

# DELEGATED REPORT SHEET

**CASE NO:** 2019/0326  
**LOCATION:** 2 LYNWOOD DRIVE, MYTCHETT, CAMBERLEY, GU16 6BY  
**PROPOSAL:** Change of use from amenity land to residential garden including erection of 2.15m high perimeter fencing and front gates. (Amended plan received 03.06.2019)  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr M Boutaba  
Mrs N Jelti  
**OFFICER:** Ross Cahalane

<b>Registration Date</b>	<b>Earliest Decision Date</b>	<b>Statutory Expiry Date</b>
24/04/2019	29/05/2019	19/06/2019

Site Visit(s): 30/05/2019

## 1.0 NEIGHBOURS CHECKED

1.1 Yes – see file for details

## 2.0 RELEVANT HISTORY

2.1 None

## 3.0 CONSULTATION RESPONSES

3.1 Surrey County Highway Authority No response received at time of preparation of report [See Section 7.4]

## 4.0 REPRESENTATION

At the time of preparation of this report, one objection has been received, raising the following concerns:

- If fence comes up to the boundary line, it will create a blind spot from neighbouring garage/drive exit – danger to cars exiting and surrounding cars and pedestrians on footpath [See Section 7.4]

## 5.0 SITE DESCRIPTION

- 5.1 The application site falls within the settlement area of Mytchett. The application property comprises an end-terraced two-storey dwelling, located on a corner plot near to the main entrance to Lynwood Drive. The plot includes an additional driveway and garage to the rear.
- 5.2 The surrounding residential area is characterised by terraced properties of uniform appearances with open front gardens.

## 6.0 THE PROPOSAL

- 6.1 The application proposed is for a change of use from amenity land to residential garden including erection of 2.15m high perimeter fencing and front gates.
- The proposed change of use from amenity land to residential garden would be to the side of the existing dwelling, enclosed by the proposed fencing to replace the existing brick boundary wall.
  - The proposed fencing would consist of closeboard panelling with gravel boards below and would have a height of 2.15m, with wooden gate panels provided at the front.
  - An amended site plan was submitted moving the proposed fencing 1m away from the side footpath boundary, behind existing boundary shrubbery and to include a 45 degree chamfer away from the adjacent rear driveway.

## 7.0 PLANNING ISSUES

7.1 This application site falls within the settlement area of Mytchett. The site is also within the Post-War Open Estates area as defined under the Western Urban Area Character Supplementary Planning Document (WUAC SPD). Policy DM9 of the Surrey Heath Core Strategy and Development Management Polies 2012 and the National Planning Policy Framework (NPPF) are material considerations in the determination of this application. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted in September 2017 and therefore forms an additional material consideration in the determination of this application.

### 7.2 Impact on character of area .

- 7.2.1 Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.2.2 The Post-War Open Estates area within the Western Urban Area comprise mainly of market housing constructed between the 1950s and 1970s. Key defined characteristics of this area include amenity green space, often located at road junctions, to provide gaps in the urban form which are important parts of the street scene. Guiding Principle P03 of the WUAC SPD advises that development which erodes the integrity of the post war architectural design will be unacceptable. Development should therefore reflect original features such as building lines, materials and colours.
- 7.2.3 Principle 9.1 of the RDG SPD advises that all boundary treatments in residential developments will be expected to be high quality and reflect the character of the development and the surrounding context. Treatments to the public realm will be expected to be visually interesting and very high quality. Long lengths of unrelieved hard boundary treatments will be resisted. Wooden shiplap or panel fencing will be discouraged when visible from the public realm.
- 7.2.4 The proposed fencing would contain closeboard panelling and would be 2.15m in height from footpath ground level. As it would be visible from the streetscene due to the corner plot location, this design would be contrary to the above SPD advice. Although the nearest corner plots have retained their open amenity areas to the side, there is an example of closeboard fencing within amenity land at No. 135 Lynwood Drive – the corner plot immediately adjacent the estate entrance from Salisbury Grove. This was approved under 08/0327 following its relocation 1m away from the footpath. There is also closeboard fencing along the side boundary of the corner plot of No. 80 Lynwood Drive immediately to

the rear, although this appears to follow the original garden boundary. As such, it is accepted that the provision of closeboard fencing would not in itself form an alien addition to this main entrance area to the estate.

- 7.2.5 The proposed fencing would now be set behind the existing evergreen shrubbery, planted in recent years along the side boundary adjacent the footpath. Additionally, the ground level rises noticeably up towards the existing brick wall garden boundary. As such, it appears that the proposed fencing would not be sited above this existing brick wall at higher ground level. There would be no projection of fencing beyond the front elevation of the host dwelling. However, the front fencing and gates would project noticeably beyond the side of the dwelling and the existing front wall and gate set back from it (which forms the original plot layout), projecting into open land adjacent the road junction.
- 7.2.6 It is accepted that the proposed change of use and fencing would not enclose any mature trees, with the existing rear garden tree already enclosed by the brick wall proposed for removal. Although the shrubbery growing on the existing wall would have to be removed, this is not considered to be of significant amenity value. It is also noted that the open land to the side is somewhat narrower than the adjacent corner plots, with the proposed projection beyond the existing side brick wall being approx. 1.5m - 2m. However, it is considered that the combination of the proposed fencing and gates, on a prominent corner plot and projecting beyond the existing front and side walls into the open land forming the original open-plan estate layout, would lead to an unacceptable amount of hard boundary treatment.
- 7.2.7 In light of all the above factors, in this instance it is considered that the proposed fencing and gates, by reason of their scale and prominent positioning within an open and elevated corner plot, would lead to an unacceptably overdominant and incongruous impact upon the character of the application site and the surrounding streetscene within the Post-War Open Estates Character Area, contrary to Policy DM9 of the CSDMP, Guiding Principle P03 of the WUAC SPD and Principle 9.1 of the RDG SPD.

### 7.3 Impact on residential amenity

- 7.3.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 10.1 of the Residential Design Guide SPD advises that extensions should not result in a material loss of amenity to neighbouring properties as a result of overshadowing, eroding privacy or being overbearing.
- 7.3.2 Given the significant distance to the main dwelling elevations of the surrounding neighbours, it is considered that no material impact would arise in terms of loss of light, outlook or overbearing impact. The proposal is therefore considered to comply with the amenity requirements of Policy DM9 of the CSDMP and the relevant Principles of the RDG SPD.

### 7.4 **Impact on highway**

- 7.4.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.4.2 Concern was raised in respect of the proposal blocking sight lines from the neighbouring garage and driveway of No. 80 Lynwood Drive to the south. Amended plans have been received moving the proposed fencing 1m away from the side footpath boundary and to include a 45 degree chamfer away from the driveway. Although no response to date has been received from Surrey County Highway Authority (CHA), it appears that the amended fencing layout would provide a 2m x 2m pedestrian visibility zone, as recommended by the CHA Standing Advice for Minor Development. It is therefore not envisaged that the

proposed development would lead to a highway safety issue.

## 8.0 OTHER MATTERS

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposed fencing and gates, by reason of their scale and prominent positioning projecting beyond the existing corner plot front and side walls into open land forming the original open-plan estate layout, would lead to an unacceptable amount of hard boundary treatment and would result in a visually dominant and incongruous form of development harmful to the character of the application site and the surrounding streetscene within the Post-War Open Estates Character Area. The proposed development is therefore considered to be contrary to Policy DM9 of the Surrey Core Strategy and Development Management Polices 2012, Guiding Principle P03 of the Western Urban Area Character Supplementary Planning Document 2012 and Principle 9.1 of the Residential Design Guide Supplementary Planning Document.

Issued Authorised By:

Date: