

17/00502/FUL**8 HARROW CLOSE, HAWKWELL, SS5 4HQ****OUT BUILDING TO REAR FOR USE AS A PLAY HOUSE****APPLICANT: MR STEPHEN BLISS****ZONING: RESIDENTIAL****PARISH: HAWKWELL****WARD: HAWKWELL WEST****1 PLANNING APPLICATION DETAILS**

- 1.1 This application is for the erection of a two storey play house close to the rear boundary of the garden. The application is reported to Committee as the applicant is related to a member of staff.
- 1.2 The play house would be 4 metres high with a floor area of 7.7 square metres. There would be a mezzanine floor above this of about 1.5 square metres for storage. The building would be constructed in rendered block work with timber cladding and a pitched felt roof. The building would have five sides to fit into the corner of the garden. It would be about 0.2 metres from the site boundary. There would be windows at ground and first floor level facing back towards the application property, but no windows in any of the other elevations.

2 THE SITE

- 2.1 The application site comprises a corner of the rear garden of the application property which lies within the defined residential area of Hawkwell. The building, which has already been largely completed, lies very close to the boundary of 65 Park Gardens, which has a garden shed close to the shared boundary. The out building would be about 15 metres from the rear conservatory of this neighbour.

3 RELEVANT PLANNING HISTORY

- 3.1 None.

4 CONSULTATIONS AND REPRESENTATIONS**Hawkwell Parish Council**

- 4.1 No objections, subject to a condition that the play house is not used as a habitable room.

Arboricultural and Conservation Officer

- 4.2 The proposal is within proximity to a woodland, subject of TPO. The nearest tree appears to be 1 ash (5m), which has suffered decline; there are a group of oaks around 10m away; 1 ash was removed around 3 or so months ago due to fungal disease. As the out building had been constructed any tree root protection, special construction design etc., is no longer required.

Representations

- 4.3 The neighbour at No. 65 Park Gardens objects on the grounds of the imposing nature of the structure close to the shared boundary. Her garden is lower than the application site, which adds to the impact. The neighbours at 7a Harrow Close object on the grounds of visual impact and proximity to the site boundary.

5 MATERIAL PLANNING CONSIDERATIONS**Impact on Neighbours**

- 5.1 The main impact of the proposed development would be on adjoining neighbours, in particular those at Nos. 63 and 65 Park Gardens and 7a Harrow Crescent. This would arise from the scale and visual dominance of the building close to the site boundary. However, the building would also be visible from outside of the site from the public footpath to the east.
- 5.2 The out building has been substantially constructed and the impact has been assessed when viewed from adjoining gardens and from the footpath. When viewed from the footpath the building would be seen as an out building within the general rear garden area of nearby properties and once completed would have no significant adverse impact.
- 5.3 When viewed from adjoining properties, in particular the rear garden and conservatory of No. 65 Park Gardens the out building would appear as a visually dominant and intrusive feature. It would adversely affect the amenities of occupiers of adjoining properties, including enjoyment of their garden areas. The height difference between the gardens would compound the impact.

Other Issues

- 5.4 The garden area of 65 Park Gardens is covered by woodland Tree Preservation Order. All trees within it are protected. However, there is only one tree in the vicinity of the out building and this would not be affected by the development. The tree is about 5 metres from the building which the application drawing shows to have only shallow foundations.

6 CONCLUSION

- 6.1 The proposed erection of an out building close to the boundary with neighbouring properties would materially impact on the visual amenities of the occupiers. The building would appear visually intrusive and dominant within the rear garden environment. For these reasons it is recommended that planning permission is refused. An acceptable form of development could be achieved if the mezzanine floor is removed and the roof height lowered.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**

That planning permission be refused for the following reasons:-

- (1) The proposed erection of an out building close to the rear boundary of the application site would result in a visually dominant and overbearing structure that would appear incongruous in the rear garden area of neighbouring properties and materially harmful to the visual amenities of occupiers.

REASON FOR DECISION AND STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the basis of the reasons for refusal which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development in line with the Council's pre-application advice service.



Matthew Thomas

Assistant Director, Planning & Regeneration Services

Relevant Development Plan Policies and Proposals

Rochford District Council Local Development Framework Allocations Plan Adopted February 2014

Rochford District Council Local Development Framework Core Strategy Adopted Version (December 2011) – Policy CP1

Local Development Framework – Development Management Plan (adopted 16th December 2014) – Policy DM1

Rochford District Council Local Development Framework Supplementary Planning Document 2 Housing Design (January 2007)

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