

Application No: 13/3508N

Location: SIR WILLIAM STANIER COMMUNITY SCHOOL, CORONATION STREET, CREWE, CREWE, CHESHIRE, CW1 4EB

Proposal: Relocate existing 2m metal palisade boundary fence together with installation of new palisade fence and vehicle access gates to match existing to new boundary line to playing fields

Applicant: Mr R A Jones, Cheshire East Council

Expiry Date: 17-Oct-2013

SUMMARY:

The development site lies within the Settlement Zone Boundary of Crewe and simply involves the relocation of the existing fence.

The design and scale of the development is considered to be acceptable.

The impact on residential amenity and highway safety is acceptable subject to conditions.

The local objections have been given careful consideration; however the transfer of the land to them is not a planning matter.

On the basis of the above, it is considered that the application should be approved subject to the imposition of appropriate conditions.

RECOMMENDATION:

Approve subject to conditions

DEFERRAL

This application was deferred by Committee on 16th October 2013 in order that discussion could take place between local residents and the applicant and for Officers to obtain further information regarding the relocation of the fence. Despite many attempts by Officers to obtain information or a withdrawal of the application, nothing has been forthcoming. Therefore the application is now back before Committee in order for a decision to be taken.

CALL IN

The application was called in to Committee by Councillor David Newton on the following grounds:

- *Concerns about loss of amenity*

- *Concerns about loss of access to the rear of residential properties*

DESCRIPTION AND SITE CONTEXT

The application relates to an area of land at the southern end of the playing field belonging to the Sir William Stanier Community School. The land is currently overgrown and the existing fence is set back within the playing field.

DETAILS OF PROPOSAL

The proposal is to move the fence to enclose all of the land which belongs to the school. The new fencing would comprise 2 metre high Palisade fencing and would be installed along the rear boundary.

RELEVANT HISTORY

No relevant planning history relating to this site.

POLICIES

National Guidance

National Planning Policy Framework

Local Plan

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011 which allocates the site as being within the Settlement Zone Line of Crewe.

The Relevant policies of the Borough of Crewe and Nantwich Replacement Local Plan 2011 are:

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SE 1 Design

SE 2 Efficient Use of Land

CONSIDERATIONS (External to Planning)

Environmental Health:

None received at the time of report writing.

Highways:

The planning application is relocate the fence on William Stanier School from its current position to the edge of the unadopted track that runs along the rear of properties 94 -170 Henry Street.

As the unmade track does not form part of the public highway, the vehicular use of the track is a private matter and as long as the fencing does not encroach onto the track as shown then the Strategic Highways Manager would not raise any objections.

VIEWS OF TOWN/PARISH COUNCIL

No objection.

OTHER REPRESENTATIONS

At the time of report writing, 10 representations have been received relating to this application, including a 5 page petition. The objectors express the following concerns:

- Land ownership
- Increased risk of broken windows
- Loss of property values
- Adverse impact on outlook
- The bin lorry will not be able to access the site
- The land should be brought back into use for the residents
- Problems for turning vehicles and gaining access
- Will lead to on-street parking
- Impact on Hedgehogs
- Residents should have been consulted prior to submission of the application
- Loss of privacy
- Access should be taken from the Spring Gardens side of the field
- Problems created for deliveries to the chip shop

OFFICER APPRAISAL

Principle of Development

The site is designated as being within the settlement boundary of Crewe and is on land belonging to an existing school. Within settlement boundaries there is presumption in favour of development provided that the development complies with other policies in the adopted local plan.

Having regard to the issues discussed above, the development is considered to be acceptable in principle.

Design and Scale

The proposal is to replace the existing fencing with 2 metre high Palisade fencing and gates on the boundary of the field. It is considered that this would be an appropriate boundary treatment in this location and is acceptable.

The proposal is therefore considered to be acceptable in terms of design and scale and in compliance with Policy BE.2 of the adopted local plan.

Amenity

Policy BE.1 requires that new development should be compatible with surrounding land uses, should not prejudice residential amenity, generate unacceptable levels of traffic or lead to an increase in pollution.

The fencing would be coming closer to the rear boundaries of the properties on Henry Street; however given that it is a simple 2 metre palisade fence, it is not considered that it would have any significant impact on the outlook from these properties.

One of the objectors has expressed concerns about the 6 metre netting fence affecting his outlook by coming closer to the rear of his property. That is not something that is proposed as part of this application.

The proposal is considered to be acceptable in terms of amenity and is therefore in compliance with Policy BE.1 (amenity) of the adopted local plan.

Highways

The fence is adjacent to a length of unadopted track to the rear of residential properties on Henry Street.

Many of the objections relate to problems with vehicle access. However, the land is within the ownership of the Council as the title deeds show and enclosing it would have no impact on the public highway. As such a refusal on highway safety grounds could not be sustained.

The proposal is therefore considered to be in compliance with Policy BE.3 of the adopted local plan.

Response to Objections

The amount of opposition to the proposal has been given careful consideration. However the suggestions that the land should be given to local residents is not something that can be considered by the Local Planning Authority as part of this application.

Conclusion – The Planning Balance

Taking account of Paragraphs 49 and 14 of the NPPF there is a presumption in favour of the development provided that it represents sustainable development unless there are any adverse impacts that *significantly and demonstrably* outweigh the benefits.

The development site is within the Settlement Zone Line of Crewe and simply involves the relocation of an existing fence.

The design and scale of the development is considered to be acceptable.

The objectors have stated that they should have been allowed to negotiate the use of the land and that the land should be gifted to the residents. This however is not a matter that could be taken into account in the determination of this planning application.

On the basis of the above, it is considered that the application should be approved subject to the imposition of appropriate conditions.

RECOMMENDATION:

Approve subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Materials as stated in the application**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

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