

DELEGATED OFFICER REPORT

APPLICATION REFERENCE: APP/25/00958

APPLICATION TYPE: Retrospective Permission

PROPOSAL: Retrospective application for the erection of wooden fence comprising smooth-planned horizontally mounted boards with 30cm trellis on top, total height 2.1m, matching side gate between rear gardens of 26 and 28 West St.

SITE ADDRESS: Skeyne House, 26 West Street, Emsworth, PO10 7DY

AGENT DETAILS: n/a

APPLICANT DETAILS: Ms Worpole

CASE OFFICER: Denise Sheath

TARGET DATE FOR DECISION: 03 February 2026

RECOMMENDATION: GRANT RETROSPECTIVE PERMISSION

1 Site Description

Skeyne House, 26 West Street, Emsworth, is a two-storey mid-terrace property constructed in red/brown brick with painted white render to the rear elevation. The rear garden comprises a block-paved patio area leading to a higher-level garden of lawn and shrubbery. The rear boundary treatment consists of 1.8 m close-boarded wooden fencing, with a lower wooden fence along the south-eastern rear side boundary. There is an shed style outbuilding located adjacent the rear boundary.

2 Planning History

Non-Relevant

3 Proposal

Retrospective application for the erection of wooden fence comprising smooth-planned horizontally mounted boards with 30cm trellis on top, total height 2.1m, matching side gate between rear gardens of 26 and 28 West St.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS16	(High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Raise No Objection

Reasoned Justification This fencing has no significance from a National Landscape perspective given its location within the rear garden, not visible from the public realm.

Conservation and Heritage Team

Thank you consulting me on the above application. I have reviewed the application documents and am satisfied that the fence / trellis, does not result in harm to the significance of the Emsworth Conservation Area. Therefore, no objection is raised.

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: Enter No of Neighbours notified

Number of site notices: 1

Statutory advertisement: Press Advert - 16 December 2025

Number of representations received: 6 (2No. from 1 member of a household, another 2No. from 1 member of a different household. These objections would be classed as 1 objection each)

objections in total 4

Objection Summary:

- This new fence causes an overbearing sense of enclosure - **See Section 7 of report.**
- Overshadows rear garden - **See Section 7 of report.**
- Loss of morning Light - **See Section 7 of report.**
- The apple tree in the garden fell due to the fence not allowing the wind through – **Evidence has been provided to show apple tree fell prior to the erection of the fence.**
- The fence due to its height and proximity to the garden of number 28 West Street, is overbearing and oppressive, this is exacerbated by the narrow width of the garden. – **See Section 7 of report.**
- Out of character – **See Section 7 of report.**
- Gate positioned outside bathroom window causing a loss of light – **See Section 7 of report.**
- Adverse micro-climate and wind impact - **See Section 7 of report.**
- Obstruction and narrowing of an established right of way – **Civil Issue between the parties involved**

- Incorrect siting and boundary overreach – **The applicant has confirmed the fence and gate are within their boundary. Any conflicts regarding boundaries are a civil issue between the parties involved.**

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 Conservation Area and National Landscape
- (iii) Effect on neighbouring properties
- (iv) Biodiversity Net Gain (BNG)

(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 Conservation Area and National Landscape

7.3 The proposal is for the retention of a boundary fence along the rear southern western side boundary. The fencing comprises of smooth-planned horizontally mounted boards at a height of 1.8m with 30cm trellis on top. The ground level of the rear garden area rises in height toward the rear of the gardens area. The fence panels at the lower ground floor level are placed upon concrete boards at a height of 15cm giving a total height of 2.25m. A wooden gate with trellis has been erected with a total height of 2.25m between the boundaries of No26 and No.28 West Street. No.28 has an easement into the rear garden of their property from the application site.

7.4 A range of rear and rear-side boundary treatments of varying heights is present within the surrounding area. As the fencing is located at the rear of the property and is not readily visible from the public realm, it is not considered to result in any detrimental effect on the visual character of the streetscene.

7.5 The application site is located within the Emsworth Conservation Area and National Landscape. The Heritage Team have raised no objection to the proposal stating that the fence / trellis, does not result in harm to the significance of the Emsworth Conservation Area. Chichester Harbour Conservancy have also raised no objection to the retention of the proposal stating that the fencing has no significance from a National Landscape perspective given its location within the rear garden, not visible from the public realm

7.6 On balance, the design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.7 The retention of the fence to the rear southern western side boundary is not considered to have a harmful impact upon the neighbouring properties to the rear (Mew Cottages) and to the rear southern eastern side boundary (No.24 West Street). It is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have minimal and acceptable impact on these neighbouring properties.
- 7.8 The retention of the fence is not considered to result in a harmful overbearing sense of enclosure, overshadowing, significant loss of morning light, or any adverse micro-climate or wind effects. No evidence has been provided to demonstrate such impacts. The fence represents a typical boundary treatment for rear gardens. While permitted development allows rear fences up to 2 m in height, the existing fence with trellis reaches approximately 2.25m and is only marginally above this threshold. It is therefore considered the retention of the fence and trellis is considered to have a limited and acceptable impact upon No.28 West Street.
- 7.9 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Biodiversity Net Gain (BNG)

- 7.10 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

8 Conclusion

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT RETROSPECTIVE PERMISSION** for application APP/25/00958 subject to the following conditions

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

Heritage Statement – Received 08 December 2025

Location Plan – Received 20 November 2025

Block Plan – Received 20 November 2025

Photographs (with measurements) of fence – Received 08 December 2025

Reason: To ensure provision of a satisfactory development

Informative:

In accordance with paragraphs 39-51 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- Your application was acceptable as submitted and no further assistance was required.