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|-----------------|----------------------------------------------------------------------------|---------------|-----------------|
| Site Address:   | 25 Watersedge Gardens, Emsworth, PO10 7EU                                  |               |                 |
| Proposal:       | Retrospective application for construction of rear garden wall 2.29m high. |               |                 |
| Application No: | APP/14/01241                                                               | Expiry Date:  | 21/01/2015      |
| Applicant:      | Mr N Boyns                                                                 | Team:         | Team 2          |
| Agent:          |                                                                            | Case Officer: | Daphney Haywood |
| Ward:           | Emsworth                                                                   |               |                 |

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

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**1 Site Description**

The application site comprises a detached two storey house backing onto the Allotment Gardens. The land slopes significantly at the rear with the allotments being at a raised level and rear gardens backing onto the allotments are partly terraced.

**2 Planning History**

None relevant

**3 Proposal**

This is a retrospective application for boundary walling to the side and rear boundaries of the rear garden. The wall which is constructed of red brick with blue/black capping detail is double thickness and varies height from about 2.2m to in excess of 3m.

**4 Policy Considerations**

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011  
CS16 (High Quality Design)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

**5 Statutory and Non Statutory Consultations**

Property Services Manager

Having considered the proposals submitted by the applicant and reviewed them in the context of the land currently in HBC ownership, I do not consider that they adversely affect HBC's interests in land adjoining the proposal site.

Public Spaces Development Manager

No comments received

**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: 3

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

**Summary:** I originally raised the question when I called into HBC offices on 4th November, 2014. The cause of my concern was that I had requested that the party wall should not be any higher than 2 metres which is I believe the legal height. However, the wall was completed whilst I was abroad and for some 2ft from the rear wall the party wall has been built to exceed this amount. I appreciate that the land here has a 6ft high sloping bank from the allotment, therefore causing problems with measurement, thus the top of the wall appears to be approximately 12 ft from the ground level of my house.

I have no wish to object to the wall but I am seeking reassurance that the wall, as it has been constructed, is safe and will be legal and not cause any problems should I have need to sell my house in the future.

**Comment:**

See section 7 regarding impact to outlook and general amenities. Regarding safety and, legality these are not planning matters and are the responsibility of the owner. In respect to problems to future sales, this is not a relevant planning consideration.

## **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 streetscene
- (iii) Impact upon residential amenity

(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.

(ii) Impact upon the streetscene

The wall lies to the rear and therefore does not impact the street scene. It is visible from the allotments but because the allotments are located on higher ground it is not intrusive.

(iii) Impact upon residential amenity

The main impact relates to Nos 23 and 27 Watersedge Gardens. These properties have relatively short gardens. The wall varies in height from about 2.2m to over 3m

but because of the difference in levels, its design and that part of the rear gardens are terraced the wall does not appear oppressive or overly intrusive, and nor does it result in unacceptable loss of light, as it lies to the north of No23 and No27 has a two storey building in the rear garden.

## **8 Conclusion**

The development is considered acceptable and approval is recommended.

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## **9 RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/14/01241