

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee
Date of Committee 23rd January 2007
Report Title Coten End Primary School, Warwick -
Erection of 2.4m High Security Fencing to
Create a Sports Court

Summary This application is for the erection of 2.4m high security fencing to create a sports court.

For further information please contact Lucy Hill
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Planning application registered on 23rd October 2006.
E-mail from Councillor Mrs Haywood dated 26th October 2006.
Letter of objection dated 30th October 2006.
E-mail specifying the appearance of the gates dated 3rd November 2006.
Letter of objection dated 10th November 2006.
Letter from Warwick District Council dated 13th November 2006.
Petition against the proposed development dated 15th November 2006.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

Other Committees

Local Member(s)
(With brief comments, if appropriate)

Other Elected Members Councillor Mrs M Haywood – No objection

Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

- Chief Executive
- Legal I Marriott - agreed
- Finance
- Other Chief Officers
- District Councils Warwick District Council – No objection
- Health Authority
- Police Warwick Police Architectural Liaison Officer – No objection
- Other Bodies/Individuals Warwick Town Council – No Comments received

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 - 23rd January 2007

Coten End Primary School, Warwick - Erection of 2.4m High Security Fencing to Create a Sports Court

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the erection of 2.4 metre high security fencing to create a sports court at Coten End Primary School, Warwick, subject to the conditions and for reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application Number:	W11/06CC034.
Received by County:	23rd October 2006.
Applicant:	Cabinet of Warwickshire County Council.
The Proposal:	The erection of 2.4 metre high security fencing to create a sports court.
Site and location:	Approximately 1.95 ha of land at Coten End Primary School, Warwick [grid reference 428896, 265108].
	See plan at Appendix A .

1. Application Details

- 1.1 The application is for the erection of 2.4m high security fencing to create a sports court to enable ball games such as netball, five-a-side football and basketball to be played at Coten End Primary School, without damaging nearby buildings located generally to the north and west of the primary school.
- 1.2 The proposed fencing would be located to the south west of the main school building and in the north western corner of a tarmac playground area. The sports court would occupy an area of approximately 450m² and comprise powder coated green welded mesh fencing. Gates approximately 1.2m in width

of the same specification would be located at the north eastern corner and at the south western corner of the court.

2. Consultations

- 2.1 **Councillor Mrs M Haywood** – No objection.
- 2.2 **Warwick District Council** – No objection.
- 2.3 **Warwick Town Council** – No comments received.
- 2.4 **Police Architectural Officer, Warwick Police Station** – No objection.

3. Representations

- 3.1 Two written representations together with a petition have been received from local residents raising objection to the proposal on the following grounds:-
 - (i) Noise generated through the use of the court in the proposed location, close to Healey Court.
 - (ii) Visual impact of the fence height upon residents of Healey Court.

4. Observations

Site and surroundings

- 4.1 Coten End Primary School is located to the east of Warwick town centre and just south of Emscote Road. The primary school is bounded to the north and east generally by a number of residential dwellings. St Nicholas Park is located to the south of the site, with a further residential area to the south west and west, with Healey Court to the north west.
- 4.2 The application area currently comprises a tarmac playground approximately 1,550m² in area bounded by a wooden fence approximately 2m high and shrubs to the north, the main primary school building to the east and a wooden fence with mesh security fencing with shrubs and trees to the south and west.

Visual impact and residential amenity

- 4.3 Although the sports court would be located approximately 6m to the south of residential flats at Healey Court, it is considered that the fenced court area itself would not have a significant impact upon the residential amenity of the area. However, it is more the use of the area that has become the cause of concern for nearby residents. With the exception of occasional after school activities the area would only be used during school time and therefore it is considered that the actual disturbance in terms of noise would be kept to a minimum.
- 4.4 The height of the fence has also been the cause of concern from nearby residents, however, it is considered that in terms of potential nuisance caused by

balls coming over the fence towards Healey Court, the fence would be more effective than the current wooden fence and reduce the likelihood of balls breaching the boundary between the Primary School and Healey Court.

Planning policy

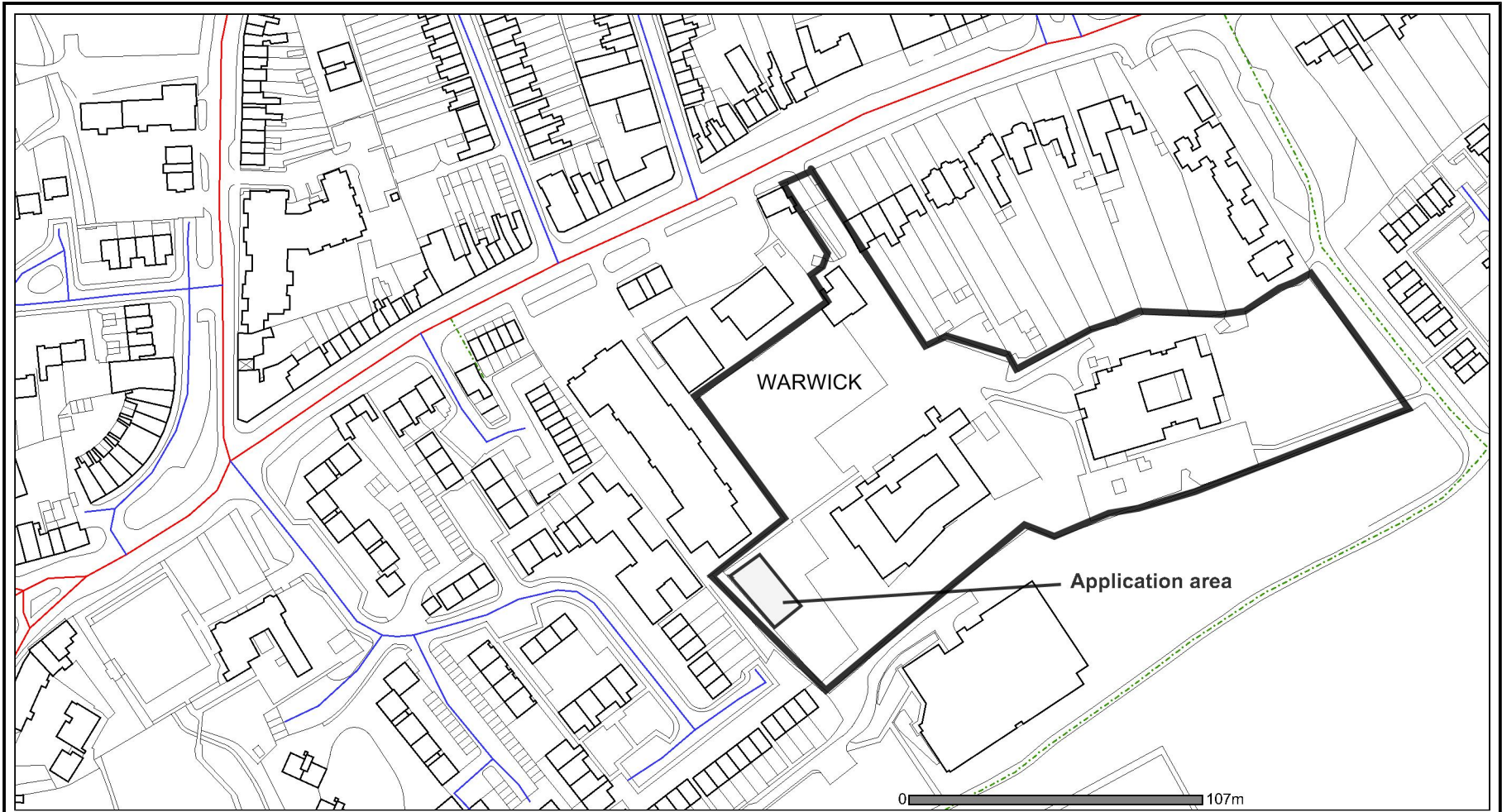
- 4.5 Policy GD3 of the Warwickshire Structure Plan 1996-2011 considers the overall development strategy and Policy ER1 considers design which is sensitive to the locality. Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (Revised Deposit Version) May 2005 considers 'layout and design' and 'amenity' respectively. The design and access statement submitted with the application demonstrates that visual appearance of the fence has been considered, whereby the most suitable design 'Heras Chaperon range' has been chosen for the sports court. It is considered that the new fence would reduce the number of balls breaching the boundary to the Healey Court residential flats and therefore reduce nuisance to the adjacent residents. In addition, the sports court would only be used within school hours. Consequently, the proposed development would not harm amenity and is, overall, in accordance with the relevant policies contained within development plan.

5. Conclusion

- 5.1 The proposed 2.4m high security fencing to create a sports court at Coten End Primary School is in accordance with policies contained within the development plan. It is considered that the proposed development would not have a detrimental impact on amenity and nearby residents.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

28th December 2006



Scale 1: 2287

Ref No. W11/06CC034

Drawn LH

Regulatory Committee
Subject
Coten End Primary School



John Deegan
Strategic Director for
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Regulatory Committee - 23rd January 2007

Coten End Primary School, Warwick - Erection of 2.4m High Security Fencing to Create a Sports Court

Application Number: W11/06CC034

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the details submitted with application reference number W11/06CC034 and in accordance with the approved plans comprising the site location plan dated 19/10/2006 and the plan showing the proposed fencing and access gates dated 19/10/2006 and any samples or details approved in accordance with the conditions attached to this permission, unless these conditions require or allow, or the County Planning Authority agrees in writing to, any modifications.

Reason: In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

Development Plan Policies Relevant to this Decision

Warwickshire Structure Plan 1996 – 2011:-

- (i) Policy GD3

Warwick District Local Plan 1996-2011 (Revised Deposit Version) May 2005

- (i) Policy DP1 – Layout and Design
- (ii) Policy DP2 – Amenity

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.