

Application Ref: 12/01430/R3FUL

Proposal: Installation of security fence and gates

Site: Heltwate School, Heltwate, Bretton, Peterborough

Applicant: Mr Jason Brooks
Heltwate School

Agent: Enterprise Peterborough

Site visit: 30.10.2012

Case officer: Mr M A Thomson
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Recommendation: Authority be given to the head of Planning, Transport & Engineering to grant planning permission (with conditions) subject to no objection being received which raises a material planning consideration.

Referred by: Head of Planning, Transport & Engineering

Reason: Local concern regarding the application

1 Description of the site and surroundings and Summary of the proposal

Site Description

The application site forms an area of landscaping (15m x 70m) in front of Heltwate Primary School, and is identified as such within the Peterborough Open Space Strategy (2010). The site is not suitable for play and is more of a landscaped area. To the north, east and south are high density residential and flats, with the Masonic Hall to the South-West. The site forms the centre of what is effectively a circulation route for the school, with parking and a drop off/pick up area to the west. The site is open with no boundary treatments. There are a number of healthy trees on site, none of which are protected by way of tree preservation orders.

Proposal

The Applicant seeks consent to erect a 2m high Paladin Classic fence and two gates, finished in green (RAL6005). This would incorporate the informal amenity space and pick up/drop off area into the school grounds.

The application has been made in order to ensure the safety and security of the school and its pupils with special needs.

The application was deferred at the 18th December 2012 meeting of the PEP Committee so that the committee could gain a better understanding of why the fence was needed and why it had to be located in the position shown.

2 Planning History

No relevant planning history

3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; respond to local character; and create environments which are visually attractive. Planning permission should be refused for development of poor design.

Section 8 - Safe and Accessible Environments

Development should aim to promote mixed-use developments, the creation of strong neighbouring centres and active frontages; provide safe and accessible environments with clear and legible pedestrian routes and high quality public space.

Peterborough Core Strategy DPD (2011)

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS16 - Urban Design and the Public Realm

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

Peterborough Planning Policies DPD (Submission Version 2012)

Whilst this document is not yet adopted, it is at an advanced stage of preparation having been found 'sound' subject to amendment by an Inspector of the Secretary of State. In accordance with the National Planning Policy Framework (paragraph 216), considerable weight can be given to the policies contained within the document in decision-making. The Development Plan Document is due to be adopted on 5th December 2012. (Members will be updated at the meeting as to its adoption).

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

PP02 - Design Quality

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

PP03 - Impacts of New Development

Permission will not be granted for development which would result in an unacceptable loss of privacy, daylight, opportunities for crime and disorder, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution.

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

Peterborough Local Plan (First Replacement) (2005)

T10 - Car and Cycle Parking Requirements (Outside of the City Centre)

Parking should be provided in accordance with the identified standards.

LNE09 - Landscaping Implications of Development Proposals

Adequate provision should be made for the retention/protection of trees and other natural features and for new landscaping.

LNE10 - Detailed Elements of Landscape Schemes

A landscaping scheme suitable for the nature of the development should be proposed.

4 Consultations/Representations

Transport and Engineering Services (14.11.12)

No objection – The Local Highways Authority have requested minor amendments to the proposed gates.

Landscape Officer (13.11.12)

At the time of writing this report the Landscape Officer has requested further information.

Police Architectural Liaison Officer (14.11.12)

Supports the application.

Estates Services

No comments received.

Parish Council (04.12.12)

Objects - Request that the fence be repositioned, the green area in front should be retained as public amenity space, concerns at the loss of the footway that runs parallel with the road, the fence would not be conducive to the area and the fence as proposed would require works to trees.

Local Residents/Interested Parties

Initial consultations: 22

Total number of responses: 5

Total number of objections: 4

Total number in support: 0

A petition against the proposal has been received, signed by 43 addresses, as well as three letters of representation, raising the following matters;

- Visual impact
- Displaced car parking
- Congestion during pick up/drop off times
- Loss of open space to immediate neighbours
- Loss of trees
- Area has undergone over-development in recent years
- School has sufficient playing field at the rear of the site
- Would have limited impact to improving security of the site
- Noise generated from the opening/closing of gates
- Area claims to be used as a secure fire assembly point, no dropped kerb to it for mobility impaired

Further to the petition received on 5th December 2012, which contained 43 addresses, an updated petition has been forwarded with an additional 3 addresses, which object to the proposal.

An additional letter of representation was received raising the following issues;

- Negative impact on streetscape
- The fence would isolate the school
- Intensified use
- Loss of existing local facility
- Poor access
- Traffic

5 Assessment of the planning issues

Crime & School Safety

The land is maintained by the school, and in the past year it is understood Police were called to remove a person who was camping on the site, and the hazardous materials being found on the site, such as dog mess, glass bottles and needles. Further, problems relating to some of the pupils at the school have as a result of their learning difficulties limited awareness of risks/dangers. With the area not being fenced off there is a risk of pupils running into the public highway.

The Applicant also raises that due to the pupils no sense of fear during drop off and collection, there are real issues that pupils could run out into oncoming traffic.

The Police Architectural Liaison Officer (PALO) has reviewed police records for the area and it is acknowledged that Police were called to a person camping on the site. There are no records of needles being found within the application site however, special patrols were being conducted around the former Silver Jubilee Public House with respect to street drinkers/needles. The PALO concludes that 'whilst I cannot confirm that police staff have found any needles or dog mess on this actual site, other evidence in the area indicates that this is highly likely. I would therefore support the application and have no reason to dispute the claims made in the [schools] Updated Supporting Statement'.

The proposed fence would go towards improving the safety and security of an established and growing education facility, therefore would accord with Policy CS16 of the Peterborough Core Strategy DPD (2011), National Planning Policy Framework (NPPF) (2012) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Loss of Amenity Space

The amenity area does afford an amount of openness to an area of high density housing; it provides an area of play for local children, which is overlooked by surrounding residential properties, as well as an area for dog walking. The site also links into a similar sized amenity area to the immediate south.

There is a larger area of informal parkland 150 metres to the North, and playing fields and pitches 160 metres to the west. Helwtate and Ellingdon have dedicated pedestrian links to these areas as well as dedicated play and open spaces available interspersed throughout the estate, therefore given the amount of open space within a 5 minute walking distance the loss of the informal amenity space is on balance outweighed by the security issues raised and acknowledged by the Police Architectural Liaison Officer.

The proposal would not have an unacceptably adverse impact on the provision of open space available to residents in the immediate area, and therefore accords with Policy CS16 of the Peterborough Core Strategy DPD (2011)

Design and Layout

Letters of representation have raised issue with the appearance of the proposed fencing, and it's impact on the character and appearance of the area.

It is acknowledged that by introducing a 2m high fence this would alter the visual appearance of the street scene, however the proposed fencing would stand at only 2m in height and would be visually permeable therefore affords visual depth. The fence would be set back 600mm from the eastern edge of the informal open area, which would retain an existing pedestrian footway, which would mitigate any overbearing or oppressive impact to the character or appearance of the area. The design and finished colour of the fencing would be consistent with existing boundary treatment found around Heltwate school and other education facilities within the city and is therefore accepted.

The size, scale and layout of the proposal would not result in an unacceptably adverse impact on the character or appearance of the area, and accords with Policy CS16 of the Peterborough Core Strategy DPD (2011), NPPF (2012) and PP2 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Access, Parking and Highway Safety

Letters of representation has raised concern with displaced parking, increased congestion during pick up and drop off times and the fact that the school is increasingly being used outside of school hours. At the time of writing this report the Local Highways Authority have requested amended plans with respect to increasing the width of the gates (to 5 metres) and amend the position of the gates adjacent to the Highway. Highways have not raised objections to the proposal. Subject to the receipt amended plans which are acceptable to the Local Planning Authority, the proposal would accord with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Neighbour Amenity

A resident is concerned that the opening and closing of the gates would cause noise and disturbance to residents. It is considered that if any noise did emanate from the opening or closing of gates, this would be momentary and would not be of a significant frequency which would cause an unacceptably adverse impact to the amenity of existing residents.

The proposed gates are not considered to have an unacceptably adverse impact on the living conditions of adjacent residential properties, and the proposal accords with Policy CS16 of the Peterborough Core Strategy DPD (2011) and PP3 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination).

Trees

The Landscape Officer has requested further information with respect to the proposed fencing and overcoming any impact to trees. Further information will follow as part of the update report.

Other Matters

A letter of representation highlighted that the informal amenity area would be used as a gathering point during fire alarms. If the area would be used as a muster point it would be infrequent and no harm would arise.

6 Conclusions

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- the design of the fencing and gates would not result in an unacceptable adverse impact on the appearance or character of the area;
- the fencing and gates would not result in an unacceptable adverse impact on neighbouring

- amenity;
- Highway (to be confirmed)
- the fencing and gates would not result in an unacceptably adverse reduction in informal open space for surrounding residents; and
- Trees (to be confirmed)

Hence the proposal accords with Policies CS14 and CS16 of the Peterborough Core Strategy (2011), Policies LNE9, LNE10 and T10 of the Peterborough Local Plan (First Replacement) (2005), the NPPF (2012) and Policies PP1, PP2, PP3, PP13 and PP16 of the Peterborough Policies DPD (Submission Version incorporating the modifications recommended by the Inspector following examination)

7 Recommendation

That the Head of Planning, Transport & Engineering be authorised to **GRANT** planning permission subject to no objections being received that raise a material planning consideration, and subject to the following conditions:

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

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- C 2 The materials to be used in the construction of the external surfaces of the fencing and gates hereby permitted shall match those indicated on the submitted application forms and plans as listed in this decision notice.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C3 Notwithstanding the drawings hereby approved and prior to commencement of development details of the relocated gate position (and associated sections of boundary fencing) shall be submitted to and approved in writing by the Local Planning Authority. The gates shall thereafter be positioned in accordance with the approved details.

Reason: In the interest of highway safety and to accord with Policy CS14 of the Peterborough Core Strategy DPD (2011).

Copy to Councillors Martin S, Fitzgerald W and Sylvester A