

<u>APPLICATION NO:</u>	23/01698/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	Lakeside, Naylor's Road, Roby		
<u>PROPOSAL:</u>	ERECTION OF 3M HIGH BOUNDARY FENCING AND ACCESS GATES		

Site Description

The site is within the Green Belt and comprises the main site building, which was converted to a special needs primary school in 2000 and associated curtilage. Within the curtilage are outbuildings, a modular building, access and car park, play area(s), landscaped areas and a pond. Adjacent the site to the east was Wheat Hill Riding School and a large associated house. These buildings have been demolished and a large building erected within that site to provide a special needs secondary school associated and linked with Lakeside Special Needs Primary School.

Proposal

The application is to install 3m high anti-climb mesh fencing coloured Moss Green to three sides of the site, which would link in visually with the similar 2.4m high mesh fencing approved to the site perimeter of the secondary school site. Within the fencing would be a pedestrian gate and vehicular gates along the southern length of fencing, which would be sited 4.2m – 7.4m back from the front boundary of the site. The fencing proposed is to provide security to a site vulnerable due to the semi-rural location and lack of passive surveillance which would be acceptable in terms of appearance and tie in with similar appearance fencing approved for the secondary school site.

Consultations

Highway Authority – No objections.
Arboricultural Officer – No objections provided that the Tree Survey and Method Statement is an approved document.

Representations

This application has been publicised by letters sent to 6 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

22/00746/ADV - DISPLAY OF 2NO. ADVERTISEMENTS. Approved: 27.02.2023.

(Adjacent site - Former Wheathill Riding Centre).
21/00398/NMA3 - APPLICATION FOR A NON-MATERIAL AMENDMENT
FOLLOWING GRANT OF PLANNING PERMISSION 21/00398/FUL (DEMOLITION
OF EXISTING BUILDINGS AND THE ERECTION OF A NEW SECONDARY
SCHOOL BUILDING, MULTI USE GAMES AREA (MUGA) AND ASSOCIATED CAR

PARKING AND LANDSCAPING) - AMENDMENTS SOUGHT FOR THE FOLLOWING: REVISED MUGA PERIMETER FENCING SPECIFICATION AND LAYOUT INCLUDING BASKETBALL HOOPS AND BOARDING BEHIND TO A HEIGHT OF 3.75M AT EITHER END OF MUGA PITCH TOGETHER WITH INCREASED HEIGHT OF FENCING TO 3.75M EITHER SIDE OF BASKETBALL HOOPS THE WIDTH OF THE MUGA PITCH; CHANGED DESIGN/SPECIFICATION OF BIKE AND BIN STORE; INCREASED FENCE HEIGHT FROM 2.4M TO 3M TO INNER PLAYGROUND BOUNDARY ONLY (NOT SITE PERIMETER); REVISED SIZE OF ROOFLIGHTS AND REVISED LOUVRE POSITIONS TO DINING HALL; REVISED POSITION OF FLUE AND LOUVRE ABOVE PLANT ROOM AND KITCHEN. Approved: 22.12.2022.

(Adjacent site - Former Wheathill Riding Centre).

21/00398/NMA2 - APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING GRANT OF PLANNING PERMISSION 21/00398/FUL (DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A NEW SECONDARY SCHOOL BUILDING, MULTI USE GAMES AREA (MUGA) AND ASSOCIATED CAR PARKING AND LANDSCAPING) - AMENDMENT SOUGHT TO AMEND THE WORDING OF CONDITION 14. Approved: 25.04.2022.

(Adjacent site - Former Wheathill Riding Centre).

21/00398/NMA1 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00398/FUL TO ALLOW THE INSTALLATION OF WATER TANKS. Approved: 04.02.2022.

(Adjacent site - Former Wheathill Riding Centre).

21/00398/NMA – NON-MATERIAL AMENDMENT TO PLANNING APPLICATION 21/00398/FUL (DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A NEW SECONDARY SCHOOL BUILDING, MULTI USE GAMES AREA (MUGA) AND ASSOCIATED CAR PARKING AND LANDSCAPING) AMENDMENT SOUGHT TO ALLOW CHANGES TO APPROVED PLANS - WINDOW AND DOOR POSITIONS UPDATED TO REFLECT DETAILED DESIGN (WINDOWS IN FRONT OF STRUCTURAL STEELS), PV REMOVED FROM TWO STOREY BLOCK ROOF, ROOF MATERIAL CHANGED TO COMPOSITE SLATES ON TWO STOREY BLOCK ROOF TO MATCH SINGLE STOREY ROOF (P1 TYPE) AND TO CONDITION 21 TO ALLOW ESSENTIAL (INTERNAL) NON-NOISY WORKS TO TAKE PLACE ON SITE OUTSIDE OF THE IDENTIFIED HOURS OF OPERATION. Approved: 08.02.2022.

(Adjacent site - Former Wheathill Riding Centre).

21/00398/FUL - DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A NEW SECONDARY SCHOOL BUILDING, MULTI USE GAMES AREA (MUGA) AND ASSOCIATED CAR PARKING AND LANDSCAPING. Approved: 18.11.2021.

16/00132/FUL - ERECTION OF 1NO. MODULAR BUILDING. Approved:

15/00185/FUL - VARIATION OF CONDITION NO. 2 ATTACHED TO PLANNING PERMISSION 14/00149/FUL. Approved: 04.06.2015.

14/00149/FUL - ERECTION OF TEMPORARY MODULAR CLASSROOM BUILDING. Approved: 04.06.2014.

00/00026/COU - CHANGE OF USE FROM DWELLING AND RESIDENTIAL CURTILAGE TO PRIMARY DAY SCHOOL FOR 32 CHILDREN WITH SPECIAL NEEDS OPERATING MONDAY TO FRIDAY FROM 8AM TO 5.30PM, ERECTION

OF SINGLE-STORY EXTENSION TO SOUTHERN SIDE OF BUILDING TO PROVIDE AN ADDITIONAL CLASSROOM. CONSTRUCTION OF INTERNAL PLAY AREA WITH 2M HIGH CHAINLINK FENCE, ERECTION OF 4.8M HIGH SECURITY FENCING AROUND THE LAKE AND CONSTRUCTION OF CAR PARK AREA.

Approved: 17.04.2000.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 – Green Belt

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

DQ2 - Security in the Built Environment

DQ4 – Trees and Development

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

This application relates to a primary school for children with complex special needs within the Green Belt on Naylor's Road, adjacent a recently built secondary school for children with special needs. The application is for the installation of 3m high paladin fencing to the school boundary, although it would be set back from the front boundary of the site to a degree. The key issues with regard the application are: -

- Whether the development is appropriate in the Green Belt and whether any harm is caused to the Green Belt
- Design and Visual Amenity
- Access and Highway Safety
- Impacts on Trees.

Principle of development

Paragraph 137 of the National Planning Policy Statement (NPPF) 2023, states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraphs 147 and 148 of the NPPF and Policy CS5 (Green Belt) in the Core Strategy explain that inappropriate development is harmful to the Green Belt and should not be approved except in 'very special circumstances'. They state that 'very special circumstances' will only exist if the potential harm to the Green Belt (which must be given substantial weight) and any other harm arising from the development is clearly outweighed by other considerations.

Stated exceptions to inappropriate development are given within the NPPF at paragraphs 149 and 150. These exceptions relate to specific types of buildings, changes of use of buildings, minerals extraction, engineering works and changes of use of the land for example. Enclosures are not specified.

The proposed development is therefore inappropriate development in the Green Belt which should only be allowed if there are very special circumstances which clearly outweigh the harm caused to the Green Belt and any other harm.

The fence would not affect the purposes of including land in the Green Belt and it would have a limited impact on the Green Belt's openness given that it would be a wire mesh fence and would be viewed against the backdrop of a modern school building.

The applicant has described that the fencing is required to ensure that the site is secured and given the remote location of the school this is a reasonable argument to make. The lack of harm to openness and the purposes of including land in the Green Belt being caused and need for the fencing should weigh in favour of the proposals.

Design and Visual Amenity

The proposed fencing is acceptable in design and suitable for road frontages in urban areas and in this Green Belt location is of a design that is suitable, with the adjacent secondary school site having approved similar 2.4m high mesh fencing. The south boundary fencing would have some screening from Naylor's Road by virtue of the existing planting within this area. The eastern boundary of New Heights High School is to the southwest of the Lakeside Special Needs Primary School western boundary, and itself is bounded by fencing of similar appearance.

Next to Nayors Road the fencing would be set back from the highway and it is considered that the fencing would not be detrimental to visual amenity of the area.

Highway Issues

The proposed fencing would be set back from Naylor's Road and raises no highway safety considerations. The Council Highways Engineer raises no comments to the application.

Tree Issues

The southern boundary of the site has a significant tree belt and there are trees along the eastern (side) and northern (rear) boundaries. It is confirmed within the Method Statement it is confirmed that installation of the proposed fencing will not result in the loss of any trees and will be completed using hand-dig method only. It is also confirmed that the retained trees will be protected during works ensuring through the erection of the tree protection barriers.

The proposal is acceptable in that no trees are proposed to be lost due to the installation of the fencing and that the protection and installation measures are satisfactory and acceptable. The Council Arboriculturalist has no objections to the application provided that the Tree Survey and Method Statement is an approved document if planning permission is granted.

Conclusion

The proposed fencing is acceptable in design and colour and would not be detrimental to the visual amenities of the area or the openness of the Green Belt. The proposal would involve no loss of trees and the installation method and protection proposed are acceptable. The proposal does not raise highway issues. The proposal complies with relevant planning policies and is therefore recommended for approval.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) All works shall only be undertaken in accordance with the approved Arboricultural Method Statement.

Reason: To ensure protection of the trees to be retained in the interests of visual amenity and biodiversity and to comply with Policies CS2, CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and

saved Policy DQ2 and DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19.07.2023	20034-C4P-AV-ZZ-DR-A-0117	P2	SITE LOCATION PLAN UPDATED
19.07.2023	20034-C4P-AV-ZZ-DR-A-0558	P4	PROPOSED FENCING
12.09.2023	TREE SURVEY AND METHOD STATEMENT	A	TREE SURVEY AND METHOD STATEMENT

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: Alan Kilroe

Date: 18 October 2023

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

