

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	17 July 2013
Title:	Removal of 1.8 metre fencing and replacement with 2.6 metre fencing to include vehicle gates at Portchester Community School, White Hart Lane, Fareham, Hampshire (Application No: P/13/0126/CC) (Site Ref: FAE014)
Reference:	5042
Report From:	Head of County Planning

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1. **Executive Summary**

- 1.1. Portchester Community School, White Hart Lane has a need to remove and replace the 1.8 metre high concrete post and chain link fence along the eastern and part of the northern boundaries of the school sports field. The need for the development is twofold; to improve security at the school and to prevent stray balls from the playing field entering into neighbouring gardens. The fence is to be replaced on the same footprint with a new powder coated steel mesh fence extending to 2.6 metres high. The current vehicle gates at the end of Sunningdale Road are also to be replaced with mesh fencing to the same height of 2.6 metres.
- 1.2. The main issue with regards to the proposal is the visual impact of the increased height of the fence.
- 1.3. It is considered that the proposal would be in accordance with the Fareham Core Strategy (2011), summary attached and would not materially harm the character of the area. The height of the proposed replacement fence and vehicles gates has already been reduced in height from 3.03 metres to 2.6 metres and the acknowledged impact on local residential visual amenity is considered insufficient to outweigh the need for the proposal.

2. **Site and proposal**

- 2.1. The existing community school and its associated sports field is approximately 0.79 hectares in total and is situated within a relatively large residential area with housing on the west, north and eastern boundaries of the school campus. The school buildings are situated in the southern half

of the campus whilst the school field and fencing subject of this application is located due north.

- 2.2. The location of the current fence is located along the eastern and part of the northern boundaries of the school playing field, parallel to an existing public footpath. Some of the houses and gardens situated along Queen Mary Road, Sunningdale Road and Castle Road adjoin this footpath.
- 2.3. The proposal is to replace the 1.8 metre high concrete post and chain link fence along the eastern and part of the northern boundaries of the school sports field. The need for the development is twofold; to improve security at the school and to prevent stray balls from the playing field entering into neighbouring gardens. The fence is to be replaced on the same footprint with a new powder coated steel mesh fence extending to 2.6 metres high. The current vehicle gates at the end of Sunningdale Road are also to be replaced with mesh fencing to the same height of 2.6 metres.
- 2.4. Access to the school is from the one vehicular/pedestrian entrance off White Hart Lane to the south; this access also serves the school's car parking area. Access for the erection of the fence would be via Queen Mary Road and would take approximately two weeks.

3. **Development plan**

- 3.1. The relevant policies to this proposal are Fareham Core Strategy (2011): CS11 Development in Porchester, Stubbington and Hill Head and Titchfield and CS17 High Quality Design.

4. **Consultations**

- 4.1. **Councillor Price** has been informed of the proposal, and requested that the application be determined by the Regulatory Committee.
- 4.2. **Fareham Borough Council** raises no objection to the development south of Sunningdale Road, but objects to the development immediately adjacent and to the north of Sunningdale Road. Fareham Borough Council is concerned that the increase in the height of the fence and gates would have an adverse affect on the amenities of the adjacent residents. No objection was raised to replacing the fencing and gates with those of the same height.
- 4.3. **Hampshire County Council Highways** raises no objection subject to conditions.

5. **Representations**

- 5.1. Letters from six individuals have been received. The grounds of objection/concern are:
- (a) whilst there is acknowledgement that the fence needs to be replaced there is objection to the increase in the height of the fence due to the 'caged in' environment it will create in neighbouring gardens;
 - (b) no stray balls from the sports pitch have entered objectors' gardens;
 - (c) the fence will dominate the street scene and neighbouring gardens and affect the ambience of the area;
 - (d) obstruction of view across the school field to the skyline from neighbouring property; and
 - (e) the blue colour of the fence will be more conspicuous.

6. **Commentary**

- 6.1. The height of the fence is to be increased from 1.8 metres to 2.6 metres to help minimise balls from the school sports field entering the gardens of adjacent properties. It is also needed to improve security at the school and prevent unauthorised access to the school playing field out of hours.
- 6.2. When initially submitted, the proposal was for fencing 3.03 metres in height but due to the objections and concerns received, this was lowered to 2.6 metres. Whilst objections have been made with reference to the impact on the view from residential properties and gardens this needs to be balanced against proposed benefits. It has been agreed with the applicant that painting the fence green or black would be less visually intrusive than the blue colour originally proposed. Therefore, a condition has been recommended requesting details of the exact colour to be submitted for approval prior to development commencing.
- 6.3. No highway objections have been raised to the proposal subject to conditions being recommended limiting the timings for construction traffic and a request for a Construction Traffic Management plan to be submitted for approval.
- 6.4. Taking the above into account, in balancing the visual amenity impact against the need for the development, whilst it is acknowledged that there is some impact on local residential visual amenity, this would not materially harm the character of the area and is considered insufficient to outweigh the need for the proposal. The proposal is therefore considered to comply with Policies CS17 and CS11.

7. **Recommendation**

- 7.1. That planning permission in respect of the removal of 1.8 metres of fencing and replacement with 2.6 metres of fencing with vehicle gates at Portchester Community School, White Hart Lane, Portchester (Application No: P/13/0126/CC) be granted for the following reason, subject to conditions in Appendix B.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
Synthetic turf sports pitch with floodlighting; two additional tennis courts; fencing around synthetic turf pitch and new and existing tennis courts	<u>Reference</u> P/09/0075/ CC	<u>Date</u> 24 th April 2009
Direct links to specific legislation or Government Directives		
Not applicable		

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Removal of 1.8 metre fencing and replacement with 2.6 metre fencing to include vehicle gates at Portchester Community School, White Hart Lane, Fareham, Hampshire (Application No: P/13/0126/CC) (Site Ref: FAE014)	ETE Department Elizabeth II Court West The Castle Winchester

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

Plans and Particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

Hours of Working

3. There shall be no access to the development site by any traffic associated with the construction/demolition (i.e. no delivery vehicles, no contractors' cars, nor plant and machinery) in the morning between 0830 and 0915; and in the afternoon between 1500 and 1545.

Reason: In the interests of public safety, to avoid traffic conflict at the day when pupils are arriving at and departing from school.

4. No work relating to the construction of the development approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before the 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised public holidays.

Reason: To protect the amenities of occupiers of nearby properties.

Materials

5. Prior to development commencing details regarding the colour of the replacement fence shall be submitted for approval to the Local Planning Authority. The approved colour of the fence shall be maintained for the duration of the development.

Reason: In the interests of visual amenity.

Highways

6. A construction Traffic Management Plan, including lorry routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction shall be submitted to and approved by the Local Planning Authority in writing before development commences. The agreed details shall be fully implemented before the development is commenced.

Reason: In the interests of highway safety.

*Annexe to Reasons for Conditions
(as required by Article 31 of the Town and Country Planning
(Development Management Procedure) (England) Order 2010)*

**FAREHAM LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY
(ADOPTED AUGUST 2011)**

Policy CS11 (Development in Portchester, Stubbington & Hill Head and Titchfield)

Small scale development will be permitted within the settlement boundaries of Portchester, Stubbington & Hill Head and Titchfield where it: protects the setting of the settlement; protects their natural, historic, biodiversity and cultural resources; contributes to the provision of green infrastructure; maintains and strengthens the character, vitality and viability of district and local centres; contributes to the following levels of development.

Policy CS17 (High Quality Design)

All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to: respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials, provide continuity of built form, a sense of enclosure with active frontages to the street and safety of the public realm, ensure permeable movement patterns and connections to local services, community facilities, jobs and shops, create a sense of identity and distinctiveness and one that is legible, enable and/or encourage a mix of uses and diversity in an area, ensure that the public realm has pedestrian priority, is safe, secure, functional and accessible, and is constructed of quality materials and well maintained, enable buildings to provide flexible accommodation, which can be adapted to suit all members of a community throughout their lifetime, provide green infrastructure, including landscaping, open spaces, greenways and trees within the public realm, and provide appropriate parking for intended uses taking account of the accessibility and context of a development and tackling climate change.

In addition new housing will be required to: secure adequate internal and external space, dwelling mix, privacy, and sunlight and daylight to meet the requirements of future occupiers.

Demonstration of adherence to the principles must be set out within design and access statements, and/or where relevant, design codes, briefs, frameworks or masterplans and to include a contextual analysis. Where relevant, a report by a licensed assessor which sets out compliance with the BREEAM and/or Code for Sustainable Homes level operating at the time of any application for planning permission.

New housing should seek to achieve the Lifetime Home standard from 2013. Prior to 2013, the Council will encourage developers to meet the lifetime home standard having regard to the viability of the proposal