

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

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)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Submission Version Havant Local Plan

DR1 (Delivery of Sustainable Development)
E1* (High quality design)
E18 (Trees, hedgerows and woodland)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The work will have had little to no impact on the health of the tree therefore no objection.

Southern Water

map enclosed of approximate position of foul sewer. exact position must be determined on site in consultation with SW before the layout is finalised.

- 3m clearance either side required to protect it from construction and for maintenance

- no development or tree planting within 3m

no soakaways, swales, ponds, watercourses within 5m

- all infrastructure protected during construction

If a sewer found during construction then an investigation required.

Officer note

The development is retrospective and a large TPO tree already exists at the site; the additional impact of a fence on the sewer is considered negligible

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: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

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) Trees

(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 It is the visual impact of the front fence in the wider street scene that is the key consideration in the determination of this application. It is however noted that the fence has been erected behind the front border planting i.e. it is set back about 1.8m from the highway edge. As a result the green planting and the TPO'd tree remain against the back edge of the highway providing a soft verdant appearance. The fence is also only 1.5m high and therefore not as high and overbearing as other 2m boundary treatments.

7.4 The applicant has provided photograph evidence of other high fencing to the front of properties in the immediate area - note the adjacent dwelling, number 22, also has a current retrospective application for the retention of front fencing under consideration (APP/21/00855 refers). Given the mix of other boundary treatments right up to the back edge of the pavement in the area, then it is considered that this set backed siting and enabling landscaped frontage, provides a positive contribution to the character of the area, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme does not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.5 The front fence does not appear to have any negative impact upon surrounding neighbouring properties.

7.6 Consequently, it is considered that the proposal will not appear overbearing or lead to loss of outlook and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite, 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) Trees

- 7.7 The fence has been sited behind an oak tree protected by a Tree Preservation Order; very close to its trunk. The fence does not have continuous 'foundations' to affect the roots but rather is supported via intermittent posts. The shallow depth of these posts and limited number of them is considered unlikely to affect the roots and health of the tree. The Council's Arboriculturalist was consulted on the application and raised no objection.

8 Conclusion

- 8.1 It is considered that the fence as erected, by virtue of its set back and retention of frontage planting, is visually appropriate to the site and its context and is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/21/00749 subject to the following conditions

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

1:1250 Location Plan
Site Plan
Photo Record

Reason: To ensure provision of a satisfactory development.