
Site Address:	1 Sidlesham Close, Hayling Island, PO11 9ST		
Proposal:	Retention of a 1.8m high fence.		
Application No:	APP/19/00565	Expiry Date:	19/08/2019
Applicant:	Mr Milner		
Agent:		Case Officer:	Denise Sheath
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

1 Sidlesham Close, Hayling Island, is a two storey detached dwelling constructed with red brick and has a hung tiled roof.

2 Planning History

None relevant

3 Proposal

Retention of a 1.8m high fence.

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)

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

Developer Services, Southern Water

The applicant is required to provide for review the construction detail of posts and the assessed impact on exactly located public foul sewer.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and

potential means of access before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Hampshire Highways

I refer to your consultation in respect of the above planning application. The fence does not impact on visibility for drivers emerging from Sidlesham Close and therefore I confirm the Highway Authority have no objection to the retention of this fence.

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: 6

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
The newly constructed fence has replaced a wall that was originally built when the property was first constructed. This wall was set back from the footpath to allow for an open plan feel for the estate and to allow traffic from Sidlesham Road a view of on coming traffic. My understanding is that there are covenants on this land which legislate against this type of work	Section 7 Covenants on the land are not a planning consideration.
I would like to object to this planning application on several grounds. - The erection of this fence is not in keeping with the green space of the estate. - Is in contravention of the covenant that was laid out when the estate was built. - The height of fence is not in keeping with any other fencing on this side of Itchenor Rd.	See Section 7

- Has created a hazard for traffic coming out of Sidlesham Rd turning onto Itchenor Rd. - The owner has removed the existing property wall and erected the new one extending it to the footpath on Itchenor road and by doing so has reclaimed a large part of land.	
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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) Highway Safety

(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 retrospective fencing and concrete posts are approximately 2m in height, wholly within the curtilage of the application site. The boundary treatments along Itchenor Road are mixed with hedging, walls and fencing. There are other examples of enclosure using wooden fencing along Itchenor Road. The proposal would not be out of keeping and would not have a harmful affect of the character of the area.

7.4 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

7.5 The neighbouring property to the east (No.3 Sidlesham Close) would not be affected by the retrospective timber fencing along Itchenor Road.

7.6 The neighbouring property to the south (No. 26 Itchenor Road) is a distance of approximately 24.5m from the proposal to their boundary and are separated by the highway of Sidlesham Close, this property is partially screened by their 2m boundary wall enclosing this property. Therefore any impact the retrospective fencing will have on this neighbouring property would be minimal.

7.7 The neighbouring properties along the western elevation (No.31 and 33 Itchenor Road) have a distance of approximately 12m from the retrospective fencing to their front boundaries, therefore the impact upon these neighbouring properties would be minimal.

- 7.8 The neighbouring property to the north (No.28 Itchenor Road) share a boundary with the application site, the retrospective fencing is along the shared boundary to the front of this property the impact on this property would be acceptable.
- 7.9 There have been concerns raised with regard to covenants which prevent this type of development, these are not a planning consideration and would be a civil matter and cannot be taken into consideration as part of this application.
- 7.10 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.

(iv) Highway Safety

7.11 Hampshire Highway department was consulted on this application and replied with the following response 'The fence does not impact on visibility for drivers emerging from

Sidlesham Close and therefore I confirm the Highway Authority have no objection to the retention of this fence.'

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 PERMISSION** for application APP/19/00565 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 28 May 2019
Site Location Plan - Received 24 June 2019
Block Plan - Received 24 June 2019
Photographs - Received 24 June 2019

Reason: - To ensure provision of a satisfactory development.