

AGENDA MANAGEMENT SHEET

Name of Committee	Regulatory Committee
Date of Committee	27th September 2005
Report Title	Higham Lane School (Detached Playing Field), Nuneaton - Erection of a 2.4 Metre High Steel Palisade Security Fence to the North and East Site Boundary
Summary	<p>The report recommends the grant of planning permission for a 2.4 metre high steel palisade fence with triple spiked tops to be erected to the northern and eastern site boundary to the detached school playing field, plus the construction of associated single pedestrian access gates and double vehicular access gates to the same specification at Higham Lane School (detached playing field) Ambleside Way, Nuneaton.</p> <p>The application was deferred at the 24th May 2005 meeting of the Regulatory Committee to enable Members of the Committee to make a site visit.</p> <p>The application was deferred at the 7th July 2005 Regulatory Committee to enable further discussions between Higham Lane School, Warwickshire County Council and the Higham Lane Leisure Association.</p>
For further information please contact	<p>Jim Davies Planning Officer Tel. 01926 412907 jimdavies@warwickshire.gov.uk</p>
Would the recommended decision be contrary to the Budget and Policy Framework?	Yes/No
Background Papers	<p>Planning Application received on 18/3/05 with supporting statement. Letter from Warwickshire Police. Letter from local resident. Two Letter from Higham Lane Leisure Association, 29/3/2005 and 5/8/2005. Letter from 11th Nuneaton (Weddington) Scouts.</p>

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

- Other Committees
- Local Member(s) Councillor J J Burton – no comments received.
(With brief comments, if appropriate)
- Other Elected Members
- Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive
- Legal I Marriott – comments incorporated.
- Finance
- Other Chief Officers
- District Councils Nuneaton and Bedworth Borough Council – No objection subject to the fence being coloured green.
- Health Authority
- Police Police Architectural Liaison Officer – no objection.
- Other Bodies/Individuals See Paragraph 2

FINAL DECISION

YES/NO

(If 'No' complete Suggested Next Steps)

SUGGESTED NEXT STEPS :

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee

To an Area Committee

Further Consultation

Regulatory Committee – 27th September 2005

Higham Lane School (Detached Playing Field), Ambleside Way, Nuneaton - Erection of a 2.4 Metre High Steel Palisade Security Fence to the North and East Site Boundary

Report of the Director of Planning, Transport and Economic Strategy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the siting of a 2.4 metre security fence at Higham Lane School, Ambleside Way, Nuneaton, subject to the conditions and for the reasons contained in **Appendix B** of the report of the Director of Planning, Transport and Economic Strategy.

APPLICATION NO:	N299/05CC009
SUBMITTED BY :	Director of Property Services Department on behalf of Cabinet of Warwickshire County Council.
RECEIVED BY:	The Director of Planning, Transport and Economic Strategy on 18/3/05.
THE PROPOSAL:	Erection of a 2.4 metre high steel palisade fence with triple spiked tops to be erected to the northern and eastern site boundary to the detached school playing field, plus the installation of associated single pedestrian access gates and double vehicular access gates to the same specification.
SITE AND LOCATION	Higham Lane School (Detached Playing Field) Ambleside Way, Nuneaton. See plan in Appendix A

1. Application Details

- 1.1 The planning application proposes the construction of a 2.4 metre high steel palisade security fence with triple spiked tops to the northern and eastern boundary of the detached playing field at Higham Lane School. The scheme also includes the construction of associated single pedestrian access gate and double vehicular access gates to the same specification.
- 1.2 This proposed security fencing is proposed in response to numerous acts of vandalism that have occurred on the site of the playing fields at Ambleside Way. Currently, trespassers can easily gain entry into the site and are causing a problem for Higham Lane School and the adjacent residential properties.
- 1.3 Pedestrian access to the site would be a 1.2m wide pedestrian gate at the current access off Ambleside with a vehicular access of 4m width being sited on the northern boundary which runs along the access road servicing the allotments and Scout Hut.
- 1.4 The original application submitted on the 10th March 2005 provided for pedestrian access gates along the eastern boundary fence with the Higham Lane Leisure Association. After initial objections from the Leisure Association the application has been revised with the removal of these pedestrian gates.

2. Consultations

- 2.1 **Nuneaton and Bedworth Borough Council** – No objection subject to the fence being coloured green.
- 2.2 **Councillor J J Burton** – No comments received.
- 2.3 **Environmental Health** – No comments received.
- 2.4 **Police Architectural Liaison Officer, Nuneaton and Bedworth** – No objection.

3. Representations

- 3.1 One letter from a local resident asks if the fencing will stop unauthorised use of the field and whether Warwickshire County Council will be taking responsibility for the hedge running along the eastern site boundary.
- 3.2 The 11th Nuneaton (Weddington) Scouts **object** to the positioning of the fence on the eastern boundary as it is inset from the actual site boundary leaving the hedge and adjacent land as a 'no mans land'.
- 3.3 Higham Lane Leisure Association initially **objected** to the positioning of the fence on the eastern boundary and the construction of pedestrian access on this same boundary on the issue of safety on the 29/3/2005.

- 3.4 Both objectors stated they would want the fence located on the actual site boundary leaving the hedge clearly the responsibility of Higham Lane School.
- 3.5 The application for the siting of the fence was revised on the 16/8/2005 with the removal of the pedestrian gates accessing onto the land of the Higham Lane Leisure Association. An agreement has been reached between Higham Lane School and the Leisure Association to locate the fence as close as possible to the existing hedgerow so that no walkway is created between the new fence and the hedge.
- 3.6 The Leisure Association and School have also agreed that the existing hedge and ditch will have maintenance carried out prior to the installation of the new fence.
- 3.7 The Leisure Association request that the security fence be painted green to limit the visual impact of the development.
- 3.8 The Leisure Association therefore has no objection to the amended plan.

4. Observations

Site and Surroundings

- 4.1 The playing fields are adjacent to residential properties on the southern and western boundaries. To the north are allotments and an access roadway leading to a scout's hut adjacent to the north eastern corner of the site. Higham Lane Leisure Association operate the sports club to the east of the site with a hedgerow marking the boundary between the sites.
- 4.2 The application proposes to locate the fence slightly onto the school playing field to avoid any disruption to the existing hedge which would remain in place and soften the appearance of the security fence.

Planning History – Original Application

- 4.3 Two **objections** were received over the issue of the proposal locating the fence slightly onto the school field away from the existing hedgerow. Higham Lane Leisure Association stated that the proposal would create an area of land that could not be adequately and easily maintained between the new fence and the existing hedge and ditch. The Association currently maintains their side of the hedge but stated that County Council carries out very little maintenance to either the hedgerow or the ditch and that by positioning the fence as proposed maintenance will become increasingly difficult for the Council. The 11th Nuneaton Scouts also **objected** to the proposed positioning of the fence as they state it will create a 'no-mans land' between the new fence and the adjacent sports ground which will not deter young people to gaining access to the field. The Leisure Association also **objected** to the locating of a pedestrian access in the fence on safety issues, they consider this would be a potential hazard to children.

- 4.4 The existing hedgerow identifies the boundary between Higham Lane Leisure Association and the school. However, locating the fence on the actual boundary would involve the loss of the hedge. The alternative of locating the fence on the Leisure Associations side thus preserving the hedge and giving the school easy access for maintenance could not be an option as this would mean the school installing the fence on land which isn't doesn't own. This would also mean the Leisure Association could not fulfil its maintenance obligations on the hedge and ditch.
- 4.5 This proposed position of the security fence would mean the school would access the hedge from the Leisure Association site. Currently the playing fields are open and available to the sports club but the security fence would restrict access to the school field although reducing the risk of vandalism at the field and to the rear of adjacent properties.

Amended Plan – 16th August 2005

- 4.6 An amended plan has now been submitted which removes all the pedestrian access gates from the section of fence running between the Higham Lane Leisure Association and the School Playing Field, however, the fence remains in the position originally applied for. The amendments are a result of discussions between the two parties and now have the full support of the Leisure Association which therefore has no objection to the proposal.
- 4.7 Higham Lane School has agreed that the security fence will be sited as close as possible to the existing hedgerow so that no walkway or 'no mans land' will be created between the existing hedge and new fencing. It has also been agreed that the existing fence and ditch would have maintenance carried out on them prior to the instillation of the security fencing. In the position proposed for the fence it will be possible to gain easy access to the ditch for maintenance purposes but only from the Leisure Association land.
- 4.8 The Leisure Association are aware that the school agreed to have the new fence painted and maintained in green. They would still expect the fence to coloured in this manner.

5. Policy

- 5.1 Policy ER1 of the Warwickshire Structure Plan sets out policies in relation to natural and cultural environmental resources and the protection of the environmental assets of the county. Policy ER2 of the Structure Plan sets out policies in relation to the environmental impact of development on the landscape and material assets of the county. The proposal would not have a detrimental impact on the local landscape and therefore accords with these policies.
- 5.2 Policy Env13 of the Nuneaton and Bedworth Second Deposit Draft – 2004 states the design and material of all development should be of a high standard in keeping with the scale and character of the locality. Policy Env21 of the plan requires that the design of development should encourage a high level of personal and community safety. The proposal is considered to be in accordance with these policies.

6. Conclusions

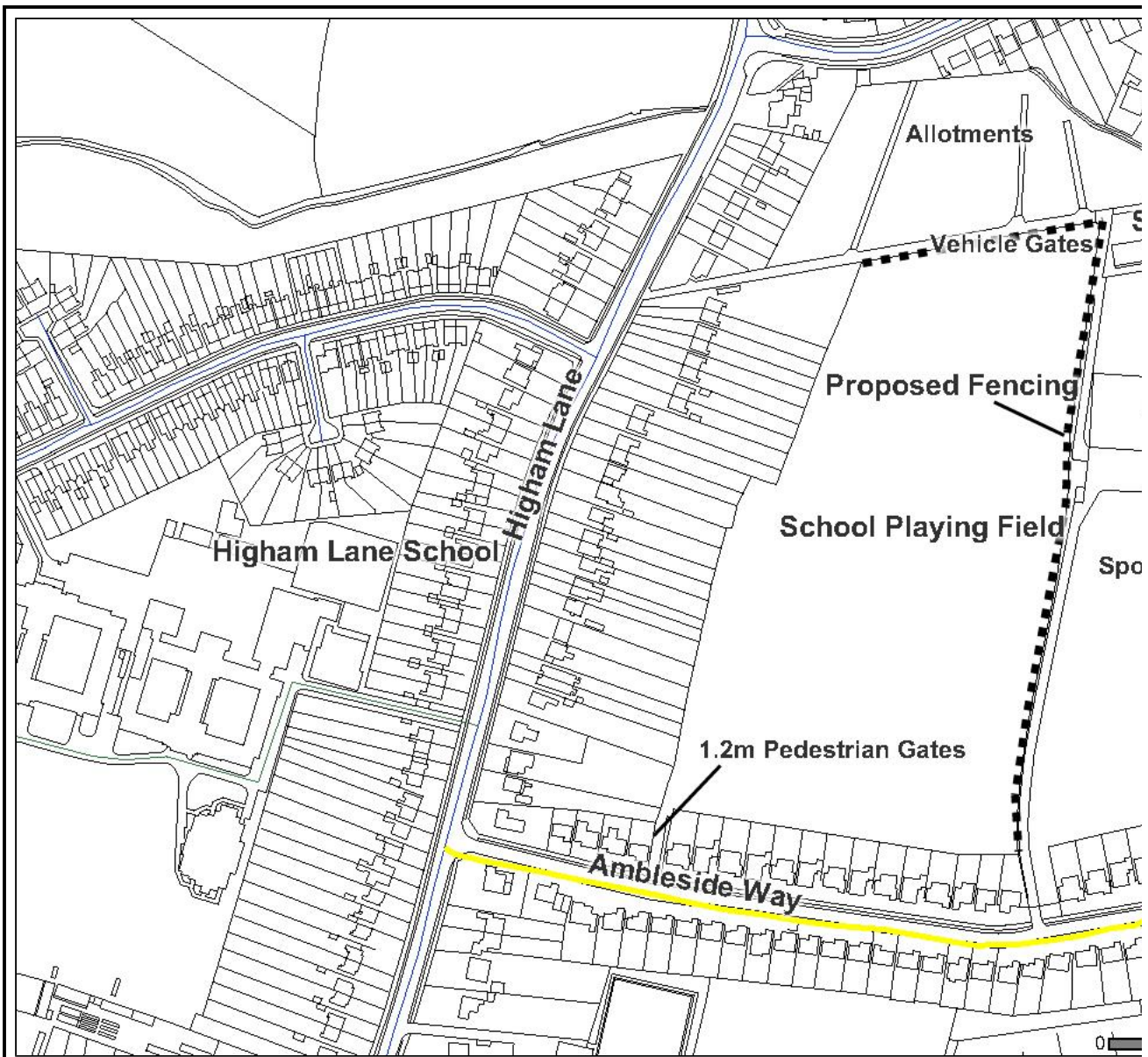
- 6.1 The proposed erection of 2.4 metre high security fencing to the northern and eastern boundary of the detached playing field of Higham Lane School (Ambleside Way) is considered to be acceptable when taking into account all material considerations relating to the development.

7. Environmental Implications

- 7.1 The size and scale of the proposed development would have only a limited impact on the visual amenities of the locality.

JOHN DEEGAN
Director of Planning, Transport and Economic Strategy
Shire Hall
Warwick

15th September 2005



Scale 1: 3248

Ref No.

Dra

Regulatory Committee - 27th September 2005

Subject

Higham Lane School - Security Fence

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Higham Lane School (Detached Playing Field), Ambleside Way, Nuneaton - Erection of a 2.4 Metre High Steel Palisade Security Fence to the North and East Site Boundary

Application No: N299/05CC009

Commencement Date

1. The development hereby approved shall be commenced no later than 5 years from the date of this permission.

Pre – Commencement

2. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref:- N299/05CC009, Supporting Statement and amended plans dated 16/08/2005.
3. No development shall take place until full details of the colour of the fence has been supplied and approved in writing by the County Planning Authority and the fence shall be coated and re-coated only in that colour or another colour so approved.

Reasons

- (i) To comply with the Town and Country Planning Act 1990.
- (ii) To ensure development is carried out in accordance with the planning permission hereby granted.
- (iii) To protect the visual amenity of the local residents.

Notes to Applicant

That the applicant gives written notification to the Higham Lane Leisure Association of the date installation of the fence is to commence.

Development Plan Policies and Proposals Relevant to the Decision to Grant Permission

Warwickshire Structure Plan 1996 – 2011

- (i) Policy ER.1

Nuneaton and Bedworth Borough Local Plan 1993

- (i) Policy E32
- (ii) Policy L26

Nuneaton and Bedworth Second Deposit Draft – 2004

- (i) Policy ENV13
- (ii) Env21

Reasons For The Decision To Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to require refusal.

Note:- The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.