
Site Address: 4 Hartwood Gardens, Waterloooville, PO8 8RA
Proposal: Retrospective planning application for erection of a timber outdoor covered seating area with open front, windowed side and pitched roof with rooflights.
Application Type: Retrospective Planning Permission
Application No: APP/24/00257 Expiry Date: 24/07/2024
Applicant: Mrs Dobbs-Jones
Agent: Case Officer: Josephine Lacey
Ward: Hart Plain

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

- 1.1 The application site relates to a detached dwelling set on a private drive off the end of the cul-de-sac of Hartwood Gardens. The private drive serves multiple other dwellings and the correct Notice has been served on all other parties that own the private drive. The application dwelling is set at 90 degrees to the private drive. The southern section comprises a garage and the parking to serve the dwelling. The garden to the west is enclosed by fencing and has a shed located within its south-western corner. The garden area to the north comprises the sitting out area and has a series of outbuildings along the northern boundary.
- 1.2 The rear gardens of the dwellings in Silvester Road abut the north and western boundaries. There is then another private cul-de-sac off Silvester Road that extends such that the front curtilage of bungalow 1B Lawrence Avenue abuts the southern boundary of the western garden area.
- 1.3 The application dwelling is chalet style with steeply pitched roof containing sloping pitched dormers in its front (south) elevation. It is constructed on pale red bricks beneath a dark tiled roof. There are other properties in the immediate area of Hartwood Gardens of the same design - notably numbers 5 and 6 which are joined as a pair of semi's, and number 2.

2 Planning History

APP/15/00886 - Retention of storage shed., PERM,03/11/2015
APP/22/01169 - Proposed two storey side extension., PERM,10/02/2023

3 Proposal

Retrospective planning application for erection of a timber outdoor covered seating area with open front, windowed side and pitched roof with rooflights.

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
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014
AL1 (Presumption in Favour of Sustainable Development)

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

5 **Statutory and Non Statutory Consultations**

Councillor Carly Scannell - Hart Plain
No comments received.

Councillor E Shimbart - Hart Plain
No comments received.

Councillor James Blades
No comments received.

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: 12

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Comments include: Drainage concern, concern that the development is close to the boundary.	This building is immune from enforcement action having exceeded 4 years. The owners submitted a retrospective planning application to regularise a breach of planning law. The position of the outbuilding is considered acceptable. A planning condition has been applied to the permission in relation to drainage.

	Please see section 7.
Comment with concern about overhanging and encroachment	With regards to the encroachment concern, the applicant has served notice on all required properties. Beyond this, the encroachment or any remedial works are a private matter.

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 area
- (iii) Effect on neighbouring properties

(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 area

7.3 The application is retrospective, for a timber outdoor covered seating area with open front, windowed side and pitched roof with rooflights. The dimensions are 4.5m in height, 4.7m in width and a depth of 4.5m. The roof is pitched with the gable ends north to south. There are roof lights in both sides of the pitched roof. The front elevation is open, and there are windows within the west side elevation. The structure is located at the northern boundary of the curtilage to the rear.

7.4 In terms of materials, the roof is made up of 'plain clay' tiles, with the walls being Douglas fir timber with Douglas fir timber frame. The windows are double glazed safety glass with Perspex windows being proposed in the roof.

7.5 The design and scale of the proposal is considered in keeping with the main dwelling and surrounding area. It is visible from the street scene though to the rear, but there are multiple pitched roof structures of similar scale in the surrounding area. The materials are also considered to be in keeping with the main dwelling and surround area.

7.6 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 To the north and northwest of the property are No.s 91 and 93 Silvester Rd. In terms of overlooking, there would not be opportunity for this due to the boundary treatments being sufficient in preventing this. In terms of light and outlook, the location of the proposal would not cause detrimental loss of either due to its position in relation to the rear boundaries of these properties and there being sufficient distance between the structure and the neighbours' amenity space. The structure is 4.5m in height, and extends above the boundary treatment with the property to the rear, but is not considered to be overbearing. It is therefore considered that any impact from this proposal would not cause demonstrable harm to the properties to the rear in terms of loss of light, outlook or privacy and is not considered overbearing. The proposal does slightly overhang the boundary of No.91 Silvester Road and a certificate B form was submitted due to this, with notice being served on this neighbour. This slight overhang does not materially impact on the neighbour and any issues around this would be a private matter between the parties involved.
- 7.8 To the east is the garage of no.6 Hartwood Gardens. There would be no impact in terms of loss of privacy, light or outlook. There is a gap of approximately 0.9m between these buildings. It is not considered to be overbearing and provision of guttering and rainwater management has been added as a planning condition to the decision notice.
- 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).

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 PLANNING PERMISSION IN RETROSPECT** for application APP/24/00257 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:

Uploaded 03.04.2024 - Photograph of the outbuilding as built

Uploaded 02.05.2024 - Location and block plan

Uploaded 02.05.2024 - Elevations, existing

Reason: To ensure provision of a satisfactory development.

- 3 Within 3 months of the date of this Planning Permission, the guttering and downpipe will be installed in the eaves on the roof and thereafter retained and maintained.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.