

DERBYSHIRE COUNTY COUNCIL

REGULATORY – PLANNING COMMITTEE

6 October 2014

Report of the Strategic Director – Economy, Transport and Environment

**PROPOSED INSTALLATION OF PALISADE AND
WELDMESH FENCING ALONG WITH VEHICLE AND
PEDESTRIAN GATES AT WILLIAM ALLITT SCHOOL,
SUNNYSIDE, NEWHALL**

APPLICANT: DERBYSHIRE COUNTY COUNCIL

CODE NO: CD9/0714/48

9.172.31

- (1) **Purpose of the Report** To enable the Committee to determine the application.
- (2) **Information and Analysis** The application proposes the installation of new security fencing and gates at three locations within the existing grounds of William Allitt School, Sunnyside, Newhall.

The proposed installation at location 'A' comprises setting the existing vehicle gate back by approximately 6 metres and installing approximately 10 metres of new palisade fencing to link the repositioned gate to the existing boundary fencing. The new fencing would be 2 metres high and coloured green (RAL 6005) to match the existing fencing.

The proposed installation at location 'B' comprises approximately 13 metres of new 2 metres high Nylofor 3D fencing, including double vehicle gates and a single pedestrian gate, between two existing buildings within the school site. The new fencing and gates would be coloured black (RAL 9005).

The proposed installation at location 'C' comprises approximately 25 metres of green (RAL 6005) powder coated Roll Top fencing, including two pedestrian gates. The additional fencing would extend the existing fence line to meet the school building. An additional length of approximately 11.5 metres is proposed between the existing fence line and the junior school playground perimeter fence.

Public

Consultations

Local Member

Councillor Bambrick was consulted with a request for comments by 7 August 2014.

South Derbyshire District Council

No objections.

Publicity

The application was advertised by site notice with a request for observations by 12 August 2014.

As a result of the publicity, one letter objecting to the application has been received raising the following points:

- Setting back the existing vehicular gate at Location 'A' will create a turning facility for vehicles using Sunnyside.
- Loss of privacy.
- Increased traffic noise.
- Increased vehicle pollution.
- Traffic congestion.

Comment: The points raised from the consultation, which are valid planning considerations, are considered in the 'Planning Considerations' section below.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The principal planning policies relevant to this application are:

National Planning Policy Framework (NPPF)

The NPPF states that local authorities taking decisions on planning applications should consider issues relating to good design, and conserving and enhancing the natural environment.

Adopted South Derbyshire District Council Local Plan Saved Policies

C1: New Community Facilities.

Draft South Derbyshire Local Plan Policies

BNE1: Design Excellence.

BNL4: Landscape Character and Local Distinctiveness

Public

The key planning considerations for this development are:

- Need for the development.
- Design.

Need for the Development

The application states that re-siting the existing vehicle gate at Location 'A' is required to prevent school minibuses entering or exiting the site from having to park on Sunnyside while a member of staff opens or closes the gate.

I note that a number of local residents already park their vehicles on the road and stopping a minibus on the street could lead to the road becoming blocked. Equally, where minibuses are required to stop some distance from the gate to prevent the road from becoming blocked, this could lead to pupils being left unattended whilst the member of staff opens or closes the gate.

The main reasons for re-siting the gate are to reduce traffic congestion and to alleviate concerns over the safety of the pupils.

I note the objection above regarding Location 'A', but I am satisfied that the proposal would not have a significant adverse effect.

Locations 'B' and 'C' are required to improve security on the site in response to concerns raised by the Office for Standards in Education, Children's Services and Skills (OFSTED).

I am satisfied that there is a need for the development.

Design

I note that the proposal includes different types and colours of fencing at three separate locations within the school site.

I am satisfied that the style and colour of fencing would complement the existing security fencing.

Highways

No rights of way would be affected and there are no highway objections.

(3) **Financial Considerations** The correct fee of £195 has been received.

(4) **Legal Considerations** This is an application under the terms of the Town and Country Planning General Regulations 1992 for development which the Authority itself proposes to carry out.

Public

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

(6) **Background Papers** File No. 9.172.31
Application documents from the Director of Property dated 9 July 2014.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission be granted subject to the following conditions:

- 1) The development shall be begun before the expiration of three years from the date of this permission

Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the application documents dated 9 July 2014.

Reason: To clarify the details approved.

Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the Authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

Footnotes

- 1) This permission, granted under the terms of Regulation 3 of the Town and Country Planning General Regulations 1992, is for the sole benefit of Derbyshire County Council and can only be implemented by that Authority.
- 2) Attention is drawn to:
 - i) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970; and

Public

- ii) Building Bulletin 91 'Access for Disabled People to School Buildings, Management and Design Guide' published in 1999 or any prescribed document replacing that code.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Title

CD910714/48 The William Allitt School, Sunnyside, Swadlincote



Date 17/7/2014

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