



Appeal Decision

Site visit made on 17 September 2025

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 19th September 2025

Appeal Ref: APP/M1710/C/24/3349196

59 Hazleton Way, WATERLOOVILLE, PO8 9BP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Benjamin Bassett against an enforcement notice issued by East Hampshire District Council.
 - The notice was issued on 25 June 2024.
 - The breach of planning control as alleged in the notice is unauthorised storage shed forward of the principle elevation shown hatched black on the attached plan.
 - The requirements of the notice are (i) Permanently remove the unauthorised storage shed shown in the approximate location, hatched black on the attached plan from the principal elevation. (ii) Remove all fixtures/ fittings and consequent waste materials relating to the unauthorised shed.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the ground set out in section 174(2) (a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. I direct the notice is corrected by adding to the allegation, between “*shed*” and “*forward*” the words “*and bin store*”. Subject to that correction, the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the unauthorised storage shed and bin store forward of the principle elevation shown hatched black on the attached plan at 59 Hazleton Way, Waterlooville, PO8 9BP as shown on the plan attached to the notice and subject to the following condition: 1. A hedge shall be retained at all times along the front boundary next to the storage shed.

Applications for costs

2. An application for costs has been made by the appellant and is subject to a separate letter.

Preliminary Matters

3. The appellant argues the notice is unclear as there are two sheds within the footprint of the plan attached to the notice. There is a small bin store and next to that a much larger storage shed. I cannot imagine the Council would have an objection to the bin store, but in any event all their evidence refers only to a “shed” in the singular and I think it reasonable to read the notice as directed against the larger storage shed only.

Reasons

4. The storage shed is large and situated in the front corner of the front garden up against the boundary with the street. Hazleton Way is a long road made up mostly of

houses and bungalows set back with modest front gardens. I was directed to see a bungalow on Eglantine Walk which had a similar front garden shed. However this was a corner plot where Eglantine met Hazleton, and it is not always easy to determine where the front garden lies in the case of corner plots. Otherwise, apart from parked caravans there did not seem to be any other large front garden sheds. The houses in Old Copse Road that I was directed towards are some way away and their design seems to have included front garden garages, which is quite different from Hazleton Way.

5. I have some sympathy with the appellant as I saw the shed was full of children's bikes and the access to the back garden was down a long side passage that is currently blocked with builder's junk, but even if it was passable, it would be difficult to get a bicycle down it. The appellant has 5 children who all cycle to school and he says access to the back garden is difficult down the narrow side passage. Also the shed is now partly screened by a laurel hedge which reduces its impact on the street scene. The appellant also points out that secure cycle storage is a typical requirement of new developments and in this case the only possible space is in the front garden.

6. I agree with the Council that front garden structures should not usually be encouraged, they usually look out of place and harm the streetscene, if not on their own, then in conjunction with others. However, in this case I do not think this unusual set of circumstances would be easily replicated and as each case needs to be considered on its merits I do not think a precedent would be set for harmful front garden buildings. The shed itself is well built and not unattractive and the hedge screening can be secured by condition.

7. Although this is a finely balanced case I consider that the shed is not contrary to CS16 of the Havant Borough Core Strategy (2011) and shall grant planning permission subject to a condition to retain the hedge.

8. Given the uncertainty surrounding the compass of the notice I shall correct the allegation to include the bin store which will then be granted planning permission.

Simon Hand

INSPECTOR