
Site Address: 30 Cornbrook Grove, Waterlooville, PO7 8RD
Proposal: Change of use from public amenity land to private amenity land and erection of 1.8m high boundary fence.
Application No: APP/16/00890 Expiry Date: 19/01/2017
Applicant: Mr C Searle
Agent: Case Officer: Emma Chisnall
Ward: Cowplain

Recommendation: **GRANT PERMISSION**

1 Site Description

30 Cornbrook Grove is a detached two storey dwelling situated at the bottom of an incline from north to south. The dwelling is constructed of red brick walls with a concrete tiled roof and has a moderate amenity space to the front which is hard-surfaced for the provision of parking two cars. To the rear the dwelling has an adequate amenity space used as lawn and is surrounded with a boundary curtilage constructed of 1.8m timber fencing.

A public pathway is located to the rear of No 30 which has a green verge either side. The application seeks to covert part of this verge which is private amenity space into residential amenity space which is to be surrounded with a 1.8m timber fence boundary. Neighbouring dwellings to the top of Cornbrook Road and Edgefield Close have been given previous planning permission to extend their boundaries into this space and the proposed works to No 30 propose continuing the existing fence line but stepping in the panels in order to leave a 1.5m gap between the curtilage boundary and footpath so that part of the green verge remains.

2 Planning History

APP/11/00075 - Part garage conversion to front elevation., PERM,29/03/2011

3 Proposal

Change of use from public amenity land to private amenity land and erection of 1.8m high boundary fence.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS13 (Green Infrastructure)

CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer - Highways Comment:

The footpath is adopted highway but the grassed areas do not appear to be adopted. It is not clear from the application form who owns this land. My own view is that the land should remain amenity land as it gives an important feeling of openness to the users of the footpath.

Crime Prevention Design Advisor Comment:

The grass verges either side of the footpath are there to aid crime prevention by allowing visibility along the footpath, the transmission of light and the possibility to pass people without entering their space, or escape if required. It is at this point that natural surveillance from 15 Thresher Close is lost and the width of the footpath provides safety for those using the footpath. The loss of these grass verges makes the footpaths more enclosed and reduces visibility along the footpaths. Narrowing or removal of the grass verges should be resisted in the first instance, even though number 33 has been allowed to reduce the verge width on the bend. If permission is to be granted then I would recommend that the boundary treatment is 1.8m high but made up as 1.4m of close boarded fence topped with 400mm of trellis to reduce the effects of bringing the boundary treatment closer to the footpath.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 18

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Summary:

1) Loss of open space will narrow the pathway further due to overgrow of grass and bushes. Pathway will become dark and unwelcoming. If the land is public how can a garden extension be approved.

2) In favour of the ground becoming adopted by the applicant due to other examples and the mis-management of the space currently.

Planning Officer Comment: Comments made will be refereed to in section 7 of the report ' Planning Considerations'.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact on visual amenity and character of the area
- (iii) Impact on security and feeling of safety

(i) Principle of development

The application site is situated within an urban area where the change of use to residential amenity land is considered appropriate in principle, subject to policy and other material considerations.

(ii) Impact on visual amenity and character of the area

It is considered that the reduction in size of the open space would constitute a loss of the type of greening that can benefit urban areas and enhance visual amenity. However, when balancing the merits of the scheme, account is taken of the size of this piece of land and the small contribution it makes to this area that surrounds a pathway. Furthermore, the scheme proposes to maintain 1.5m of the existing green space which is considered to maintain part of the openness and existing appearance and is therefore considered an acceptable change.

The plans indicate that the fence would be positioned along the eastern boundary of the amenity land to enclose it within the curtilage of the plot. It is proposed to be 1.8m in height. The height of the fence in this area is between residential dwellings and will therefore not cause any significant loss of visibility to the users.

It is noted that the dwelling to the north No 33 Cornbrook Grove and to the south 34 Edgefield Close have been granted previous permissions to extend curtilage boundaries into the green space surrounding the pathway. Although it is important that part of the green space is maintained (which is why plans have been amended to leave a 1.5m gap between the pathway fence) it is acknowledged that the precedent for this development has been set by the other two developments and that because of this the works would not look dramatically out of place nor detract significant character from the area.

(iii) Impact on security and feeling of safety

Consultation has taken place with the Crime Prevention Team in order to review the plans and ensure that the proposal does not lead to a loss of security nor a feeling of being un-safe. A suggestion was made that the panels remained 1.8m but were installed with 0.4m of trellace (within the 1.8m measurement) to reduce the impact of the footpath. Comments were also received through a representation that raised concerns over the proposed development and that they would lead to a narrowing of the pathway. Following a review of the consultation and comments made it was considered that in order to reduce the visual impact of the fence and to ensure the footpath retained an open appearance and feeling of safety that the fence panel could remain solid and 1.8m high but would need to be set off the footpath boundary by 1.5m. This measure is considered acceptable in order to leave sufficient greenery to the side of the path and to prevent the development causing a tunnelled and un-safe appearance. Plans were amended that staggered the first panel down in order to continue the line of fencing with the neighbour and then continued along the land leaving a 1.5m gap. It is considered these measures address the concerns raised and

result in the development being considered acceptable.

A street lamp is present along the pathway and from the north viewpoint of the path the distance either side of the pathway is greater and the open-ness of the front boundaries of the houses opposite create a wide entrance to the pathway which due to the light present is considered to give and maintain the safety of the pathway. From the south although the works will continue the fence line from 34 Edgefield Close the panel will be angled east and then set away from the pathway in order to help maintain the existing security from this entrance.

The measures taken are considered to satisfy the concerns of safety and can therefore be considered acceptable.

8 Conclusion

It is considered that, on balance, the change of use of the land and the erection a 1.8m fence is acceptable in principle and that a sense of space is retained and the character of the area unharmed. It is therefore recommended to grant planning permission subject to the imposition of the conditions listed below

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00890 subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply 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 following approved plans:

Ordnance Survey Plan: Serial Number 00004800 revised and received 07.11.2016

Proposed Extension to Garden Plan Rev 4: revised and received 07.11.2016

Proposed Elevations of Fence Plan: received 08.09.2016

Photographs submitted of the site: received 08.09.2016

Photograph of north of the site including details of surrounding houses and structures: received 08.09.2016

Photograph of the south of the site: received 08.09.2016

Reason: - To ensure provision of a satisfactory development.