial. The increased height will help protect the privacy of both properties by reducing overlooking from the raised patio of the neighbouring property. This will enhance the residential amenity for the application property while addressing potential privacy concerns for two properties.
- It is also noted that the proposal is limited to the installation of four fence panels, rather than extending along the entire northern boundary of the rear garden. This

approach minimises any potential impact on the visual amenity of the neighbouring property, ensuring the proposal remains proportionate and unobtrusive.

Trees and landscaping

- The site is located within an area covered by a Tree Preservation Order (TPO). As such, the Council's Tree Consultant was consulted to assess the potential impact of the proposed fencing on protected trees. Following a review of the proposal, the Tree Consultant raised no objections, indicating that the development is unlikely to have an adverse impact on trees within or near the site.

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 was consulted regarding the replacement fence panels along the front garden to assess potential impacts on highway safety. HCC Highways advised that, for relatively lightly trafficked roads such as Nichol Road, the required set-back for a visibility splay can be reduced to 2.0m. It is noted that the footway width in this location exceeds 2.0m. Additionally, given the straight alignment of Nichol Road in the vicinity, the required visibility splay of 2.0 x 43.0m would remain achievable even with the new fence in place, as the fence is positioned outside of the visibility splay. Furthermore, due to the ample width of the existing driveway, sufficient pedestrian visibility can be maintained. Vehicles would not need to manoeuvre close to the fence line, ensuring safe access and egress. Based on these considerations, the proposed fencing is not anticipated to have any adverse impact on highway or pedestrian safety.
- In terms of parking provision, the replacement fence panels along the front garden will be installed in the same location as the existing panels, meaning the proposal will not encroach on the existing parking area. As such, no parking spaces will be lost as a result of the development.

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 ☐
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