

Replacement of wooden fence with 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge - SH/10/141

A report by Head of Planning Applications Group to Planning Applications Committee on 11 May 2010

Application by Lyminge CEP School and Kent County Council, Children Families and Education for the replacement of wooden fence with 1.8 metre metal fence at Lyminge CEP School, Church Road, Lyminge, Folkestone, Kent, CT18 8JA- SH/10/141

Recommendation: Permission be granted subject to conditions

Local Member: Mrs Susan Carey

Classification: Unrestricted

Site

1. Lyminge CEP School is situated within a residential area in the village of Lyminge, Folkestone, in the Kent Downs Area of Outstanding Natural Beauty. Residential properties face the site on Church Road and also adjoin the north-eastern boundary on Kimberley Terrace. To the south and east, the school is bordered by the Tayne Recreation Ground. Vehicular and pedestrian access to the school is located on Church Road. The school itself consists of one building which is set back a short distance from Church Road, at the bottom of a slight bank, and is screened from the road and neighbouring properties by a row of mature trees. A site location photograph is attached.

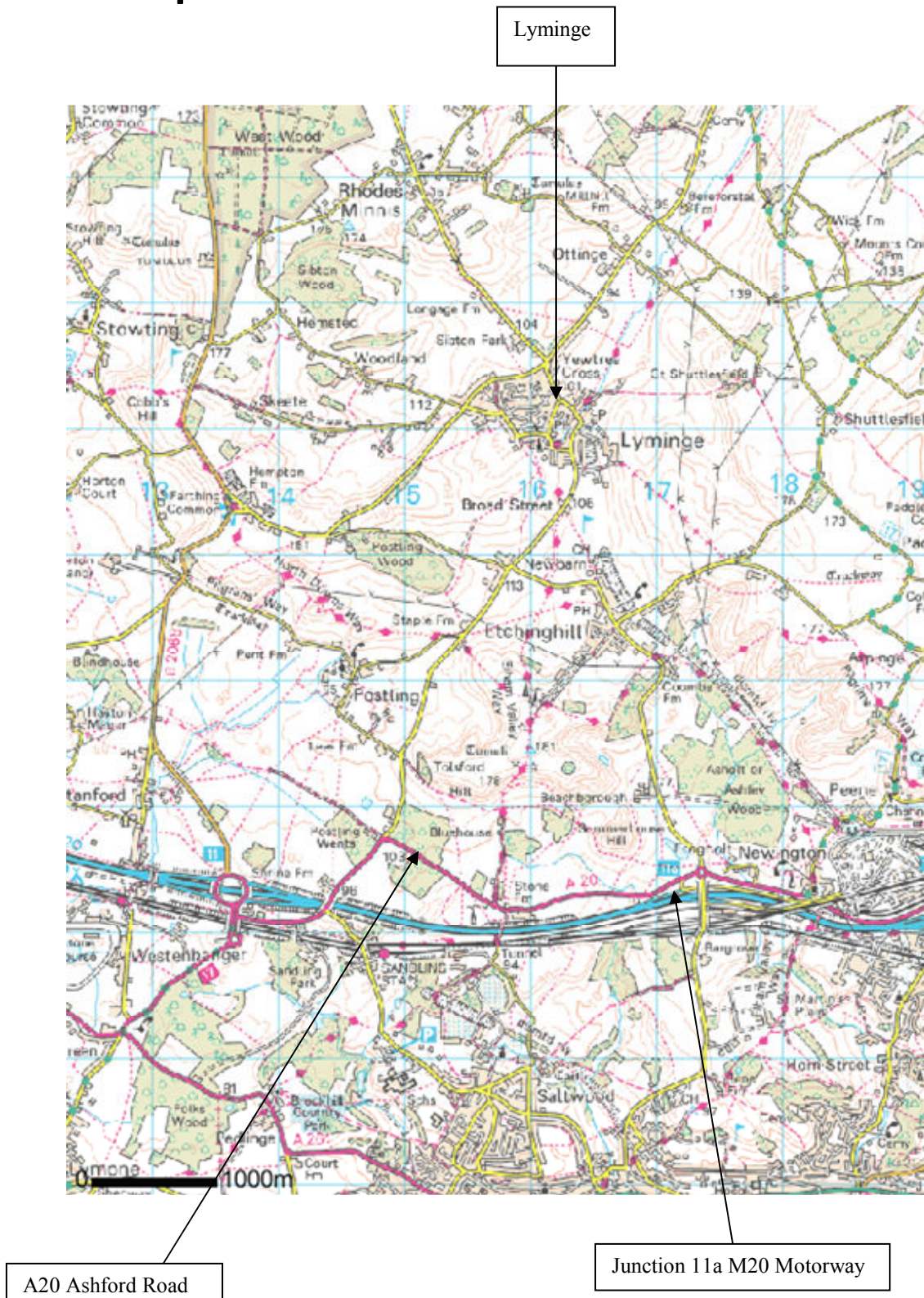
Background and Proposal

2. The proposal is to remove the existing low-level wooden fence, which runs for approximately 50 metres from the vehicular access point to the north-eastern school boundary, both on Church Road, and to replace it with a 1.8 metre high metal, green palisade fence. It arises from the applicant's need to ensure the safety of the pupils and school property after recent incidences of vandalism and trespass. The applicant states that due to the height of the existing wooden fence the school boundary on Church Road provides an easy access point for individuals to unlawfully enter the site.
3. The school has recently erected 1.8 metre high green palisade fencing around the remainder of the school grounds, which is covered by permitted development rights under The Town and Country Planning (General Permitted Development) Order 1995. Planning permission is being sought for the 50 metre stretch of fencing along Church Road because it adjoins a public highway and therefore does not qualify as permitted development, requiring a specific permission to be obtained.

Item D4

Replacement of wooden fence with 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge- SH/10/141

Site location plan



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Replacement of wooden fence with 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge- SH/10/141

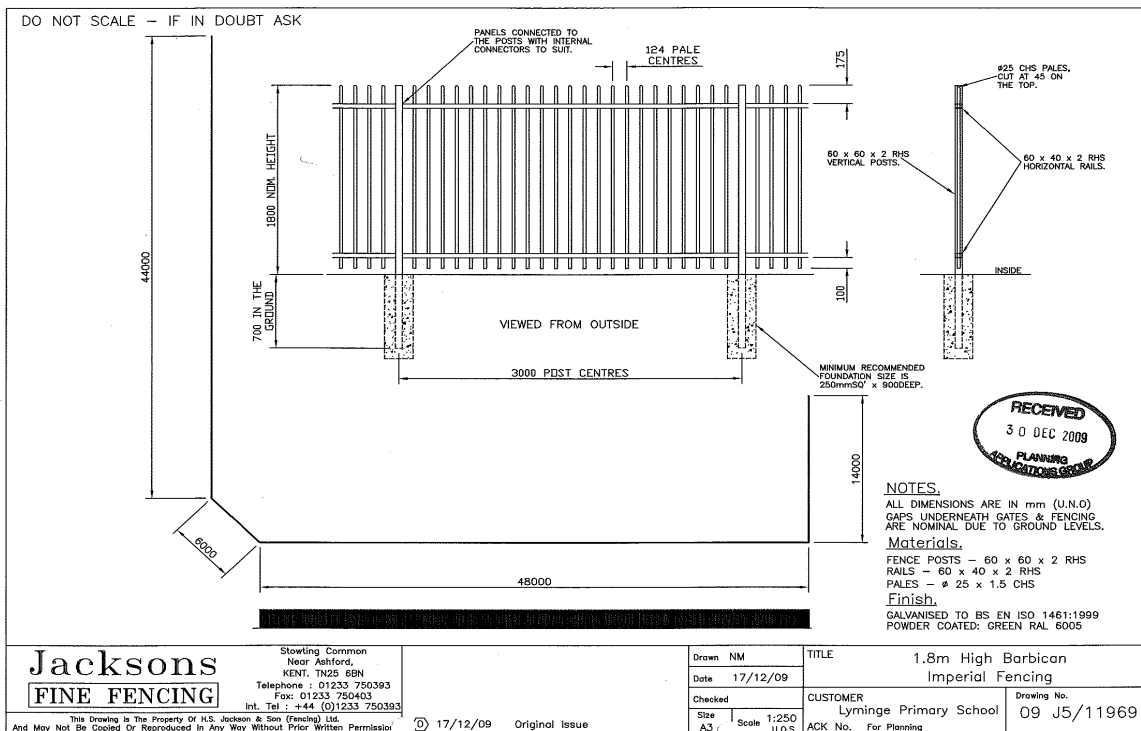
Site location aerial photograph



Church Road boundary

Tayne Recreation Ground

Fence Elevation



**Replacement of wooden fence with 1.8 metre high metal fence at
Lyminge CEP School, Church Road, Lyminge- SH/10/141**

Planning Policy

4. (i) **The South East Plan:**

Policy CC1: Seeks to achieve and maintain sustainable development in the region.

Policy CC4: Expects that all new development will adopt and incorporate sustainable construction standards and techniques.

Policy CC6: Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.

(ii) **The adopted Shepway Local Plan Review 2006:**

Policy SD1: Development proposals should take account of the broad aim of sustainable development.

Policy BE1: A high standard of layout, design and choice of materials will be expected for all new development.

Consultations

5. **Shepway District Council** raises no objections subject to the retention of the existing planting along the boundary at a height no lower than 1.8m to soften the appearance of the proposed fencing and protect the rural character and appearance of the locality.

Lyminge Parish Council raises no objections but do request that landscaping is considered to soften the impact of the fence.

The Divisional Transportation Manager raises no objections subject to the line of the fence being set back at least 2.4 metre from the edge of Church Road carriageway to ensure sight lines are not obstructed.

Local Member

6. The local County Member, Mrs Susan Carey, was notified of the application on the 10 February 2010.

Publicity

7. The application was publicised by the posting of a site notice and the individual notification of 20 nearby residential properties.

Representations

8. Representations to the application have been received from 4 nearby properties. The concerns and objections raised to the proposal include the following:

- The proposed fence is not in keeping with a rural village school.
- Fears that trees will be significantly reduced to the same height as the fence.

**Replacement of wooden fence with 1.8 metre high metal fence at
Lyminge CEP School, Church Road, Lyminge- SH/10/141**

- The fence is unnecessary and unsightly.
- The school did not adhere to the landscaping conditions attached to previous planning permission for the existing wooden fence.

Discussion

Introduction

9. This proposal has arisen from recent incidents of vandalism and trespass at the school. Whilst there is currently a low-level wooden fence along the boundary on Church Road, the applicant deems an alternative, more robust style of fencing an appropriate measure to ensure the safety of pupils and school property. There are issues relating to the siting and design of the fencing, and to the height of existing boundary trees.

Planning history

10. Three objection letters suggest that when permission was granted for the existing enclosure of the site that there was a requirement for the planting to be maintained to a manageable height suggested variously at 1.8, 3 and 4.5 metres in height. I understand that the existing wooden fence along the boundary on Church Road was included as part of the proposal for the school which was granted permission in 1984 under reference SH/83/824. Attached to that permission was a condition requiring the school to submit details of landscaping and tree planting to the County Planning Authority for approval but none relating to the height at which any planting should be maintained. A row of trees were planted which have subsequently grown to over 30 feet, although I cannot find any record of the details of these trees having been submitted for approval. I understand that the maintenance of these trees has caused a number of Church Road residents' grievances. Some minor work to the trees has already been carried out on behalf of the school following a tree audit but none is proposed as part of this application. In my view, the height and maintenance of the trees is a school management issue and not material to the determination of this application for replacement fencing.

Fence line position

11. As outlined in paragraph 5, the Divisional Transportation Manager raised no objection to the proposal subject to the line of the fence being set back at least 2.4 metre from the edge of Church Road carriageway to ensure sight lines are not obstructed. The proposed fence would generally follow the same line as the existing fence. There is a Public Right of Way which runs along the southern boundary of the school, adjoining the Tayne Recreation Ground but there are no public access rights to the site itself. This is emphasised by the recently installed fencing around the remainder of the school site, further demarcating the boundary. Therefore, renewing the boundary fencing along Church Road is paramount to securing the site in its entirety from intruders, ensuring the safety of pupils and school property.

Item D4

Replacement of wooden fence with 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge- SH/10/141



1. Existing line of fence



2. Section of the recently installed fencing under permitted development



3. Photograph of existing fence with trees and shrubs behind

Replacement of wooden fence with 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge- SH/10/141

Design and appearance

12. The existing low level wooden fence has been in place for some considerable time. The fence appears to be in relatively good condition, given its age and the visual impact is minimal due to a line of trees which were planted behind the line of the original fence, as seen from the photographs on page D4.6. The fence also benefits from textural and colour similarities to the trees behind, but it is ineffective at deterring individuals from unlawfully entering the site.
13. The school are proposing a style of fence which satisfies both security and design requirements. The 1.8 metre high Barbican Imperial fencing with the appearance of a more traditional railing fence is generally considered to be less obtrusive than steel palisade fencing and a more suitable option for a rural village setting such as Lyminge. It is proposed to be finished in powder coated green: RAL 6005 and for consistency and continuity, would match the recently installed fencing around the rest of the school boundary. Furthermore it would be set within the context of the existing tree lined boundary. Lyminge Parish Council expressed a wish to see shrub planting along the road side of the fence to soften its impact. Given the problems documented with regard to the maintenance of the existing boundary, I do not consider that additional planting would be appropriate or is particularly needed in this instance.
14. I am of the opinion that the fence proposed is suitable for the locality and at 1.8 metres is an acceptable height. Although it may not be as discreet as the existing wooden fence it would be the least obtrusive of the options available to the school to effectively serve its purpose. Given that the Barbican Imperial fencing has already been installed to the rest of the site, this is the most logical solution to securing the school and in my view would not have a significant detrimental visual impact.

Conclusion

15. The applicant's reasons for replacing the existing fence will be noted. I consider that the issue about the height and maintenance of the trees along the school frontage is a matter for the school and not material in the determination of this application. I am of the opinion that the erection of the proposed fence would not have a detrimental impact on the setting of the school within the rural village of Lyminge. I therefore see no reason to raise a planning objection to the proposed fence and consider that it would accord with the general aims and objectives of the Development Plan policies. Accordingly, I recommend that planning permission be granted subject to conditions.

Recommendation

16. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions to cover the following aspects:
 - The standard time limit; and
 - The development to be carried out in accordance with the submitted details, plans and specifications.

Case officer – Jo Ritter 01622 696100

Background documents - See section heading
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