

Recommendation: **GRANT PERMISSION**

To ensure that a space in which a person might lie in wait is not created, the proposed fence must continue in a straight line from the existing fence, so as to form a continuous fence. The proposed fence and gate must not extend on to the metalled footpath.

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: One

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
<p>I object to this on the following grounds:</p> <p>There are not many green areas left around here that have not been built on and with the council planning more homes across the road this will reduce the green areas yet again.</p> <p>I chose to live in this area because of the lovely open space.</p> <p>I appreciate that by selling this land off the council will have less area to maintain and I notice this happening more and more around this area.</p> <p>Most people who buy the land only do so for a short while before they then apply to put an extension on the house. If this is the case buy a bigger house elsewhere, I can see no need to purchase this land other than for future plans for an extension it is a lovely green area and if it is only required for a garden why not just walk outside? why the need to put a fence around it?</p>	<p>Comments noted. The potential of the land for a future extension cannot be considered at this stage, however, a condition is recommended to ensure that any extension would be subject to planning permission.</p> <p>The amenity of the land is considered further in part 7 below.</p>

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 public safety

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. In this case the proposal would result in the change of use of amenity land to private garden and this is considered further below.

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

The proposal would result in the enclosure of a narrow strip of land currently serving as open space amenity land and its incorporation into private garden. The area of land would be approx. 1.8m wide and 10m deep and enclosed by a 1.8m high fence to the west side and 1.8m high gate to the front. Close boarded fencing is a feature of the area.

Whilst there would be a modest loss of public amenity space and a gain in private garden, the adjacent footpath would remain bounded by amenity land with only a very small additional area of footpath bounded by the new fence. Overall the impact of the change on the character and appearance of the area would be very small. In this case it is considered that the change of use and fencing would have a limited and acceptable impact.

(iii) Impact upon public safety

The Crime Prevention Design Advisor has made recommendations in relation to the positioning of the fencing. The area of land follows on in a straight line from the existing garden and therefore the boundary would be continuous. The existing boundary is formed of fencing and hedging. This would not therefore increase any risks to public safety.

8 Conclusion

In conclusion the proposed development is considered to have a limited and acceptable impact on the character and appearance of the area and would not increase risks to public safety. Planning permission can therefore be recommended in this case.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00602

(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:
Location Plan ref: TQRQM17156132133465
Site Plan received 8th June 2017
Reason: - To ensure provision of a satisfactory development.
- 3 The fence and gate hereby permitted shall be of close boarded (vertical boarded) design unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or outbuilding shall be constructed within the private amenity land the subject of this planning permission without the prior approval of the Local Planning Authority.
Reason: In the interests of the character and appearance of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.