

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Boundary fence replacement at Seal Church of England Primary School, Sevenoaks – SE/07/2536

A report by Head of Planning Applications Group to Planning Applications Committee on 6 November 2007.

Application by the Governors of Seal Church of England Primary School and Kent County Council Children, Families & Education for the replacement of boundary fencing from chestnut paling fence to 1.8m high green weld-mesh fence at Seal Primary School, Zambra Way, Seal, Sevenoaks (SE/07/2536)

Recommendation: Planning permission be granted

Local Member(s): Mr. N. Chard

Classification: Unrestricted

Site

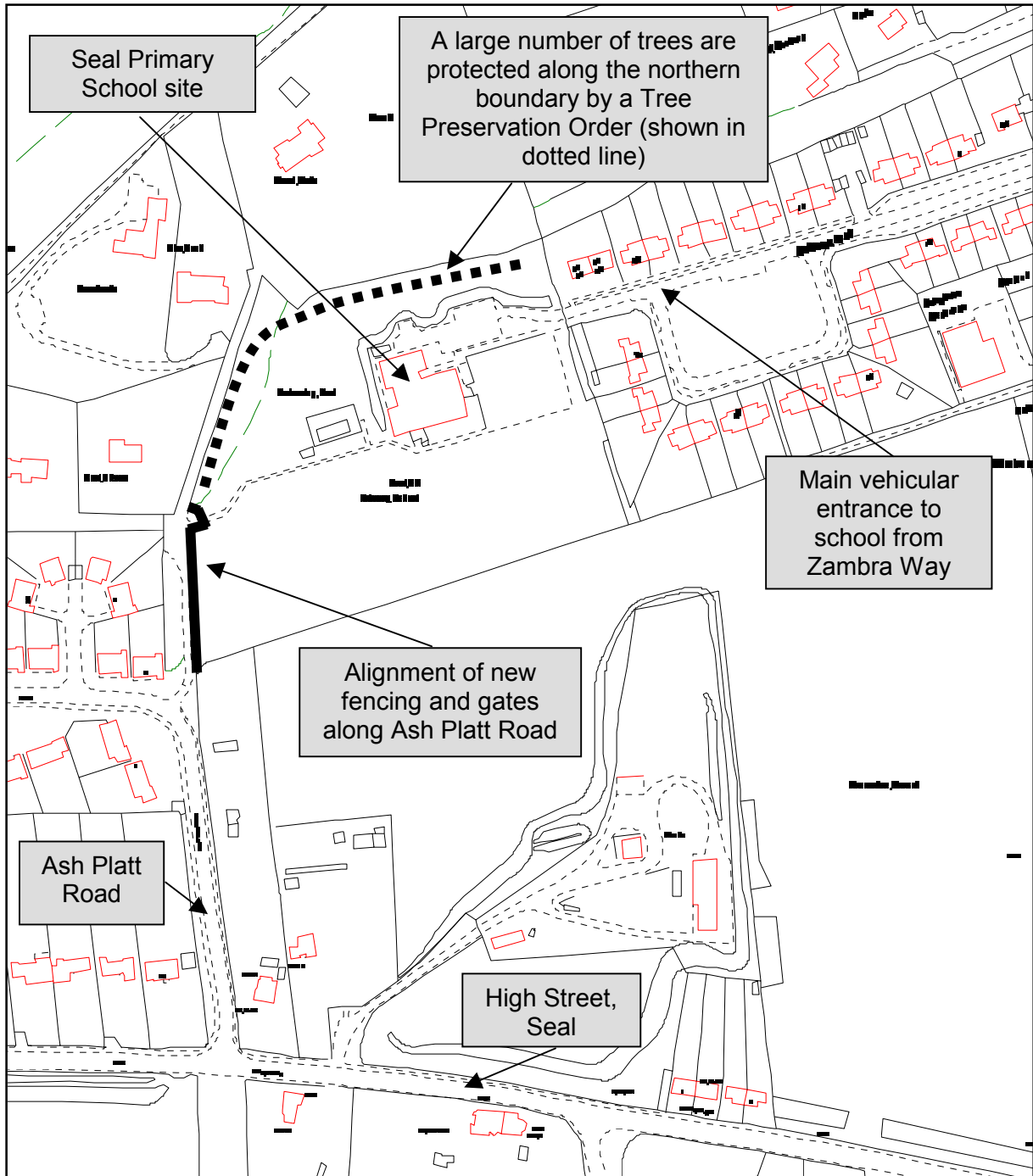
1. Seal Primary School is located to the north of the village of Seal and to the north east of Sevenoaks. The school is located a short distance from the main village itself, and is accessed by both vehicles and pedestrians from its main entrance off Zambra Way. In addition to the primary access route into the site, there is a secondary maintenance access (used solely by occasional maintenance vehicles) located on Ash Platt Road. The site is bordered to the north-west by a dense tree screen, the majority of the trees are protected by a Tree Preservation Order. *A location plan is attached.*
2. The school site is bordered to the north-west by an existing low level (1 metre high) chestnut paling fence along the boundary to Ash Platt Road. This style of fence is also present along the southern boundary of the site with the school playing field and adjoining field.
3. Seal Primary School is located within the Metropolitan Green Belt and adjacent to the Kent Downs Area of Outstanding Natural Beauty (as identified on the site context plans on page 3).

Background and Proposal

4. This application seeks planning permission for the replacement of approximately 55 metres of boundary fencing and the replacement of existing vehicular access gates with 1.8m high green powder-coated weld mesh fence and matching vehicular gates. The boundary fence replacement has been brought about by a spate of serious vandalism at the school over recent months. In order to attempt to secure part of the school boundary along Ash Platt Road, the applicants sought advice from the local community police constable on the most appropriate style of replacement fencing to choose. On the basis of the advice obtained, an application for planning permission for 1.8m high green powder-coated weld-mesh fencing was made to the County Planning Authority.
5. The application is being reported to the Planning Applications Committee on the basis of an objection from Sevenoaks District Council and several residential objections in

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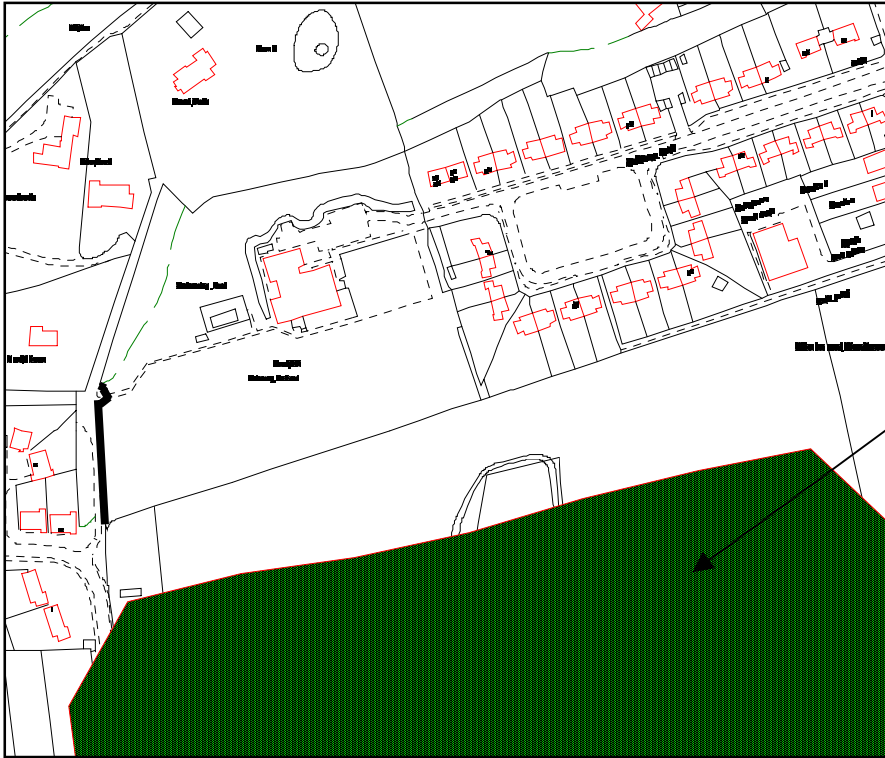
Site Location Plan



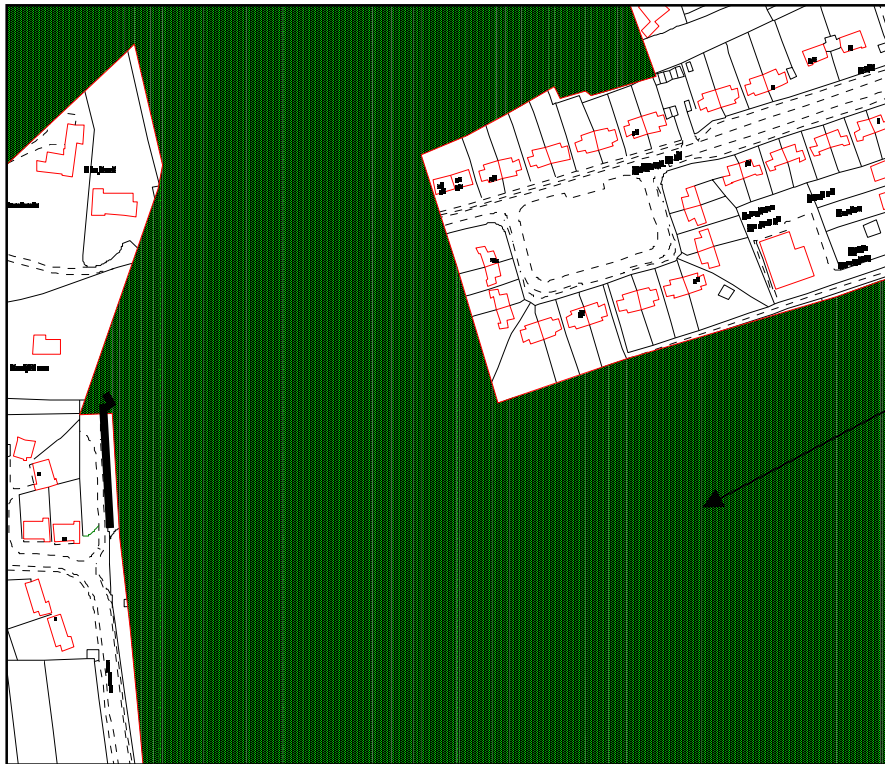
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Scale 1:2500

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Site Context Plans



Area of Outstanding Natural Beauty (AONB)



Extent of Metropolitan Greenbelt

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Not to scale

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relation to the style and design of the fencing being out of keeping with the local environment, and its impact on the Kent Downs Area of Outstanding Natural Beauty and Metropolitan Green Belt.

Planning History

6. There have been no recent planning applications as Seal Primary School to detail.

Planning Policy

7. The Development Plan Policies summarised below are relevant to consideration of the application:

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

Policy SP1 – The primary purpose of Kent’s development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent’s identity and local distinctiveness and promoting healthy, safe and secure living and working environments;

Policy QL1 – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

Policy QL11 – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy EN4 – Protection will be given to the nationally important landscapes of the Kent Downs Area of Outstanding Natural Beauty where the primary objective will be to protect, conserve and enhance the landscape character and natural beauty.

Policy EN9 – Tree cover and the hedgerow network should be maintained and enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.

Policy SS2 – Within the Green Belt there is a general presumption against inappropriate development.

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(ii) The adopted 2000 **Sevenoaks District Council Local Plan**

Policy EN1 – Proposals for all forms of development and land use must comply with the policies set out in the Plan, unless there are overriding material considerations. The following criteria will be applied, amongst other matters, in the consideration of planning applications:

- the form of the development should be compatible in terms of scale, height and use of appropriate materials;
- the proposed development does not have an adverse impact on the amenities of a locality by reason of form, scale and height;
- the design of new development incorporates measures to deter crime;

Policy EN6 – Development that would harm or detract from the landscape character of the Kent Downs Area of Outstanding Natural Beauty will not be permitted.

Crime and Disorder Act 1998

8. The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998, which directs that the Council must have community safety embedded into its planning, policy and operational day to day activity. It requires authorities to assess crime and disorder considerations in their decision making.

Consultations

9. **Sevenoaks District Council:** has raised an objection to the proposed fencing for the following reasons:

“The fence by virtue of the proposed use of materials, design, height and prominence would result in an incongruous, alien feature which would harm the rural character of the area, the setting of the adjoining Area of Outstanding Natural Beauty and visual amenity of the Green Belt. This would be contrary to the Sevenoaks District Council Local Plan Policies EN1, EN6 and GB4”

“The Council is of the opinion that a smaller fence finished in natural materials (timber) with thorny hedging to add security would be more appropriate (as outlined in the Landscape Design Handbook prepared by the Kent Downs Area of Outstanding Natural Beauty Unit and the Kent Design Guide). Sevenoaks District Council is also concerned about the potential loss of trees and hedging”.

Divisional Transportation Manager: has no highway objection to this proposal.

Local Member

10. The local County Member, Mr. N. Chard was notified of the application on the 20 August 2007. Mr Chard commented as follows, “The application for a fence at Seal C of E Primary School has my full support”.

Publicity

11. The application was publicised by posting a site notice at the school entrance with Ash Platt Road, and the individual notification of 20 neighbouring residential properties.

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Representations

12. I have received 3 letters of objection to date with regard to this application. The issues raised have been summarised below as follows:
- Whilst the School's desire to improve its security due to recent vandalism is recognised, improved security procedures to lock the gate are needed. A new gate is not going to be any more secure if it remains unlocked;
 - A 1.8m high green wired fence with a matching gate is not in keeping with a country environment and is totally out of character. I suggest that it would be more appropriate, if a replacement is to be built, for it to be constructed of wood;
 - The current boundary fence, where a replacement is currently contemplated, is made of traditional chestnut paling and is very much in keeping with the character and environment of the area at the west side of the school property;
 - A green welded mesh fence is more likely to resemble a detention centre;
 - I would appreciate confirmation that the existing gate, and any eventual replacement, is intended to be used for emergency access only and not for normal pedestrian or vehicular access;

Discussion

Introduction

13. The development proposes to seek planning permission for a 55-metre section of replacement boundary fencing at Seal Primary School with 1.8m high green powder-coated weld mesh fence. The application is being reported to the Planning Applications Committee as a result of several residential objections and a policy objection from Sevenoaks District Council to the chosen style of fencing design and materials. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (7) above. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the visual impact of the replacement fencing on the Metropolitan Green Belt, on the adjacent Area of Outstanding Natural Beauty, and on the amenities of local residents.

Impact on Green Belt

14. The whole school site is within the Metropolitan Green Belt and in the context of the relevant National Planning Policy guidance and Development Policies that apply, I do not consider this replacement fencing to be inappropriate development in this case. In particular, the prime purpose of Green Belt policy is to maintain the separation of existing areas of urban development by preserving the openness of the countryside in between. In this case, the replacement of an existing boundary fence with largely transparent fencing would have a negligible change to the openness of the wider Green Belt.

Impact on adjacent Area of Outstanding Natural Beauty

15. As outlined in the site context plans (see page 3), the application site lies adjacent to the Kent Downs Area of Outstanding Natural Beauty. Policy EN4 of the Kent and Medway Structure Plan states that "*protection will be given to the nationally important*

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landscapes of the Kent Downs Area of Outstanding Natural Beauty where the primary objective will be to protect, conserve and enhance the landscape character and natural beauty". Similarly, Policy EN6 of the Sevenoaks Local Plan states that "development that would harm or detract from the landscape character of the Kent Downs Area of Outstanding Natural Beauty will not be permitted".

16. In my opinion, given that the fencing proposed is in a relatively well screened location within the existing built confines of Seal, I do not consider that it will adversely affect any potential views into or out of the adjoining AONB. In addition, when considering the chosen style of fencing proposed (1.8m high green powder-coated weld mesh fence) it is considered to be relatively open given the large gaps between the metal wire, as opposed to that of a solid timber-close boarded alternative. For these reasons, I do not consider that an objection on these grounds can be sustained.

Impact on residential amenity

17. Members will note the concerns from various local residents, as highlighted in paragraph (12) above. These have mostly been concerning the chosen style and design of fencing selected for this particular location. The general view from local residents is that the weld-mesh fence will be out of keeping with the local environment, and a timber close-boarded fence would be more matched to that of many local properties boundaries.
18. However, whilst I note that a timber close-boarded fence may be more in-keeping with adjoining residential boundaries, the applicants have stated that this would not be their preferred option given the future maintenance requirements and relatively short life-span as opposed to the metal alternative. It is also worth noting that the applicants have applied for the 1.8m high weld-mesh fence following advice obtained from the Police as to the best way of preventing crime and securing this boundary. This design solution therefore satisfactorily addresses the requirements of Section 17 of the Crime and Disorder Act 1998. As mentioned above, I also consider that the chosen specification would have the advantage of maintaining openness, which a more domestic specification would not do.
19. It is noted that Ash Platt Road leads into a private road past a cul-de-sac of residential properties in Highlands Park. The access road is a narrow, single-file road, off which there is an existing maintenance access to the school grounds. The existing track-way is bordered on the left hand side by timber-close boarded fence (to an adjoining residential property) and to the right by a low-level chestnut paling fence (the boundary of the school grounds), as shown in the attached photographs. In my opinion, given the narrow width of the existing track way which is densely bordered by existing mature trees and shrubs, I feel that closing in a further side would give a dark tunnel-like effect which may be the focus of crime in the future. It is therefore considered that installing a weld-mesh fence to the school boundary would allow views across the school site and track way (and vica-versa) allowing natural surveillance of both areas at all times.
20. Whilst the strong objections to the proposed design and style of fencing have been noted from both local residents, and the District Council in this case, it is my opinion that there will not be any adverse visual impacts to local residents who regularly use this trackway. Accordingly, I do not consider an objection on these grounds can be sustained.

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Alternative solutions

21. As stated above, the applicants have expressed their intentions to retain the originally proposed weld-mesh fence as opposed to an alternative solution such as a timber close-boarded fence. Whilst it is noted that several local residents have concerns regarding this choice of fencing style, it is my opinion that from a visual perspective the chosen style of fencing will more open, hence allowing the greater security of the school site from outside of the school grounds.

Landscaping

22. As part of this proposal, the applicants have stated that no trees or low-level vegetation would be removed, other than some cutting-back in order to install the proposed fence. It is noted that the open mesh style of the chosen fencing would allow vegetation to eventually climb up and minimise the fence's impact on the adjoining trackway. As highlighted in paragraph (1) above, a large number of trees are protected to the north-west of the site by a Tree Preservation Order. It is worth noting that as a result of this development, none of these trees would be removed or adversely affected. In order to ensure that that is the case, I proposed to include a condition on any planning permission that ensures that no trees be removed as part of this development.

23. Given that the existing vegetation planting along the replacement boundary fence location is relatively substantial, and that it is not the intention of the applicants to remove this beyond what is necessary to install the fence, I do not consider that any additional boundary planting needs to be considered in this case.

Conclusion

24. Having regard to the Development Plan Policies, in particular those policies relating to the Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty, in addition to the material considerations raised by both local residents and the District Council, I consider that the replacement of this section of boundary fence is in general accordance with the Development Plan. Whilst I note the views received from the District Council and local residents regarding the style of fencing, I do not feel that a timber close-boarded fence is justifiable over and above the currently proposed 1.8m high green weld-mesh fence. Accordingly, I consider that planning permission should be granted, subject to the following conditions as set out in paragraph (25) below.

Recommendation

25. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the development shall be carried out in such a way to avoid the removal of existing trees and shrubs.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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Photographs



Above: View looking northwards along Ash Platt Road (School boundary fence to right hand side, residential property boundary to the left)



Above: View looking north-eastwards into the school site from Ash Platt Road showing existing gates and chestnut paling fence to be replaced.