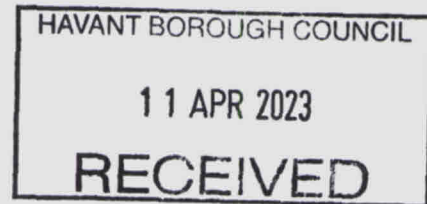


F.A.O. Ms D. Sheath
Planning Service,
Public Service Plaza,
Civic Centre Road,
Havant,
Hampshire,
PO9 2AX



Dear Ms Sheath,

Both my wife and I received letters dated 16th March 2023 from the Planning Service giving your name as case officer in relation to our next door neighbour's Planning Proposal: Listed Building Consent for partial demolition and reconstruction of existing boundary wall to listed dwelling (Ref: APP/23/0173).

In relation to this application, we would like to draw your attention to the subsection of this application (Planning Portal Reference: PP11971440) headed 'Demolition of Listed Building', particularly the entry which has been made in response to the question 'Why is it necessary to demolish or extend (as applicable) all or part of the building(s) and or structure(s)?' Here the applicants state that 'the existing boundary wall is in poor condition and has been labelled **unsafe** by the project structural engineer. The wall has large visible cracks and is 140mm out of plumb at the top. The wall is currently leaning towards King Street Road, which poses a **risk to the general public** if the wall was to collapse. There are **little or no foundations** below the wall, and there are visible additions on top of the original wall in ill-matching brickwork, which have caused structural issues. By rebuilding the wall, it will be restored to a **safe boundary wall**'.

In addition, the 'Design, Access & Heritage Statement' prepared by Helyer Davies Architects Ltd (published on 3rd March 2023 as the 1734501.pdf document, forming part of application APP_23_00173) also states that 'the proposals seek to rebuild the existing, dated and damaged brickwork boundary wall **following advice from the appointed Structural Engineer that the wall is currently unsafe.**' The architects also confirm in the same section that 'The wall is to be rebuilt to match the existing size and shape. This will remove the possibility of the **wall collapsing onto King Street Road in the near future due to its current structural condition.**'

The key points that my wife and I find most alarming (see the parts in bold that we have underlined in the above sections) are that the brickwork boundary wall enclosing the grounds of Wharf House (30, King Street, Emsworth) has been recently found by their own appointed Structural Engineer to be unsafe. Again, worryingly for my wife and I p

the Structural Engineers stated that there are 'little or no foundations below the wall'

and that there is 'a risk to the general public if the wall was to collapse'. These comments are surely equally, if not more, applicable to the section of the boundary wall on the lower part of the King Street Road and around the corner and down the driveway of our property ([REDACTED] King Street, Emsworth), where the perimeter wall turns and subsequently borders the front garden of our house, [REDACTED] separating it from the grounds of Wharf House.

One of the photographs submitted by Helyer Davies Architects as part of their 'Design, Access and Heritage Statement' shows the section of the Wharf House perimeter wall where building work started on 26th February 2023. The metal mesh barrier to the right of the traffic cones in this photograph confines the limit of the current construction site and we have been told by the builders that they are not undertaking any more reconstruction work on the perimeter wall beyond the confines of this current construction zone i.e. to the South-West part of the wall facing, the lower part of the King Street Road, is in much worse condition than the upper section currently undergoing construction work. This appears to present a greater danger to the general public walking along the lower part of the King Street Road in that two sections of the wall are becoming increasingly separated from each other near the lower of the two telegraph poles located near to the Wharf House grounds. This is cracked along the full height and shows clear daylight between the sections. As the wall turns the corner from the King Street Road and into the driveway of the house that we own [REDACTED] [REDACTED] Emsworth) there are further sections that are also a cause for concern.

My wife and I (plus visitors etc.) are at particularly high risk of injury/death if the Southern section of the Wharf House perimeter wall collapses, especially while we are regularly working on the flower beds that run along the driveway from near the King Street Road and in the garden at the front of [REDACTED] perimeter wall. The Southern section of the boundary wall has 6 cracks from top to bottom and the section adjacent to our front garden has a further two full height cracks. The ones showing the most separation are in the upper half of our driveway (see the 3 photographs accompanying this letter) near to a very large Cypress tree (*Macrocarpa* species) which is visible in one of these photographs; it has attained a trunk diameter of over four feet and continues to expand each year. It is growing in the Wharf House grounds with currently only about a one foot gap between the trunk and the Southern section of the perimeter wall adjoining the driveway of [REDACTED] which the *Macrocarpa* tree substantially overhangs. The wall has 3 full length cracks in the area close to this tree. We have been earlier advised by a surveyor that the major cracking of this wall is most likely to be caused by adjacent trees and that they should be cut back.

This advice dates back to the period just prior to our purchase of [REDACTED] after we had the property inspected on 8th January 2021. An RICS surveyor's report was produced dated 14th January 2021 which stated that 'There is a long driveway leading to the property which has a brick boundary wall. This wall leads all the way round to the side of the property and there are several significant vertical cracks to this wall which will require further investigation and remedial works in due course'. Photographs of these cracks were taken by

the surveyor and attached to the report. These were passed on by email at the time to the owners of Wharf House as a letter from the solicitor carrying out the conveyancing for our purchase of [REDACTED] had informed us that 'documents confirm that the wall that you have questioned is owned by the neighbouring property'. In the conveyancing solicitor's letter dated 12th February 2021, it was also stated that 'As it has been noted by the surveyor this wall needs urgent repair I would suggest you arrange to speak with the neighbours to request this be repaired as a matter of urgency.'

Following up on the conveyancing solicitor's suggestion, my wife ([REDACTED]) sent an email dated 26th February 2021 to A [REDACTED] co-owner of Wharf House with her sister [REDACTED] stating that 'We have recently had relevant surveys and searches done, and one thing which has been noted for attention by the surveyor is some quite large cracks in the garden wall belonging to Wharf House which adjoins the [REDACTED] land. We don't think this should be a major problem but wanted to point it out as we are not sure how obvious the cracks would be from your side of the property as I think they may not be visible due to the trees and vegetation in your garden'. An email reply from [REDACTED] ([REDACTED]) was sent on 27th February 2021 stating that 'I can appreciate your surveyor feeling he has to bring everything to your notice but I would say that these walls have been standing for quite some decades. We do have some cracks here and there in the wall around the garden. I suspect your surveyor is just trying to cover for himself. I should tell you that we are planning to put up a trellis fence along the top of the wall at some point this year. This has been granted planning permission and I am sure will have also shown up in your searches.' On 4th March 2021 a further email was sent by [REDACTED] as follows: '-Hello again [REDACTED]. Just a quick message to check out if you have had any more thoughts about the surveyor's advice re the cracks in the Wharf House border wall. Hope the info. we attached was clear enough for you to see, including the photos taken by our surveyor. We understand that you do not live locally so probably feel you cannot make any informed comments about the cracks and how the wall can be made safer until you have seen them yourself. Maybe you could let us know when you will next be able to visit Emsworth and we could perhaps arrange to look at the cracks referred to by the surveyor together. Although we do not expect any repairs to be completed before we move to [REDACTED] it would be helpful to be able to feed back to the surveyor and our solicitor what the options may be. An email reply to this from [REDACTED] on the same day (4th March 2021) stated as follows: 'Apologies for not getting back to you sooner and thank you for the photos and your surveyor's comments. Old walls will suffer from some cracking but as they have been like this for many years it is recommended to leave well alone.' My wife responded to this in a final reply from us both in an email dated 8th March 2021 'Just a quick update re. our thoughts about the wall. As the sale of [REDACTED] has not yet been finalised we have decided it is a bit premature to go ahead with any further action re the surveyor's concerns.'

This exchange of emails took place just over 2 years ago. The situation has become more urgent because:

- 1) The cracks in the wall between the large Cypress tree (Macrocarpa spp) and the telegraph pole at the King Street Road end of the [REDACTED] driveway have widened substantially

over the 2 year period. If the 400mm trellis approved in APP/20/00274 had been built and covered with foliage, it would have placed further strain on the wall and would have added to the stress on it in the wind. Fortunately this has not happened and it seems obvious that the trellis should not be erected on the top of the wall until it has been made safe.

2) Planning permission is currently being sought by the owners of Wharf House, via APP/23/00173, for partial demolition and re-construction of existing brickwork boundary wall to listed building. Their Structural Engineer has recently reported on the condition of the boundary wall, labelled it '**unsafe**' and found it to have '**little or no foundations**' and has stated that it '**poses a risk to the general public if the wall was to collapse.**

3) The part of the wall currently undergoing reconstruction appeared to have been in better condition than the sections lower down the King Street Road and in the upper part of the [REDACTED] driveway. It is difficult to understand any reasons why the upper part of the wall should be '**restored to a safe boundary wall**' without carrying out similar work on these lower and Southern sections of the wall so they did not continue to '**pose a risk to the general public**'. It seems highly likely that there are '**little or no foundations**' in this part of the wall either.

4) We propose that on safety grounds the planning permission currently applied for should be extended to allow adequate foundations to be installed. The sections of the wall, referred to above in point 3), should be similarly reconstructed. This would create a safe boundary wall along the drive and also around the front garden of [REDACTED]. The Cypress tree (probably Cupressus macrocarpa) is likely to increasingly threaten the safety of a reconstructed wall and we feel that it should be removed. The trunk is very close to the wall and its roots must be substantially undermining it. I [REDACTED] was employed for over 30 years in the Plant Sciences Division of the School of Biosciences at the University of Nottingham and while not claiming to be an expert on this species, I can see from the Wikipedia entry, that trees of Cupressus macrocarpa have 'been recorded at over 40m (130ft) tall and 3m (9.8ft) in trunk diameter.' An alien tree, originating from California and Oregon, which is already well on the way towards potentially attaining these dimensions, should not be recklessly allowed to continue to grow next to a 10ft high wall which has been deemed by a Structural Engineer to '**pose a risk to the general public**'.

Yours sincerely,

[REDACTED]



Photographs taken April 2021 - cracks have increased since then.