

APPLICATION CA/06/1187 – RETROSPECTIVE APPLICATION FOR REPLACEMENT FENCING AT SPRING LANE, CANTERBURY

NOTES of a Planning Applications Committee Members' site visit to Spring Lane, Canterbury on Friday, 1 December 2006.

MEMBERS PRESENT: Mr R E King (Chairman), Mr J A Davies, Mrs S V Hohler, Mr J F London, Mr T A Maddison, Mr W V Newman and Mr A R Poole. Mr M J Northey was present as the Local Member.

OFFICERS: Mr J Crossley and Mr J Moat (Planning) and Mr A Tait (Democratic Services).

THE APPLICANT: Barton Court Grammar School: Mr A Ploughman (Deputy Head Teacher) and Mr Savage (Site Manager); Chaucer Technology School: Mr S Murphy (Head Teacher) with Mr I Sutherland (Site Manager).

ALSO PRESENT were some 20 members of the public.

- (1) The Chairman opened the meeting by explaining that its purpose was for Members of the Committee to see the application site and to listen to the views of those present. The application had been considered by the Planning Applications Committee in November. It had been decided to defer making a decision pending this site visit.
- (2) Mr Crossley introduced the application by saying that the meeting was being held on a field which was jointly owned by Barton Court Grammar School and Chaucer Technology School. This site was close to two Conservation Areas, making visual amenity a very important consideration.
- (3) The field had long been part of the Schools' playing fields, although some unauthorised informal use of the site had been tolerated over the years. However, recent abuse of the field by cars, motorcycles, dog walkers and dangerous litter had jeopardised its full use by the Schools for sports activities. The two Schools had therefore identified a need to re-fence the site. The fencing had previously been weldmesh but construction had begun with steel palisade fencing, similar to the adjacent main Chaucer School site.
- (4) The two Schools had been led to believe that permission for this development was not required. This was, however, incorrect as permission was needed to replace fencing even to the same height as before, if it already exceeded the height tolerances of 1m adjacent to a highway and 2m elsewhere. Work on the fencing had ceased as soon as the Schools had become aware that permission was needed.

- (5) Mr Crossley then said that Canterbury City Council had raised no objection subject to landscaping and the new fence being painted to soften its appearance. Objections though had been received from numerous local residents on the grounds of the visual appearance of the fencing, residential amenity grounds and because of the loss of public access to the site.
- (6) Mr Murphy (Head Teacher, Chaucer) said that the field had been used extensively by the public but that this should not be described as “tolerated use”. The use had come about because it was impossible for the Schools to police the area. People had been vandalising the fencing in order to gain access, and unfortunately a minority had ridden bikes and dropped beer cans/ broken glass whilst dogs had fouled the land. These activities had been dangerous for the pupils and had led the Schools to seek more efficient fencing. This was very unfortunate as the Schools would ideally prefer to accept tolerated use.
- (7) Mr Ploughman (Barton Court) added to Mr Murphy’s statement by saying that the land was not common land but was in fact private for use by staff and students at the two schools.
- (8) Members of the public made a number of points that are set out below:-
- (a) The Pilgrims Way had crossed the field and been used as a public footpath for at least the past hundred years. Therefore access needed to be maintained on legal grounds. *Mr Crossley said that this particular claim had been checked with the KCC Public Rights of Way Team. No such route appeared on the Definitive Map.*
 - (b) The adopted Canterbury City Council Local Plan had identified this area as essential open space for this part of the City. There was no other suitable space for children to play on in the area.
 - (c) The Schools had actively encouraged community use of the land in the 1960s, 70s and 80s.
 - (d) The appearance of the fencing was extremely ugly. The area itself was naturally beautiful. It was therefore essential that the replacement fencing should be in keeping with the character of the land.
 - (e) The line of the replacement fencing was not the same as the original. It was consequently very difficult indeed to reverse cars down the Pilgrims Way from St Augustine’s Road at the back of the site (this needed to be done as it would be too dangerous to reverse the other way onto the main road). This was a practical reason for aligning the fencing behind the trees. This should also be done for the sake of visual amenity.
 - (f) The replacement fencing was not the same width as that around the college along Spring Lane.
 - (g) Vandalism had occurred on the site in the past; notably to tennis equipment and the cricket pitch. Some of the debris from this had been “stored” at the far side of the field for twelve years. The debate over this

application represented an opportunity for the Schools to enter into discussions with their neighbours as to how to encourage good community use since any attempt to secure the field through this type of fencing would only have fleeting success. Behaviour had improved and people in general were already treating the land with the greatest respect. It was the only space in this part of Canterbury where it was possible for youngsters to play football.

- (h) The Spring Lane fence was much higher than the original. It made the area resemble an industrial estate. It was difficult to agree that this fencing would provide greater security as people would always gain access. A piece of palisade had already gone missing. In fact, people who wanted to use the field for responsible activities such as kite flying would not vandalise the fencing (however tempted they might be!) whereas less responsible people would view the fencing as a challenge. The answer was for the Schools to monitor the site and engage with those who lived in the locality.
 - (i) Thousands of people walked down the Pilgrims Way each year. As they did so, they could see the most beautiful landscape, even on such a rainy day as this was. If permission were granted, the only thing the walkers would see would be the ugly fencing.
 - (j) Residents had spoken to the City Council's Sports Development Officer about the possibility of achieving community use for the field. They had heard nothing since despite assurances to the contrary.
 - (k) The fencing would not stop youngsters from getting on to the field. In the past, the Schools had left the gate onto the field open and there had been no vandalism.
 - (l) There had been another open field in the area which had been lost to development. As a result, this field had come under pressure. Cars along Spring Lane had been broken into. The fencing needed to be secure for more reasons than simple protection of the field itself.
 - (m) Most people legitimately enjoyed using the field. Damage was caused by a minority of irresponsible people. Responsible use of the field would be greatly encouraged if the Schools were to put up signs describing the types of activities that were and were not permissible.
- (9) Mr Northey said that the Pilgrims Way was a very ancient pathway. This fact had recently been commemorated by the City Council who had erected a sign saying 1 mile to Canterbury Cathedral and 1149 ½ miles to Rome.
- (10) Mr Northey went on to say that the fence was too hideous in its present form and that it should be a better design and colour. He was actually not sure whether there should be a fence there at all. He pointed out that this was the only green lung for miles around. He said that the effect of the new fence would be to keep good people out and to encourage the bad ones to try to use it. The solution was to encourage good community use.

- (11) Mr Murphy (Head Teacher at Chaucer) asked Members to bear in mind that the Schools maintained and mowed the field at their own expense to the tune of £5K per year. In addition, they were liable for any injuries suffered by members of the public who used it. If this fence was not granted permission, the insurers would walk away from it.
- (12) Mr Ploughman said that palisade fencing was necessary because people cut through the weldmesh fencing and vandalised the field.
- (13) The Chairman thanked everyone for attending and contributing to the Committee's understanding of the issues involved. The notes of this meeting would be given to Members prior to their meeting on 12 December.

Following the meeting, Members of the Committee inspected the area of the fencing, walking along St Augustines Road, Pilgrims Way and Spring Lane.