
Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 7th September 2017

Subject: 17/03186/FU Proposed 2.4m high perimeter fence - St Joseph's Catholic Primary School Mount Pleasant Road, Pudsey, LS28 7AZ

APPLICANT

The Bishop Wheeler Catholic
Academy Trust

DATE VALID

17.05.2017

TARGET DATE

13.07.2017

Electoral Wards Affected:

Pudsey

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: GRANT PERMISSION subject to the conditions specified below:

1. Standard three years commencement time limit
2. Approved Plans
3. Replacement planting

1.0 INTRODUCTION

- 1.1 This application is brought to Plans Panel at the request of Councillor Coulson. The reason for referral is due to concerns regarding the impact of the fence on the amenity of neighbouring properties and an ongoing ombudsman investigation relating to an earlier planning permission (14/03116/LA).

2.0 PROPOSAL

- 2.1 The proposal seeks to replace an existing palisade fence of approximately 1.8m in height with a 2.4m green weld mesh fence along part of the perimeter of the school extending partly along the eastern and western boundaries to tie into the existing fence line and running the full length of the northern boundary. It is understood that this proposal is in response to recommendations set out in a recent safeguarding

report carried out by the school in order to make it more secure. A proposed 1.5m green powdered coated fence is also shown to the west of the site linking the perimeter fence to the existing MUGA. As this is below 2m in height planning permission is not required for this aspect of the development.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site lies within the urban area of Pudsey. Part of the school site falls within a designated conservation area which essentially wraps round the area covered by the footprint of the original school building. The western section of the proposed replacement fence would be adjacent to the conservation area boundary at this juncture. The wider conservation area extends in a westerly direction and encompasses St Joseph's Church, and to the south off Mount Pleasant Road and beyond. The school itself consists of a varying mix of buildings and styles representing their various periods of construction. These styles vary from the original stone and slated Victorian buildings to more modern additions.
- 3.2 Existing parking facilities are available to the west adjacent to St Joseph's church. The car park is accessed from the Lanes. To the north of the site are playing pitches. To the east, a new extension has been built at a two storey scale as well as a new extended hard play area. To the north of this is a MUGA with playing fields beyond. A new housing development (St Joseph's Way) has also recently been constructed to the immediate east of the site where the properties are set down at a lower level than the school and positioned close to the school boundary.

4.0 RELEVANT PLANNING HISTORY

- 4.1 14/03116/LA - Two storey extension and internal refurbishment work to the existing primary school; external works to improve car parking and hard play provision. Approved 30.7.14

25/333/02/FU – Single storey extension to school – approved 17th December 2002

25/256/97/FU – Laying out of new access and playground extension to form hall and kitchen to school (approved 20th November 1997)

H25/449/79/ - Alterations and extension to form 2 stores to rear of parish hall (approved 6th August 1979)

5.0 HISTORY OF NEGOTIATIONS

- 5.1 When the scheme was originally submitted the proposal was for a 2.4m weld mesh fence which extended the full length of the eastern boundary of the site. The proposed replacement fence now terminates partly along this boundary in line with the end of the gable of No.2 St Joseph's Way. It is understood that without carrying out further surveys the applicants do not currently wish to disturb or undermine the ground conditions adjacent to a raised embankment along this section of the site which contains a geo textile membrane designed for ground stabilisation. The applicant has stated that should the fencing be extended in the future, to complete this remaining section, the height will not exceed 2m and this would not therefore not require planning permission in any event.
- 5.2 A further amended plan has also been received on the 21st August 2017 which seeks to partly alter the alignment of the proposed fence along the eastern boundary of the site to run parallel with the boundary of number 2 St Joseph's Way,

albeit it would still terminate in line with the end of the gable of this property. It is understood that this realignment is to enclose a narrow strip of land, which is owned by the Diocese Leeds, and has been identified as a safeguarding issue.

6.0 PUBLIC/LOCAL RESPONSE

- 6.1 The application has been advertised by means of site notice dated 12th June 2017. Two letters of objection have been received albeit from the same local resident. Comments made relate to concerns that the replacement and increase in height of this boundary fence to 2.4m will create an oppressive outlook from 2 St Joseph's Way, which is only 9 feet away from the boundary and create a fortress feel. The objector considers that this will also reduce light into their property. The objector is not aware of any unauthorised access from this area of the boundary. In preference to this the objector suggests a suitably high solid security fence, as previously sought should be erected at playground level; this could then be tapered away at the lower end of our property. This would provide total security to the school and avoid the added loss of amenity, to that already imposed by the recent changes to the school.
- 6.2 Following the amendment to the proposal further comments have been received which state that the revised plans are unclear and that the original comments apply. Why is the revised change to the fence only applicable to No 1 St Josephs Way but still leaves the 2.4m fence next to the property of 2 St Josephs Way. The revised boundary fence now appears to be at two levels adjacent to our property. Partly the old fence and partly the 2.4m. If the original fence is now to remain adjacent to all the boundary for No 1 St Joseph's Way then why can this not be the case for the whole of No.2? Concern has also been expressed that work has commenced on site in advance of the determination of the application.

7.0 CONSULTATIONS RESPONSES

- 7.1 The following consultation responses have been received:

Sport England – No objection
Highways – No objection
PROW – No objection

8.0 PLANNING POLICIES

- 8.1 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 Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006), the Natural Resources and Waste Development Plan Document (2013) and any made neighbourhood plans.

Local Planning Policy

- 8.2 The most relevant Core Strategy policies are outlined below:

Policy P10	Design
Policy P12	Landscape

- 8.3 Of the UDPR the following policies re considered relevant:

GP5 – Seeks to deal with matters through the planning process
N19: Development within Conservation Areas should preserve or enhance the character and appearance of the area.

National Planning Policy Framework

- 8.4 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and strongly promotes good design.

9.0 MAIN ISSUES

- 9.1 The main issues relating to this proposal are:

- The principle of the development
- Design and impact on the character of the adjacent conservation area
- Impact on the living conditions of surrounding residents
- Other issues

10.0 APPRAISAL

The principle of the development

- 10.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004, indicates that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 10.2 Consent is being sought to erect a 2.4 metre high green weld mesh fence around part of the perimeter of the school and its playing fields part of which, along the western boundary of the site, adjoins the designated conservation area. This type of fencing and at this height is a common feature of many schools both within urban and rural settings. It is understood the requirement for this fence has been brought about following recommendations contained in a recent safeguarding report.
- 10.3 Against this background the principle of development is considered to be acceptable

Design

- 10.4 In assessing proposals which affect a Conservation Area it is noted that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving and enhancing the character and appearance of the Conservation Area.
- 10.5 The proposed fence has a thin profile and is to be powder coated in green. This type of fencing, at this height, is a common feature of many schools and it sits comfortably in the landscape allowing good inter-visibility. The light weight construction and thin profile makes it unobtrusive from wider views. Albeit higher than the fence it would replace, it is considered preferable to the existing galvanised heavy looking and industrial palisade fence which is to be replaced. In visual terms this is considered to be an improvement and particularly so where part of the site adjoins the designated conservation area. Additionally this will also be a robust deterrent in seeking to prevent unauthorised access to the school and

its playing fields. Against this background the style, height and finish of the fencing is acceptable and satisfies ies10 and N19 of the development plan.

Impact on the living conditions of surrounding residents

- 10.6 The scheme has been amended to remove the section of the eastern elevation partly along the objector's boundary and in line with the gable of 2 St Joseph's where it is partly adjacent to the properties on St Joseph's Way. It is considered that this revision has addressed the concerns raised by the objector in respect any oppressive impact.
- 10.7 The proposed fence will now terminate in line with end of the gable of number 2 St Joseph's Way. Although there are ground floor windows along this elevation of this property, these are secondary windows and in any event face directly onto a 2m close boarded boundary fence less than 1.5m away. It is considered that the proposed fencing at this juncture will not cause visual harm or cause any unacceptable amenity implications including outlook.
- 10.8 The introduction of weld mesh fencing at this site will not reduce light into the objector's property or cause any additional harm to the living conditions of occupants of this property or any other property. Against this background it is considered that policy GP5 is satisfied.

Other Issues

- 10.9 The council's highway engineer has raised no objections to the erection of the fence and there are no highway safety implications. It is noted by the objector that it is alleged that works have already commenced on site. At the time of a recent site visit this was not the case, but if works have commenced in advance of the determination of the application, whilst this is not condoned, it does not alter the planning merits of the application and how it is assessed. It is also noted that the objector's preference is for a close boarded fence in a different position to that proposed under this application. This is not a proposal which is before the council for consideration.
- 10.10 It is considered that the site is already suitably landscaped and there is no planning need to provide any additional planting. It is considered that a condition should be imposed however requiring replacement planting should any existing plants and trees be damaged as part of these operational works. In this regard it is considered that planning policy P12 is satisfied.

11.0 CONCLUSION

- 11.1 The proposed development complies with local and national planning policies in this regard. The scheme is considered to be acceptable and will address the safeguarding and security concerns of the school. The application is recommended for approval subject to the conditions outlined above.

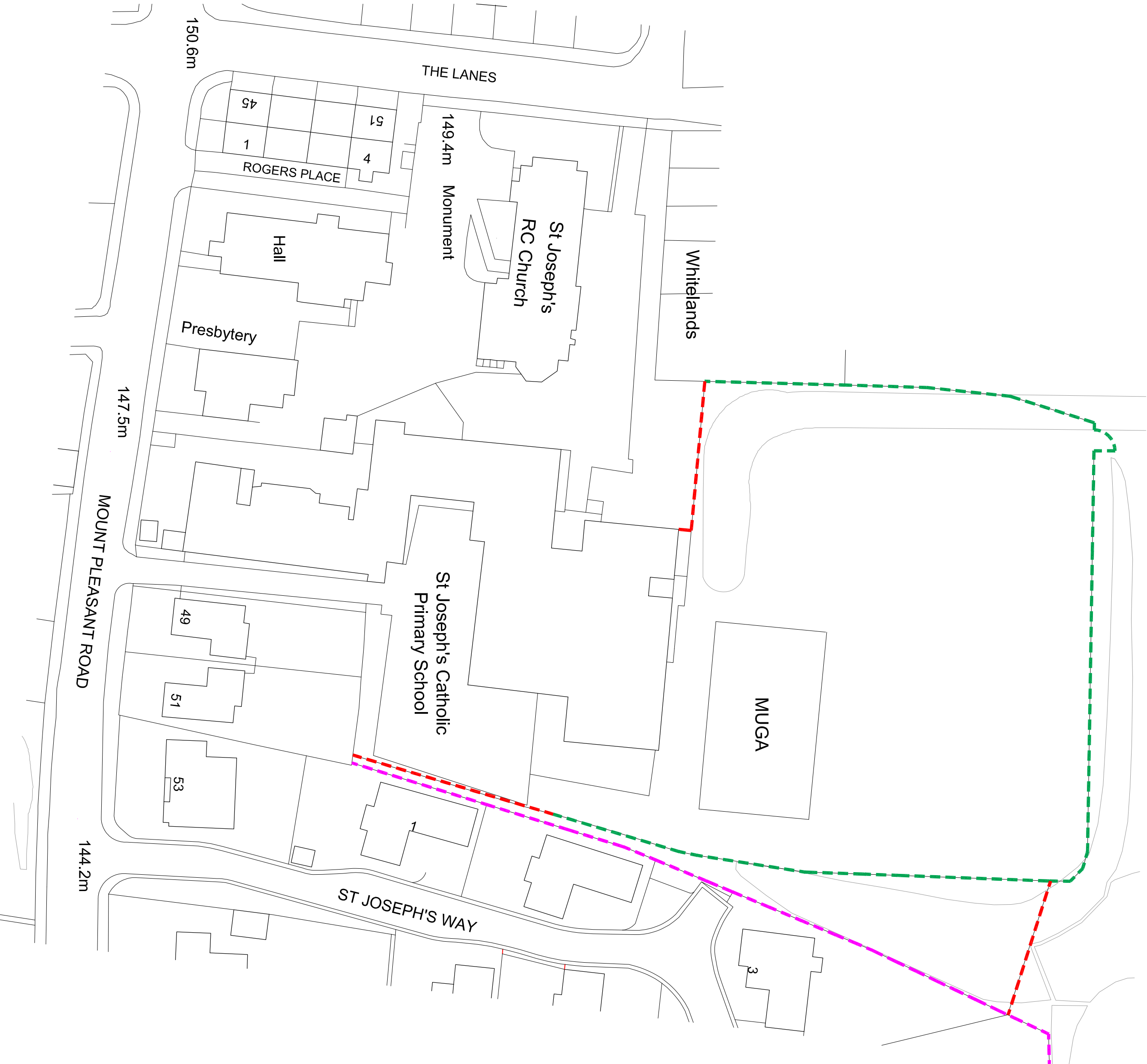
Background Papers:

Application files: 17/03186/FU

Certificate of ownership: Signed on behalf of the applicant

LEGEND

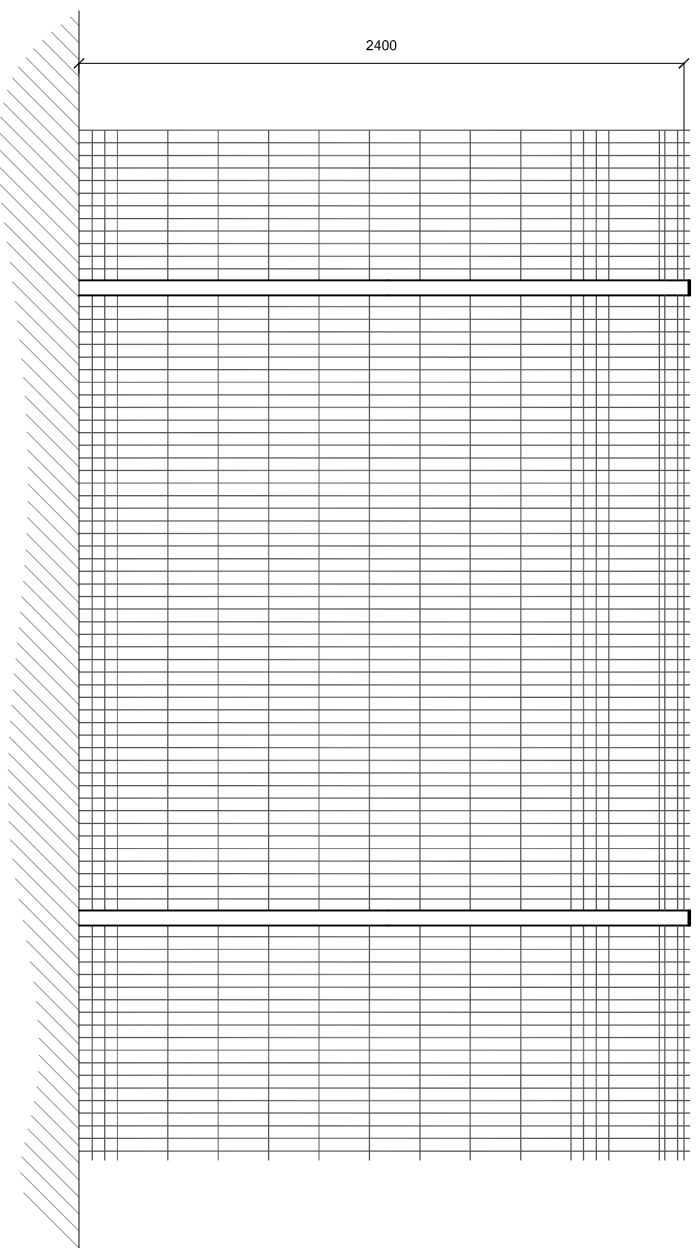
- Existing Boundary Fencing to be replaced
- Existing Boundary Fencing to remain as existing
- Existing neighboring timber fencing to be retained.
- Proposed 1.5m polyester powder coated fencing – colour green.
- Proposed 2.4m polyester powder coated perimeter fencing – colour green.



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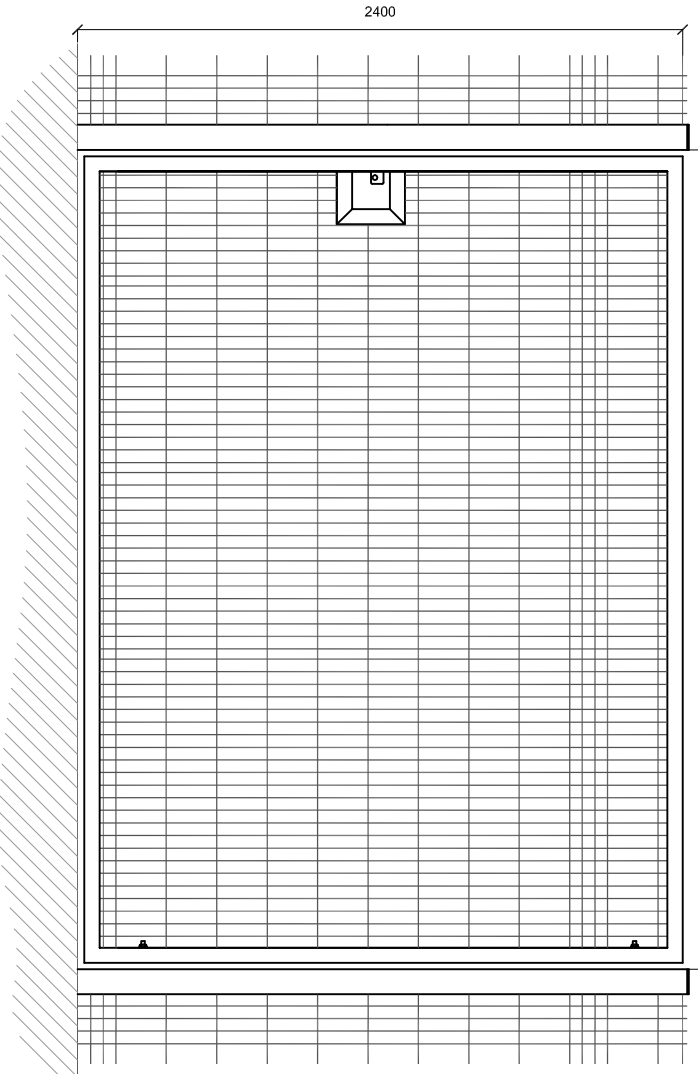
Existing Plan

Scale 1:500 @ A1



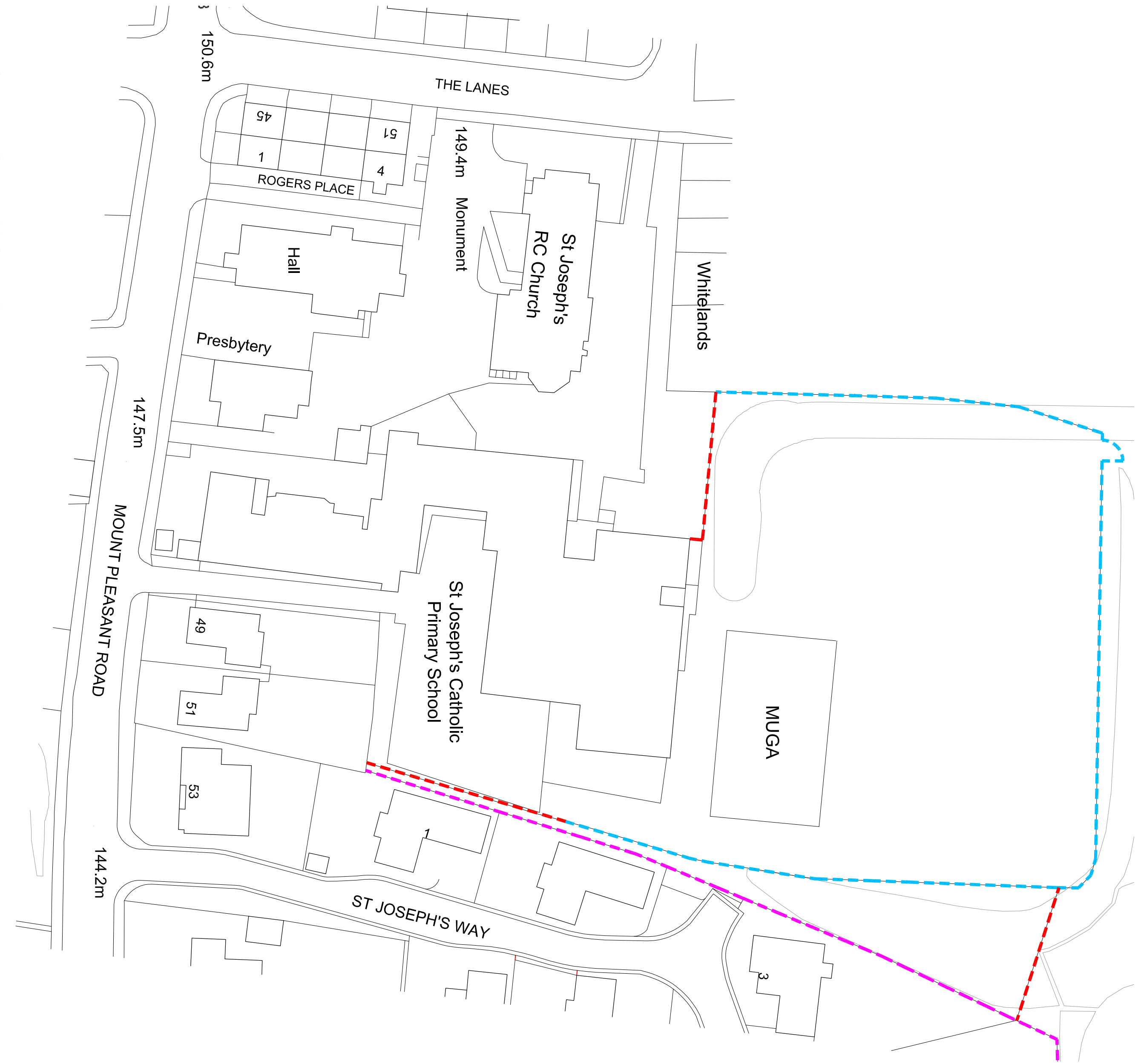
Proposed 2.4m Perimeter Fencing

Scale NTS @ A1



Proposed Plan

Scale 1:500 @ A1



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Revisions to Planning Docs	03.08.17	MG -
Rev	Description	Date
original by	date created	Approved by
MG	04.04.17	

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SAFEGUARDING WORKS FENCING

PROPOSED PERIMETER FENCING

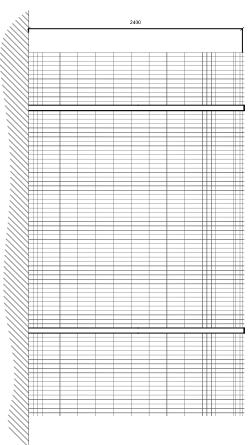
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drawing number		rev		
P102				issue status PLANNING

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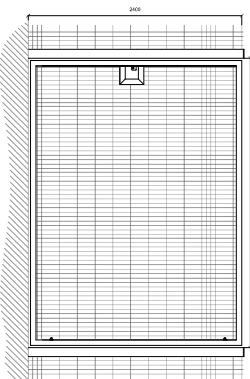


Existing Plan

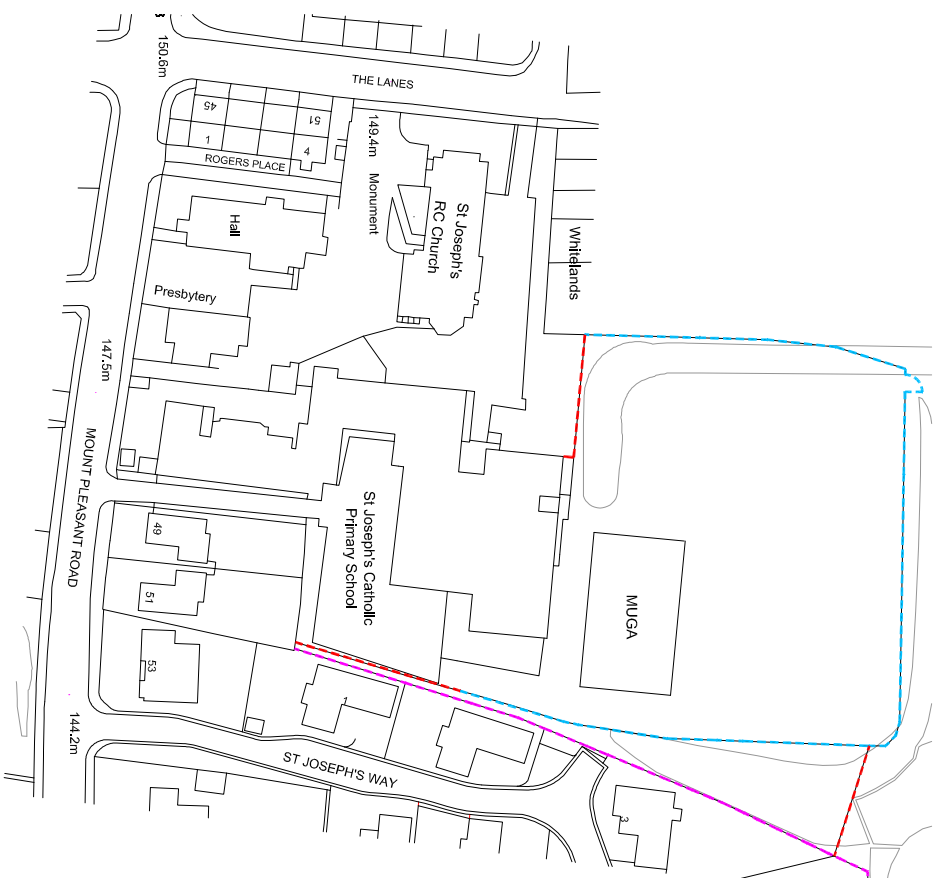
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Proposed 2.4m Perimeter Fencing
Scale NTS @ A1

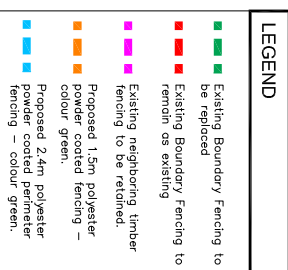


Proposed 2.4m Access Gate



Proposed Plan

Scale 1:500 @ A1



A		Referrals to Planning Docs		03.08.17	MG -
Item	Description	Date	Dr by	App by	
MG	MG	04.04.17			



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SAFEGUARDING WORKS FENCING

PROPOSED PERIMETER FENCING

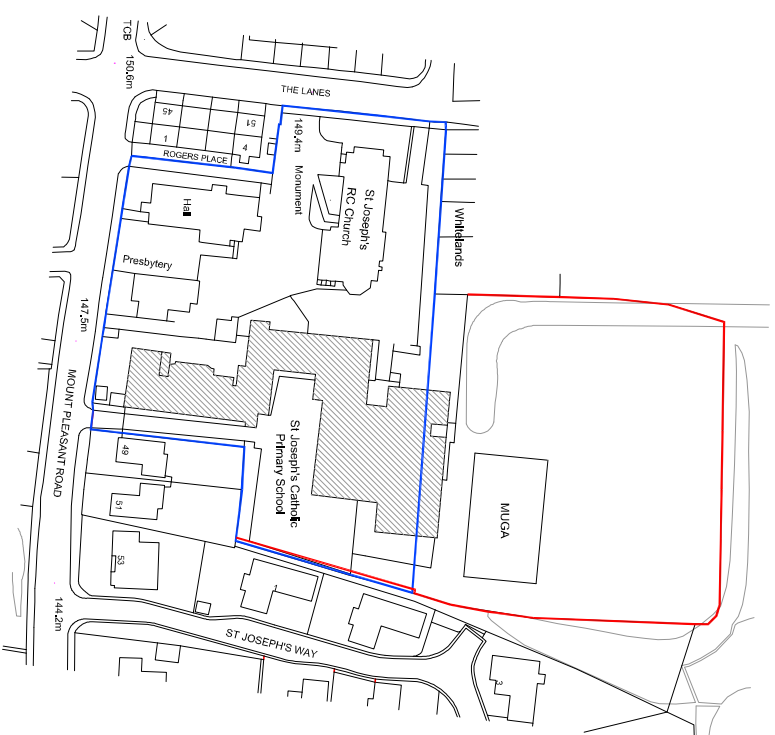
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PL02		PLANNING

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Legend

Site Boundary of
Land Owned by
Applicant

Boundary of Works



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Site Location Plan

Scale 1:1250 @ A3

Legend

Site Boundary of
Land Owned by
Applicant

Boundary of Works

Rev	Description	Date	Dr by	App by
original by MG		date created 04.04.17		approved by

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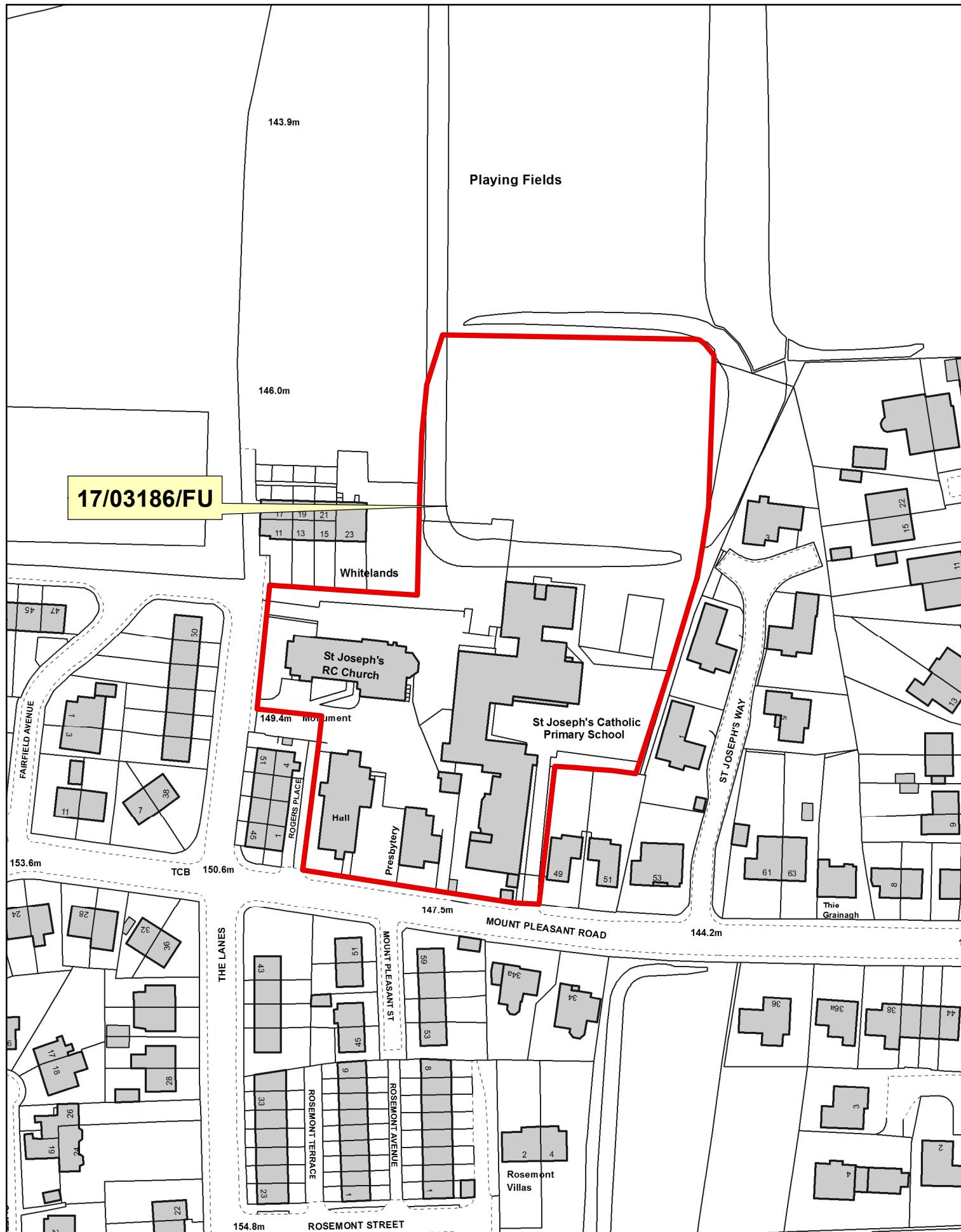
Client
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**SAFEGUARDING WORKS
FENCING**

SITE LOCATION PLAN

project number	2017_00293_004	scale	1:1250	@A3
drawing number	PL01	rev		issue status
				PLANNING

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SOUTH AND WEST PLANS PANEL

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SCALE : 1/1000

