

**MC/21/1239**

Date Received: 29 April 2021  
Location: St Thomas More RC Primary School Bleakwood Road  
Walderslade Chatham  
Proposal: Installation of boundary fencing to the playing field along the  
boundary to the rear of Sussex Drive  
Applicant: The Governors of  
Agent: CWA  
Cathal Wynne  
74 St James Way  
Sidcup  
DA14 5HF  
Ward: Walderslade Ward  
Case Officer: Amanda Barnes  
Contact Number: 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 13th October 2021.**

**Recommendation - Approval with Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with 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 following approved plans:

Received 6 August 2021:

A-0617-05 Rev D Proposed Site Plan and Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The mesh fence herein approved shall be powder coated green prior to installation and maintained thereafter.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 In this Condition "existing trees" means those trees forming the shelterbelt growing between 3 - 41 Sussex Drive and St Thomas More Roman Catholic

Primary School to the north, which shall be retained and protected in accordance with the approved arboriculture report, approved arboriculture method statement (received 5 August 2021) and approved plan showing the fence location and compound locations (drawing A-0617-05 Rev D dated 6 August 2021); and paragraphs d) & e) below shall have effect until the expiration of 5 years from the date of the fence being erected for its permitted use.

- a) Compounds for the storage of materials, waste and equipment, as well as the mixing of cement shall be located in accordance with drawing A-0617-05 Rev D dated 6 August 2021
- b) Pruning of existing trees will be limited to those works necessary to erect the new fence as detailed in the arboricultural method statement received on 5 August 2021. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- c) Post hole locations for fencing shall be marked out and agreed by Medway Council prior to commencing excavation works.
- d) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any existing trees be pruned other than in accordance with the approved method statement received on 5 August 2021
- e) If any retained trees die, or are removed, uprooted, damaged or destroyed, another tree or shrub shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE43 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

Installation of boundary fencing to the playing field along the boundary to the rear of Sussex Drive.

The fence would be approx. 2.1m in height and Zaun Duo 8, mesh fence, powder coated green.

## **Relevant Planning History**

MC/17/3458	Construction of a single storey front extension to form a new entrance Decision Approval with Conditions Decided 21 November 2017
MC/14/2130	Construction of a gazebo for use as outdoor classroom Decision Approval with Conditions Decided 18 September, 2014

MC/13/2159	Application for a Lawful Development Certificate (proposed) for a gazebo Decision Refusal Decided 28 October, 2013
MC/09/0589	Construction of a single storey staff room extension and relocation of mesh fence nearer to the school boundary together with part relocation/adapt some blue metal railings & gate Decision Approval with Conditions Decided 20/07/2009
MC/07/2116	Construction of single storey building for use as two classrooms and w.c's and re-siting of mobile toilet block (removal of part of mobile building) Decision Approval with Conditions Decided 14/01/2008
MC/06/2252	Siting of a temporary mobile classroom Decision Withdrawn by Applicant Decided 23/03/2007
MC/01/2045	Application under Regulation 3 of the Town & Country Planning (General Regulations 1992) for the construction of single storey extensions to form new classrooms, entrance lobby and circulation links Decision Approval with Conditions Decided 13/05/2002
MC/00/0407	Erection of a temporary classroom to replace existing and the construction of a wc extension to temporary classroom. Decision Approval with Conditions Decided 25/05/2000

## Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

**Six letters** of objection have been received relating to:

- Prohibits the access required by neighbours to maintain the overgrowth, clear litter and lower the rising soil level against fences in the areas which affects the rear garden and surrounding property.
- Could the proposed fence be located to enable maintenance of the trees and overgrowth by school and homeowners also making the fence less visually prominent?
- Can the area grassland which gets cut regularly?
- Loss of view of the wooded area

- Impinges ability for maintenance.
- Sense of enclosure giving rise to mental health issues
- Impact on trees
- Impact of cleaning fence may damage the trees
- Concern over land levels
- Disagree current fencing as having no historical value or significance
- Plans describe the existing fencing as 2m when it is 1.8m in height

**Two letters** neither supporting nor objecting, asking the following questions:

- What provision has been made for the wildlife to forage?
- What is the distance between the existing boundary fences and the proposed new wire mesh fence, flanking Sussex Drive? It appears as if the new fence will terminate at the junction of 3 Sussex Drive and the boundary fence of the property fronting onto Walderslade Road, thus not affording a secure enclosure of the School Site.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2021 (the NPPF) and are considered to conform.

## **Planning Appraisal**

### *Background*

St Thomas More RC Primary School is located at the end of Bleakwood Road. The school is accessed via a shared access gate which provides access to the school and St Simon of England RC Church.

The existing boundary fencing runs along the boundary of the school playing field to the rear of the residential properties on Sussex Drive. The existing fences are a mix of styles and are predominantly timber and approx. 1.8m in height.

The school has concerns about the security of the boundary and the ability to adequately safeguard the pupils and staff when they are in the playing field.

The school wish to erect a new green powder coated mesh fence inside the line of the existing timber boundary fences on the school to improve security and ensure adequate safeguarding measures are in place for the users of the playing field.

The agent has advised that moving the fence away from the woodland towards the playing field has been considered, but unfortunately it is felt that this defeats the purpose of the school being able to safely use the wooded area for education purposes and to feel that it is 'part' of the school. The Archdiocese of Southwark are currently trying to agree a long lease from Medway in relation to this land, as for some historic

reason it still falls under the 'ownership' of Medway and the school have no formal rights to it.

The agent has advised that if the new fence as proposed is erected the school becomes responsible for the maintenance of the woodland, so the removal of litter and the rising soil levels will be dealt with by the school. Should any of the neighbours wish to gain access onto the school land to maintain their rear boundary fences, then this will be accommodated, subject to agreement of mutually convenient times and access arrangements. The new fence panels can be removed to assist in this as necessary.

### *Principle*

The application seeks a new boundary fence inside the existing fencing and as such the principle of fencing is acceptable subject to matters of design, amenity, trees and highways.

### *Design*

Paragraphs 126 and 130 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The proposed fence to the perimeter of the site will be a powder coated mesh style fence approx. 2.1m in height. The proposal seeks to place the existing fencing along the boundary and as such only a small portion of the new fencing will be visible to the residential properties in Sussex Drive above the existing mainly timber fences. The fence will not be seen from any public vantage points. Due to the design of the fence and the limited additional height above existing boundary treatments the application is considered to be in accordance with Policy BNE1 of the Local Plan and paragraph 126 of the NPPF.

### *Amenity*

Paragraph 130f of the NPPF and Policy BNE2 of the Local Plan relate to the protection of amenity.

The proposed fence is approx. 6m from the rear wall of the dwelling at No. 3 Sussex Drive moving further away from the properties as it runs eastwards, being in excess of 19m from No. 39 Sussex Drive. It will be placed on the school side of the existing boundary treatments along the perimeter of the site. The fence is in most cases approx. 0.3m higher than the existing boundary treatment. Due to the distances involved, the mesh design of the fence and being located to the north of the existing fence, it is not considered that this will lead to a loss of outlook, sunlight or daylight to the residential properties in Sussex Drive.

The proposed fencing is considered acceptable with regard to Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

## *Highways*

Due to the nature of the development and the siting, there are no highway concerns in accordance with Policies T1 and T13 of the Local Plan and paragraph 111 of the NPPF.

## *Trees*

The method statement that accompanied the application details how the fence posts will be dug to ensure there is no harm to the trees. Subject to a condition to ensure this statement is followed, the application is considered to be in accordance with Policy BNE43 of the Local Plan and paragraph 180b of the NPPF.

## **Conclusions and Reasons for Approval**

There is no objection in principle to the proposed development and with regard to the design, amenity, trees and highways. Approval is recommended including with regard to Policies BNE1, BNE2, BNE43, T1 and T13 of the Local Plan and paragraphs, 111, 126, 130, 180b of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation.

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## **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>