

<b>PLANNING COMMITTEE</b>	<b>DATE: 15/06/2026</b>
<b>REPORT OF ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 2**

**Application Number: C25/0671/14/LL**

**Date Registered: 01/10/2025**

**Application Type: Full**

**Community: Caernarfon**

**Ward: Menai**

**Proposal: Erect a new 2400mm high fence around part of the playing field boundary**

**Location: Ysgol Syr Hugh Owen, Bethel Road, Caernarfon, Gwynedd, LL55 1HW**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1.1 This is a full application for the erection of a 2.4m high fence around part of the playing field boundary at Ysgol Syr Hugh Owen. The new fence runs around the northern and north-western boundary of the playing field. The proposed new fence will be of a weldmesh type and a dark green colour.
- 1.2 The site lies within the boundaries of the school and the development boundary of the town, with residential housing adjoining it. The site does not lie within any other land designations.
- 1.3 This application is being submitted to the Planning Committee because the Local Member has declared an interest and provided comments on the application.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PS1 The Welsh Language and Culture

ISA 2 Community facilities

TRA 2 Parking standards

TRA 4 Managing transport impacts

PS 6 Alleviating and adapting to the effects of climate change.

PCYFF 2 Development criteria

PCYFF 3 Design and place shaping

PS19 Conserving and where relevant enhancing the natural environment

Supplementary Planning Guidance (SPG): Maintaining and Creating Distinctive and Sustainable Communities

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## 2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note 12 – Design

## 3. Relevant Planning History:

C07A/0424/14/R3 SITING OF TEMPORARY CLASSROOMS – Permitted with Conditions 12-07-2007

C07A/0194/14/R3 SITING OF 4 MOBILE CLASSROOMS AND 2 STORAGE UNITS – Permitted with Conditions 09-05-2007

C12/1236/14/R3 INSTALLATION OF SOLAR PANELS ON ONE OF THE SCHOOL'S ROOFS – Permitted with Conditions 15-10-2012

C22/0906/14/LL Installation of new black 'bow top' style fencing and gates along the front boundary of the school together with the installation of a 'turnstile' to control access for pupils – Permitted with Conditions 15-02-2023

C22/0744/14/LL Formation of a full-size 3G sports pitch with associated 4.5-metre-high fencing, a 4-metre-high acoustic barrier, 6 x 15-metre-high floodlights, team shelters, hardstanding and landscaping embankment with planting – Permitted with Conditions 19-12-2022

## 4. Consultations:

Community/Town Council: No Objection (Unanimous)

Trees Unit: No objection as there is no pruning work to trees subject to a tree preservation order or excavation proposed as part of the application. Recommend placing a note on the permission as a reminder that the trees around the boundary are protected and that a separate application is required if any work needs to be carried out on the trees as a result of the development.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period is ending and letters/correspondence objecting to the proposal have been received on the following grounds:

- A significant and oppressive visual impact, especially given the elevated level of the fields (appearing up to 4m)
- Significant harm to residential amenity due to proximity (4–5m) and a feeling of being closed in
- Human rights concerns in light of the impact on people's enjoyment of their home and mental well-being
- No proportionate benefit to the school or the community; suspect that the main reason is to control pupils
- Negative impact on the character and appearance of the area and incompatible with the environment
- Lack of early consultation with local residents
- Objection on grounds of unnecessary development without evidence of a safety risk
- A lack of evidence to support allegations of anti-social behaviour
- Residents' legal access rights (used over 40 years) implying a prescribed right
- Concern that the fence could prevent access to emergency services (e.g. air ambulance)

A letter was also received supporting the fence because there were problems with rocks being thrown, trespassing on private property and rubbish being thrown into gardens.

We note that the Local Member has declared an interest on this application and has provided comments which include the following issues:

- Indicates that he opposes the application
- There is no reference to the protected trees within gardens.
- The certificate of land ownership is not correct
- Disagree with the content of the design and access statement.
- Affects access rights
- It is an unnecessary development
- Visual impact
- Impact on residential amenities
- Impact on human rights

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 Policy ISA 2 relating to community facilities, which includes schools, states that the Plan will assist in maintaining and improving community facilities. Whilst there is no specific section in the policy relating to making alterations/adaptations to an existing site it is supportive of allowing

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the development of new community facilities within community clusters where there are necessary facilities to support the community. The proposal would be located on the boundaries of an existing school, and we can see from the information submitted that the fence around the building is required to improve security within the school grounds. In terms of its principle, the proposal is considered reasonable and to be in line with the principle of Policy ISA 2 of the LDP.

### **Visual, general and residential amenities**

5.2 Policy PCYFF 3 of the LDP states that proposals are expected to demonstrate a high-quality design that takes full account of the context of the natural, historic and built environment. The proposal is for the erection of a security fence. The fence would be of a 'weldmesh' type – it would be see-through; therefore it would not appear to conceal the school grounds or the back of the row of houses that surround the school grounds. The fence would be of a green colour to match the fence that runs around the other boundaries of the school. The proposed finishes thus seem acceptable. The fence would be installed around the boundary of the school's playing fields, and in terms of location the fence would be considered acceptable. We do not consider that it would have an adverse effect on the area's visual amenities because of its dark colour that matches the existing treatment, and the fact that it is possible to see through the fence. The proposal is therefore considered acceptable with regard to the policy requirements of PCYFF 3 of the LDP.

5.3 There are some dwelling-houses to be found in the vicinity of the school, and a number of objections have been received to the proposal. Concerns were raised about the visual impact and feeling of oppression as a result of erecting the fence around the school boundaries, as well as the possibility that the fence will have a negative impact on the character and appearance of the area and be incompatible with the community. A fence of this type is often used around schools as a way of protecting the staff and pupils within the establishment. Most of the school's boundaries already use this type of fencing, therefore it is not a new element nor is it incompatible with this educational site. The new fence will separate the gardens of the neighbouring houses from the school playing field, and the fence will be approximately 4 to 5m away from the rear of the houses in question. We therefore believe that this area between the back of the houses and the fence is sufficient not to create a significant negative and adverse impact on the private amenities of the owners of those houses. The fence will be dark green and of a 'weldmesh' design, so will be see-through. This means that people will be able to see through the fence, and light will not be reduced as a result. Consideration must also be given to the need to protect the pupils and school grounds as well as the land outside the school from damage, and on balance it is considered that this type of fence would not cause significant harm to the amenities of the local neighbourhood. The proposal is considered acceptable in respect of Policy PCYFF 2 of the LDP.

### **Biodiversity matters**

5.4 Several trees that are subject to a tree preservation order are located along the boundary where the fence is to be placed. No felling or pruning of the trees is proposed as part of the development, and there will be no intensive excavation near the roots for installing the fence. This means that we do not anticipate any impact on the trees that have a tree preservation order. In accordance with the comments from the Trees Unit, a note will be added to the consent to ensure that any pruning or cutting of the trees as a result of the development or in the future would require permission and shall be subject to a tree preservation order application before any work begins on the trees.

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- 5.5 The proposal has no impact on biodiversity and a Green Infrastructure Statement has not been submitted, however a condition can be imposed with regard to achieving biodiversity enhancements through the proposal, and to this end the proposal is deemed acceptable and complies with the requirements of policy PS19 of the LDP together with chapter 6 of Planning Policy Wales (PPW) which deals with green infrastructure and biodiversity net gain.

### **Language Matters**

- 5.6 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 11, 2019), along with Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.7 This proposal does not reach the thresholds for submitting a Welsh Language Statement or a Report on a Welsh Language Impact Assessment; however, the guidance included within Appendix 5 states that every retail, commercial or industrial development where a Welsh Language Impact Statement/Assessment is not required should show how consideration has been given to the language.
- 5.8 The proposal is to erect a fence around the existing grounds of the school. It is not considered that the development would be harmful to the Welsh language. Therefore, the proposal is not considered to be contrary to the requirements of policy PS 1.

### **Response to the public consultation**

- 5.9 A number of comments were received from the public as a result of this application, and the issues raised varied. We consider that all planning matters have been addressed in full in the report. Some comments refer to operational issues. The land ownership certificate is not considered to be incorrect, as the applicant is acting on behalf of the School and the Council. The content of the documents submitted is not considered to be incorrect or defective. It is a matter for the applicant to contact neighbouring landowners should they have wished to do so, and there is no obligation to do this under the planning system. We also note that there is no requirement to justify erecting a fence, and the above report assesses the proposal against the relevant policies for erecting a fence. We note that many of the comments relate to issues beyond the planning system, including rights of access matters.
- 5.10 None of the issues raised alters the recommendation for the application in this case.

### **6. Conclusions:**

- 6.1 Based on the above assessment, the proposal is considered acceptable and complies with the relevant policies.

### **7. Recommendation:**

- 7.1 To approve subject to conditions

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1. 5 Years
2. In accordance with the plans
3. A dark green colour
3. Biodiversity enhancements

Note

1. This permission does not cover any work to trees that are protected under a Tree Preservation Order. Separate consent will be required for any works to the protected trees.