

**Application Number: 20/10167** Full Planning Permission

**Site:** 1 MAY CRESCENT, HOLBURY, FAWLEY SO45 2GS  
**Development:** Replace wooden fence with brick wall (Retrospective)  
**Applicant:** Mr Goddard  
**Agent:** Extension Design Limited  
**Target Date:** 07/05/2020  
**Case Officer:** Rosie Rigby  
**Extension Date:** 12/06/2020

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**1 SUMMARY OF THE MAIN ISSUES**

The key issues are:

- 1) Impact on the street scene and character of the area
- 2) Residential amenity
- 3) Highway safety matters

This application is brought to Committee due the contrary view of the Parish Council.

**2 SITE DESCRIPTION**

The site consists of a detached bungalow set on a prominent corner plot of an established residential road within the built up area of Holbury. The area is characterised by a mix of single storey and chalet dwellings with some first floor accommodation. Front boundaries are characterised predominately by low front walls and hedges.

Planning permission was granted in 2018 for a single-storey side extension under PP 18/11363 which has been implemented. A single-storey front extension was approved in March 2020 under permission 20/10066.

**3 PROPOSED DEVELOPMENT**

The application seeks planning permission in retrospect. The brick wall is already erected and is positioned on the southern and eastern (front) boundaries of the site with a brick corner pier on the northern boundary. The northern boundary is shown to be a fence but it is not clear if this fence is a new replacement of an earlier fence. The wall is 1.9m high and constructed of red brick with blue brick coping. It is considered that the new front and side wall needs planning permission.

The applicant has stated that the reason for replacing the fence with the wall is to provide for low maintenance in the garden due to a disability.

#### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
20/10066 Single storey front extension	18/03/2020	Granted Subject to Conditions
18/11363 Single-storey side extension	04/12/2018	Granted Subject to Conditions
93/NFDC/53223 Single-storey addition	30/11/1993	Granted
83/NFDC/24407 Alterations and addition of a bedroom and dining room.	28/06/1983	Granted Subject to Conditions

#### 5 PLANNING POLICY AND GUIDANCE

##### Core Strategy

CS2: Design quality

##### The Emerging Local Plan

Policy 1: Achieving Sustainable Development  
Policy 13: Design quality and local distinctiveness  
SO3: Built environment and heritage

##### Relevant Advice

##### National Planning Policy Framework

Chap 12: Achieving well designed places

#### 6 PARISH / TOWN COUNCIL COMMENTS

**Fawley Parish Council** : No 3 We recommend permission

#### 7 COUNCILLOR COMMENTS

No comments received

#### 8 CONSULTEE COMMENTS

No comments received

#### 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Comment: 1

- waste mortar left on adjacent pavement
- builder should have cleared up

## 10 PLANNING ASSESSMENT

### Introduction

The current application is made in retrospect. By way of context, the close boarded fence that has been replaced by the wall (subject of the current application) was unauthorised . The fence replaced a high hedge at some time between June 2012 and June 2019 and it is therefore not certain if the fence had become lawful through the passage of time.

Regardless of this background, the unauthorised fence has now been removed and the front wall and side wall erected requires planning permission. There is no allowance to replace a fence with a wall of the same height in these circumstances. As such the current application needs to be considered on its own planning merits. There is also a high wooden fence along the northern boundary. Again this would need permission if any part is adjacent to the highway and over 1 metre in height. The applicant confirms the works were carried out in January and February 2020.

### Principle of Development

Policy CS2 requires new development to achieve high quality design that contributes positively to local distinctiveness, that it is appropriate and sympathetic to its setting in terms of scale, height and appearance and shall not cause unacceptable effects by reason of visual intrusion or other adverse impact on local character. These factors are reflected in Policy 13 of the emerging Local plan. The principle of the development is considered to be acceptable subject to compliance with these policy criteria and the relevant material considerations relating to its impact on the character and appearance of the area, residential amenity and highways matters

### Impact on local character and appearance of area

The existing street scene is characterised by low walls and hedges of varying heights which give it a pleasant green and relatively open character. These are the features that contribute to and make up the existing character of the area.

The brick wall is already in position and is 1.9m high constructed of red brick with blue brick coping bricks along the top. It is in a highly visible position, the front wall being located on the back edge off the pavement and close to the junction of May Crescent with Crawte Avenue . As a result of the excessive height and position of the wall it is considered as a prominent, incongruous and overdominant feature within the street scene that appears totally out of keeping with the area.

Whilst it is noted that within the wider locality there are two other examples of high front boundary treatments ( at No 12 and No 41 May Crescent) these are located some distance from the application site, around the corner and within a different street scene context. Furthermore, whilst there is no planning permission evident for these, they appear to have been in place since 2009 and as such would have become lawful by default. As they do not contribute to the street scene within which the current front wall is viewed they do not offer any justification for the current inappropriate development.

The applicant in his submission refers to the low maintenance of the wall compared to a fence and cites personal circumstances. As is well known in planning guidance such personal circumstances are not material considerations. The wall is a permanent feature and personal circumstances and ownership of a property does change over time.

### Residential amenity

The wall has a degree of separation from adjacent dwellings and therefore would not have a significant impact on the light or privacy of neighbouring properties.

### Highway safety matters

The wall would be set back behind the pavement and grass verge and so would not impact on the visibility splays from the road or the adjacent driveway access to the application site.

## **11 CONCLUSION**

For the reasons given above, it is considered that as result of the excessive height and position of the wall it is a prominent, incongruous and overdominant feature within the street scene that appears totally out of keeping with the area. The other material considerations, including the emerging Local Plan Policy support the need to ensure that any development contributes positively to local character. Personal circumstances are not material considerations. The recommendation therefore on this occasion is one of refusal.

## **12 OTHER CONSIDERATIONS**

The comment relating to the work undertaken raised in representations are not material planning considerations but civil matters.

## **13 RECOMMENDATION**

### **Refuse**

### **Reason(s) for Refusal:**

1. By reason of its excessive height and position the brick boundary wall creates an overdominant and incongruous feature within the street scene. It appears prominent within its context and totally out of keeping with the prevailing street scene which is characterised by low front boundary walls and hedges. As such it would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, Policy 13 of the Emerging Local Plan and Section 12 of the National Planning Policy Framework.

### **Further Information:**

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**PLANNING COMMITTEE**

**June 2020**

1 May Crescent  
Holbury, Fawley, SO45 2GS

20/10167

Scale 1:1250

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the internet, it will not be to  
scale.

