



Appeal Decision

Site visit made on 29 October 2019

by Stephen Wilkinson BA BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2019

Appeal Ref: APP/Q0505/D/19/3236008

107 Argyle Street, Cambridge, CB1 3LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Turvill against the decision of Cambridge City Council.
 - The application Ref 18/0597/FUL, dated 11 April 2018, was refused by notice dated 7 August 2019.
 - The development proposed is raised ground levels in rear garden and rear boundary fence in excess of permitted development parameters.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Although the rear garden area has been raised and the fence has been completed I am treating this as an application for new development.

Main Issues

3. The main issues are:
 - the character and appearance of the area
 - the living conditions of neighbouring occupiers with regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises a semi-detached chalet bungalow in a high density residential area comprising tightly packed streets of mainly 2 storey terraced properties. Nos 2-10 Romsey Mews lie adjacent to the flank boundary to the appeal site and No 30 Romsey Terrace, a detached bungalow lies to its rear.
5. The application includes the raising of the rear garden area by approximately 0.3m and the development of a slatted wooden fence of between 0.3m - 0.7m approximately in height situated atop existing boundary walls. Part of the new fence supports a canopy along the flank of the appeal property.
6. The intimacy of the relationship between the properties in this area means that small scale physical changes to the environment are particularly sensitive to its character and appearance. Whilst the raising of the levels of the rear garden

area is 'development' requiring planning permission I consider that it makes little impact on the surrounding properties. My main concern is with the appearance of the fence which I consider would strike a discordant feature in the area. This is as a result of its design, colour and materials which present a stark contrast with the buff coloured brick of the surrounding properties and their boundary walls.

7. To conclude on this issue the proposed fence would present a prominent and discordant feature detrimental to the character and appearance of the local area. This would be contrary to policies 55 and 56 of the Cambridge Local Plan 2018 which require new development to use local characteristics to help inform siting, design and scale of new development and be of high quality. Furthermore, the proposals would be contrary to Chapter 12 of the National Planning Policy Framework (2019), ('the Framework') which amongst other matters, requires new development to add to the overall quality of an area.

Outlook from neighbouring properties

8. The flank and rear boundaries to the appeal site lie approximately 5-6m away from windows serving the properties in Romsey Mews and the rear elevation of 30 Romsey Terrace. Given the prominent and discordant nature of the proposed fence it presents a stark form of development resulting in an unacceptable sense of enclosure to these residential properties.
9. To conclude on this issue the fence would adversely impact on outlook from neighbouring residential properties contrary to policy 56 of the Cambridge Local Plan 2018 which requires new development to be well designed and of high quality. Furthermore, the proposals would be contrary to Chapter 12 of the Framework which amongst other matters require the creation of places with a high standard of amenity.

Other Matters

10. The appellant has stated that the new fence is required for several reasons which include prevention of overlooking from neighbouring properties and to avoid light spillage from Romsey Mews. Furthermore, he has provided photographic evidence that the old fence was higher than the current proposal and that it is already being covered in climbing plants which could reduce its impact. In addition he states that the raised garden level enables access for people with disabilities.
11. I acknowledge the stated reasons why the fence is required but consider a scheme of more sympathetic design could achieve the same aims. Furthermore, whilst 10 years ago the garden fence may have been higher this had the 'patina' of age and may not have made such a stark impact as the existing proposal. The ease of access by wheelchair users to the rear garden is a matter related to the raising of its levels and not an issue which concerns the fence height which is my primary concern.

Conclusions

12. For the above reasons and having regard to all other matters I hereby dismiss this appeal.

Stephen Wilkinson

INSPECTOR