
Site Address: Land adjacent to 22 Vian Road, Waterloooville, PO7 5TW
Proposal: Change of use from public amenity land to private amenity land and erection of 1.8m fencing.
Application No: APP/13/00512
Applicant: Ms Payne
Agent: Mr Locke
Nigel Locke Planning
Consultant
Ward: Stakes
Expiry Date: 06/09/2013
Team: Team 1
Case Officer: Stephen Andrews
DMC Lead Member

Reason for Committee Consideration: HBC owned land.HBC owned land.

Density:

HDS Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is made up of an amenity area on the corner of Hamble Lane and Vian Road, on the north-east side of 22 Vian Road. The area includes hedge and tree planting which creates a verdant character to this part of the residential area.
- 1.2 The immediate area is residential in nature made up of similar style two storey semi-detached dwellings. There are a mix of boundary treatments prevalent within the street scenes of Vian Road and Hamble Lane and those further afield, which include brick, timber fencing and hedging. In addition it should be noted that the area of land on the opposite side of the road adjacent to 20 Vian Road has already been enclosed by close boarded fencing in a similar fashion to that of the proposal.

2 Planning History

None of relevance to 22 Vian Road

20 Vian Road

06/70367/003 - Erection of 2m high fence/trellis to boundary with Hamble Lane, and erection of 1.2m high wall to boundary with Vian Road (part retrospective). Permitted 09/11/2006.

3 Proposal

Planning permission is sought for the change of use of the public amenity area adjacent to 22 Vian Road, on the junction of Hamble Lane and Vian Road. The land would then be enclosed by 1.8m high close boarded fencing.

4 Policy Considerations

National Policies

National Planning Policy Framework, 2012

Havant Borough Local Plan (Core Strategy) 2011

CS1	(Health and Wellbeing)
CS13	(Green Infrastructure)
CS16	(High Quality Design)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Property Services Manager - None received
Development Engineer - No adverse comments
Open Spaces Team Leader - No open space implications

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

Summary:

- 6.1 The area of amenity land was designed into the original estate and creates an aesthetically pleasing natural green area for the enjoyment and benefit of local residents and wildlife. The fencing will significantly alter the current green outlook and result in the loss of open space and habitat.

Comment: The comments in respect of the loss of the amenity space are noted. Please refer to section 7 (ii) below for the detailed assessment in respect of this issue.

- 6.2 The future of this green space will be uncertain if it becomes part of the residential garden of 22 it is possible that it will be used for the storage of cars etc which would be unacceptable.

Comment: If the area is to become part of the residential curtilage for 22 Vian Road it could be used for such. Any development or storage must however be ancillary to the residential use.

- 6.3 Question 15 of the application form has been completed incorrectly because there are trees and hedges on the proposed site and it would have a detrimental impact on the local landscape character.

Comment: It is noted that question 15 has not been completed correctly however due to the nature of the proposal and the fact that none of the trees are covered by a Preservation Order or within a Conservation Area it is not considered that a full tree survey would be required as part of the submission. If the permission was to be granted and the applicant to obtain control of the site (currently owned by Havant

Borough Council) the applicant would be free to manage the land, which could include the removal of the trees and hedging.

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) Character and appearance of the area
- (iii) Residential amenity
- (iv) Highway safety

(i) Principle of development

7.2 The application site is located within the settlement area of Waterloo where the principle of development is acceptable subject to development plan policy and other material planning considerations. In this case relevant policies CS16 and DM8 in particular require an analysis of the value of the open space in the context of the application site and its role in contributing to the identity of the locality. It is noted that the Open Spaces Team Leader has not raised objection to the proposal and has commented that the proposal does not have open space implications; hence the proposal is not considered to conflict with Policy CS1 of the Local Plan.

(ii) Character and appearance of the area

7.3 The development proposes the change of use of a public amenity space to a private garden for the use of 22 Vian Road. The application includes the enclosure of this land by 1.8m high timber fencing - as originally proposed this would have enclosed the entirety of the public amenity space; however revised plans are awaited showing the area of enclosure restricted to the side of the existing property, leaving the frontage area open.

7.4 It is accepted that the development as proposed will materially alter the character and appearance of this junction, with the open verdant site replaced by a solid form of boundary treatment, albeit with the land behind remaining undeveloped. Even in its revised form this will undoubtedly have an impact on the overall character of this section of the Hamble Lane/Vian Road street scene. However, it is noted that there are a variety of boundary treatments found within Vian Road and Hamble Lane and further afield including brick walls, timber fencing and hedging. Most notable of all is directly opposite the site, adjacent to 20 Vian Road. Here, the area of amenity space that had existed on this side of the road was granted permission to be included as residential curtilage and enclosed by 2m high timber fencing in 2006 (Ref: 06/70367/003).

7.5 Therefore having regard to the wider characteristics of the area, the role of the existing open space within that context and the fact that there are a number of corner properties with gardens enclosed by 1.9m-2m high close boarded fencing, the development as proposed and amended (retaining an open frontage of the site onto Vian Road) would not be out of keeping. It is therefore considered that whilst the site currently has an aesthetically pleasing appearance within the street scene, it would be unreasonable to prevent its inclusion as a residential garden when this has already been undertaken at a number of sites throughout the estate. The current open space

has, through changes over time, become the exception rather than an integral part of a sequence of green spaces.

- 7.6 At this stage the applicant has not indicated that the trees or hedging will be removed. However, if planning permission is granted and ownership transferred it would be for the applicant to decide on the maintenance and management of the area, which could involve the removal of the trees and hedging. Here it should be noted that none of the land or trees are covered by a Preservation Order or fall within a Conservation Area and therefore there is no impediment to the removal of planting from the site even in its current form and ownership.
- 7.7 Having regard to the above information and the prevailing character and appearance of the area it is considered that on balance the development would accord with the overall principles and objectives of policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Residential amenity

- 7.8 It is noted that the proposed fencing will alter the visual aspect of the street scene, however the development would not directly harm the residential amenities of any neighbouring property. The principal material considerations being loss of privacy, overlooking, overbearing effect, overshadowing and loss of light.

(iv) Highway Safety

- 7.9 The proposed fencing would run along the amenity area at the junction of Vian Road and Hamble Lane (adjacent to 22 Vian Road). The Development Engineer has considered the proposal and confirmed that the development would not result in matters prejudicial to highway safety. The revisions to the plans that have been sought will retain an open frontage to the junction.

8 Conclusion

- 8.1 The area of open space the subject of this application is considered to have limited value other than the role it plays in the visual amenity of the street scene. In that regard, whilst its enclosure will alter the current character of the site, when considered in the context of the wider estate the change will not appear out of keeping or incongruous. For these reasons it is considered that the development would not conflict with Policies CS16 and DM8 of the Local Plan and it is recommended that planning permission be granted.

9 **RECOMMENDATION:**

That subject to the receipt of satisfactory amended plans as described at paragraph 7.3 above, the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00512 subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with 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:

Site Plan 1:500 dated May 2013 - Revised Sept 2013

Location Plan and Proposed Elevations - Drawing No. 2013/25/01 (NB: Block Plan shown on this drawing 1:200 superseded).

Reason: - To ensure provision of a satisfactory development.

Appendices:...