

ITEM NO:	<u>Location:</u>	Woolgrove School, Pryor Way, Letchworth Garden City, SG6 2PT
7	<u>Applicant:</u>	Mrs Hall Woolgrove Special Needs Academy
	<u>Proposal:</u>	Installation of 2.4m site perimeter fencing with automated vehicular and pedestrian gates to main entrance; installation of 1.4m internal fencing to separate pedestrian walkways from vehicular access and enclose school playing field.
	<u>Ref. No:</u>	16/03200/ 1
	<u>Officer:</u>	Richard Tiffin

Date of expiry of statutory period: 21 March 2017

Reason for Referral to Committee

As the site area is over 1.0ha this application needs to be determined by the Planning Control Committee under the Council's scheme of delegation.

1.0 Relevant History

1.1 None

2.0 Policies

2.1 North Hertfordshire District Local Plan No.2 with Alterations

Policy 2 - Green Belt

Policy 14 - Nature Conservation

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Submission Local Plan

SP5 Countryside and Green Belt

NPPF

9. Protecting Green Belt Land

3.0 Representations

3.1 Hertfordshire County Council (Highways):

No objection

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 Woolgrove Special Needs Academy occupies land to the north of Pryor Way off of the Jackman's housing area.

4.2 Proposal

- 4.2.1 The application seeks permission to erect a 2.4m perimeter fence around the Academy and its associated wildlife area together with automated vehicular access gates and pedestrian entrance. Internally, the scheme includes 6 new 'grasscrete' parking spaces and a lower 1.4 m fence to safely separate pedestrians and vehicles. The internal fence being less than 2m does not actually require planning permission but is included in the application as part of the overall security and safeguarding project.

4.3 Key Issues

- 4.3.1 The Academy is well established and performs a valuable role in the community. The need to secure its boundary and also protect vulnerable children and staff from vehicles should be matters of acknowledged public interest in my view. Being in the Green Belt, the only planning issue in my opinion centres on whether the development involving the erection of an extensive 2.4m boundary fence and 'grasscrete' parking for 6 vehicles is 'appropriate' in Green Belt terms and if not whether the acknowledged importance of the scheme in safeguarding staff and children amounts to the 'very special circumstances' necessary to override the negative presumption.
- 4.3.2 Paragraph 90 of the NPPF recognises that some forms of development are not inappropriate in the Green Belt if they do not compromise the openness of the designation:

"Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- ***mineral extraction;***
- ***engineering operations;***
- ***local transport infrastructure which can demonstrate a requirement for a Green Belt location;***
- ***the re-use of buildings provided that the buildings are of permanent and substantial construction; and***
- ***development brought forward under a Community Right to Build Order. "***

Fencing could be erected up to 2m around the perimeter which would not require planning permission. The perimeter fence in this case would only be 400mm higher than that allowable without permission. In the circumstances I am of the view that the proposal would be indistinguishable in impact terms from that which would be permitted without planning permission. In any event I would suggest that chain link fence as proposed would preserve the openness of the Green Belt. The provision of 6 'grasscrete' parking spaces would not compromise Green Belt objectives and would also preserve the openness of the Green Belt in my view.

- 4.3.3 Notwithstanding the above and in the event that the view was taken that the proposed scheme was 'inappropriate' development in the Green Belt, I would suggest that a case for very special circumstances could certainly be made given the acknowledged public benefits of safeguarding the children attending the Academy.

4.4 **Conclusion**

- 4.4.1 Circular 02/2009 (still partially in force) requires 'green belt development' which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt, be referred to the Secretary of State if an authority is minded to approve said development. The development proposed in this case is not considered to engage this requirement. Accordingly, it is recommended that permission be granted subject to standard conditions without referral to the Secretary of State.

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

- 6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

Proactive Statement

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.