

APPLICATION REPORT – 18/00939/FUL

Validation Date: 12 October 2018

Ward: Adlington and Anderton

Type of Application: Full Planning

Proposal: Installation of new 2.4m high fencing.

**Location: Anderton St Joseph's Catholic Primary School Rothwell Road Anderton
Chorley PR6 9LZ**

Case Officer: Amy Aspinall

Applicant: The School Governors

Agent: Mr Joe Walmsley

Consultation expiry: 6 November 2018

Decision due by: 8 February 2019

UPDATE REPORT

The application was deferred by Members at planning committee on 15th January 2019 to allow officers to negotiate the proposals further with the school.

It should be noted that no amendments have been made to the proposal, and that the fencing is proposed in the same location and at the same height as presented to Members previously.

The agent has confirmed that the height of the fence at 2.4 metres is to accord with the Health and Safety policy of the Archdiocese of Liverpool. The agent also emphasises that a fence could be erected in this location up to a height of 2 metres without the need for planning permission. The agent also confirms that in order to mitigate the perceived impact of the additional height i.e. 40 cm, a set back from the boundary is proposed in order to reduce the impact on the residents. The agent advises that it is not possible to move the fence further from the boundary as this would impact on the playing field. It is recognised that a 'maintenance strip' would be created and the agent confirms that the school would maintain it.

The recommendation remains to approve planning permission, subject to conditions as previously presented to Members on 5th February 2019.

RECOMMENDATION

It is recommended that full planning permission is granted, subject to conditions.

SITE DESCRIPTION

The application relates to the boundary treatment of the Anderton St Joseph RC Primary School. The school is located on the periphery of a residential area with the wider area to the east more rural in nature.

The main school building is located on and accessed from Rothwell Road. The school grounds and field extend to the north and east where they are bounded by the rear gardens of residential properties.

To the west the grounds abut with the boundary with St Joseph's Catholic Church and to the south the side elevations of residential dwellings along Rothwell Road.

DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of 2.4m high paladin fencing around the playing field of the school from the rear of 22 Ashfield Road, to the rear of the properties along Lees Road and along the Rothwell Road elevation to the main school entrance.

The fencing would be set in 1m off the existing boundary treatment around the majority of the boundary but would be directly along the boundary to the side elevation of number 45 Rothwell Road. A number of gates would be inserted in the fencing to allow for access.

It should be noted that the work is being undertaken in conjunction with some changes to the boundary treatments around the school building which are being completed under permitted development rights which do not need planning permission.

REPRESENTATIONS

7 Letters of objection have been received raising the following concerns:

- The fencing would be better around the school buildings to deal with anti-social behaviour;
- There has never been an issue with people accessing the school through the residential properties;
- The proposal will give a feeling of confinement to the gardens of properties;
- The height of the fencing would be visible from gardens;
- The proposed fencing would be detrimental to wildlife;
- The opposite side of the field that is unlit and unoccupied will have 2m fencing;
- The residential properties will be 'caged';
- Vermin will be attracted;
- There is no need for the fencing;
- Existing fencing will be used to climb over the proposed fencing;
- Needs to be a condition requiring regular maintenance;
- The application form states no trees or watercourses on the site, but there are in close proximity.

1 letter has been received stating no objection if the fencing matches up with the existing fencing around the periphery and no issues if the fence is mesh not solid.

CONSULTATIONS

Lancashire Highway Services – Have no objection subject a condition.

Anderton Parish Council – Object to the proposal and comment that it will increase the vulnerability of the school and local residents as it will create a corridor between the old and new fencing. They would prefer the existing boundary treatments at the northern and southern extents of the site and stopping the property boundaries on Lees Road. The Parish Council is also concerned that the corridor will create a litter trap without a regular maintenance regime and that it will impact on wildlife in the area. The height of the fencing would not be in keeping with the area and would not be a nice experience for the children.

CIL Officers – Comment that the proposal is not CIL liable

PLANNING CONSIDERATIONS

Principle of development

The school is located within the settlement area, which is considered under policy V2 of the Chorley Local Plan 2012-2026 which states that there is a presumption of in favour of appropriate sustainable development, subject to material planning considerations and other policies and proposals within the plan.

Impact on the character and appearance of the locality

Policy BNE1 of the Chorley Local Plan 2012 – 2026 states:

'Planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.'

The proposed fencing would be located on the school playing field. This is mostly screened from outside the site behind buildings, including the church and residential dwellings. As such the fencing would have very little impact directly on the street scene. The exception to this is the element of the extension along Rothwell Road to the frontage of the school where the fencing would be located along the boundary.

It is not unreasonable to expect that a school would have a boundary fence to its boundary or to its road frontage. The proposed choice of fencing type is mesh in design and as such is significantly less intrusive than many alternatives. The school is located in a built up area and the type of fencing is considered appropriate for the locality, especially given the height and type of fencing that could be erected under permitted development. As such, it is considered that the proposal accords with the relevant policy.

Impact on neighbour amenity

Policy BNE1 of the Chorley Local Plan 2012 – 2026 states:

'Planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.'

A number of objections have been received from local residents objecting to the fencing and a site visit has been undertaken to view the location of the fencing from the rear gardens of a number of their properties.

The proposed fencing would be located 1m in from the rear garden boundaries of the properties along Ashfield Road and Lees Road. The main concerns of the objectors relate to the feeling of enclosure that it is perceived that the fencing would create. However, the fencing proposed is mesh in nature, allowing light to penetrate through and it would be set in 1m off the boundary. It cannot, therefore, be concluded that there would be any overbearing impact on the gardens of these properties. This should also be considered in the context that a 2m high fence of solid structure could be erected directly along the rear boundaries of these properties without planning permission under permitted development rights which would have more of an impact.

With regard to the loss of the view due to the fencing, as the fencing is mesh this would be obstructed rather than lost, however regardless of this, the loss of a view over adjacent land is not a material planning consideration. A number of the properties along the boundary have already installed solid fencing and structures along the boundary and as such being set in 1m from the boundary, the proposal would have very little impact on these dwellings.

With regard to the creation of the perceived corridor between the old and the new fencing it should be noted that the school could potentially erect a fence of 2m in height along the same

line under permitted development and as such there is limited scope for the Local Planning Authority to consider matters of maintenance as part of this application.

Highway safety

LCC Highways have confirmed that the proposal is acceptable, subject to the use of a condition to ensure that any gates do not open on to the highway.

CONCLUSION

The proposed development would be located within the settlement area and located predominantly behind other buildings. As such it would be screened within the street scene and would not detrimentally impact upon the character of the area. In terms of impact on neighbours, the proposed fencing is mesh in nature reducing its impact and is an improvement on the types of fencing that could be erected under permitted development. As such the proposal is considered to be acceptable.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

Ref: 76/00131/FUL **Decision:** PERFPP **Decision Date:** 22 March 1976
Description: Extension

Ref: 75/00166/FUL **Decision:** PERFPP **Decision Date:** 30 April 1975
Description: Extension

Ref: 81/00671/FUL **Decision:** PERFPP **Decision Date:** 3 August 1981
Description: Classroom extension

Ref: 04/00274/FUL **Decision:** WDN **Decision Date:** 13 May 2004
Description: Construction of retaining wall and creation of new soft play area, providing stepped access to playing field,

Ref: 04/00543/FUL **Decision:** PERFPP **Decision Date:** 30 September 2004
Description: Formation of secure play area, erection of retaining wall and formation of steps,

Ref: 08/00838/FUL **Decision:** PERFPP **Decision Date:** 31 October 2008
Description: Erection of single storey extensions, internal alterations and new retaining wall,

Ref: 10/00464/FUL **Decision:** PERFPP **Decision Date:** 4 August 2010
Description: Erection of 4 parking bays, 1 disabled parking bay and new ramped access to schools main entrance. Erection of 4 skimmer bollard anti vandal external lights.

Ref: 11/00672/FUL **Decision:** PERFPP **Decision Date:** 15 September 2011
Description: Erection of an extension of the existing canopy to side elevation and the erection of a new canopy to side elevation. Provision of a new soft play area. Erection of a 1000 mm high bow top fence and insertion of a double door access from Group Room.

Ref: 18/01183/FUL **Decision:** Under Consideration
Description: Outbuilding constructed within the existing school grounds.

Suggested conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Fencing	P01	19.12.2018
Perimeter Fencing Renewal	P01	19.12.2018

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The fencing, hereby approved shall be finished in black and shall be maintained as such thereafter.

Reason: To ensure a visually satisfactory form of development.

4. All gates and associated mechanisms shall be located outside the highway and the gates shall have physical restraints to be prevent them from opening onto the adopted highway. They shall be maintained as such in perpetuity.

Reason: To ensure that the adopted highway is not obstructed by the gates and prevent them being a hazard to other road users.

5. All gates identified on drawing number P01 titled 'Proposed Fencing' shall be installed in accordance with the approved plan, made available for use and retained thereafter.

Reason: To ensure that land to the perimeter of the playing field can be accessed for maintenance purposes.