

Application Number	19/0573/FUL	Agenda Item	
Date Received	29th April 2019	Officer	Alice Young
Target Date	24th June 2019		
Ward	Castle		
Site	2A Carisbrooke Road Cambridge		
Proposal	Change of use of private amenity space to residential garden, and enclosure of extended garden with 1.8m high close-boarded fencing.		
Applicant	Mr & Mrs Grange 2A, Carisbrooke Road Cambridge		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The site is not a designated Protected Open Space (and is not considered to meet the criteria for future designation) and the change of use is therefore considered acceptable in principle - The proposal would not negatively impact upon the street scene or the character of the area - The proposal would not result in harm to highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 2A Carisbrooke Road is a two-storey semi-detached dwelling set within a residential area, and the site is bounded on three sides by Carisbrooke Road to the south, Histon Road to the east and a private road serving an approved housing development site on the former squash club land to the north.

The site falls outside the conservation area and controlled parking zone. Within the site, there are three trees with TPO status.

2.0 THE PROPOSAL

2.1 The proposal seeks to enclose a further portion of the application site with 1.8m close-boarded fencing to increase the garden/private amenity space for the property.

2.2 The proposal has been amended to align with land ownership and not to interfere with the highway.

2.3 The application is accompanied by the following supporting information:

1. Design and access statement
2. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
17/0080/FUL	Single storey rear extension and two storey side extension.	Refusal
15/0732/FUL	Two storey side/rear extension to house and change of use of open amenity area to residential garden	Permitted

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1, 28 55, 56, 58, 59 67, 71 81, 82

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

6.1 No comment on the behalf of the Highway Authority.

Streets and Open Spaces (Trees)

6.2 No objection.

6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

- 2 Carisbrooke Road
- Histon Road Area Residents' Association, 4 Holyrood Close
- 9 Cavesson Court

7.2 The representations can be summarised as follows:

- Loss of designated public amenity space
- The proposal would have an adverse impact upon the character and appearance of the area
- Impedes pedestrian visibility of cars
- Highway safety concerns
- Requests regarding the ownership of the land

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

Principle of development

8.1 Local residents have raised concerns on the grounds that the land it is proposed to enclose forms part of an area that was designated as public amenity space when the estate was first developed in the 1960's. Reference is also made to a previous permission, which allowed an extension to 2a's original garden area, and noted the retention of land for public use. It is therefore argued that the application should be rejected on the grounds that it would result in the loss of further public amenity space.

8.2 The land is not designated as Protected Open Space as referred to within Policy 67. This policy goes on to state that, as well as formally designated areas, the policy also relates to undesignated areas (which can be within private ownership) that meet the criteria set out in Appendix I in assessing whether

open spaces are important for environmental or recreational reasons.

- 8.3 The criteria for assessing the importance of an area are: whether it makes a major contribution to the character and environmental quality of the local area; whether the site contributes to the biodiversity value of the city; and whether the site makes a major contribution to the recreational resources of the local area.
- 8.4 The site is a small grassed area with two trees that lies at the junction of Carisbrooke Road with Histon Road. In my opinion, its location and small size means that it is of limited recreational value and does not therefore make a major contribution to the area, nor is the land identified as being of wildlife or biodiversity value. I consider that the purpose of the land is in providing a visual buffer at the entrance to the site and that the consideration of this application therefore needs to focus on the impact of the proposal on the character of the area. This was also the key consideration in the assessment of the 2015 application

Context of site, design and external spaces

- 8.5 No.2a is sited near to the corner of Carisbrooke Road with Histon Road. The property's original garden has previously been extended by 5m to the east. The current proposal seeks to extend the garden further to the east to a point 2.4m from the boundary with the footpath, and to enclose the extended area with a 1.8 metre high close-boarded wooden fence. Despite the prominent site location (the site is bound on three sides by Histon Road (east), Carisbrooke Road (south) and a private road serving the former squash club site (north)), I consider that the proposed fence and enclosure of the land would not be harmful to the character of the area. A grassed buffer would be retained between the edge of the site and the footpath, and this is consistent with the boundary line of the property to the north and beyond the amenity area to the south, both of which have boundary enclosures to the footpath of a similar height. As such I am satisfied that, although the fence would be visible, the character of the area would not be negatively impacted as a result of the development.

- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 59.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 Due to the nature of the proposal, site location and separation distance between the proposal and neighbours, the proposed fencing would not cause an overbearing, overshadowing or overlooking impact to neighbouring occupiers.
- 8.8 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2018) policies 56 and 35.

Highway Safety

- 8.9 The Highway Authority has no objections to the application, and it is my view that the proposal would not result in issues related to highway safety. The fence would be set 2.4m back from the footpath edge and would not therefore obstruct inter-visibility between cars and pedestrians.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

9.0 CONCLUSION

- 9.1 Third parties have raised concerns regarding the loss of land that formed part of the public amenity space for the estate and that is now in private ownership. As noted in this report, the land is not designated as Protected Open Space nor is it considered to meet the criteria for protection set out in Policy 67 and Appendix I of the Local Plan. The main planning consideration that arises from this proposal relates to its visual impact, and this has been addressed in paragraph 8.5. As the Highway Authority do not consider that there would be any issues related to highway safety, it is also considered that the proposal would not result in highway safety issues.

10.0 RECOMMENDATION

APPROVE, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance 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 approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.