

Item No. 17**SCHEDULE C**

APPLICATION NUMBER	CB/10/00279/FULL
LOCATION	Gravenhurst Lower School, High Street, Gravenhurst, Bedford, MK45 4HY
PROPOSAL	Full: Extension to existing boundary fence and new gate.
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr R Drinkwater & Cllr A Graham
CASE OFFICER	Sarah Fortune
DATE REGISTERED	26 February 2010
EXPIRY DATE	23 April 2010
APPLICANT	Gravenhurst Lower School
AGENT	Mr S Devonshire
REASON FOR COMMITTEE TO DETERMINE	Outstanding objection to Central Bedfordshire Council development.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located on the south side of High Street in the built up area of the village and comprises of a range of buildings forming Gravenhurst Lower School and Pre School.

The Application:

This application is for the construction of both new boundary fencing around some of the perimeter of the site - and an entrance gate to the approved emergency access to the Pre School site. A revised site layout plan has been submitted which states that this gate is to be used for emergency and service purposes only. There is also an elevation plan of this gate which shows that it is to match the gate at the top of the site which fronts onto High Street.

RELEVANT POLICIES:**National Policies (PPG & PPS)**

PPS4

Regional Spatial Strategy

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

Core Strategy and Development Management Policy Document Dated November 2009.

DM3 Amenity

Supplementary Planning Guidance

Central Bedfordshire's Design Guide

Planning History - relevant

07/01519/FULL Full: Erection of pre school and covered play area, buggy store and storage shed.
Granted: 15/01/2008.

**Representations:
(Parish & Neighbours)**

Parish Council No objection

Adj Occupiers 3 Orchard |Close: Objects on grounds that are of the view that planning consent was required for the existing palisade fencing to the school, the new palisade green fencing will have an industrial type appearance, the outward appearance of the existing boundary fencing is not dissimilar to that of a Tidy Tip, it will not reduce noise from the Pre School and there is no need for the fencing.

Suggest that the fence be close boarded and set back from the road on the other side of the remaining trees and shrubs to reduce the visual impact and reduce noise from the school. The gate must still be single and used for maintenance and emergency purposes only. Disappointed that the neighbours were not advised of this proposed fence by the school itself.

9 Orchard Close: Objects on grounds that the existing boundary fence is not dissimilar to that of a Tidy Tip - or other such industrial operation, to extend this fence is insulting to local residents, local residents would not be allowed to erect such a fence, the Lower School has extended its activities over the years onto what was original agricultural land (Orchard) without applying for a change of use.

Suggest that the new fence be sited inside of the vegetation which borders Orchard Close - about 2 metres back, and that it be close boarded to have the added purpose of mitigating the noise nuisance for residents in Orchard Close. The gate in the fence was supposed to give access to the Pre school but is now accessible and in regular use by the Lower School and this gives rise to more noise and parking problems for High Street and Orchard Close residents. It is disappointing that local

residents were not informed of this proposal prior to the planning application being submitted to this authority. Will this letter be read by councillors?

App Adv

Consultations/Publicity responses

Highways Officer No objection subject to conditions

Disability Discrimination No comments
Officer

E.H.O. No objection.

Determining Issues

The main considerations of the application are;

1. Policy and Background
2. Siting and Design and impact on the visual amenities of area.
3. Other Considerations

Considerations

1. Policy and Background

The Lower Gravenhurst School school has been in existence for 140 years. It comprises of a range of school building - both permanent and temporary as well as a large area of land to the rear and side of these which is used for outdoor recreation for the school children.

This application is in respect of the extension of the boundary fencing to the school and this is to incorporate the gate to the emergency access to the Pre School. The Lower School have advised that, following breaches to the school security, the Governing Body has identified the need to address the issue of security on the none visible boundaries of the school site. This has been highlighted in a security audit of the school.

Ofsted's guidance for safeguarding children states "Does the school have adequate security arrangements for the ground and buildings." Governors have agreed that at present the school is unable to satisfy this requirement.

The DCSF guide for improving security in schools states that the school must clearly define the boundary of the school to prevent casual intruders. The guidance recommends a 1.8 - 2 metres in height palisade fence or metal mesh of the same height. For this to be effective this must be continuous and all gates to be in the same materials.

In preparation of this planning application which covers the external boundary in Orchard Close, School governors took into account existing palisade fencing which has been in position since 2004. The applicant advises that by keeping

continuity of the existing fence it follows both the above guidelines as well as taking into account the aesthetic impact of the fence on the wider community.

There are no policy objections to the erection of fencing around the school boundaries -in accordance with planning policies in the Core Strategy and Development Management policy document dated November 2009 - Policy DM3 in particular - as long as various criteria are met. In particular, the fence must be of a height, design and colour finish which is considered to be acceptable in relation to the visual amenities of the site itself and the wider area.

2. Siting and Design and impact on visual amenities of area

As stated above, the larger section of new fencing to the boundary with Orchard Close is to be 1.8m high metal railing to match the existing stretch of green metal fence to the north. There is to be a small section of 1.8m high close boarded timber fence to the south of the Pre school and then a 1.8m high metal railing fence around the south west corner of the grounds of the Lower School.

It is clear on site inspection that the new length of palisade fencing is to be erected to that it is just in front of the tree and shrub belt along this side of Orchard Close. The greenery will quickly grow through this fence and this will help it to blend into its surroundings. Comments from some of the neighbours - regarding the setting back of this fence and its revision to a close boarded one - have been given consideration but the Lower School have made it clear that they wish the fence to be sited on the edge of their land for security purposes and feel, in any case, that the most appropriate type of fencing is the continuation of the line of the existing green palisade fence rather a change to any other type of fence.

Officers are of the view that the green palisade fence proposed will not appear as being unduly visually prominent in this location especially once greenery has grown through it to soften its appearance. It is felt to be appropriate in scale and design to its setting - in accordance with policy DM3 of the Core Strategy and Development Management Policy document dated November 2009

3. Other Considerations

The erection of the green palisade fence will not require the removal of any trees - in that it is to be sited on the outside of the deep tree and shrub belt on the north east boundary of the site. The chain link fencing and the small section of 1.8m high close boarded fence to the rear of the site will not affect adversely any trees.

Some local residents refer to the fact that the existing green metal fencing did not have the benefit of planning permission which means that they have not been given the opportunity to comment on it. However, the school were advised by officers at the time that this was erected that planning permission was not required - so it is not possible to ask for a retrospective planning application to be submitted. In any event, after four years of the fence being in position, the fence has become lawful and immune from enforcement proceedings being taken by Central Beds Council.

There is also some reference by local residents to the extension of the Lower School activities over the years onto what was originally orchard land without the benefit of any planning permission having been applied for this change of use.

The Lower School have advised in writing that school records show that since 1916 the lower school has extensively used it outside area to enhance its curriculum. The allotment area and nature trail, located throughout the school grounds, has been in its current form since about 2003 when the wider community came together to enhance these areas of the schools provision. This area is used by the children and staff on a spontaneous basis. It is also used for the school's gardening club - which is supported by the wider community.

The highways officer has commented about the gate to the emergency access to the Pre School and has recommended that since there is no indication of how the gate is going to be controlled and secured - to prevent unauthorised use- a condition should be attached which requires details of this to be submitted for approval by this authority. Also, the highways officer is of the view that it would be beneficial if a sign could be erected - ie. 'emergency access keep clear' - at this gate to prevent the parking of vehicles in front of this gate since it is only an emergency access. A further condition is to be attached regarding this.

Reasons for Granting

In view of the fact that there are no objections in principle/policy terms to new fencing being erected around the boundary of the school site, it is felt to be of a height, design and material and colour finish in keeping with the site itself and the visual amenities of the area generally and there will not be an unduly adverse impact on the amenities of neighbours by way of outlook then the application is recommended for approval, as being in compliance with planning policy DM3 in the Core Strategy and Development Management policy Document dated: November 2009.

Recommendation

That Planning Permission be granted subject to the following conditions

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 No development shall be undertaken until details of the means of securing and controlling the use of the gate to Orchard Close for emergency and servicing only have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented within 1 month of the completion of this part of the development. The gate shall not be used for general access or egress purposes.

Reason: To prevent unauthorised use of the pedestrian access in order to minimise danger, obstruction and inconvenience to users of the highway.

- 3 No development shall be undertaken until details of a 'keep clear' sign to be located beside the emergency gate in Orchard Close have been submitted to and approved in writing by the Local Planning Authority. The approved sign shall be erected within one month of the erection of the fencing facing Orchard Close.

Reason: To keep the access clear at all times for emergency services use.

Notes to Applicant

1. Under the provisions of the Highways Act 1980, no part of the structure, including foundations, shall be erected or installed in, under or overhanging the public highway and no gate shall be fixed so as to open outwards into the highway.
The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
2. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O.Box 1395, Bedford, MK42 5AN.

DECISION

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