

Development Control Committee
Meeting to be held on 18th January 2017

Electoral Division affected:
Morecambe South

Lancaster City: Application number LCC/2016/0092
Erection of 2.4 metre high security fencing and pedestrian access gate to Gaisgill Avenue boundary of the school. Westgate Primary School, Langridge Way, Morecambe.

Contact for further information:
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Executive Summary

Application - Erection of 2.4 metre high security fencing and pedestrian access gate to Gaisgill Avenue boundary of the school. Westgate Primary School, Langridge Way, Morecambe.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour of fencing and gates, retention of vegetation, hours of construction, noise and dust.

Applicant's Proposal

Planning permission is sought for the erection of a 100m length of 2.4m high Betafence Securifor 3D Weldmesh security fencing and associated pedestrian access gate to the Gaisgill Avenue boundary of the school. The fencing and gate would be coloured moss green (RAL 6005).

Description and Location of Site

Westgate Primary School is located off Langridge Way in a residential area approximately 1km south of Morecambe town centre. The school is bound to the north by Gaisgill Avenue, to the east by houses on Riverview Court and by Morecambe Fire Station, to the south by Westgate and to the west by Langridge Way which includes a section of cycle path.

The school site extends over an area of approximately 2.5 hectares surrounded on all boundaries by 1.2m high metal railings, except for the northern boundary where there is a wooden post and rail fence approximately 1m high. Vehicular and pedestrian access to the school is from Langridge Way. An additional pedestrian access is from Gaisgill Avenue.

The existing single storey school buildings are located on the west side of the site. A Children's Centre adjoins the south side of the school. An existing 57 space car park is located in the north-west corner of the school separated from the northern boundary by a grassed area.

The proposed fencing and gate would be set back from the northern boundary by a distance of between 7.6m and 4m. The gate would be located across the pedestrian access from Gaisgill Avenue. Existing screen planting would separate the fencing and all boundaries.

The nearest residential properties are located on the opposite (north) side of Gaisgill Avenue and on Riverview Court.

Background

The proposal is at an existing primary school.

A number of planning permissions have been granted at this school for educational development but none are directly relevant to the current application.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17, 56 - 66, 69 and 123 are relevant with regard to the requirement for sustainable development, core planning principles, the requirement for good design, promoting healthy communities and noise.

National Planning Practice Guidance

Lancaster City Council – Core Strategy 2003 – 2021

Policy SC5 Achieving Quality in Design

Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031

Policy NPPF1 Presumption in Favour of Sustainable Development

Policy DM29 Protection of Trees, Hedgerows and Woodland

Policy DM35 Key Design Principles

Consultations

Lancaster City Council – No observations received.

Morecambe Town Council - No observations received.

LCC Highways Development Control - No objection.

National Grid – No observations received.

Representations – The application has been advertised by site notice and neighbouring residents have been notified by letter. One objection has been received raising the following concerns:

- The height of 2.4m would be excessive and the lay of the land is such that from Gaisgill Avenue the fence would appear much higher as the land slopes from the school playing field to the road.
- The trees and vegetation inside the Gaisgill Avenue boundary of the school should be retained as they are and should not be cut down to ensure they help to obscure the proposed fence from view.
- How would rubbish and litter that accumulates by the current fence be collected and removed?
- The fence will not keep out people who want to gain access to the school grounds and building when it is closed as this can easily be done via the main entrance or over the much smaller fence on the main road side of the school (Westgate). The school would be better spending their money on educating children, not wasting it on a fence that is not necessary, and will be very offensive to neighbouring properties.

Advice

The proposal is to erect a 100m length of 2.4m high Betafence Securifor 3D Weldmesh security fencing and associated 1.2m wide pedestrian access gate to the northern (Gaisgill Avenue) boundary of the school. The fence would join up with an existing security fence and run parallel to the northern boundary so that it terminates at the corner of 14 Riverview Court.

The applicant has advised that the fence is intended to prevent unauthorised access to the school grounds along the Gaisgill Avenue boundary that currently consists of a low post and rail fence and a pedestrian gate. This fencing provides the school site with no protection to unauthorised access which is a persistent problem for the school. Many use the school grounds as a short cut and young people gather on the site when the school is closed. The proposal is intended to eliminate these problems.

The main issues associated with the application are the need for the development and the visual impact.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is not only necessary to take into consideration the relevant policies of the Development Plan but also the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site is made up of the Lancaster City Council – Core Strategy 2003 – 2021 (LDCS), and the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031.

The height and design of the proposed fencing and gate are similar to that installed elsewhere on this school site. The fencing would be coloured moss green (RAL 6005) and would be located in a position which would allow the existing bushes and trees adjoining Gaisgill Avenue to be retained and which would provide good visual screening of the new fencing. An area of grass would be retained between the trees and bushes and the fence which would be wide enough to allow the maintenance of this strip of grass. The size, colour and location of the fencing should ensure that it is not intrusive and that the visual impact would be acceptable whilst preventing unauthorised access to the school grounds. To protect visual amenity, conditions should require the retention of the vegetation along the Gaisgill Avenue boundary and to control the colour of the fencing and gate. Subject to the imposition of such conditions, it is considered that the development accords with the requirements of the NPPF, Policy SC5 of the Lancaster Core Strategy, and Policies NPPF1, DM29 and DM35 of the Lancaster City Council DPD.

In relation to the objection, the new fencing would not affect the collection of any litter within the school boundary. It is accepted that the school would still be vulnerable to trespassers via the southern and eastern boundaries on Westgate and Langridge Way where boundary treatments are 1.2m high metal railings. However, the school have understandably chosen to focus their attention on providing improved security along the northern boundary which is the easiest point of entry to the school grounds.

In view of the nature, location and purpose of the proposal it is considered that no Convention Rights as set out in the Human Rights Act would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application validated by the County Planning Authority on 7th December 2016.
 - b) Submitted Plans and documents validated by the County Planning Authority on 7th December 2016:

Supporting Statement

Drawing No. WPS/SF16/JH/1 - Location Plan and Plan showing position of Security Fencing

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policies NPPF1, DM29 and DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).

Building Materials

3. The fencing and gates shall be coloured Moss Green (RAL 6005) and shall thereafter be retained in that colour.

Reason: To protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policy DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).

Landscaping

4. No vegetation within the site shall be removed or damaged to accommodate the development. Any vegetation which is either removed or damaged, become diseased or which die at any time during the development, shall be replaced during the first available planting season, as defined in this permission.

Reason: In the interests of visual and local amenity and to conform with Policy SC5 of the Lancaster City Council – Core Strategy 2003 – 2021, and Policies DM29 and DM35 of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
LCC/2016/0092	07/12/2016	Rob Jones/34128

Reason for Inclusion in Part II, if appropriate - N/A