

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Developer Services, Southern Water

A public sewer crosses the site:

-No development or new tree planting should be located within 3 meters on each side of the external edge of the public sewer.

-No new soakaways should be located within 5m of a public sewer.

-All existing infrastructure should be protected during the course of construction works.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

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.

The development which is the subject of this application has been carried out and is complete. There is most unlikely to have been an impact on the public sewer given the nature of the works, as these are not significantly intrusive in terms of the works and also as no new tree planting is proposed. An informative is therefore recommended in respect of the comments of Southern Water.

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
We are very much in support of all of the improvements that are being made to 9 Southbrook Road.	No comment required.

9 Southbrook Road was a tired overgrown mess. The property has been beautifully restored , landscaped and is very much now in keeping with all other properties in the area. The fencing is a vast improvement from the overgrown trees that impeded the public footpath making it now a clear and safe walkway for pedestrians.	No comment required.
The fencing is a vast improvement on the appearance of the property before the new owner took up residence. The original presentation was an overgrown hedge some 20 feet tall and in places 10 feet deep. When approaching Southbrook Close from the main Hayling Road it was impossible to see into Southbrook Close. The erection of the fence has opened up the approach and made it far safer than it ever was. The same applies to exiting Southbrook Close onto Southbrook Road. The Summer house is not intrusive in any respect.	No comment required.
Before the fences were erected the front and rear gardens were severely overgrown with trees/brambles which had been allowed to impede pedestrians on the pavement. In fact it was difficult to see "Cornerways" from the pavement.: The owner has selected nicely shaped fencing which if given time will blend into the environment. I fully support the fencing and have recently noticed that shrubs have been planted on the outside of the fences to soften the look from the houses opposite in Southbrook Road.	No comment required.
The extensive fence is very dominant in the landscape and not in keeping with surrounding gardens.	The appearance of the fencing has been mitigated by planting which has been completed and will be further mitigated as this matures. The visual impact of the fencing is addressed in the Planning Considerations section of this report.
I was at the auction off the sale of the house and was an unsuccessful bidder. I have since visited the property out of interest to see what the new owner has done and i have to say what a	No comment required.

transformation. The overgrown trees have now gone and the front garden has been beautifully landscaped. The outbuilding is not imposing at all and quite honestly barely visible from the road. What a waste of everyone's time, money and resources.	
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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

(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 has resulted in a change to the appearance of a site situated on a corner and in a prominent location. This is by virtue of the removal of the previously existing boundary planting and replacement by the wooden fencing, which results in a harder boundary treatment. In the immediate locality of the site, boundaries are generally characterised by low dwarf walls with screen planting to the immediate rear, although there is an instance of wooden fencing adjoining back edge of Southbrook Road footpath. This is approximately 1.5m high with planting to the rear and is located at 2 Southbrook Close on the opposite corner to the application site. It is considered that given the limited 1.8m height of the application fencing and also the mitigating planting, once fully established/matured, the fencing will not be unduly intrusive visually and will not therefore result in significant harm to the visual appearance of the area. In addition, the wooden fencing will weather which will further reduce visual impact. Retention and establishment of the mitigating planting can be ensured by condition.

In respect of the outbuilding, this will for the most part be screened by the fencing and will not be seen above it, apart from very limited glimpses of the felt roof. The outbuilding is not therefore considered to be harmful to the visual appearance of the site or unduly intrusive visually. The design and appearance of the fencing and the outbuilding are therefore deemed appropriate in context to the main building, the site and the locality and are therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy) and also consistent with the Council Design Guide 2011. 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 fencing replaces screen planting of greater height and where it adjoins no.7 to the west is not unduly high or dominant in outlook. The outbuilding, as previously stated, will be largely screened by the fencing. It is not considered that given the limited scale of the outbuilding it would be intrusive visually, particularly as distant from this dwelling.

7.5 Consequently, it is considered that the fencing and outbuilding will not appear overbearing or lead to overlooking and would have very 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 scale, siting and design of the fencing and outbuilding, together with the mitigating planting, would have limited and acceptable impact on the neighbours and are not considered to be harmful to visual amenity or to the amenity of the adjoining occupiers and are therefore considered to be appropriate and recommended for approval.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/19/00325 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:
Block Plan - Received 29 April 2019
Proposed Summer House & Fencing Drawing - Received 29 April 2019
Soft Landscape Planting Specification - Set out in the Councils email dated 03 July 2019 & agreed in Applicant's Email dated 11 July 2019
Reason: - To ensure provision of a satisfactory development.
- 3 The soft landscape planting scheme which has been implemented at the site in accord with the specification set out in the Councils email dated 03 July 2019 and agreed to by the applicant's email dated 11 July 2019 shall be retained. Any part of this approved landscaping scheme 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.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.