
Site Address:	71 Southleigh Road, Havant, PO9 2QQ		
Proposal:	Wooden wendy house and raised platform. (Retrospective)		
Application No:	APP/17/00916	Expiry Date:	17/10/2017
Applicant:	Mr Davy		
Agent:		Case Officer:	Harriet Pitney
Ward:	St Faiths		
Site Visit Date:			

Recommendation: **GRANT PLANNING PERMISSION IN RETROSPECT**

1 Site Description

Southleigh Road provides a link between Havant and Warblington and comprises primarily residential properties, the majority of which are set within generous plots of land.

The application site is a large, detached, residential dwelling located on the western side of Southleigh Road, comprising elevations of brick construction with a tiled pitched roof. The property is set back from the main highway and benefits from a large front driveway which can accommodate offroad parking for several vehicles.

The rear garden is primarily laid to lawn with a varied boundary treatment enclosing the application site (comprising both hedgerow and close boarded timber fencing).

2 Planning History

96/57940/001 - Reshaping and pruning of 1 Sycamore (T4) covered by TPO 1330, PERM,06/03/1996

95/57940/000 - Change of use from redundant nursing home to use as single dwelling only., PERM,

APP/11/00179 - Crown reduce by 25% and deadwood 1No. Sycamore tree subject to TPO 1330., PERM,26/04/2011

APP/11/01547 - Crown lift to 5m and remove diseased, damaged and crossing branches on 1No. Horse Chestnut tree (T2) subject to TPO 1330., PERM,01/12/2011

APP/16/00808 - Single storey rear extension., PERM,15/09/2016

APP/17/00746 - Single storey rear extension., PERM,25/08/2017

3 Proposal

This application seeks the retention of a wooden Wendy House and raised platform within the rear garden of 71 Southleigh Road. This application has been submitted on a retrospective basis following an investigation by the Council's Enforcement Team.

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)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Not required in relation to this application.

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
<p>The block plan and location of the wendy house reflects the garden of number 65 Southleigh Road before we purchased that part right up to the boundary with number 5 Fourth Avenue. Therefore these plans are out-of-date.</p> <p>The land was registered to us in July 2011 therefore the structure in question overlooks our garden at number 67 not that of number 65.</p> <p>The photographs submitted of the original structure do show a fence around the platform but by agreement this was removed by the previous owners of number 71. The new owners originally had kayaks/canoes lying lengthways on the platform.</p> <p>I have on more than one occasion stated that I would maintain the hedge</p>	<p>Please see section 7 of the Officer Report</p>

<p>at a height of approx 6 feet in keeping with the rest of the boundary at the rear of our house.</p> <p>The original structure has only served as a log store, the platform being no more than a 'roof' to keep the wood dry. Everything shown in the new photographs has been erected this summer with no approach from our neighbours to us about what they were doing.</p> <p>The height of the platform and the proximity to the boundary does compromise our privacy as children standing on the platform have a direct view into our garden. Moreover the wendy house itself has a window that over looks.</p>	
<p>It has always been important to us to maintain good relationships with our neighbours and we recognise that Mr Davy has done what he can to address the privacy concerns we have raised.</p> <p>However, should the Council now decide to approve the application, we would assume that this applies only to the platform, wendy house and screening as currently presented and does not imply a licence to freely replace with anything substantially different in the future. We would further assume that the condition of the screening is maintained such as to ensure our privacy for the duration.</p>	<p>Please see section 7 of the Officer Report.</p>

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 to be acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

7.3 The Wendy House and raised platform subject of this application are positioned to the

south west corner of the rear garden of 71 Southleigh Road and therefore are not readily visible from the public realm or streetscene of Southleigh Road. On this basis, it is not considered that the development would result in any impact which would be harmful to the character and appearance of the area.

- 7.4 Notwithstanding the above, the property benefits from a relatively large curtilage, with a rear garden which is in excess of 35 metres from the rear wall of the original dwelling. Screening has been applied to the raised platform area to reflect the verdant character of the boundary treatment which encloses the rear garden and as such, the design and appearance of the development is deemed appropriate in context with the main dwelling and respects the existing built form. The development is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and would not result in any adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.5 When assessing the impact of the Wendy House and raised platform on neighbour amenity, it is important to acknowledge that a raised platform at the same height was in situ prior to the addition of the Wendy House. The Council have been informed that this platform has been in position for more than 4 years and was utilised as a log store. Whilst this would have required the benefit of formal planning permission by virtue of the height, the platform would have been immune from Enforcement Action had it remained in its original form.
- 7.6 The addition of the Wendy House on the raised platform was considered to significantly alter the use of the platform in a way which was likely to result in a detrimental impact on the neighbouring amenity of the adjacent neighbouring property (No. 67 Southleigh Road). Many properties within Southleigh Road have been constructed on a relatively staggered building line, whereby No.67 is significantly set back from the application site by approximately 11 metres. The result of this is such that the Wendy House and raised platform sited to the south west corner of the application site results in a direct view into the private amenity space of this property when the platform is in use, resulting in a loss of privacy and significant overlooking. A representation was received from the adjacent neighbouring property on this basis.
- 7.7 Having raised these concerns with the applicant, further screening was applied to the south and eastern elevations at a height of 1.4 metres above the raised platform and the window within the southern elevation of the Wendy House was screened to prevent any additional overlooking. Whilst it is acknowledged that the additional screening applied would not prevent overlooking were an adult to stand on the platform, it is however considered that the screening is appropriate for the intended use of the structure and would screen a child for which the Wendy House is intended from directly overlooking the private amenity space of this property. A condition has been recommended to ensure that the additional screening applied remains permanently in situ thereafter to ensure that this impact continues to be mitigated.
- 7.8 Whilst it is acknowledged that the Wendy House and raised platform is sited in relatively close proximity to the neighbouring property to the rear (No. 5 Fourth Avenue), it must be noted that the western elevation of the Wendy House contains only two very small windows which would be unlikely to result in any direct overlooking or loss of privacy to this property. The raised platform element is sited away from this property and on this basis it is not considered that this would result in any detrimental impact on the neighbour amenity of this property.
- 7.9 Consequently, provided the Wendy House and raised platform remains in its current form and the additional screening remains, then it is considered that this would not cause unacceptable harm to neighbouring amenity and is compliant with Policy CS16 of

the HBLP (Core Strategy).

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have a limited and acceptable impact on the neighbours provided the additional screening applied remains in situ. On this basis, the development is therefore considered to be appropriate and is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/17/00916 subject to the following conditions;

- 1 The screening applied to the south and eastern boundaries of the Wendy House and raised platform shall be retained in perpetuity at a height of 1.4 metres above the raised platform. In the event the screening approved becomes severely damaged or destroyed, the screening shall be replaced to the same height unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To provide an appropriate standard of screening, in the interests of residential amenity, having due regard to Policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Site location plan- received 22nd August 2017

Block plan- received 22nd August 2017

Amended site photographs and confirmation of the height of the revised screening arrangement- referenced in Email dated 15th September 2017

Reason: - To ensure provision of a satisfactory development.