
Site Address: Broad Oak, Copse Lane, Hayling Island, PO11 0QB
Proposal: Erection of boundary fence and gates, alteration to existing access and
1 new access/crossover from Copse Lane and native hedge
Application No: APP/19/00780 Expiry Date: 03/10/2019
Applicant: Mr & Mrs Levy
Agent: Critchley Architecture and Design Case Officer: David Eaves
Ward: Hayling East

Recommendation: **GRANT PERMISSION**

1 Site Description

Broad Oak is a former hotel building now converted to a single dwellinghouse located to the north-west of Copse Lane in the non-urban area. The site frontage includes significant trees including two Oak trees subject to a Tree Preservation Order. The area is semi-rural in character.

2 Planning History

APP/16/00167 - Remove conservatory and bay windows, internal and external alterations and raised terrace., PERM,13/04/2016

APP/16/00936 - Variation of Condition No. 6 of Planning Permission APP/16/00167 to vary approved plans., PERM,20/12/2016

APP/18/00596 - Prior notification for change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination., PAYA,29/08/2018

3 Proposal

Erection of boundary fence and 2.No new access/crossovers from Copse Lane.

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

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Final Comments:

I have reviewed the recent information submitted and this is sufficient to deal with my previous comment.

Previous comments:

I have no objection providing the work is carried out in accordance with the AIA by Alderwood Consulting dated 12/02/2020 and Tree Protection Plan AC03.

No work should start until the protective fencing is in place and a condition added that final details of the no dig surfacing design and specification be submitted and approved prior to commencement.

Previous comments:

The trees are still inaccurately plotted or missing altogether. Until a more accurate Tree Protection Plan is submitted i am unable to comment. I also asked that it was included within the method statement that de-compaction and enrichment of soil be undertaken.

Original Comments:

I have visited the property and have the following comments:

The Oak (T3) is plotted in the wrong location. It is located in the far eastern corner of the property, where the third access is shown. The third access is therefore unobtainable in its current location without being detrimental to this tree.

A revised Tree Protection Plan and Method Statement will need to be submitted before I can comment further on this.

In addition I would also like details of surfacing for the driveway, which is within the root protection area of the trees. The trees would also benefit from de-compaction and enrichment of soil being undertaken and this could also be included within the method statement.

Hampshire Highways

It is normal for a dwelling to have only one vehicular access. From the proposed Site Plan and by reference to planning application 16/00167 I am assuming the centre one and the one at the north-eastern end of the property are the ones being applied for now. That said, the shape of the south-western access is different to that approved under the 16/00167 application. An additional structure is shown on the current application, of a shape convenient to house vehicles, likely to be a double car port. I understand from an occupant the reason for the centre access is that the occupiers desire is to have an in/out for the main property on the site. The one on the north eastern boundary is to enable users of the caravan to access it independent of the main house.

The Proposed Site Plan indicates a tree between the two new accesses which is no

longer in the position shown. There is however an existing tree on the north east corner of the site adjacent to which the third access is located. This tree clearly has some damage and if it is the LPA's desire to retain it, this access needs either to not be provided or relocated, the further south westwards it is located the better it will be to provide the required visibility splays of 2.4m. x 43m. x 1 m. This requirement is likely to require a minor trimming back of the hedge on the north eastern boundary. perhaps an amended plan could be sought to indicate what is acceptable to your Arboriculturalist. Whilst wishing to minimise damage to existing vegetation the distance of any gates must be a minimum of 6m. measured from the nearside edge of the adjacent carriageway.

Failing the submission of an amended plan the Highway Authority recommend an objection on the grounds of insufficient distance between the proposed gates and the carriageway to allow a vehicle to be parked clear of the carriageway whilst the gates are being opened or closed.

Officer Comment: Amended plans now show the gates set 6m back from the carriageway and the removal of an additional access in the south-east corner. The Councils Arboricultural Officer now raises no objection to the proposed development.

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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3 Objections and 2 Supports

Comment (Objections)	Officer Comment
The boundaries of properties on Copse Lane are in keeping with a country Lane, the proposed fence a blot on the landscape on what is a beautiful natural road. Natural hedging would be far more in keeping.	See part 7
Our concerns are that the oak tree on the right of the plan is shown in the wrong position. It is actually much closer to the proposed right hand entrance. it appears to of had it's roots badly damaged in the past. Further disruption to that area would probably cause more damage to the root system.	See part 7

I object to the installation of a fence along the boundary of Broad oak Copse lane. From the drawing it is shown as being beyond head height. It will stand out and not reflect the rural nature of this road. There are insufficient details about the fence The report says 'The fence will be of 'conventional' installation i.e. fence posts with fence panels between. The fence panels will be proprietary products with an 1850mm span, putting the fence posts at 1850mm spacings' It doesn't tell me as a lay person very much. Is this wood/concrete /metal/ how tall is? What will it look like? A mock up showing the fence against the trees would be useful so we can see its visual impact. I object to the fence installation because of its impact on the natural environment. The developer has already cut down a considerable number of mature trees from or near the boundary. The visual impact of this woodland frontage has already changed by this action and I feel the developer must restore this. Their development has had a negative impact on both biodiversity; has a visual impact and impacts on the provision of mature trees. The retention of mature trees is essential if we are going to have any impact on global warming and the climate crisis. It is essential that the trees left in this development and particularly those in question on the boundary are not interfered with in any way that would impact their health. i.e. surfacing or interference in the root protection area. Root Protection The drawings show that the fence posts will be dug within root protection	See part 7 Previous tree removal did not require consent from the Local Planning Authority. The proposal now includes proposed native hedge planting in front of the fence when viewed from Copse Lane. The Councils Arboricultural Officer has raised no objections to the revised plans.
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areas and this will impact the trees. 3.7 New surfacing: Can a clause be put in that commits the owners of the property to continue in future years and under new ownership to maintain a surface that will protect the trees? Is it the intention that guidelines set out in the ARBORICULTURIST _REPORT will be followed? I feel they should be clarified and a binding method statement for any agreed works should be written I make this point because of comment such as the last paragraph Which says rather vaguely: 'The details given in this letter show that provided the appropriate precautions during installation are taken; trees will not be adversely affected by the proposed fence.' Should the developer wish to put up a boundary why not add a native hedgerow? This would help to re balance some of the vegetation lost from the boundary line What are the developers doing to compensate for the loss of tree cover from trees already lost from the site? I object to the new access because the application or the report doesn't say why there is a need for 2.No new access/crossovers from Copse Lane and does not give enough detail about their construction.	The works are required to be carried out in accordance with the Arboricultural Report. Comments noted, see part 7.
Comment (Support)	
I fully support this proposal. The property and grounds were quite derelict, overgrown and unsightly and the current owners have had quite extensive works completed to renovate the property which in turn enhances the area. The proposed installation of a new fence will greatly improve the kerbside	Noted Comments noted.

appeal and will also improve on the security of the property therefore creating less opportunity and potential for crime within and around the surrounding area.	
I fully support this proposal. The property and grounds were quite derelict, overgrown and unsightly and the current owners have had quite extensive works completed to renovate the property. The proposed installation of a new fence will greatly improve the kerbside appeal and allow the grounds to be enhanced which in turn can only be an improvement to the area. This will also improve the security of the property therefore less opportunity and potential for crime within and around the surrounding area.	

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
- (iv) Impact on trees
- (v) Highway impacts

(i) Principle of development

7.2 The application site is located outside the defined urban area, where development is normally restricted to that requiring a countryside location. In this case the proposal relates to works to provide gates and fences and new access points to the highway which are householder developments considered acceptable in principle subject to normal development management issues considered below.

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

7.3 The proposals involve the provision of a new access and alteration to another access together with the erection of new access gates and fencing.

7.4 This part of Copse Lane is rural in character with dwellings and small caravan sites interspersed by copses and farmland. The residential properties mainly have green frontages although there are some walls and gates. The proposed fence would be set back approximately 3 - 3.2m from the carriageway. The fence is shown at 1.8m height

and close boarded. The gates include walls set back and at an angle to the road with the gates themselves shown as sliding vehicular gates and side hung for the pedestrian gates. It is proposed to condition details of the materials and finishes for the piers and gates to ensure that they are appropriate to this rural location. The finish of the fence will also be conditioned to be left unstained or stained dark brown.

- 7.5 The slight set back from the road would allow for the planting of a native hedge and a Landscape Specification and Method Statement has been submitted with the application. This sets out the proposed species and density of the proposed hedge. The species would be a mix of Blackthorn and Hawthorn (25% each) and 10% each Dog Rose, Elder, Field Maple, Sea Buckthorn and Wild Privet. The density of planting is shown as 3 plants per metre. This mix and density is considered appropriate and is also helpful from the point of view of softening the visual impact of the fence and gates and helping to restore part of the green frontage previously lost at the site. Whilst the planting would take some time to establish and mature, in the medium term it is considered that the hedge would mitigate the impact of the fence and gates to an acceptable level. A condition is recommended in relation to the proposed planting and maintenance of the hedge.

(iii) Effect on neighbouring properties

- 7.6 The proposed fence and gate are set well off adjoining dwellings and it is not anticipated that the proposed works would be harmful to residential amenities meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Impact on trees

- 7.7 Two Oak Trees to the site frontage are subject to TPO's and a third Oak is in the south east corner of the site. These trees are to be retained. Other vegetation and trees previously growing on the site frontage have previously been removed (these were not subject to TPO's). The plans have been amended to correctly plot the trees to amend the fence line and to remove a third access point previously located where the oak in the South East corner is located. The Councils Arboriculturalist has visited the site and following the revisions and the submission of an Arboricultural Impact Assessment and Tree Protection Plan raises no objection to the proposals.
- 7.8 Conditions are recommended in relation to the provision of tree protective fencing and development in accordance with the Arboricultural proposals. These measures are required to ensure the protection of the important Oak Trees.

(v) Highway impacts

- 7.9 In relation to Highway Impacts, the plans have been amended to show that the gates for both the amended access and the new access would be set back 6m from the carriageway of Copse Lane and it is noted that the gates are designed to slide sideways and not to open outwards. This would allow for a vehicle entering the site to pull off the road and addresses the concern initially raised by County Highways. In addition the proposal now removes a second new access that was initially proposed to the south-east corner of the site which conflicted with the position of an oak tree. It is considered that the revised plans overcome the initial highway concerns.

8 Conclusion

- 8.1 The proposed development is considered, subject to appropriate conditions to have an

acceptable impact on the character and appearance of the area. Furthermore, with appropriate conditions the impact on trees can be mitigated. Highway impacts are considered to have been appropriately addressed. It is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00780

(A) 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:

Site and Block Plan Drawing No. 1413- 101B
Proposed Fence and Access Plan Drawing No. 1413-163c
Arboricultural Impact Assessment - Alderwood Consulting Ltd Ref D1908AIAL3 (including tree protection plan) dated 12th February 2020 (as amended by letter of 22nd April 2020)
Letter dated 22nd April 2020 Alderwood Consulting Ltd and Cellweb detailing Landscape Specification and Method Statement - Critchley Architecture and Design Ltd December 2019

Reason: - To ensure provision of a satisfactory development.

- 3 The landscaping works shown on the approved plans drawing No. 1413-163c and detailed in the Landscape Specification and Method Statement Critchley Architecture and Design Ltd December 2019 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following the commencement of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development hereby permitted shall be carried out strictly in accordance with the Arboricultural Impact Assessment by Alderwood Consulting Ltd dated 12th February 2020 including the annotated Tree Protection Plan AC03 as

amended by the letter from Alderwood Consulting Ltd dated 22nd April in relation to surfacing.

The development shall not commence unless and until the tree protection fencing is erected on site in accordance with the Tree Protection Plan AC03 and retained/maintained during the course of the development.

Reason: To protect important trees in the interests of the character, appearance and ecological value of the site having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding any description of materials in the application no above ground construction works shall take place in relation to the gates and piers until a full specification of the materials to be used externally on the gates and piers have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

In addition the fence shall be left unstained or stained dark brown 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.