



**REGULATORY
SERVICES
COMMITTEE**

REPORT

4 October 2011

Subject Heading:

**P1351.11 – Dame Tipping School,
North Road, Havering-Atte-Bower**

**Erection of a 3m high green mesh
fence to provide secure play area on
field to the rear of school including a
hard surfaced play area (application
received 17/06/2011).**

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Policy context:

Local development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This proposal is put forward before the committee due to the application site being in Council ownership. This report concerns an application for full planning

permission for the erection of 3m high mesh green fencing to create an enclosed play area, part of which would be hard surfaced to cover an area of 275 square metres.

Staff consider that the proposal would accord with relevant policies contained in the LDF Core Strategy and the Development Control Policies Document Plan. Approval is therefore recommended, subject to planning conditions.

RECOMMENDATIONS

Subject to the expiration of the consultation period on 7th October 2011 and the consultation responses raising no new material consideration than those already considered by Committee it is recommended that the Committee delegate to the Head of Development and Building Control authority to grant planning permission, subject to the following conditions, provided that: no new material consideration are raised before the expiration of the consultation period than those already considered by Committee and if there are the matter be remitted back to Regulatory Services Committee for its further consideration and resolution:

1. Time limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with Plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Core Strategy and Development Control Submission Development Plan Document Policy DC61.

3. Details of materials: Before any of the development hereby permitted is commenced, details of all fencing, including the colour, and hard-standing shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Development Control Policies Development Plan Document Policy DC61.

4. Floodlighting: No lighting to the tennis court shall be installed without the prior written consent from the Local Planning Authority.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

5. Ancillary use: The secure play area hereby permitted shall be used ancillary to Dame Tipping Primary School only.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

6. Hours of use: The secure play area shall not be used for the purposes hereby permitted other than between the hours of 08:30 and 17:00 on Mondays to Fridays and not at all on Saturdays, Sundays and Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

INFORMATIVE:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC45, DC61, DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

REPORT DETAIL

1. Site Description

- 1.1 The site lies to the west of North Road and presently comprises an open field which lies behind Dame Tipping primary school, which is locally listed. The site has vehicular access via North Road and is accessible by footpath from the north, west and south.
- 1.2 The site is located within the designated Metropolitan Green Belt, Havering Ridge Special Character Area and the front of the site, including all school buildings, but not the playing fields are also within the Havering-Atte-Bower Conservation Area.

2. Description of proposal

- 2.1 Permission is sought for 3m high mesh green fencing to create an enclosed play area. This measures a minimum of 33m wide (southern edge) and 45m deep (eastern edge) and a maximum of 52m wide (northern edge) and 54m deep (western edge). The play area itself would measure 11m wide and 25m deep (total area of 275 square metres), this would be formed from green coloured tarmac and is positioned to the south of the enclosed area adjacent to the entrance gates, which measure 4m wide. It would be situated to the rear of the existing car park, behind North Road and the school buildings.

3. Relevant History

- 3.1 P0647.11 – Erection of a mesh fence, gates and associated works to create new play area – withdrawn.

P0950.11 - Erection of 3m high green mesh fence to provide secure play area on field at rear of school – withdrawn.

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 17 properties. At the time of writing this report, the 21 days for neighbour notification has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members. The site notice is dated 16th September and will expire the 7th October, and press publicity will expire on the 7th October, both of which are after the committee date. Staff therefore request that authorisation be given for the Head of Development and Building Control to grant planning permission subject to the conditions set out at the end of this report, provided that no representations are received. In the

event that representations are received, the Head of Development and Building Control, after considering the representation, be authorised to grant planning permission provided such representations do not raise any new material considerations which have not been considered within this report. In the event that new material considerations are so raised, the application shall be referred back to the Regulatory Services Committee for determination.

5. Relevant Policies

- 5.1 Planning Policy Guidance Note 2 (Green Belts), PPS5 (Planning for the Historic Environment) and Policies DC45 (Appropriate Development in the Green Belt), DC61 (Urban Design) and DC69 (Other areas of Special Townscape or Landscape Character) of the LDF Core Strategy and Development Control Policies DPD are considered relevant.

6. Staff Comments

- 6.1 This proposal is put forward before the committee as the site comprises land owned by the Council. The planning issues to be considered by Members in this case are the principle of development, impact within the Green belt and Historic Environment, streetscene and residential amenity.

6.2 Principle of Development

- 6.2.1 The site is wholly located within the Metropolitan Green Belt which is generally restrictive. The overriding objective of the Green Belt is to prevent urban sprawl, safeguard the countryside from encroachment and preserve the setting and character of historic towns. Paragraph 3.2 of PPG2 states that inappropriate development, by definition, is harmful to the character of the Green Belt. This policy provides guidance for appropriate development in the Green Belt, of which fencing and hard surfacing is not amongst them. The provision of fencing and hard surfacing in the Green Belt is therefore inappropriate. Where development is judged to be inappropriate, very special circumstances should be provided which outweigh the in-principle harm together with any other harm to the openness of the Green Belt. Paragraph 3.15 states that the visual amenities of the Green Belt should not be injured by proposals which may be visually detrimental by reason of their siting, materials and design.

6.3 Green Belt Implications

- 6.3.1 The site is located to the rear of the school and surrounding residential dwellings and commercial buildings, which form part of the Havering-Atte-Bower village core. This area, whilst also located within the Metropolitan Green Belt is of a different character than the surrounding fields to the north, west and south which are distinctly rural in nature. The proposed location of the fencing and hard standing is positioned to the southern edge of the field behind the school and directly adjacent to the existing car park which Staff consider to be part of the built up village core.

- 6.3.2 The surrounding ground levels drop away from the site running to the west. The field boundaries are divided by traditional hedge rows, mature and substantial trees. This provides limited views between neighbouring fields, although gaps in the screening do allow for unobstructed views across the open countryside. The position of the fencing would result in a loss of openness to the Green Belt given the existing open field. In terms of harm, at 3m high, the proposals would be lower than a single storey structure and in combination with the open mesh design (details of which are required by condition) is not considered to be materially harmful in this location as the fencing would allow for views into and out of the secure play area. The position of the fencing against the built up village core is also considered to mitigate against the enclosure of the open field.
- 6.3.3 The majority of the play area would remain grassed with the proposed hard-standing confined to the south east corner, nearest the school buildings and car park. Details of this hard-standing are sought via condition to ensure it is of an appropriate quality, however, it has been confirmed by the applicant that it would be finished in green as to minimise its visual impact. The proposals would not result in a loss of openness and do not involve the loss of any trees or boundary landscaping and the play area is not proposed to be flood lit and this will be secured by condition.
- 6.3.4 With regard to very special circumstances, the existing school does not benefit from a secure, enclosed play area. The existing car park to the rear of the school doubles up as a hard surfaced play ground with open fields behind. These areas are not subdivided and are effectively a shared surface. The car park and rear of the school is also a public right of way, which leaves the school vulnerable. Understandably the school has concerns over the existing safety and protection of those at the school in an undefined, unenclosed play area. The fencing would enclose an area, gated to provide secure access controlled by school staff so that children could play outside in a secure environment. Staff consider this, with the open design of the fencing, sufficient very special circumstances in this instance to outweigh the in-principle harm to the Green Belt. Members are invited to apply their judgement to this aspect of the proposal.

6.4 Impact on Amenity

- 6.4.2 The public rights of way lie to the outside edge of the site, away from the proposed enclosure, and these would remain unaffected by the development.
- 6.4.3 The proposed fencing and hard standing is located approximately 16m rearward from the rear gardens of the nearby properties fronting onto North Road. Staff acknowledge that children outside would create an element of noise, however, the rear of the site is currently used for playing and residents living next to a school would expect a certain level of noise in any instance. Staff consider the separation distance and the dividing mature boundary screening which would act as a noise buffer in any instance,

acceptable as to not result in a harmful loss of residential amenity. Staff further consider that a condition be attached restricting the use of the play area to be ancillary to the school, rather than open for general use.

6.5 Conservation Area Implications

6.5.1 The site lies adjacent to the Havering-Atte-Bower Conservation Area. LDF Policy DC68 states that planning permission will only be granted where a development preserves or enhances the appearance of a Conservation Area. Government policy contained within PPS 5 advises that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. A development of this nature is not considered to materially impact the character of the Conservation Area as it would not be visible from North Road.

6.5.2 The school dates from 1891 and is locally listed. From North Road, the single storey attractive Victorian buildings are visible which form part of the streetscene. To the rear of the school, this character changes and is typified by later extensions and pre-fabricated buildings which provide additional accommodation. This view of the school is also dominated by the hard standing to the south which provides parking and an informal play area for students. This rear portion of the site is therefore not considered to contribute positively to the locally listed nature of the building. Staff therefore consider that the fencing and hard standing would not detract from the setting of the school.

6.6 Highway/Parking

6.6.1 The site lies adjacent to the school's existing parking area. The fencing would enclose an area of playing field and would have no implications on either the highway access or existing parking situation.

6.8 Conclusions

6.8.1 The site is sufficiently screened by mature trees and its physical distance from surrounding properties as to not result in adverse harm to either the open character of the Green Belt or the Havering-Atte-Bower Conservation Area. In view of the above factors, staff consider that the proposal accords with the provisions of LDF Policy DC45, DC61 and DC68 and PPG2 and may be granted permission subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: None

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to Equalities and Diversity. The existing school is without a secure, enclosed play area, where the play area is currently share with parked cars. The proposals would introduce a level of security for the school which would be controlled by Staff, whilst not affecting the public right of way which runs across the site.

BACKGROUND PAPERS

Application forms, site plan, received 12th August 2011