

ITEM: 7

Application Number: 10/00429/FUL

Applicant: Tamarside Community College

Description of Application: Erection of 2.4 metre high security paladin fencing around school campus (excluding Newton Avenue playing field)

Type of Application: Full Application

Site Address: TAMARSID COMMUNITY COLLEGE, TREVITHICK ROAD ST BUDEAUX PLYMOUTH

Ward: St Budeaux

Valid Date of Application: 09/04/2010

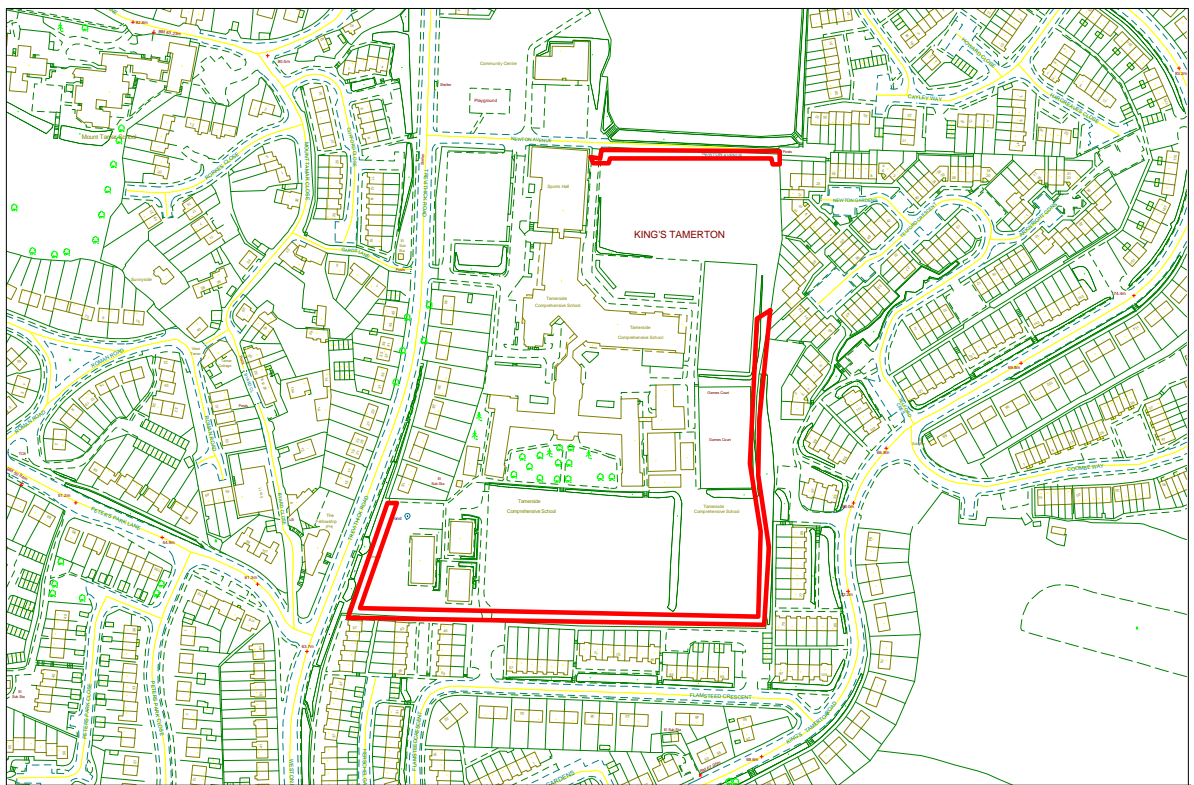
8/13 Week Date: **09/07/2010**

Decision Category: Assistant Director of Development Referral

Case Officer : Janine Warne

Recommendation: Grant Conditionally

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This application is an Assistant Director referral for the following reason: "There are identifiable precedent issues".

OFFICERS REPORT

Site Description

Tamarside Community College occupies a large site in the Kings Tamerton area of the city. It is bounded mainly by the rear of residential properties on Trevithick Road (west), Kings Tamerton Road (north), Flamstead Crescent (south), Cayley Way (east) and numerous other cul-de-sacs.

The school site is divided by a footpath - known as Newton Avenue - into a northern and southern site. The southern site comprises the majority of the school buildings, with playing pitches to the south and north east corner. These pitches are currently fenced, mainly with chain-link fencing. The area to the north of the Newton Avenue path is a large grassed field, located to the east of the Community Centre. This field is bounded by high fencing around the majority of the site, but there are access gates on the southern corners and large openings to the north and west.

Proposal Description

This application seeks planning consent for the erection of a 2.4 metre high security paladin fencing around the main school campus (excluding Newton Avenue playing field).

Following Committee's refusal of the previous application (09/01075), two planning applications have now simultaneously been submitted for consideration: app no.10/00429 seeks planning consent for the erection of paladin fencing around the main school campus site and app no. 10/00430 seeks planning consent for the erection of paladin fencing around the field north of Newton Avenue.

Relevant Planning History

09/01075/FUL – Erection of 2.4 metre high security paladin fencing around school campus (including playing fields) – Refused by Planning Committee on 15th October 2009 (Officer's recommendation overturned). Refusal reason:

'The Local Planning Authority considers that the proposal has an adverse impact on the characteristics of the adjacent greenscape and has an unreasonable impact on the quality and quantity of accessible greenspace, as it results in the loss of an informal sport and recreation facility. The proposed development does not ensure equality of access and use for all sections of community and fails to make provision for efficient use of land (including providing for dual use). It is therefore contrary to Policies CS18.2, CS30, CS32.5 and CS34.2; 10 of the Plymouth Local Development Framework Core-Strategy (2006-2021)2007.'

08/01383/FUL – Erection of 2.4 metre high security fencing around school campus (including playing fields) – Withdrawn

Consultation Responses

Transport – No objections

Crime Prevention Officer – Fully supports this application

Representations

No letters of representation have been received regarding this planning application.

Analysis

Introduction

This application has been referred to the Committee by the Assistant Director of Planning, under the following criterion:- "There are identifiable precedent issues": namely Planning Committee refused application no. 09/01075 contrary to the officer's recommendation.

The application turns on policies CS18 (Plymouth's Green Space), CS30 (*Sports, Recreation and Children's Play Facilities*), CS32 (*Designing out Crime*) and CS34 (*Planning Application Considerations*) of the adopted LDF Core Strategy. The primary planning considerations in this case are the security of the school grounds, the visual impact of the proposed fence, and access to green spaces, as discussed below.

Visual Amenity

It should be noted that withdrawn application no. 08/01383/FUL sought consent for the erection of Palisade fencing; a type of fencing considered by your officers to be visually obtrusive and therefore unacceptable. Consequently, an alternative type of fencing, known as Paladin, is now proposed.

Paladin fence panels are proposed intermittently around the perimeter of the main school campus to infill existing unsecured areas of fencing adjacent to public spaces where access by unauthorised persons has historically taken place. The existing unsightly chain link fencing shall be removed; improving the aesthetic quality of the area.

Beyond the visual improvement, advice from the Crime Prevention Officer suggests that Paladin fencing offers security benefits over Palisade fencing. Paladin fencing has been used for security purposes at many other schools in the City in recent years. It is constructed of fine gauge metal which allows views through at distance. This makes it one of the least visually intrusive fencing systems currently available.

The proposed height is conventional for such security fencing around school grounds. Furthermore, the proposed colour is deemed acceptable; green will be recessive in appearance and in keeping with the locality.

Access to Green Space

As noted above, application no. 09/01075 was refused by Members at Committee on the 15th October 2009 (overturning the Officer's recommendation). Discussions at the Committee meeting centered around accessible greenspace, with specific reference to the field north of Newton Avenue. At this time little reference was made to the main school campus.

Two planning applications have now been submitted for consideration; one relates to the main school campus and the other relates to the field north of Newton Avenue. No letters of representation have been received in this case; this suggests that there is no public concern regarding to the proposed security fence around the main school campus.

Therefore, although Members should have regard to the planning history, the lack of public concern should be noted. Your officers recommend that planning permission should be granted in this instance.

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities & Diversities issues

No additional issues to be discussed here.

Conclusions

The proposal is considered to comply with policies CS18, CS30, CS32 and CS34 of the LDF Core Strategy. It is therefore considered that the development should be supported and thus recommended for approval.

Recommendation

In respect of the application dated **09/04/2010** and the submitted drawings, **PL1036M/D02 Rev.A (received 06/04/10), supporting photograph, and accompanying Design and Access Statement** , it is recommended to:
Grant Conditionally

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the security of the school, access to green spaces and the visual impact on the character and appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified condition, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Government Policy Statements and Government Circulars, as follows:

CS32 - Designing out Crime

CS34 - Planning Application Consideration

CS18 - Plymouth's Green Space

CS30 - Sport, Recreation and Children's Play Facilities