

**Erection of 1.5m high weldmesh fence and new stock fence at Rodmersham Primary School – SW/06/836**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 December 2006.

Application by The Governors of Rodmersham Primary School and Kent County Council Children Families and Education for the erection of a 1.5m high weldmesh fence around the school playground and stock fence around the playing field at Rodmersham Primary School, Rodmersham Green, Sittingbourne – SW/06/836

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. K. Ferrin

Classification: Unrestricted

**Site**

1. Rodmersham Primary School is located on Green Lane opposite the Rodmersham Village Green. The application site is adjacent to the Rodmersham Green Conservation Area on land which is beyond the settlement boundary as denoted in the Local Plan (*A site location plan is attached and shows the school site*) The nearest residential properties are situated to the Northeast and Northwest on opposite sides of the village green. The Village Hall shares a boundary with the school to the east. A Public Right of Way runs along the western boundary with more public space beyond that. The school site opens out to the south into a small playground and then a playing field, beyond which is agricultural land.

**Planning History**

2. In December 2000 a proposal for the change of use of an area of agricultural land adjoining the rear of Rodmersham School into a playing field was approved by the County Planning Authority (ref: SW/01/0021) and in 2001 the School was also granted permission for a small extension to provide toilets and an extension to the Head Teacher's office (ref: SW/01/364) In November 2004 the Planning Applications Committee approved a proposal for the temporary siting of a mobile classroom and toilet block at Rodmersham Primary School (ref: SW/04/1146).

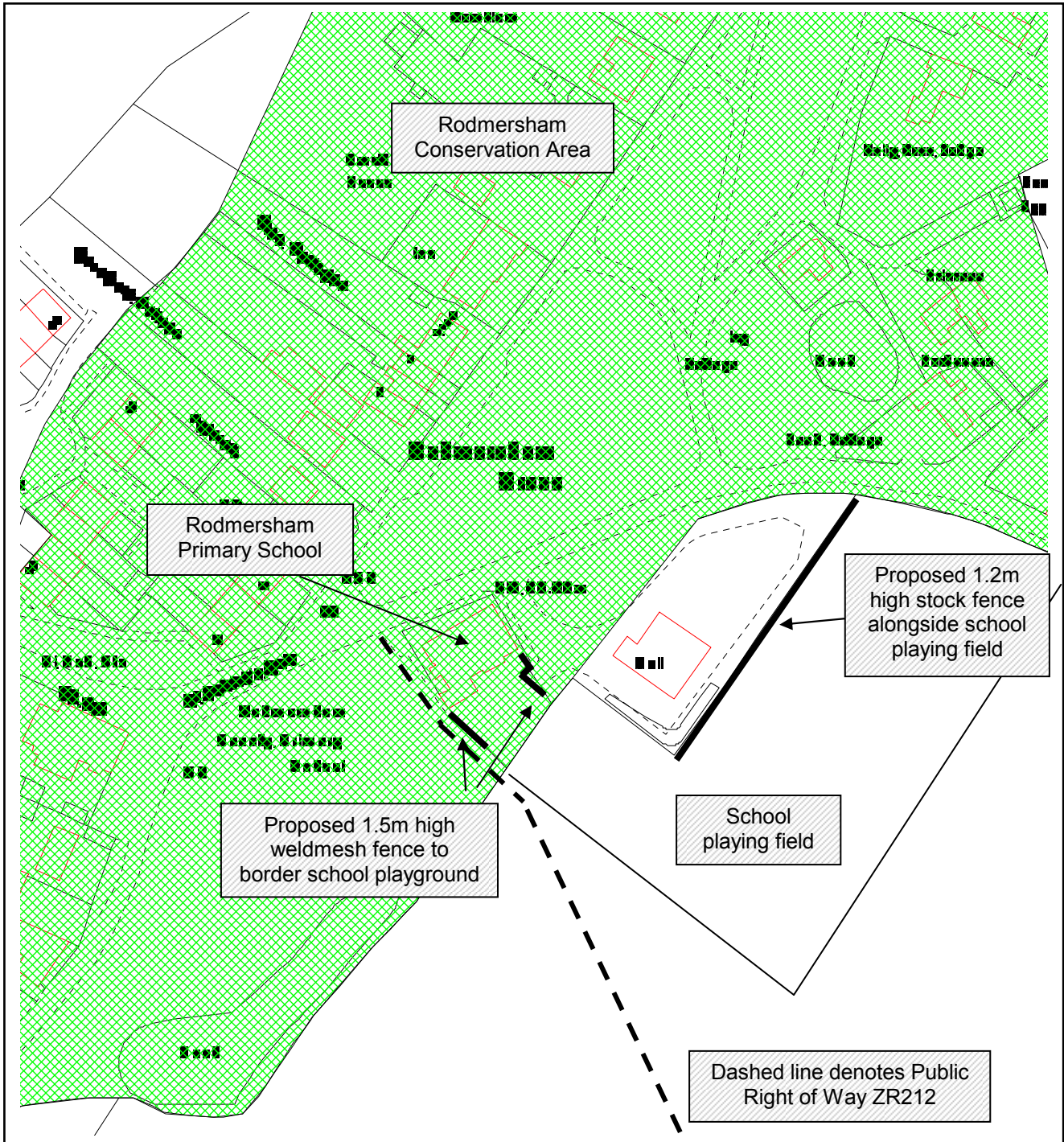
**Proposal**

3. The proposal includes the replacement of the existing school playground fence, which is currently a 1.3 high chain link fence and replacement stock fencing to the western side of the existing school playing field. When the original application was submitted earlier in 2006, the proposal was for a new 1.8m high weldmesh fence to border the north-east and south-west sides of the existing school playground. The original proposal also included the erection of a low level (1.2m high) stock fence along the west-side of the field. However, the original proposal met with several objections from local residents, as well as the Parish Council, on the grounds that the weldmesh fence that was proposed was too high and out of character in the Rodmersham Conservation Area. As a result the applicants have amended the new application following on from the original consultations. The proposal which is now for consideration is for the erection of a 1.5m weldmesh fence to border the north-east and south-west sides of the school playground, as well as the erection of 1.2m stock fencing on the western side of the school playing field, approximately 70m along boundary the existing Village Hall site.

# Item D7

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### Site Location Plan



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Scale 1:2500

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4. The applicants state that the proposal has come forward in order to bring the perimeter security fence up to current standards as set by other Schools in the locality and that the existing chain link fencing is in urgent need of replacement due to old age and wear.
5. The applicants suggest that the reduction in the proposed height of the playground fence has been an attempt to meet with the objections received to the original proposal for a higher fence. The applicants have also agreed to finish the fence in an appropriate dark colour (either black or green) to allow the fence to blend in as far as possible within its local context.

**Planning Policy**

6. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) **The Adopted 2006 Kent & Medway Structure Plan:**

**Policy SP1** – The primary purpose of Kent’s development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent’s identity and local distinctiveness and promoting healthy, safe and secure living and working environments;

**Policy QL1** – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

**Policy QL6** - The primary planning policy towards Conservation Areas is to preserve or enhance their special character or appearance. Development that would harm the character or appearance of a conservation area will not be permitted.

**Policy QL8** - Listed Buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced.

**Policy QL11** - Existing community services and recreation facilities will be protected as long as there is a demonstrable need for them

**Policy EN1** – Kent’s countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

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**(ii) The Adopted Swale Borough Council Local Plan 2000:**

**Policy G1** – All development proposals will be expected to:

- accord with policies and proposals of the Plan unless material considerations indicate otherwise;
- have regard for the characteristics and features of the site and locality;
- avoid an unacceptable impact on the natural and built environment;
- be well sited and an appropriate scale; and,
- cause no demonstrable harm to residential amenity and other sensitive neighbour uses.

**Policy E9** – Seeks to protect land outside defined built-up area boundaries

**Policy E36** – When considering development proposals within or adjacent to Conservation Areas the Borough Council will pay special attention to:

- the character or appearance of the area is preserved or enhanced;
- a high standard of design is achieved;
- the scale, mass and form are compatible with adjacent buildings and their setting

**Policy E38** – In the village of Rodmersham Green, proposals for infilling and small site development must have particular regard to the conservation of the built environment

**Policy E39** – Proposals affecting Listed Buildings, or their settings, will only be permitted if the character and its setting are maintained and preserved

**Policy E48** – The Borough Council will seek to ensure that all new development is of a high standard of design appropriate to its surroundings and reflecting local distinctiveness.

**Policy C1** – Subject to compliance with out Plan policies, planning permission will be granted for appropriately located social and community facilities

**Policy C7** – Subject to compliance with other Plan policies, will grant planning permission for the provision and retention of social and community facilities to serve the rural settlement.

**(iii) The Swale Borough Council Local Plan First Review 2005:**

**Policy E1** – Expects all development to:

- accord to policies and proposals of the Plan unless material considerations indicate otherwise;
- have regard for the characteristics and features of the site and locality;
- avoid an unacceptable impact on the natural and built environment;
- be well sited and an appropriate scale; and,
- cause no demonstrable harm to residential amenity and other sensitive neighbour uses.

**Policy E9** – seeks to ensure that development in the Countryside is sympathetic towards local landscape character and quality

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**Policy E14** – Proposals affecting the setting of Listed Buildings will only be permitted if the buildings special architectural or historical interest and its setting are preserved.

**Policy E15** – Development within, or affecting the setting or, or views into and out of a Conservation Area will preserve or enhance all features that contribute positively to the area’s special character or appearance.

**Policy E19** – The Borough Council expects development to be of high quality design

**Policy C1** – The Borough Council will not permit proposals that involve the loss, or change of use, or a local community facility where this would be detrimental to the social well being or the community.

#### Consultations

7. **Swale Borough Council:** – no comments have been received to date. Any comments received before the Committee Meeting will be reported verbally.

**Rodmersham Parish Council:** - views were expressed on the original proposal for new 1.8m weldmesh fence and 1.2m high stock fencing:

- “The Parish Council feels that the height of this proposed fence is totally out of keeping with a village school and very much over the top. Using the Public Footpath, as a reason is wrong, it’s scarcely used and is in full view of the school, houses, and playground assistants and teachers. A 1.8m high fence is far too high and quite out of character for a village green”.

Following the amendment by the applicant to reduce the height of the proposed weldmesh fence down to 1.5m and finish it in an appropriate dark colour the Parish Council commented as follows:

- “The Parish Council is still of the opinion that this fence is totally out of character with its rural location and is also still too high. A height of 1.2m is enough, any higher and the children may well feel as if they are being caged in. The Council still objects to this proposal”.

**Public Rights of Way Officer:** - Public footpath ZR212 is adjacent to the proposed development. The Public Rights of Way Officer has no objection to the proposed development.

#### Local Members

8. The local County Member, Mr M. Ferrin, was notified of the original application on the 13 June 2006.

#### Publicity

9. The application was publicised by the posting of a site, an advertisement in the Kent Messenger and the individual notification of 12 neighbouring residential properties. The

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site notice and advertisement indicate that the proposed development is within the Rodmersham Conservation Area and is likely to affect its character and/or appearance, and may also affect the setting of nearby Grade II Listed Buildings.

**Representations**

10. One letter of objection was received to the original application. The main points of the letter are summarised below:
- The existing fence is utilitarian in the extreme and certainly can be improved. However, the proposal to erect a fence on a scale more suited to a prison camp is totally unacceptable particularly as the school is in the central part of a Conservation Area. Whilst the fence is at the rear of the school, the flanks can be seen from a distance of at least 200 yards in each direction;
  - The school playtimes are well supervised and so a higher fence is not required.
  - Now that the school enjoys a large new playground, prohibiting ball games in the traditional playground would not cause any considerable hardship;
  - The design of the fence in such a prominent location should be aesthetically pleasing and neither at an extreme height nor of a poor design;
  - It is extraordinary that the Council has not taken the opportunity to re-instate the white picket fence that was so attractive. The school is not a great beauty in architectural terms but is an integral part of the character of Rodmersham Green. The previous picket fence much enhanced the school and the current, near industrial appearance is only because of an ill-considered concrete and wire mesh fence;

Following on from the amendment to reduce the height and change the colour finish of the weldmesh fence the neighbour was consulted with full details of the application. Since the re-consultation, there have been no further letters of representation received to date.

**Discussion**

11. In considering this proposal, regard must be had to the Development Plan policies outlined in paragraph (9) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the impact of the proposed fence on the Rodmersham Conservation Area and the visual amenity of the nearby residential dwellings.

Design

12. The proposal to replace the existing school playground fence has, as shown in paragraphs (8 & 11) above, caused some concern from a local resident and the Parish Council. It is important to note that the proposal to erect new stock fence along the western side of the school playing field has attracted no objections and, in my opinion, would cause no material harm to the local environment.
13. When the original application came forward for the erection of 1.8m high weldmesh fencing objections were met on the grounds that the fencing proposed was too high and

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totally out of character with the Conservation Area. Since receiving these objections the weldmesh fence has been lowered considerably (now down to 1.5m high) and is proposed to be finished in an appropriate dark colour (either dark green or black). In my opinion this is a significant improvement over the original proposal which was considerably higher and finished with a galvanised effect.

14. However, an objection to the current proposal has been lodged by the Parish Council which believes that the proposed fence (1.5m) is still too high and should be at most, erected at 1.2m. It should be noted that this would actually be a decrease in height from the current perimeter fence that is at present 1.3m high. The applicants have stated in their supporting documentation that the reason behind this proposal is to bring the current perimeter fencing up to standards set by other local Schools. It is my opinion that ensuring that the School only erect a fence to a height of 1.2m would be inappropriate and would give no benefit in terms of the overall security to the site.

Impact on Rodmersham Conservation Area

15. The proposed development is located within a Conservation Area. Development Plan policies state that proposals within or adjacent to Conservation Areas should *'preserve or enhance their special character or appearance'* and *'development which would harm the character or appearance of a Conservation Area will not be permitted'* [Policy QL6 from the Adopted Kent and Medway Structure Plan 2006]. Similarly, Policy E36 of the Adopted Swale Borough Council Local Plan states that, *'development within, affecting the setting, or views into and out of conservation areas, should ensure the character or appearance of the area is preserved or enhanced and that a high standard of design is achieved [...]'*.
16. Whilst I recognise that the need for the development should be weighed against any Structure / Local Plan policies, such as Conservation Area policies which aim to preserve the special characteristics of an area, it is my opinion that the current proposal is acceptable in planning terms. I consider that, the height has been considerably reduced and the visual appearance has been improved through colour treatment and would, if Member's were minded to grant permission blend in within the Conservation Area to an acceptable degree.
17. An adjoining nearby resident has suggested that the school should re-instate a previous picket fence that was, in his view, attractive. The picket fence that has been suggested here has not been proposed by the applicants as it would not provide sufficient security, and therefore the proposal before Members is a 1.5m high weldmesh fence along two sides of the existing playground. I do not dispute that a low-height picket fence would fit in well with the local context of the school buildings, but the applicants have insisted from the outset that this application has come forward to upgrade the overall security of the site as well as to replace an existing dilapidated fence.

Residential and local amenity

18. Given that the nearest residential properties are located some 45m from the proposed fencing, I do not consider that residential amenity would be compromised by the proposed development. It should be noted that the Public Right of Way Officer has raised no objection to the development, which on the southern side of the school playground would run alongside the Public Right of Way. Given that the design of fence chosen is a weldmesh fence, with a relatively large mesh size (of approximately 50mm), the visual impact of the fence would not be seriously detrimental on the Conservation Area, local residential amenity or the adjacent Public Right of Way

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**Conclusion**

19. In conclusion, I am satisfied that the reduction in the height of the weldmesh fence from 1.8m to 1.5m and the addition of the proposed colour treatment of the fence is acceptable in planning terms. Given that there is the option for either a black or green finish to the proposed weldmesh fence, I would suggest that the colour chosen, be black. This would seem an appropriate colour, as it would ensure that the fence blends in with the existing rainwater goods around the site as well as reducing its visual appearance in the locality. In addition to the erection of the weldmesh fence, I can see no reason why permission should not be granted for the erection of the low level (1.2m high) stock fence on the school playing field. Accordingly, I would recommend that planning permission be granted for both the revised height weldmesh fence (1.5m high) and the stock fence subject to conditions.

**Recommendation**

20. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including:

- The weldmesh fence being finished in a black and at a maximum height of 1.5m;
- the development being carried out in accordance with the approved plans;
- the development being carried out in accordance with the 3-year timescale.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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