

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 16th March 2006

Report Title Higham Lane School, Nuneaton - Erection of Fencing at Playing Fields

Summary Erection of a 2.4 metre high steel palisade fence with triple spiked tops to be erected to the northern and eastern site boundaries with the incorporation of double vehicular access gates to the same specification, plus replacement of pedestrian gate to the front entrance and fencing along walkway to field to same specification but powder-coated green.

For further information please contact Richard Forbes
 Planning Officer
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers None.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees Regulatory Committee 27th September 2005.
- Local Member(s) Councillor J Burton – No objections to green colour treatment of the entire fence.
(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 entire fence being painted green.
Police Architectural Liaison Officer – no comments received.
- Health Authority
- Police
- Other Bodies/Individuals

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 - 16th March 2006

**Higham Lane School, Nuneaton - Erection of Fencing at
Playing Fields**

**Report of the Strategic Director of
Environment and Economy**

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, (Detached Playing Fields), Ambleside Way, Nuneaton, subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director of Environment and Economy.

- APPLICATION NO: N299/06CC002
- SUBMITTED BY: Strategic Director of Resources.
- RECEIVED BY: Strategic Director of Environment and Economy on
13th January 2006.
- 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 boundaries with the incorporation of double vehicular access gates to the same specification. Plus replacement of pedestrian gate to the front entrance and fencing along walkway to field to same specification but powder-coated green.
- 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 is a resubmission of the scheme previously withdrawn on the 26th October 2005, planning permission reference N299/05CC009, following consideration by the Regulatory Committee. This scheme 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. The applicant has acknowledged that the fencing adjacent to the pedestrian access off Ambleside Way would be powder-coated green whilst the remainder of the fencing would be untreated.
- 1.2 The proposed security fencing is proposed in response to the 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 via a 1.2m wide pedestrian gate at the current access off Ambleside Way. A vehicular access of 4m width would be sited on the northern boundary which runs along the access road servicing the allotments and Scout Hut.
- 1.4 The applicant has stated that none of the existing hedging would be removed as a consequence of this application as the fencing would be inset 1.5 metres into the playing field to allow for maintenance to both the hedge and ditch. This position has been agreed between the applicant, Higham Lane School and Ambleside Sports Association at a meeting on the 10th August 2005.
- 1.5 As part of the application a letter of support from Warwickshire Police's Crime Reduction Officer has been submitted. The officer advises that the site be sealed at the points where foot access is available. This is as a result of anti social use of the site which has led to the damage of goal posts and the deterioration of playing pitches.

2. Consultations

- 2.1 **Nuneaton and Bedworth Borough Council** – No objection, subject to entire fence being painted green.
- 2.2 **Police Architectural Liaison Officer** – No comments received 2nd March 2006.
- 2.3 **Councillor J Burton** – No objection subject to green colour treatment of the entire fence.

3. Representations

- 3.1 Three letters from local residents regarding:-

- (i) The “prison compound” like appearance of the fence.
- (ii) The need to retain the hedgerow.
- (iii) The need to finish the entire fence in a green colour treatment.
- (iv) The repositioning of the fence to the club side of the hedge to reduce the visual impacts to the rear of properties on Ambleside Way.

4. Observations

Site and Surroundings

- 4.1 The southern and western boundaries of the playing fields abut the rear gardens of residential properties fronting Ambleside Way and Higham Lane. 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 operates the Sports Club to the east of the site with a hedgerow marking the boundary between the two sites.

Previous Planning Application and Background

- 4.2 The previous application, N299/05CC009, was put before Regulatory Committee on three occasions and a site visit was conducted by Members. There was some discussion regarding the position of the fence and the boundary of land ownership. This resulted in a meeting between the applicant and the Ambleside Sports Association in August 2005. The meeting agreed the siting of the fence on the playing field as close as possible to the ditch and hedge but allowing sufficient room to maintain the ditch and hedge.
- 4.3 The positioning of the fence onto the playing field side was agreed by these parties as to position the fence on the Club side of hedge would necessitate the removal of parts of the hedge, including roots. It would also result in the inability to maintain the Club’s side of the hedge, and in the possible damage of the Club’s access/egress road. It should also be noted that the approximate line of site ownership runs along the hedge line and as such the positioning of the fencing to the Club side may put it on land outside the control of the County Council.
- 4.4 At the meeting between the applicant and the Sports Association, the following were also agreed:-
- (i) There are to be no gates along the boundary with the Club’s adjoining ground.
 - (ii) A pedestrian gate will not be incorporated to the palisade fence that separates School and Sports grounds as it is considered surplus to requirements.
 - (iii) The County Council will fill the gaps in the hedge with fencing and will plant hawthorn quicks to establish a continuous hedgerow.

- 4.5 The application was withdrawn following the Regulatory Committee's meeting in September. Committee Members were concerned that the proposed siting of the fence would still mean that the hedge and ditch would not be maintained properly and flooding would occur. This issue has now been addressed by the provision of a 1.5 metre maintenance strip. The County Council's Senior Forester has confirmed that this is a sufficient gap to enable the maintenance of both the hedge and ditch.

Visual Amenity and Impacts on Nearby Residents

- 4.6 The main impacts of the development would be upon the occupiers of housing along Ambleside Way and Higham Lane as the fencing will be visible from the rear of these properties. The closest properties would be those along Ambleside Way, and four of these residents have made representations on the scheme. Three of these representations and the Borough Council call for the fencing to be treated in a green colour.
- 4.7 The galvanised untreated fencing would look somewhat stark against the hedge especially during the winter when it would stand out against the brown of the hedge. As such all the fencing should be treated in a green colour. The improved appearance of the fence and the reduced impact on the amenities of surrounding residents would outweigh the additional financial costs involved.

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 E32 of the adopted Nuneaton and Bedworth Borough Local Plan and Policy Env13 of the Nuneaton and Bedworth Borough Local Plan Second Deposit Draft – 2004 require that 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 latter 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

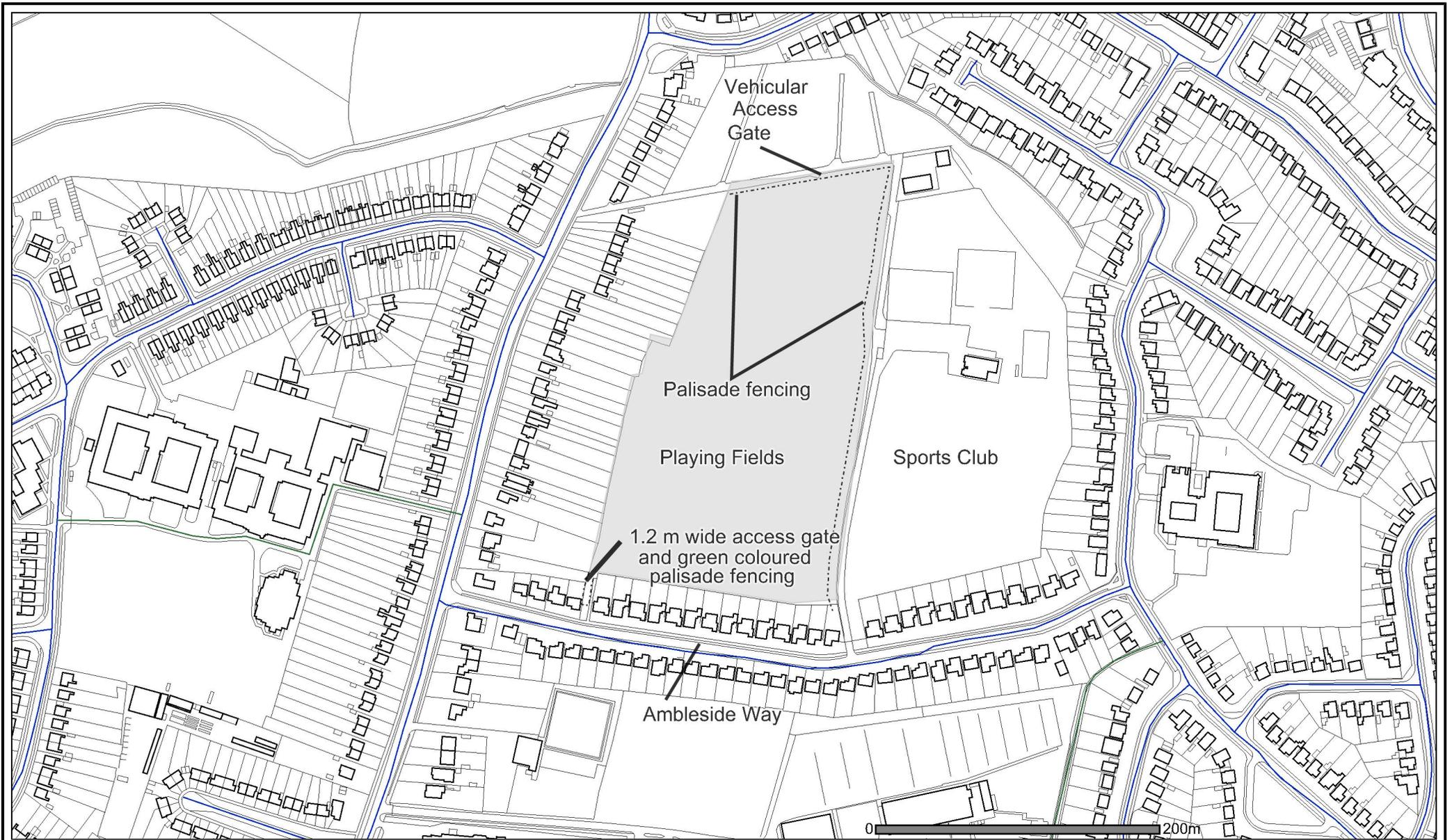
- 6.1 The proposed erection of 2.4 metre high security fencing to the northern and eastern boundary of the detached playing field of Higham Lane School (Ambleside Way) is considered to be acceptable when taking into account all material considerations relating to the development.

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. This would be due in part to the coloured treatment of the fencing, which would enable the fencing to better blend in with it's surroundings.

JOHN DEEGAN
Strategic Director of Environment and Economy
Shire Hall
Warwick

1st March 2006



Scale 1: 3701

Ref No. N299/06CC002

Drawn Richard Forbes

Regulatory Committee 16/03/2006

Subject

Fencing at Higham Lane School Playing Fields, Nuneaton

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John Deegan
 Director of Planning, Transport
 and Economic Strategy
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Regulatory Committee – 16th March 2006

**Higham Lane School, Nuneaton - Erection of
Fencing at Playing Fields**

Application No: N299/06CC002

Commencement Date

1. The development hereby approved shall be commenced no later than 3 years from the date of this permission.

Reason: To comply with the provisions of section 51 of the Planning and Compulsory Purchase Act 2004.

Pre-Commencement

2. Subject only to the requirements of Condition No 3, the development hereby permitted shall not be carried out other than in accordance with the submitted application ref:- N299/06CC002 and Supporting Statement.

Reason: To ensure development is carried out in accordance with the planning permission hereby granted.

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. No part of the proposed fencing shall be erected unless it has first been powder-coated in the approved colour.

Reason: To protect the visual amenity of the locality.

**Development Plan Policies And Prposals 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.

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 justify withholding consent for the development.

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.