

Recommendation: **GRANT PERMISSION**

Formal landscaping scheme pursuant to condition 3 of planning permission 04/62243/003. Permitted 27/04/2010.

APP/12/01588

Variation of Condition 12 of Planning Permission No. 04/62243/003 for use of garage as ancillary living accommodation to used as gym/sauna. Withdrawn

APP/12/01194

Change of use and conversion of dwelling to allow 4 bed Bed and Breakfast guest accommodation to operate, with remaining rooms to remain in residential use. Permitted 22/02/2013 Conditioned to be 4 bedrooms only, and operated by resident householder only also S106 not to let, sell or dispose of garage/severe from curtilage without agreement from LPA

APP/13/00209

Conversion of existing 6 bed detached house to 2No. 3 bed semi-detached houses, one retaining existing detached garage Permitted 18/04/2013

APP/15/00638

Construction of 1No detached 3 bed house and 2No semi-detached 3 bed houses with integral garages with access from private drive Permitted 13/08/2015

APP/15/00918

Erection of 1 detached 3 bed house with access from private drive., PERM,02/10/2015

APP/15/00901 - Fell 1No Maple (T11) subject to TPO 1838

APP/16/00649 - Change of use of the land adjacent to the east of No 8 Northlands Park from woodland area to residential garden; retention of washing/drying structure; erection of compost; replacement shed/log store; extension of parking area and turning head., PERM,12/08/2016

3 Proposal

This application relates to the approved shed under APP/16/00649 and seeks to increase its height from 2.5m to 3.8m.

The applicant has indicated that this is to provide some gym equipment inside which requires increased head height.

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM10	(Pollution)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

No objection to the proposed work however details of facilitation pruning of the Limes and Field Maples surrounding the area of the proposed shed should be provided prior to any consent be granted

Following submission of pruning details: No objection and the tree works maybe undertaken with the planning permission if approved

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
The size of buildings gone up on this plot of land are already huge and have massively changed the appearance of the protected wooded area. I see no good reason to make a "shed" have to stand 3.8 m tall other than it to end-up being used for purposes other than a shed when it is made? This has happened before on this site with "garages" turning into living accommodation. it will block a significant amount of light to the bottoms of neighbouring gardens and will be a towering eyesore in a lovely woodland area.	see comments below
In response to the letter received concerning the height of the approved shed I would like to make my concerns known, as this building is to be built directly at the bottom of my garden in what was supposed to be protected woodland I'm most concerned about the need to build a shed so high , is it	see comments below

that it might be used over time for other reasons as was proven with other buildings on this site, also what must be taken into consideration are more trees going to be destroyed if this was to be approved, we have already succumbed to a fence much higher than necessary blocking out what was once a lovely wooded area, please take into account the wildlife/ birds which are depleting all the time, for these reasons I object to this amendment going ahead, neighbours do have a voice,

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 and use of building
- (ii) Appropriateness of design and impact on neighbouring amenity
- (iii) Effect on trees

(i) Principle of development and use of building

7.2 The application site is now located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The land on which the shed is sited is now part of the authorised enlarged residential curtilage of No 8 (by virtue of planning permission APP/16/00649). That decision notice removed permitted development rights for any additional Class E structures to safeguard the trees on the site. Whilst approved as a 'shed' the use of any outbuilding within the curtilage of a residential dwelling must be 'incidental to the enjoyment of the dwellinghouse'. Such an incidental use could be a private gym for hobby purposes for the occupiers of the dwellinghouse. The applicant has indicated that the use will be as a private gym and this is acceptable as an incidental use.

(ii) Appropriateness of design and impact on neighbouring amenity

7.3 The footprint of the outbuilding has already been approved under APP/16/00649. It was approved at 9.7m long x between 4.2m and 5.2m deep with a height of 2.5m to ridge and 2m to eaves. It would be of a timber structure set on pads only to prevent any harm to nearby tree roots. The shed would be set sufficiently away from the rear boundary (by about 1.5m) to minimise any impact on neighbours.

7.4 The only difference now is the roof and height. The proposed eaves height is 2.142m and ridge of 3.816m. With the 1.5m separation from the rear boundary, which is wooded and screened by both trees/bushes and fencing, the higher roof would not materially affect the outlook from within the gardens to the rear. The height, design and appearance of the proposal is deemed appropriate in context to the large site 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 either the visual amenity of the locality or neighbouring amenity.

(iii) Effect on trees _

7.5 Additional tree information was submitted during the course of determining this application which sets out the facilitating pruning necessary as follows:

T21 – Field Maple – cut/remove low level branch 20mm diameter

T22 – Lime – cut/remove low level overhanging branch approx.. 30mm diameter

T23 – Lime – cut/remove low level overhanging branch approx.. 35mm diameter

7.6 This has been assessed by the Council's tree officer who raises no objection.

8 **Conclusion**

8.1 The increased height of the outbuilding can be achieved without harm to the trees above and is not considered to have any detrimental affect on the outlook or amenity of neighbouring residents. Provided the use remains as incidental to the enjoyment of the occupiers of the dwellinghouse then the proposal is considered to be appropriate and recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00386

(A) 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:

1:1250 site plan

1:500 Proposed Layout Drawing Number 104/02

Proposed Elevations Drawing Number 104/06

Proposed Elevations Drawing Number 104/07

DETAILS OF FACILITATION PRUNING OF PROTECTED TREES received 18th May 2017, for TPO ref: 1838, 07/03/2006

Tree Works Plan

Reason: - To ensure provision of a satisfactory development.

3 The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012..

4 The tree works approved must be in accordance with BS 3998 (2010).

Reason: In the interests of good industry practice.