
2023/0616

Applicant: Ms H Brown

Address: Kings Oak Primary Learning Centre, Bondfield Close Wombwell, S73 8TX

Description: Replacement of existing boundary fence with 2.4m high mesh fence

Site & Location Description:

The site address is listed at Bondfield Close, but the main entrance to the site appears to be on Wells Lane, which leads off Bondfield Close, and the principal location of the proposed works are located at and around the rear entrance to the site, between No. 106 and No.108 Hough Lane. This rear entrance appears to be a former principal entrance to the Wombwell Oakfield Junior School, which was previously situated on site. The application site itself now is a contemporary primary school building with associated and enclosed recreational facilities and car parking provision. Adjacent to the site, also constructed upon the former junior school site is a contemporary housing estate. The front entrance of the application site, and area around it currently features a green mesh fence, similar in style to that proposed for the rear and side of the site.

Running adjacent to the rear off the site appears to be a small strip of land acting as a buffer zone between the school grounds and the rear gardens of dwellings. Running westerly from the rear entrance on Hough Lane, the buffer is sealed off by an existing fence and runs intermittently along the rear gardens of Bondfield Close, as some gardens appear to have been extended. Running easterly from the entrance on Hough Lane, the buffer is what was believed to be a public footpath but instead is footpath leading to allotments at the side of the school site but is padlocked, with presumable access only for allotment occupiers.



Planning History:

- **2013/1253** - Erection of two classroom extension with toilets, cloakroom and corridor leading to an emergency fire exit also erection of a multi-use space for staff by infilling an existing covered area including corridor and fire exit – Approved with conditions 7th February 2014

- **2019/1129** - Remove dead trees T9, T10, T18 and T23, clear around street light T2, T6 and T8 and crown lift to 3.5m T2 - T8, T11 - T13, T15, T19 - T21 and T24 - T28 within TPO 42/2008 – Approved 31st January 2020
- **2009/0567** - Felling of 1 no. birch within G1, Crown lift of 2 no. alders within G2 and Crown lift of 2 no. field maple (T9 & T11) and 1 no. rowen (T10) within Tree Preservation Order 42/2008 – Approved 19th June 2009
- **B/04/0982/WW** – Demolition exist school & caretakers houses, erection of new primary school and nursery with assoc parking, playing field, hard play courts & access road – Approved 13th July 2004
- **B/02/1169/WW** - Demolish existing school and erection of new primary school and nursery with assoc parking, playing field, hard play surfaces & access road (outline) – Approved 6th May 2003
- **B/75/0393/WW** - Erection of Junior School and construction of playing field – Assumed approved.

Proposed:

The proposal is to install a 2.4m “358 Anti Climb Mesh Fence” in a dark green colour around approximately half of the total perimeter of the boundary of the site. The fence would run for approximately 100m westwards from the entrance on Hough Lane, adjacent to the secured footpath to the allotments and end where the school boundary meets the allotments on the corner of Hough Lane and Kingsway. The proposal would also run easterly from the entrance at Hough Lane for approximately 54m along the boundary to the buffer zone, before turning up and proceeding approximately 137m along the boundary with buffer zone and the rear gardens of Bondfield Crescent. Additionally, the existing brick wall pillars at the rear entrance on Hough Lane would be demolished with new pedestrian and vehicle access created as part of the new fencing scheme. Part of this new access would include new gates in a matching style and colour to that of the proposed fence.

Local Plan Designation: Urban Fabric

Conservation Area: No

Neighbour Representations:

Letters were sent to nearby addresses; No comments were received from these letters. There was an unsolicited email from the chairman of the allotment society who asked if the access to the allotments would be unaffected, it was confirmed by the applicant’s agent that such access would not be altered.

Consultees:

Highways DC: As vehicular and pedestrian access would be maintained to the rear school entrance, Highways have confirmed they have no concerns, and no conditions are required.

Forestry Offer: Following a desktop review of the location, the Forestry Officer agreed in principle to the works subject the applicant confirming the method of fence construction as recommended. Following a request for clarification of the method of construction, the applicant’s response was in

line to that expected by the forestry officer, so no tree protection measures would be required. This would include no trenches being dug for the fencing and any digging for fence posts completed by hand, using a handheld breaker with generator where required.

Local Ward Councillors: No comments or objections received.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well-designed and beautiful places -

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Within section 12, paragraph 139 is the most relevant which indicates:-

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Local Plan

In reference to this application, the following Local Plan policies are relevant:

GD1 - General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

SD1: Presumption in favour of Sustainable Development: When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

D1 - High Quality Design and Place Making: Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T4 – New Development & Highway Safety: New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Supplementary Planning Documents (SPD)

Walls and Fences

Principle of development

The site is located within land designated as Urban Fabric. Walls and fences are considered acceptable where they do not have a detrimental impact on the amenity of surrounding residents, visual amenity and on highway safety.

Residential Amenity

Although the fence borders the rear gardens or the buffer zone adjacent to several dwellings, there would be no significant impact on residential amenity of those neighbouring as most dwellings are bordered by trees, making the size of the fence largely screened from view. Furthermore, land enclosed by the fence and any buffer zone between the gardens and the school boundary is not public land, so residents have no right of access to the land. In respect of amenity of the users of the footpath which leads to the allotments, running adjacent to the western section of the fence (from Hough Lane) the fence would not cause any inconvenience and it has been confirmed that existing access would be unaltered.

Visual Amenity

In a similar manner to the issue of residential amenity, for most residents and other users which border the proposed fence, tall trees provide more of a visual barrier than the proposed fence. Except for the stretch of fence visible from Hough Lane, very little of the fence would be publicly visible outside of private dwellings and the allotments. In relation to the footpath to the allotments, a tall brick wall exists on the opposite side of the footpath, hiding the fence from view of residents. If any harm to the visual amenity of the area did arise, it would be minimal and on balance would be outweighed by the security offered by the fence for the school and deterrent for trespass on to private land or gardens in any attempt to access the school grounds.

Highway Safety

As both pedestrian and vehicular access will be retained, there would be no impact upon Highway Safety,

Summary

The proposed fence is to be installed to support the security of the school premises. The existing fence appears not to be tall enough to prevent entry to the site. There would be very little harm to the residential amenity of neighbouring dwellings and other users bordering the site. Equally due to the existing high trees which border the site, the fence would not cause significant harm to the visual amenity of the area and would be largely unseen beyond the entrance on Hough Lane. With no impact on highway safety or trees, the proposal is suitable for a recommendation of approval.

Recommendation: Approve with conditions