

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1.1 This application site is a detached , two storey dwellinghouse located on the north side of Western Parade, Emsworth. This property has a pitched roof , with cream render and cladding to the elevations and a first floor balcony to the rear . The application site is located on Western Parade, which is an unadopted track and footpath between Beach Road and Kings Road, fronting the foreshore. The site therefore abuts Chichester Harbour AONB which is also the SPA, SSSI and Ramsar site. The site lies within Flood Zone 1.

APP/18/00448 - Demolition of existing dwelling and construction of a replacement 1No. 3 bed detached dwelling, including balcony to front elevation, flue to western elevation, existing garage refurbishment with render cladding (Approved 06/08/2018). Request to Discharge 5 (14/08/2018). Request to Discharge Condition 4 (05/11/2018)., PERM.06/08/2018

Retention of fence and gate to front of property.

ENP_D1	(General Design Policy)
ENP_D2	(Height, Mass & Materials)
ENP_D3	(Layout, Form & Density)

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

5 Statutory and Non Statutory Consultations

Councillor Julie Thain-Smith

No comment

Councillor Lulu Bowerman

No comment

Councillor R Kennett

No comment

Chichester Harbour Conservancy

Recommendation – No objection

The site lies outside, but immediately adjacent to the AONB boundary. A gravel vehicular way services these properties, which also serves as a public footpath. The site is thus highly visible in the landscape.

Having regard to the Policy framework* below and reviewing the site photography you shared with me 12.1.2021, the degree to which the front boundary enclosures exceed 1m in height is minimal.

Archive photography shows me a low fence topped by a privet hedge exists to the west of similar height (obscured by the current construction hoarding). Lower, decorative metal gates and a privet hedge of similar height to 9's former enclosures exist to the east. The original enclosures at No. 9 were a similar 5 bar gate and a red brick wall around 1.12m high with brick piers around 1.26m high, the majority fore-planted with 4 No. bushes in the highway verge. There used to be a separate metal pedestrian gate close to the common boundary with 8.

I cannot make out the species of hedge that has been planted in front of the new fence, which The Conservancy hopes is of native species. However, it softens and blends the development into the setting of the AONB landscape.

*Policy framework

NPPF - 172; **NPPG** – ID's – 8, 21a, 26; **HBLP** – CS12, CS16, DM9; **DENP** –D1;
CHMP – 1-2; **PP** – 01, 03; **SPG/SPD**.

NPPF – National Planning Policy Framework (2018)

NPPG – National Planning Practice Guidance (2014)

HBLP – Havant Borough Local Plan (2011/2014)

DENP – Submission version Emsworth Neighbourhood Plan

CHMP – Chichester Harbour Management Plan (2019-2024)

PP – CHC Planning Principles (2016 onwards)

SPG/SPD –

Borough Design Guide

Emsworth Design Statement

Joint Chichester Harbour AONB SPD (2017)

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2 of support

Comment	Officer Comment
I confirm that both my wife and I are perfectly happy with the gates and fence as constructed at the above. We live primarily at 1st floor level in our house and so constantly overlook the fence which is tasteful and constructed of good quality sustainable materials. I enclose a copy of comment gathered by Ms Katie Prectice in two very short periods of time whilst she was out the front of no. 9 gardening from which you can see that our view are recipricated by the public at large.	Noted.
The fence as viewed from the gravel path, Western Parade, appears discreet and is constructed from lovely natural timbers. The chunky timbers have a beachside feel of groynes and seem totally in keeping with the setting. The fence is stylish and similar to others in the vicinity.	Noted
Petition in support of 'keeping the fence exactly as it is. - Multiple Names	Noted

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 and the AONB
- (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 and the AONB

- 7.3 This proposal comprises a boundary fence with hedging to the front elevation formed from wooden slats with hedge planting to the front. The original planning permission granted on site under application reference APP/18/00448 proposed hedging to the front boundary, with a gate in the same position and of similar design to the gate that has been installed. This proposal deviates from that in design, with wooden slats with height of approximately 1.2 metres on average, (with some variation per wooden panel). The length would be 11 metres and would not increase from that shown in the agreed plans in 2018. To the front of the fence would be hedge planting and, following a site visit, this generally covers the majority of the fencing and, as it matures, would continue to do so. The general theme of boundary treatments along Western Parade does comprise hedges and foliage and therefore this would be largely in keeping with the surroundings. The proposal is also judged to be consistent with Policies D1 and D2 of the Emsworth Neighbourhood Plan (2019) in both design and use of materials. This boundary lies adjacent to the footpath fronting Chichester harbour, close to the AONB boundary and therefore the Chichester Harbour Conservancy have been consulted in regard to the proposal. They have upheld no objection, stating the proposal would not cause harm to the setting of the AONB.

The design and appearance of the proposal is deemed appropriate in context to the main building 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

- 7.4 The proposed boundary treatment is not judged to impact the amenity of surrounding properties.
- 7.5 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking 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). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/20/01059 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
28053 PD-098 REV A Location plan
28053 PD- 101 REV B Site plan
Block plan received on the 25.11.2020
Site photos with fence and boundary details received on the 25.11.2020
Covering letter received on the 20.11.2020
Reason: - To ensure provision of a satisfactory development.

- 2 Any tree or shrub planted or retained in the area as shown on drawing No. 28053 PD-101 Rev B for planting and photographs approved as part of this application which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.