



WILLIAMSBURGH
HOUSING ASSOCIATION LTD

Garden Structure Policy

Revision History

Policy	Garden Structure Policy
Reviewer(s)	Louise McDonald & Sandra Doherty
Committee Name	Operations and Performance
Number and Date of Meeting	
New Policy or Description of Revision	New Policy
Equality Impact Assessment Complete	
Data Protection Impact Assessment Complete	
Health and Safety Risk Assessment Complete	
Consultation Complete	
Next Review Date	

Introduction

This policy sets out how we will manage requests from tenants who are looking to erect a garden structure.

There are conditions and qualifying time periods required before these requests can be approved.

Equal Opportunities

The Association is committed to the principles of equal opportunities and good practice. In this regard, we acknowledge the Scottish Social Housing Charter (2012): 1 - Equalities, which states:

“every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”.

Accordingly, we shall ensure that specifically in regard to seeking permission to build a garden structure, all customers are treated equally, irrespective of their sex or marital status, race, disability, age, sexual orientation, language or social origin, or other social attributes, including beliefs or opinions such as religious beliefs or political opinions.

Requesting Permission

- Requests must be made in writing, including detailed plans, dimensions, agreement from neighbours etc. We will not refuse requests unreasonably.
- We will give our decision in writing within 28 days
- We may give permission including certain conditions. We may withdraw our permission if the activity which we have given permission for is antisocial to anyone in the neighbourhood.

Garden Structures

Fencing

We will look favourably at requests for fencing providing they conform to government guidelines:

- details are provided of surrounding neighbours and signed agreement to the work proposed.
- The fence is to be erected along the agreed boundary line
- The fence must be of a suitable standard and built in a professional way.
- The fence must not be more than one metre high if it is to be less than 20 metres from the road. If it is to be more than 20 metres from the road, it must not be more than two metres high.
- The tenant will be responsible for maintaining the fence to a reasonable standard.

Garden Shed/Hut

We will consider all applications on an individual basis, however, we will take into consideration:

- Size of garden
- Design/location of shed
- Proximity/Privacy of neighbours
- Size/shape and dimensions of shed
- Objections from neighbours
- Use of structure

In the case of tenemental buildings where you share a communal backcourt area, signed agreement must be provided from all residents within the building to the proposed work.

- The shed must be positioned at least 2 metres from any habitable building
- That the tenant accepts liability in maintaining the installation to an acceptable standard.

- In the event of the tenant vacating the property and the incoming occupier does not wish to take over the installation, the tenant will be responsible for its removal and making good any subsequent damage.
- The installation must be kept clear of all public utilities [drainage services, telecom, electricity, etc].

Summer Houses

Summer houses will not be permitted in any communal backcourt area. We will consider all other applications on an individual basis, however, permission will only be granted in exceptional circumstances.

We will take into consideration:

- Size of garden
- Design/location of summer house
- Proximity/Privacy of neighbours
- Size/shape and dimensions of summer house
- Objections from neighbours
- Use of structure
- it's located at the back of the house
- it's not used as a separate home to live in
- it, and any other development, does not take up half or more of the 'rear curtilage' – this means half or more of the grounds behind your home
- the exceptional circumstances put forward

Fire Pits/BBQ

If you have your own garden area e.g. you live in a house or cottage/main door flat, permission is not required.

Where a tenant wishes to hold a BBQ or have a fire pit in a communal garden permission must be sought for the specific time and date. There will be conditions attached before permission will be granted i.e. it is only for the time/date requested, you must have written agreement from your neighbours and that you will remove everything from the communal area at the end of the day.

Complaints and Appeals

Although we are committed to providing high levels of service, we accept that there may be occasions where you may not be not satisfied with the service you have received from us. We value all complaints and use this information to help us improve our services. Our Complaints Policy describes our complaints procedure and how to make a complaint.

If you are not satisfied with the decision made, you can appeal in writing to the housing manager.

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