

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 3rd April 2007

Report Title Security Fencing at Water Orton School, Water Orton

Summary The application proposes the provision of security fencing and gates at the playing field access at Water Orton School, Water Orton.

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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Application details received 4th December 2006. Letters from North Warwickshire Borough Council received 18/12/2006 and 22/2/2007. Emails from local residents dated 4/1/2007, 13/1/2007 and 25/2/2007. Revised plan dated 14/2/2007.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s) Councillor Mrs J Lea - No comments received, as
 (With brief comments, if appropriate) at 20th March 2007.
- 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 North Warwickshire Borough Council – No objections.
- 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 - 3rd April 2007

Security Fencing at Water Orton School, Water Orton

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for erection of palisade fencing and 4 metre wide double access gates to western boundary all to be powder coated green at Water Orton School, Water Orton, Warwickshire subject to the conditions and for the reasons contained in **Appendix B** of the Report of the Strategic Director for Environment and Economy.

Application No : NW313/06CC038

Submitted by: The Strategic Director of Resources on behalf of Cabinet.

Received by: The Strategic Director for Environment and Economy on 4/12/2006.

Advertised Date : 14/12/2006.

The Proposal : Erection of 2 metre high palisade fencing and 4 metre wide double access gates to western boundary. All to be powder coated green [Submitted under Regulation 3 of the Town and Country Planning Regulations 1992].

Site & Location : 2.71 ha of land at Water Orton Primary School, Attleborough Lane, Water Orton, Birmingham [Grid ref: 175.905].

See plan in **Appendix A**.

1. Application Details

- 1.1 The application proposes the erection of a green powder coated 2 metre high palisade security fencing and access gates on a secondary access point, to the school grounds. This access is located on the western boundary of the school fronting onto Attleborough Lane.

- 1.2 The access measures 4 metres in width and enables access on to the school playing fields for maintenance on an occasional basis, mainly during the summer. It is considered that this is the least secure point along the boundary where unauthorised access can be gained onto the school site. Such fencing would help to reduce the increased amount of trespassing and potential vandalism to the school site which has occurred recently.
- 1.3 Originally it was proposed that the gates would be sited in line with the existing hedgerow close to the line of the back of the pavement. However, since the application has been submitted it has been requested that the gates are set back from the main highway sufficiently to enable a vehicle to pull off the carriageway prior to opening the gates and the height of the proposed gates and fencing has been reduced from 2.4 metres to 2 metres in height.

2. Consultations

- 2.1 **North Warwickshire Borough Council** – No objections.
- 2.2 **Councillor Mrs J Lea** – No comments received as at 20th March 2007.
- 2.3 **Police Architectural Liaison Officer** – No comments received.
- 2.4 **Water Orton Parish Council** – No comments received.

3. Representations

- 3.1 One email from a nearby resident at 64 Attleborough Lane, objecting on the following grounds:-
 - (i) Visual impact – changes that character from a small village school to a prison; altering the current open and pleasant views and affecting house prices.
 - (ii) The impingement of vehicle movements along the highway as vehicles would need to stop on the highway prior to opening the gates.
 - (iii) Development on the school site over the past 20 years, such as the building of the link block, tree planting and play equipment have enriched the views onto the village. The fencing would run against this.
 - (iv) The cost of the fencing is not insignificant regardless of which budget it comes from. There are better ways to use such money at the school.
 - (v) There has been minimal vandalism in the area over the past five years. The only vandalism has been graffiti on the sign outside the proposed gate and criminal break-ins to steal computer equipment following school open events.
 - (vi) Security gates at the main school are often left open. If this is not operated properly then why should further fencing be erected?

- (vii) Other schools that have such security fencing have not deterred vandalism. Fencing seems to encourage it.
 - (viii) The fencing would block access to the adjacent farmer's field.
 - (ix) Would the provision of 2.4 metre high screen fencing around an adjacent residential property be accepted?
 - (x) The proposal is in direct conflict with the Supplementary Planning Guidance (SPG) for Water Orton.
- 3.2 One email from another local resident, who is away on holiday, fully supporting the objection outlined above.
- 3.3 A second email objection from the occupant of 64 Attleborough Lane, regarding the revised proposals setting the gates back from the highway. This states objections as follows:-
- (i) It is incredulous that the new proposal has double the length of the 2.4 metre high fencing.
 - (ii) This would not reduce the visual impact of the entrance.
 - (iii) It is difficult to believe that the applicant has referred to the Water Orton SPG.
 - (iv) When relating the proposal to the SPG the following points are relevant – the enhancement of village gateway and the design guidelines for road infrastructure and appearance of the village.

4. Observations

Site and Surroundings

- 4.1 The position of the fencing and gates is situated on an unmade access to the school's playing fields off Attleborough Road. To the north of the access is number 57 Attleborough Road, the last in a run of residential properties attached to the main settlement of Water Orton. The boundary between the residential property and the application site also constitutes the boundary between the village and the Green Belt as defined by the Local Plan.
- 4.2 To the south is a small open field/paddock area with a single residential property and is some 85 metres from the access. Directly opposite the site, to the west of Attleborough Road, lies open countryside with a block of around eight semi-detached residential properties some 50 metres from the access.

Impacts on Amenity

- 4.3 When considering the impacts on amenity, both the impacts on neighbouring properties, and on the visual amenities of the streetscene and wider landscape

are of relevance. In particular, the impact on views from the public domain is of particular importance.

- 4.4 The impact on the amenities of the adjacent bungalow, No. 57 Attleborough Road, would be the most important consideration. The revised siting of the gates would put it at least 8 metres from the edge of the highway. Due to the length of the drive at No. 57 Attleborough Road, this would bring the position of the gates 6 to 7 metres in front of the residential property. The fence would, however, be partially hidden by the neighbours' evergreen hedge which is some 1.6 to 2 metres high.
- 4.5 The proposal and the other properties adjacent to No. 57 are some distance away and would not look directly onto the fencing, as such the impacts on these properties would be minor. When this is considered the impact on neighbours' amenity would be acceptable.
- 4.6 The setting back of the gates from the edge of the road would reduce the visual impact of the fence on the locality. The fencing and gates would sit adjacent to high hedgerows and trees which would be taller than the proposed fencing.
- 4.7 It must also be reiterated that the fencing would only occupy the width of the access and the 7.2 metre set back along one side of the access. This is a relatively small area of the overall school site, it is not intended to fence the whole of the western boundary of the playing fields.
- 4.8 The fencing would be sited at the end of the properties that make up part of the settlement of Water Orton. As such the proposal relates closely to the built up area of the settlement. This means that the proposal would not be as conspicuous as if it were sited in a more isolated rural location.

Other Issues

- 4.9 One objector has raised concern that the development would limit access to an adjacent privately owned small field. However, the school has confirmed in writing to the relevant landowner that they will be issued with a key to the gate to enable tractor access. This is a private and not a planning matter.

Planning Policy

- 4.10 The site is just located within the Green Belt policy ENV3 of the Local Plan applies, this states that within the Green Belt, Planning Policy Guidance (PPG) Note 2 Green Belts applies. This states that there is a general presumption against inappropriate development within the Green Belt.
- 4.11 The erection of fencing represents operational development that would constitute inappropriate development in Green Belt terms. However, there is an identified need for the provision of such fencing at the access, in terms of an increased amount of trespassing and associated potential for vandalism at the school site. These are considered to represent very special circumstances sufficient to outweigh its inappropriateness. Furthermore, it must also be acknowledged that due to the proposed lowering of the fencing height, outlined

below, only a small area of fencing requires full planning consent. As such only a small area of the fencing would need to be assessed.

- 4.12 Policy ENV11 of the local plan relates to neighbours' amenity, it states that "development will not be permitted if the occupiers of nearby properties would suffer significant loss of amenity, including overlooking, loss of privacy, or disturbance due to traffic, offensive smells, noise, light, dust or fumes". As outlined above the impact on neighbours' would be acceptable and as such the development would not be contrary to the policy.
- 4.13 In addition to the local plan, Supplementary Planning Guidance (SPG) for Water Orton was adopted by the Borough Council on 11th February 2003. The document is a material consideration for planning applications within the village, and has been produced from the village design statement.
- 4.14 The objector to the application has made reference to the SPG. In particular, guidelines in relation to views and open spaces, and road infrastructure and appearance of the village. With regards, to the retention of views the SPG makes specific reference to the views from the top of Attleboro Lane, looking north across the farmland to the Vicarage Lane treescape.
- 4.15 The width of the access is relatively narrow and would be seen as more of a gap between the existing hedgerow and the adjacent property. Looking through the gap would offer a restricted views onto playing pitches that are framed by vegetated boundaries. The SPG makes specific reference to views from the top of Attleborough Lane that look north onto the village. This viewpoint is located further south within the open countryside, from the road and public footpath, and allows a much greater vista to be appreciated.
- 4.16 The SPG also gives design guidelines for Road Infrastructure and Appearance of the Village that seek to improve the visual qualities of the village and develop a sense of identity and pride in the appearance of the streets. It specifically states that "Shop and business signs, along with any security features, should be unobtrusive and in keeping with the rural character and built environment". Due to the fact that the fencing is limited to a small area and is sited adjacent to hedgerows and buildings the fencing would not be as obtrusive as more open locations in addition the fencing would be treated green which would help it be better absorbed into it's semi-rural surroundings.
- 4.17 The applicant has amended the fencing to 2 metres in height, which would reduce the prominence of the fencing when viewed in the context of the adjacent hedgerow and residential boundary.
- 4.18 In addition, this would change the nature of what fencing is being considered for determination. Under Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 such fencing would be permitted development if it were not in excess of one metre in height adjacent to a highway used by vehicular traffic, or if it were not in excess of two metres in any other case. This would mean that only fencing adjacent to the highway would require express consent.

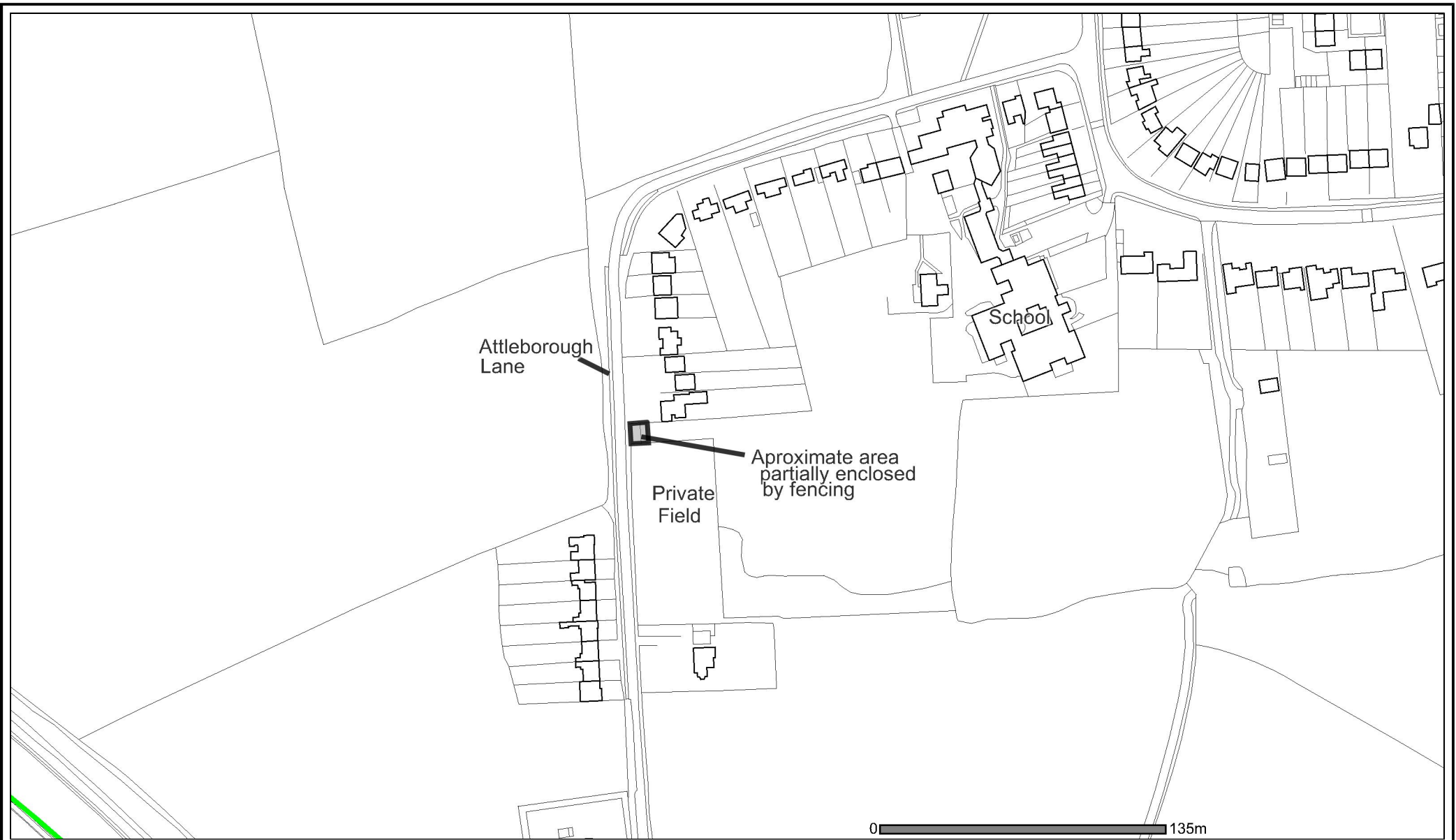
- 4.19 The set back distance of the gates would mean that these would be permitted development and it is more than likely that only the first three metres of the fencing from the highway would require consent.
- 4.20 When the permitted development allowances are considered withholding permission for such a short section of the overall fencing would do little to alter the impacts on the amenities of the surrounding area.

5. Environmental Implications

- 5.1 Due to the location adjacent to an existing hedgerow and the fact that only a short section of fencing is considered to require express consent the impact of the fence would be acceptable.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

20th March 2007



Scale 1: 2500

Ref No. NW313/06CC038

Drawn Richard Forbes

Regulatory Committee - 3 April 2007

Subject

Water Orton School - Fencing



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Regulatory Committee – 3rd April 2007

Security Fencing at Water Orton School, Water Orton

Application No: NW313/06CC038

Commencement Date

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

Reason: To comply with the provisions of section 91 of the Town and Country Planning Act 51, as amended by Section S1 of the Planning and Compulsory Purchase Act 2004.

Pre-commencement

2. The development hereby permitted shall not be carried out other than in accordance with the details submitted with application reference no. NW313/06CC038 and in accordance with the plans entitled 'Water Orton Primary School' dated 28/11/2006 at 1:1250 scale and dated 14/02/2007 at 1:250 scale, and the details and design and access statement submitted.

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

3. The development hereby approved shall have a maximum height of no more than 2 metres above ground level.

Reason: In the interests of visual amenity.

Development Plan Policies Relevant to this Decision

North Warwickshire Local Plan 2006 – ENV3 and ENV11.

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.