
Site Address:	The Gable, 32 Fishery Lane, Hayling Island, PO11 9NR		
Proposal:	Addition of new 1.8m high pedestrian gate.		
Application Type:	Full Planning Permission		
Application No:	APP/23/01054	Expiry Date:	01/02/2024
Applicant:	Mr R Gammon		
Agent:		Case Officer:	Denise Sheath
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 32 Fishery Lane is a large two storey detached dwelling which has a generous amenity space to the west, set back and behind properties fronting Fishery Lane. Access to 32 Fishery Lane is via a long driveway to the north, between 30 and 32a Fishery Lane.
- 1.2 No 32 has a fully hard-surfaced area to the front of the property for the parking of multiple vehicles and to enable such vehicles to enter and leave the site in a forward gear.
- 1.3 The boundary treatment up to the front entrance consists of 1.8m close boarded wooden fencing to the north west and north west side elevation boundaries.

2 Planning History

97/52442/002 - Felling of Red Horse Chestnut tree covered by TPO 982. REF - 08/09/1997
03/57900/000 - Variation of Condition 3 of Planning permission 22521/13 dated 8 May 1981 to allow for the retention of a clear glazed window on the south elevation. REF - 06/05/2003
03/57900/001 - Application to crown reduce by up to 30%, crown thin by 10% and crown raise to a height of 3m a Horse Chestnut (T1) subject to TPO 0982. PERM - 12/06/2003
07/57900/002 - Fell a Horse Chestnut tree (T1) subject to TPO 0982. REF - 14/11/2007
APP/14/00316 - Crown reduce 1No. Horse Chestnut (T1) by 2.8m from the top, 2m from the sides and remove any dead, crossing or epicormic branches;remove lowest limb on east sector back to trunk, subject to TPO 0982. PERM - 30/04/2014
APP/17/00790 - Subdivision of garden and erection of 1 No.3 bed bungalow and detached double garage with access from Marshall Road and erection of a new detached double garage for No. 32 Fishery Lane with access from Fishery Lane. WD - 20/09/2017
APP/17/01118 - Fell 1 No. Horse Chestnut (T1) subject to TPO 0982. PERM - 24/11/2017
APP/18/00099 - Erection of 1No. two bed chalet bungalow. (Resubmission.) REF - 27/03/2018
APP/23/00215 - Replacement of existing gates with 1.8m high timber gates and extension of associated brick piers. PERM - 22/09/2023
APP/23/00545 - Application for Lawful Development Certificate for proposed alteration

to existing brick piers and replacement of existing gates. REF - 30/08/2023

3 Proposal

Addition of new 1.8m high pedestrian gate.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No comments received

Developer Services, Southern Water

Thank you for your letter dated 05 January 2024.
Southern Water has no comments to make on the above proposal.
For further advice, please contact Southern Water, Southern House, Yeoman Road,
Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 22

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 6 (4 objections from the same address)

Summary of Objections:

Why are two gates needed

Officer Comments: See Section 7 of report.

The proposed fence will impact natural light and will cause maintenance issues

Officer Comments: *The proposed fence is not part of this application and can be erected under permitted development. Any concerns regarding the proposed fence would be a civil issue between the parties involved.*

The proposed fence is damaging vehicles and obstructing driveway

The fence will cause an obstruction for own extension to be built.

Officer Comments: *The proposed fence is not part of this application and can be erected under permitted development. Any concerns regarding the proposed fence would be a civil issue between the parties involved.*

Over development of site

Officer Comments: See Section 7 of report.

Eyesore

Officer Comments: See Section 7 of report.

Dispute over the ownership of the land fronting the proposed gate:

Officer Comments: *The applicant has provided evidence to show the curtilage of the property. The proposal is wholly within the application site curtilage.*

Will be unable to use the driveway which crosses over the application site

Officer Comments: *This is not a planning consideration and would be a civil issue between the parties involved.*

Will have to relcoate bins fronting proposed gate:

Officer Comments: *The land to the front of the proposed gate is within the ownership of No.32. Therefore this would be a civil issue between the parties involved*

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

- (i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

- (ii) Appropriateness of design and impact on the character of the area

7.3 The proposal is for the erection of a pedestrian gate and brick pier adjacent the recently installed vehicular gates which were approved under planning application: APP/23/00215. The proposed gate will replace the existing fence panel fronting Fishery Lane and will be constructed with timber and have a height of 1.8m with a width of 1.275m attaching to the 1.8m new brick pier. The design of the new gate and brick pier would be in keeping with the design of the adjoining vehicular access gates in terms of design, height and materials.

7.4 Due to the existing built form and established soft and hard landscaping immediately adjacent to the application site the proposed gate would only be visible from public vantage points when in close proximity to the application site. Therefore, the visual impacts of the gate on the overall character and appearance of the area would be

limited.

- 7.5 The design and appearance of the proposal is deemed appropriate in context to the main building and existing vehicular access gate and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.6 The proposed pedestrian gate and brick pier would have a 0.3m increase in height than the existing fence panel. This slight increase in height is not considered to be harmful in terms of causing overshadowing or being overbearing to either of the adjoining neighbours and would therefore not result in any unacceptable impacts on the amenity of neighbouring properties.
- 7.7 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/01054 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 21 December 2023
Location Plan - Received 21 December 2023
Block Plan - Received 21 December 2023
Proposed Boundary Plan - Received 02 January 2024
Existing and Proposed Elevations - Received 02 January 2024

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials used shall match, in type, colour and texture, those of the existing so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The pedestrian entrance gate hereby permitted located to the front boundary shall be inwards opening only, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent obstruction of the footway and to promote highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.