

possibility of people falling from the higher level. There would need to be a global clearance of the gardens for a distance of 2.5m from the back of the wall in the gardens of 103 – 107, and 1.0m elsewhere, since all that soil will be removed to enable the works and so by definition there would not be any ground for the existing trees and other vegetation to stand in.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Southern Gas Networks:

There is High Pressure apparatus in the vicinity, the safety and integrity of our assets will not be affected by the proposal. It is essential that the developer complies with restrictions (detailed in the consultation response) and in the document SGN/WI/SW2 in order to protect our plant and equipment and for the safety of operatives. A SGN representative must be contacted before any works commence.

Officer comment: The developer restrictions will be advised to the applicant by informative as they cover matters that are not material planning considerations.

Environmental Health:

No response given at the time of the report. Members will be updated if any response is provided prior to the meeting.

Development Engineer:

No objections

Southern Water:

No objections

Network Rail:

No objections

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: 24

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1 representation received querying what the changes were with this application. No objections have been raised.

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 the design and impact upon the streetscene
- (iii) Impact upon residential amenity
- (iv) Highway matters

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.3 The Council's Building Control officers have assessed the walls condition and the works outlined are considered to be necessary to address an ongoing safety issue which has resulted in the need to close the pedestrian footpath adjacent to the wall. The proposed works are therefore strongly supported in principle in terms of public safety.

(ii) Appropriateness of the design and impact upon the streetscene

7.4 The proposed replacement wall would run along the same length as the existing wall, however there would be an increase in height of 1m. The wall would be reinforced with a precast concrete retaining wall which would be situated behind the brick face. To break up the mass of brickwork, the design of the wall includes a section of 3 x blue header string coursing brick to reflect the point where the garden levels of No's 101-109 start. The wall would be constructed in Flemish garden wall bond with an attractive contrast of stretcher and header bricks. The wall would then extend 1m above this to form a boundary wall to the end of the front gardens. This would be finished with a half round brick on edge coping.

7.5 Overall it is considered that the replacement wall would be in keeping with the similar materials used in the local vernacular and as such, would not be contrary to Local Plan Policy CS16 (High Quality Design).

(iii) Impact upon residential amenity

7.6 A replacement wall which is safe and stable and of an appropriate design, would be a benefit to local residents for future years to come and would allow the pedestrian footpath on the north side of North Street to be opened again for use.

7.7 For the residents of No's 101-109 North Street, their front outlook would change due to the removal of the existing line of vegetation and screening at the front boundary of their front gardens. With the screening removed, the outlook would be onto the new boundary wall which would extend up 1m from their ground level and then beyond that, the buildings opposite the road.

7.8 Whilst the existing vegetation does form a degree of soft landscaping within an otherwise generally urbanised streetscene, it is not worthy of a tree preservation order. Given the

importance of replacing the wall from a safety aspect, on balance it is considered that the loss of this landscaping should not warrant a refusal of the application.

(iv) Highway matters

- 7.9 The pedestrian footpath adjacent to the wall is currently closed due to safety concerns. The proposal would when completed allow for the safe re-opening of this route.
- 7.10 If approval is granted, the rebuilding of the wall would require a closure of part of the North Street for a number of weeks. This would be managed by the Council's Traffic Team, in consultation with Hampshire County Council as Highways Authority and does not fall within the control of the Local Planning Authority. This will cause disruption for users of the highway network, however this is considered to be necessary for the safe construction of the wall. Residents of 101-109 North Street would still be able to access their properties via Sultan Road as is presently the case. Vehicular access to the railway station and the adjacent businesses would remain available from the south.

8 Conclusion

- 8.1 Whilst the proposed development would result in a loss of landscaping and the closure of the road for a temporary period, it is considered that the need for the replacement wall to address safety issues outweighs these impacts and therefore the application is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01110 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by 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:

Diversion plan - 001
Retaining wall replacement plans and long section - DN: 11/003B
Materials arrangement - DN: 11/002A
Site compound arrangement - DN: 11/003 A

Reason: - To ensure provision of a satisfactory development.
- 3 The areas of land required to be altered to construct the wall at the front of No's 101-109 North Street shall be reinstated to the previous ground level unless otherwise agreed with the Local Planning Authority.
Reason: In the interests of the amenities of the properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Appendices:

- (A) Location Plan
- (B) Wall Location
- (C) Replacement wall elevation
- (D) North Street Diversion Route
- (E) Site Compound Plan