

Site Address:	Land adjacent to 27 Hart Plain Avenue, Waterlooville, PO8 8RX		
Proposal:	Change of use of land from highway amenity land to use with existing dwellinghouse as garden, including erection of timber fencing. (Retrospective application).		
Application No:	APP/17/01134	Expiry Date:	18/12/2017
Applicant:	Mr & Mrs Matthews		
Agent:	Mr Dunks	Case Officer:	Emma Chisnall
	Andrew R Dunks Ltd.		
Ward:	Hart Plain		

1 Site Description

2 Planning History

3 Proposal

4 Policy Considerations

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

Development Engineer - Highways

In the light of additional information showing that highway rights have been extinguished and the land purchased, The Highway Authority have no adverse comment on this application.

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: 9

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impact to highway safety

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.3 Highway rights have been extinguished for the land in question with evidence submitted by the agent with the application. Therefore the principle of the change of use is considered to be acceptable with an adequate amount of highway land left available to the east of the fence.

(ii) Impact upon the character and appearance of the area

7.4 Although prominent in the public realm the boundary fence by means of its design and position has a modest impact to the visual amenity of the streetscene when viewing it from Hart Plain Avenue. The works are separated and set back from Firs Avenue highway by a pavement and green sward which reduces the visual dominance of the development further. From having an open fence design at a lower height to the north of the application site the overall appearance of the boundary fence is not considered to be overly dominant or to have an unacceptable visual impact on the locality.

7.5 It is acknowledged that boundaries along Firs Avenue typically consist of low level solid structures with high level hedging however following a site visit it was noted that the opposite neighbour No 21 Hart Plain Avenue has carried out a similar proposal constructed of brick and therefore the works are considered to marry together in a complementary way and not look out of place in the greater context of Hart Plain Avenue and the locality. The development would therefore meet the requirements of policy CS16 of the HBLP (Core Strategy) and is considered to be acceptable.

7.6 The change of use has no material impact on the visual amenity of the streetscene.

(iii) Impact upon residential amenity

7.7 The boundary fence that has been erected at No 27 is to the front east side of the dwellinghouse along Firs Avenue and as such has the potential to impact No 21 Hart Plain Avenue and No 20 Hart Plain Avenue. However, the boundary fence is separated from these dwellings by the pavement and highway which is considered to be a sufficient gap in order for the works to not cause any significant loss of light, shadowing or appear overbearing.

7.8 To the south the proposed development is separated from No 1 Lawnswood Close by the rear amenity space and pathway between the dwellings and as such is considered to result in a limited and acceptable impact.

(iv) Impact to highway safety

7.9 The highways engineer has been consulted and no concern has been raised in relation to the proposal. The development is therefore considered to be acceptable.

8 Conclusion

8.1 The development by reason of its design, siting and scale is considered to have an acceptable impact on the character of the area and neighbouring amenity levels. The change of use is established and does not result in significant harm to the locality and as such the development is considered to be acceptable and can be granted planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01134 subject to the following condition:-

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

Block Plan: Received 23.10.2017

Site Layout Plan: Drawing No 4799/500
Fencing Layout Plan: Drawing No 4799/501
Proposed Side Elevation Plan: Drawing No 4799/1

Reason: - To ensure provision of a satisfactory development.