

REFERENCE NO: CR/2018/0675/FUL

LOCATION: [1 & 4-7 GALES PLACE, THREE BRIDGES, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: REPLACEMENT OF EXISTING SOUTH AND PART EAST BOUNDARY FENCING (1.75M HIGH CLOSE BOARDED TIMBER PANEL/TRELLIS WITH 1.83M CONCRETE POSTS) WITH NEW 2.0M HIGH TIMBER PANEL/TRELLIS FENCING AND CONCRETE POSTS AND REPLACEMENT OF THREE EXISTING TIMBER GATES TO SERVE NOS 5, 6 & 7 GALES PLACE (REVISED DESCRIPTION)

TARGET DECISION DATE: 5 December 2018

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Crawley Borough Council
AGENTS NAME: GWP Architects

PLANS & DRAWINGS CONSIDERED:

18 134 01, Site Plan And Elevations

NEIGHBOUR NOTIFICATIONS:-

LB1Gales Drive;
1, 4, 5, 6 and 7 Gales Place;
Three Bridges Primary School;
109 Hazelwick Road;
Barn End, Gales Drive.

RESPONSES RECEIVED:-

One response giving support to the application for privacy reasons.

One objection has been received commenting on the detrimental impact that the fencing would have on the character and amenity of School Path, which is an important walk to school route. The representation comments that these concerns were raised in connection with the original application to develop the site.

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant and landowner.

THE APPLICATION SITE:-

- 1.1 The application site is the recently constructed residential development at the eastern end of Gales Place, which comprises 7 houses and 6 flats. The road serving the dwellings (Gales Place) runs through the centre of the site west to east, leading to Three Bridges First School. To the south is School Path, which is an adopted WSCC footpath that runs from the eastern corner of the parade of shops (61 – 85 Gales Drive) to North Road. This path provides the pedestrian access route to the school.

- 1.2 To the south of the public footpath is the Public House LB1 and its car park and the residential dwellings and flats along Gales Drive. In the main these all front onto Gales Drive, with north facing rear gardens, but Barnend and no.99a are backland development and lie adjacent to the footpath.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for a change to the rear garden boundary treatment for the houses in this development and affects no.s1, and 4 -7 Gales Place, following concerns expressed by residents over privacy and security issues arising from users of the footpath.
- 2.2 Currently the southern and western boundary of these houses as installed is 1.75m in height, which is formed of close boarded fencing (1.2m), set on gravel boards (0.23m) and topped with trellis panels (0.32m), with concrete posts of 1.83m high.
- 2.3 The proposal is to change this to a boundary treatment with an overall height of 2m comprising close boarded fencing (1.6m), set on gravel boards (0.18m) and topped with trellis panels (0.2m), with concrete posts of 2m high, together with replacement gates to match the new fencing height.
- 2.4 Thus the fencing sections would be 0.25m higher than the existing and the posts would be 0.17m higher.

PLANNING HISTORY:-

- 3.1 CR/2014/0777/FUL - DEMOLITION OF PUBLIC CONVENIENCE, ERECTION OF ONE BLOCK OF 3 X 1 BED & 3 X 2 BED FLATS, AND 5 X 2 BED & 2 X 3 BED HOUSES – permitted and implemented.
- 3.2 CR/2014/0777/CC1 - DISCHARGE OF CONDITION 3 (CEMP), 4 (MATERIALS), 13 (LAND LEVELS) & 14 (WILDLIFE MITIGATION PLAN) PURSUANT TO CR/2014/0777/FUL - approved.
- 3.3 CR/2014/0777/CC2 - DISCHARGE OF CONDITIONS 5 (FENCING), 7 (LANDSCAPING), 8 (ROADS), 10 (REFUSE & RECYCLING) & 11 (CYCLES) PURSUANT TO CR/2014/0777/FUL – approved. For the boundary fencing the approved details are 1.5m close boarded fencing with 0.3m trellis, which gives a total height of 1.8m
- 3.4 CR/2014/0777/NM1- NON MATERIAL AMENDMENT OF APPROVED PLANNING APPLICATION CR/2014/0777/FUL FOR: (i) BLOCK 2, REVISED POSITION 0.9M TO THE WEST and (ii) SOLAR PANELS ON ROOF OF BLOCK 3 – approved.

PLANNING POLICY:-

National Planning Policy Framework (NPPF) July 2018

- 4.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is the presumption in favour of sustainable development.
- 4.2 Relevant paragraphs are:
- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up-to-date development plan should be approved without delay.
 - Section 12: Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Crawley Borough Local Plan (2015-2030)

- 4.3 Policy SD1: (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- 4.4 Policy CH1: (Neighbourhood Principles) States that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- 4.5 Policy CH2: (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- 4.6 Policy CH3: (Normal Requirements of All Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.

Supplementary Planning Document

- 4.7 Urban Design Guide (2016): With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- 4.8 At paragraphs 3.37 - 3.39 advice is given regarding boundary walls and fences. It states that
- *the use of boundary demarcations are fundamental to good Urban Design where public and private spaces are clearly delineated from one another. It is imperative that the boundary treatment is appropriate to its context.*
 - *side and rear fences need to be designed to respect the surroundings and the amenity of neighbouring properties.*

PLANNING CONSIDERATIONS:-

- 5.1 The planning considerations are:
- the impact on the street scene and the character of the area
 - the impact on the occupiers of the development
 - the impact on the amenities of the occupiers of neighbouring properties

The impact on the street scene and the character of the area

- 5.2 The existing fencing has a maximum height of 1.83m and comprises solid fencing with trellis on top. The proposal will not alter the position of the fencing, which is separated from the footpath by a grass strip which is some 1.8 – 2m wide and so will not alter the separation distance between this fencing and the fencing/walling on the opposite (south) side of the path. The opposite wall is 3m (approx.) high and the fence is 1.9m high and form the boundary treatment for the public house and Barnend. Thus it will not lead to a physical narrowing of the path.

- 5.3 The resultant 2m boundary treatment is considered to be appropriate and acceptable and the additional height of 25cm (max) would not be readily discernible, and would not look out of place or unsympathetic.
- 5.4 The overall 2m height for a rear garden fence is not unusual, being an industry standard and in other circumstances would be permitted development. However, in this case the approved fencing for the development was 1.8m high and to vary it requires planning permission.
- 5.5 The comments of the objector are noted but the layout of the development as a whole was carefully considered in connection with the original application CR/2014/0777/FUL. The Committee report for that application states:

5.10 The arrangement of the houses on the southern part of the site, gives a street frontage character to the scheme, especially with the pavements which are on either side of the access road, however, there will be no direct pedestrian access to the school car park and grounds from Gales Place. The main and preferred route for pupils is via School Path, into the school grounds further to the east. The layout of the scheme is such that the footway from Gales Place would connect directly to School Path.

and

5.12 In respect of the impact on School Path, it is acknowledged that by building on the land immediately adjacent, the outlook and context of the path will change. However, the layout and design of the scheme has been developed to address concerns about this relationship in urban design terms, including the location, scale and massing of the buildings at this point in the site, the requirement for natural surveillance onto the path, the parking courtyard and the group of preserved trees and the need to provide a layout for the whole site that makes an efficient and effective use of land.

5.13 The terrace of 3 units provides a corner feature between the Gales Place access drive and School Path and the windows and entrances to these units provide natural surveillance. The terrace of 4 houses will back onto School Path, but their rear garden fences will be set back from the hardsurfaced line of the path, with a grassed area intervening, with scope for additional landscaping if required. The fences will be of a closeboarded type with trellis on top. This will provide privacy for the occupiers of those units, but with a softened appearance and will allow for overlooking of the path from upper level windows.

- 5.6 The increased height of the fencing panels will provide a more solid boundary up to 1.78m high, but with the trellis element on the top the overall impact would be softened. The change to the fencing is considered to be acceptable and would not materially adversely affect the visual amenities and character of the path and the street scene.

The impact on the occupiers of the development

- 5.7 The request for the increased fencing height has arisen from the occupants of the dwellings. The dwellings are at a slightly higher level than the footpath resulting in a perceived lack of privacy from overlooking caused by users of the path. There are also accounts of litter being thrown over the fences into the gardens.
- 5.8 The additional height of the fencing panels will result in a more solid boundary and so should address occupants' concerns over privacy and security.

The impact on the amenities of the occupiers of neighbouring properties

- 5.9 The closest properties likely to be affected by this proposal are Barnend and the public house. However, their boundary treatments are not affected and are of a similar height or taller than that

proposed. The public house building is set to the west of the revised fencing, with its walled car park being adjacent to the application site. The front elevation of Barnend faces west with its rear garden facing east. There are no windows on its side northern elevation and its side boundary is 1.9m fencing.

- 5.10 It is not considered that the proposal would give rise to an adverse impact in terms of overbearing or dominant impact as it would be screened by existing boundary fences/walls and separated from them by the footpath.

CONCLUSIONS:-

- 6.1 It is considered that the proposed fencing would address privacy and security issues raised by the occupants of this development. Whilst the fencing would be higher than the existing boundary treatment, it would be comparable to the permitted development limits of a maximum of 2m in height and so would not be an unusual or incongruous feature. It is not considered that this additional height would have an adverse impact on the street scene and the character of the environs of school Path.

RECOMMENDATION RE: CR/2018/0675/FUL

Grant permission

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.

