

COMMITTEE REPORT

Date: 15 August 2024 **Ward:** Clifton
Team: West Area **Parish:** Clifton Planning Panel
Reference: 23/02271/GRG3
Application at: Clifton Green Primary School Kingsway North York YO30 6JA
For: Replacement security fencing to the western boundary of school field bordering Crombie Avenue Park.
By: City Of York Council
Application Type: General Regulations (Reg3)
Target Date: 24 August 2024
Recommendation: Approve under General Regs 3 Council Development

1.0 PROPOSAL

THE SITE

1.1 The application site is Clifton Green Primary School. The school is entered by a vehicle access from Kingsway North which is shared with Clifton Green Medical Centre situated to the front of the site. The school site also hosts a Children's Centre and Pre-School Nursery which is attached to the main school building. At the rear of school is large playing field that borders on to Wharton Avenue and Crombie Avenue play park. There is a public foot path which runs parallel with the school field's north-eastern boundary.

THE PROPOSAL

1.2 The application seeks planning permission to install a galvanised palisade fence of approximately 2.4 metres in height to the north-western side boundary of school field which borders on to rear boundary of Crombie Avenue play park. The new fence is a replacement to the current 1.5 metre-high looped top fence which is to be reused elsewhere within the school grounds.

1.3 The application under determination has been subject to amendment. The previously proposed replacement fencing to north-eastern boundary of the school field bordering onto Wharton Avenue, a new access gate from Lady Road and fencing on the south-eastern boundary bordering on to the public foot path have been removed from the application and replaced by proposals which can be

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constructed under permitted development rights (gates and fencing no more than 2m in height).

SITE HISTORY

1.4 There have been several applications at the school and the most relevant are listed below:

- Single storey side extension, reconfiguration of car park with associated lighting, security fencing to carpark boundary and new pedestrian access gate approved 17.07.2023 (ref: 23/00730/GRG3)
- Erection of 2.4-metre-high palisade security fencing to school boundary approved 23.09.2005 (ref: 05/01672/GRG3)

COUNCILLOR CALL IN TO COMMITTEE

1.5 The application has been called in to Committee B by Ward Councillor Danny Myers. Councillor Myers supports the principle of the proposal to improve safeguarding for the pupils attending the school. However, raised concerns to the original submitted plans on grounds of the possible loss of outlook for the residents of Wharton Avenue due to the height of the fence. Further concerns have been raised to the possible future restrictions for residents to maintain their rear boundary hedges bordering school field.

2.0 POLICY CONTEXT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

2.2 There is no Neighbourhood Plan for this area.

THE NATIONAL PLANNING POLICY FRAMEWORK (Dec 2023)

2.3 The revised National Planning Policy Framework (2023) (NPPF) and its planning policies are material to the determination of planning applications. In Section 12 (Achieving well-designed places), it states that development that is not well designed should be refused, significant weight should be given to development which is visually attractive as a result of good architecture, layout and appropriate and effective landscaping; is sympathetic to local character and history, including the surrounding built environment and landscape setting, create places that are safe, inclusive, and accessible and which promote health and well-being, with a high

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standard of amenity for existing and future users¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

THE DRAFT LOCAL PLAN 2018

2.4 The Draft Local Plan 2018 was submitted for examination on 25 May 2018. Formal examination hearings have now taken place and a response from the Inspector is awaited. The Draft Plan policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.5 Policy D1 Placemaking states that development proposals that, fail to take account of York's special qualities, fail to make a positive design contribution to the city and/or cause damage to the character and quality of an area will be refused.

3.0 CONSULTATIONS

INTERNAL

Public Rights of Way (PROW)

3.1 No objections subject to future safeguarding measures to be submitted to PROW should the works require the temporary closure or diversion of the public foot path.

Highway Development Control Officer

3.2 No objections

Design, Conservation and Sustainable Development (Landscape Architect)

3.3 No objections, but note the revised plans illustrate a narrow margin between the boundaries of Wharton Avenue and the position of the fence which could result in maintenance problems.

EXTERNAL

Clifton Planning Panel

3.5 The Panel support the principle of the proposal. However, request the fence at the rear boundary of Wharton Avenue should not exceed 1.5 metres to protect the views/outlook of neighbours.

4.0 REPRESENTATIONS

4.1 The application was originally advertised by neighbour notification letters and site notice for 21 days. There were several objections received from residents adjoining the school field but not in respect of the section of fence currently under consideration.

4.2 Neighbours were re-consulted on the second submission of revised plans for a further 14 days. There have been objections received from two residents of Wharton Avenue which are outlined below.

- Loss of outlook/ dominance of a high fence close to garden boundaries.
- Loss of view on to playing fields.
- Residents would prefer to have a 'kissing gate' on the boundary of Lady Road for entry into the school field.
- Disruption to wildlife.
- Risk of injury to children from climbing the much taller fences.
- Loss of the right of access on to the school field for residents of Wharton Avenue.
- Additional noise around the fence from the wind which comes across the field.
- Increase in garden surface water and ground flooding.

5.0 APPRAISAL

5.1 The works involved seek to replace the existing 1.5 metre loop top fence to the western side elevation of the school field which shares the rear boundary of Crombie Avenue Park. The new fence will be a 2.4 metre high galvanised palisade fence painted green. The fence will project in a parallel line in the region of 30 metres to connect with the current mesh security fence which borders on to the multi-use games area adjacent to the play park.

5.2 The applicant states that the fencing is required because there is a recognised need to provide more security for safeguarding measures for the pupils attending the school. At present the current fence is subject to some deterioration which has proven difficult to manage the safety of the movement of the pupils within and around the school grounds.

DESIGN AND VISUAL APPEARANCE

5.3 The proposed security fence will be of a standard school security fence, consistent to the existing fence in terms of type, material, and colour. While it will differ from the current fence it retains transparency similar to security fencing within the school grounds. Also, is set back from mature trees and the dense coverage of vegetation on the western boundary.

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5.4 In the context of the site surrounds, the replacement fence will appear generally uniformed and localised within this setting. Therefore, would not detract from the character and appearance of the exterior of the school grounds or the wider residential area.

NEIGHBOUR AMENITY

5.5 The palisade security fencing will be visible from houses in Crombie Avenue across the play park. There will be very limited impact on the outlook from these properties.

CONCLUSION

6.1 The revised plans for the galvanised security fencing to the western side boundary of the school field seek to improve security safeguarding facilities. The design, height, and scale would not detract from the character and appearance of the exterior of the school grounds or the wider residential area. Moreover, no harm to neighbour amenity has been established.

6.2 Therefore, approval is recommended for reasons the scheme is compliant with policies contained within the National Planning Policy Framework and Policy D1 of the Draft Local Plan 2018.

7.0 RECOMMENDATION: Approve under Regulation 3 of the Town and Country Planning General Regulations 1992 (the Council's own development)

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Site Plan drawing number 230020.PI Revision C dated 19.06.2024

Proposed fence details drawing number 230020 P03 dated November 2023

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

Contact details:

Case Officer: Sharon Jackson

Tel No: 01904 551359

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