
APPLICATION NO.	18/02297/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	05.09.2018
APPLICANT	Mr and Mrs Stephen and Leah Tucker
SITE	37 Junction Road, Andover, Hampshire, SP10 3QX, ANDOVER TOWN (ST MARYS)
PROPOSAL	Erection of a shed/playhouse
AMENDMENTS	Amended plans received 15.11.2018 – Proposed elevations and Proposed sketch of shed/playhouse.
CASE OFFICER	Mrs Donna Dodd

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 37 Junction Road is a mid-terrace property located on a residential street in Andover. The garden to the rear of the property rises gently towards the western boundary and is enclosed on the north, south and west boundaries by 1.8m high timber fencing.

2.2 Part of the current dwelling house is used for a childminding business; it is considered that this current use does not change the overall character of the property as a single dwelling, and planning permission for this current level of activity is not required.

3.0 PROPOSAL

3.1 The application is retrospective and seeks the retention of a garden shed/playhouse and a raised platform on which it is sited. The shed measures 2.8m in height, 2.4m in width and 7.2m in depth. The shed would be finished with timber tongue and groove cladding and a shingle roof. The raised platform measures 0.4m at the highest point, therefore taking the overall height of the shed/playhouse to 3.4m measured from the adjacent ground level.

3.2 During the course of consideration building works have progressed, and at the time of writing the report, there has been: a reduction in the height of the finished pitched roof, the insertion of UPVC windows and doors and the addition of glazing that has been obscured.

3.3 In response to privacy concerns, the applicants have applied obscured film to the upper glazing panels of the two windows on the southern elevation. Patio doors with two large windows enable access to the eastern elevation of the shed/playhouse. The window from which access is obtained is clear glazed whereas the adjacent northerly panel closest to 39 Junction Road is obscured glazed. The addition of obscured glazing was added in November 2018.

Neighbours have not been consulted on this matter. The additional works are in accordance with the amended plans received on 15.11.2018.

4.0 **HISTORY**

4.1 None.

5.0 **CONSULTATIONS**

5.1 None.

6.0 **REPRESENTATIONS** Expired 03.10.2018

6.1 Andover Town Council – No Objection.

6.2 2 x letters of objection – 39 Junction Road, Andover SP10 3QX (summarised):

- The scale, size and bulk of the shed/playhouse.
- The proximity of the shed/playhouse to fence/boundary.
- Overlooking.
- Potential over development.
- Invasion of privacy.

6.3 35 Junction Road, Andover SP10 3QX (summarised):

- Overbearing – taller than the average shed, emphasised further due to the raised platform on which it sits.
- Not in accordance with submitted plans.
- Adverse and detrimental visual impact.
- Loss of privacy to the rear of the property and garden.
- The screening from the existing trees will be lost during 5-6 months of each year.
- Increase in noise levels due to the construction of the shed/playhouse, the proposed openings and the proposed use. Already disturbed by the noise from the owners childminding business.
- Concerned that the extra space created would be used to grow the owners childminding business, further increasing noise levels.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

- COM2 (Settlement Hierarchy)
- E1 (High Quality Development in the Borough)
- E8 (Noise)
- LHW4 (Amenity)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of Development
- Impact on the character of the area

- Impact on the neighbouring properties
- Pollution

8.2 Principle of Development

The site lies within the settlement boundary of Andover as defined on the Inset Maps of the RLP. In accordance with Policy COM2 development is permitted provided the proposal is appropriate to other policies of the RLP. The proposal is assessed against relevant policies below.

8.3 Impact on the character of the area

The shed/playhouse is located adjacent to the south-west boundary of the rear garden approximately 16 metres from the rear of the host property. The garden rises gently to the rear, and therefore the shed/playhouse is located in an elevated position.

8.4 The outbuilding is located in a position such that limited public views are possible. Any glimpsed views are at a distance from Queens Avenue and are seen in context with other sheds and high-level timber fences located in nearby gardens. The outbuilding is constructed in traditional materials and positioned to the rear of the property, at the far end of the garden. It is considered that the shed/playhouse does not have any adverse impact on the character and appearance of the surrounding area, in compliance with Policies COM2 and E1 of the RLP.

8.5 Impact on the neighbouring properties

The neighbouring properties most affected by the outbuilding are 35 and 39 Junction Road. Objections have been raised by the occupiers of these dwellings.

8.6 35 Junction Road

Privacy

35 Junction Road is enclosed on the north, south and east boundaries by 1.8m high timber fencing. Concern has been raised with regard to overlooking from the proposed shed/playhouse; in particular, the patio windows on the front elevation. 35 Junction Road has a modestly sized garden which is long and narrow and rises to the rear. The garden is roughly divided into three areas; immediately behind the house and level with the rear of the dwelling is an area laid to paving providing a space for outside seating, following this and accessed by steps is an area of lawn. Beyond this, and enclosed by mature planting and trees is a shed and space used for storage. The garden benefits from mature planting and a number of mature trees throughout the garden.

8.7 The shed/playhouse is situated approximately 16 metres from the rear windows and the paved area of No.35, and on an area of land previously occupied by two smaller sheds. Further to the concerns raised regarding privacy, the applicants have added obscure glazing to the right-hand (north) patio window; therefore, the only clear glazed window is centrally located within the garden. Views from this patio window are largely screened by the existing boundary fencing and the mature planting within the garden of No.35;

however, any oblique views from the clear glazed patio window are to the rear of the host and neighbouring dwellings. The windows on the south elevation face towards the garden of No.35, it is considered that there is a degree of overlooking to the far end of the rear garden of No.35 and therefore a condition is recommended to retain the recently installed obscure glazing as shown on the application drawings. Due to the distance to the rear of the neighbouring property and the existing high-level fencing and planting, in addition to the obscured glazing, it is considered that the level of overlooking is insufficient to justify a reason for refusal on this ground.

Loss of light

8.8 The shed/playhouse is sited north of 35 Junction Road; consequently, any additional shading created is to the north of the shed/playhouse and as such does not result in any unacceptable harm to the occupiers of No.35.

8.9 Outlook

The shed/playhouse is separated from the rear elevation of No.35 by approximately 16 metres. Although the outbuilding is sited at the highest part of the garden, it is considered that the shed/playhouse does not create an overbearing impact on the occupiers of No.35 due to the retained views from the rear of the dwelling across the adjacent gardens to the north and south.

8.10 **39 Junction Road**

The rear garden to 39 Junction Road is laid mainly to lawn with an area of paving, used as a seating area, immediately behind the house.

Loss of light

The shed/playhouse is sited south of 39 Junction Road; and the property is screened on the northern, southern and western boundaries by 1.8m high timber fencing. The shed/playhouse results in an additional shadow being cast over the far end of the garden of No.39 during the afternoon; however, the whole of the rear of the property and the area used for outside seating still receives sunlight for the rest of the day. While it is acknowledged that the separation distance between the shed/playhouse and the boundary fence is only 210mm and that the height of the structure is above the existing timber fencing, it is considered that the additional shadowing is minimal due to the mature trees to the south and the two-storey property to the west. Therefore it is considered that the outbuilding does not reduce the level of sunlight to fall below acceptable levels.

8.11 Privacy

Concern has been raised by the occupiers of No.39 with regards to overlooking from the shed/playhouse, in particular, the patio window on the front elevation and the window on the north elevation. The window, closest to the boundary fence, is obscure glazed, as such, the window provides a light source only and no opportunity for overlooking.

- 8.12 Views from the patio windows on the front elevation are largely screened by the existing boundary fencing; however, any oblique views from the clear glazed patio window are to the garden and rear elevations of the host and neighbouring dwellings. The right-hand patio door closest to 39 Junction Road has been obscured glazed in response to the concerns raised by the occupants of No.39, and it is considered that a condition to secure and retain the obscure glazing is necessary to minimise any potential overlooking. It is considered that due to the high-level boundary screening in addition to the obscure glazing that the level of overlooking is insufficient to justify a reason for refusal on this ground.
- 8.13 **Outlook**
Any views of the shed/playhouse from the rear windows of 39 Junction Road are seen in context with the flank wall of the two-storey dwelling beyond (2 Queens Avenue) and therefore do not have a significant effect on the neighbouring occupant's outlook. While it is acknowledged that the outbuilding is close to the boundary fence, it is considered that the shed/playhouse does not create an overbearing impact on the occupiers of No.39 due to the building being situated at the far end of the garden away from the rear of the dwelling and the occupier's existing seating area.
- 8.14 Therefore, it is considered that the shed/playhouse does not give rise to an adverse impact on the living conditions of the neighbouring properties sufficient to withhold permission. As such the proposal complies with policy LHW4 of the RLP.
- 8.15 **Noise**
Concern has been raised by the occupiers of No.35 regarding an increase in noise levels and the intensification of the existing childminding business. In response to this concern, the applicants have confirmed that the shed/playhouse is nothing to do with the childminding business and is not an attempt to extend the business. The finished shed/playhouse would be fully insulated and finished with UPVC doors and windows. The childminding business is limited in its times and number of children, and it is considered that its current form is ancillary to the residential use of the property. This is not considered to represent a change of use nor raise any material concerns with regard to noise. It is therefore considered that the outbuilding would not cause unacceptable risks to human health, the natural environment or general amenity and is in accordance with Policy E8 of the Revised Local Plan.
- 8.16 **Other**
A concern has been raised regarding the overdevelopment of the site. It is considered that the addition of a single storey shed/playhouse to the rear of the host dwelling does not excessively intensify the use of the land and leaves sufficient garden space for the occupiers of the host property.
- 8.17 A concern has been raised about the accuracy of the submitted plans; this has been remedied during the course of consideration by the lowering of the roof in accordance with the drawings submitted.

8.18 It is noted that the construction of a shed/playhouse at a maximum height of 2.5 metres could be development permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 and could be undertaken without the requirement for planning permission. As such, there is a fall-back position whereby a shed could be constructed in this position at a reduced height, and this is a material planning consideration.

9.0 **CONCLUSION**

9.1 The shed/playhouse is considered acceptable, as it integrates, respects and complements the character of the area. The privacy and amenity of the occupants and the neighbours are provided for. The shed/playhouse is therefore in accordance with Test Valley Borough Revised Local Plan 2016 policies COM2, E1, E8 and LHW4.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Proposed Elevations and Block Plan.
Reason: For the avoidance of doubt and in the interests of proper planning.**
2. **The obscured windows as indicated on the approved plans shall be retained in this form in perpetuity.
Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.**

Note to applicant:

1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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