

Proposed alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

A report by Head of Planning Applications Group to Planning Applications Committee on 15th May 2019.

Proposed alteration to existing fencing and gates to remove existing 1.2m high staves and replace with 1.5m high matching staves and installation of staves to existing gates at Ide Hill Primary School, Sundridge Road, Ide Hill TN14 6JT - KCC/SE/0014/2019 (SE/19/00247)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Nick Chard

Classification: Unrestricted

Site

1. Ide Hill is located approx. 3 miles south west of Chipstead and 3 miles to the southeast of Westerham. Ide Hill Primary School is located to the north west of the village green, on the Sundridge Road.
2. The school is a grade 2 listed building and is located within the Ide Hill Conservation Area and near to residential properties several of which are also listed. The site is in the Kent Downs Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt. A Public Right of Way (PROW) runs to the south of the school.
3. The application relates to an area of fencing and gates on the eastern and southern boundary of the school.

Recent Planning History

4. The relevant planning history since 2012 is listed below:

KCC/SE/0438/2018 (SE/18/2620) Withdrawn - the replacement of existing vertical hit and miss timber fencing and gates with black metal security fencing and matching gates to a height of 1.8m for safeguarding purposes;

KCC/SE/0049/2018 (SE/18/1121) Granted - Demolition of existing detached modular classroom building and erection of single storey detached classroom building to provide 2 x 40msq teaching spaces;

KCC/SE/0106/2016 (SE/16/1463) Granted - Single storey extension to the southern facade to provide enlarged teaching accommodation (34 sqm);

KCC/SE/0205/2012 (SE/12/1664) Granted - To demolish a mobile classroom and rear extension to school building including existing toilets, changing rooms, corridor and store room and construct a new extension comprising a new multi-purpose hall, kitchenette and hall store, toilets plus a new classroom and link corridor.

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Background

5. The applicant has previously applied for amendments to the existing fencing at the site under the application reference KCC/SE/0438/2018 (SE/18/2620). This was for the replacement of existing vertical hit and miss timber fencing and gates with black metal security fencing and matching gates to a height of 1.8m for safeguarding purposes. However, as a result of objections received the application was withdrawn in order to submit an amended set of proposals. The amended proposals are contained in the planning application now being considered.

Proposal

6. The proposal is for the alteration to existing timber fencing at the site to remove the existing 1.2m high staves in a section of fencing and pedestrian gate at the front (eastern) elevation of the school and replace the 1.2m high staves with new 1.5m high matching staves.
7. To the south of the school the proposal includes the cladding of both sides of the existing gate with 1.5m high fencing staves.
8. A new 1.5m high secure gate is also proposed within the site between the entrance and the playground.
9. The existing fence materials at the site are 1.2m high timber vertical palisade type fencing with matching timber and rails. The proposed materials are the same although 1.5m high.
10. The existing gates are 5 bar (field) style timber gates with galvanised steel fittings and the proposal would modify these by adding 1.5m high staves.
11. The section of fencing at the front of the site, facing Sundridge Road is 11.7m long. The section of gate at the south of the site (which faces residential property to the rear of The Granary), is 7.3m.

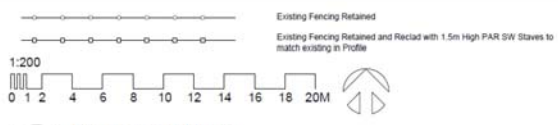
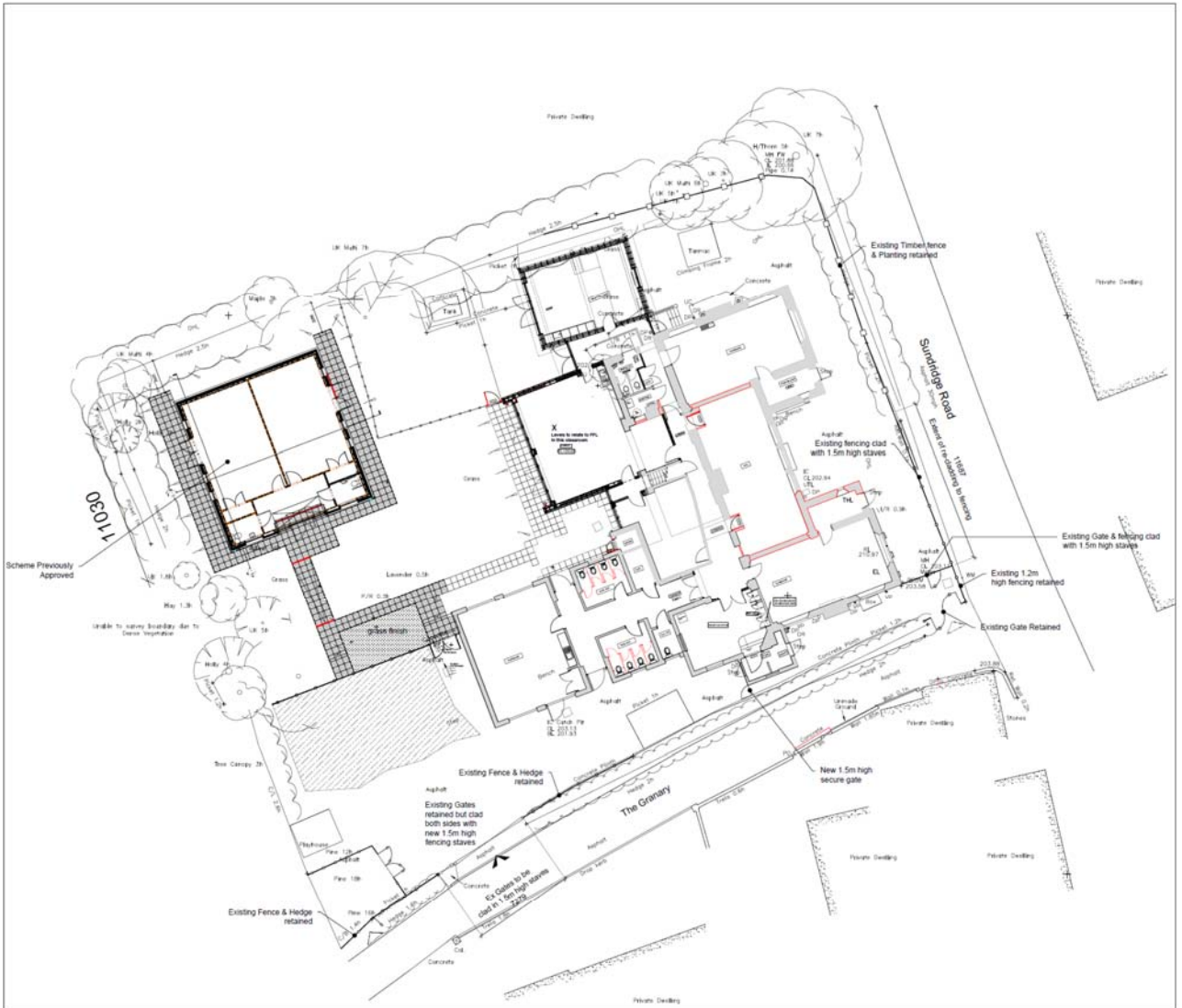
Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Site Location Plan



Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

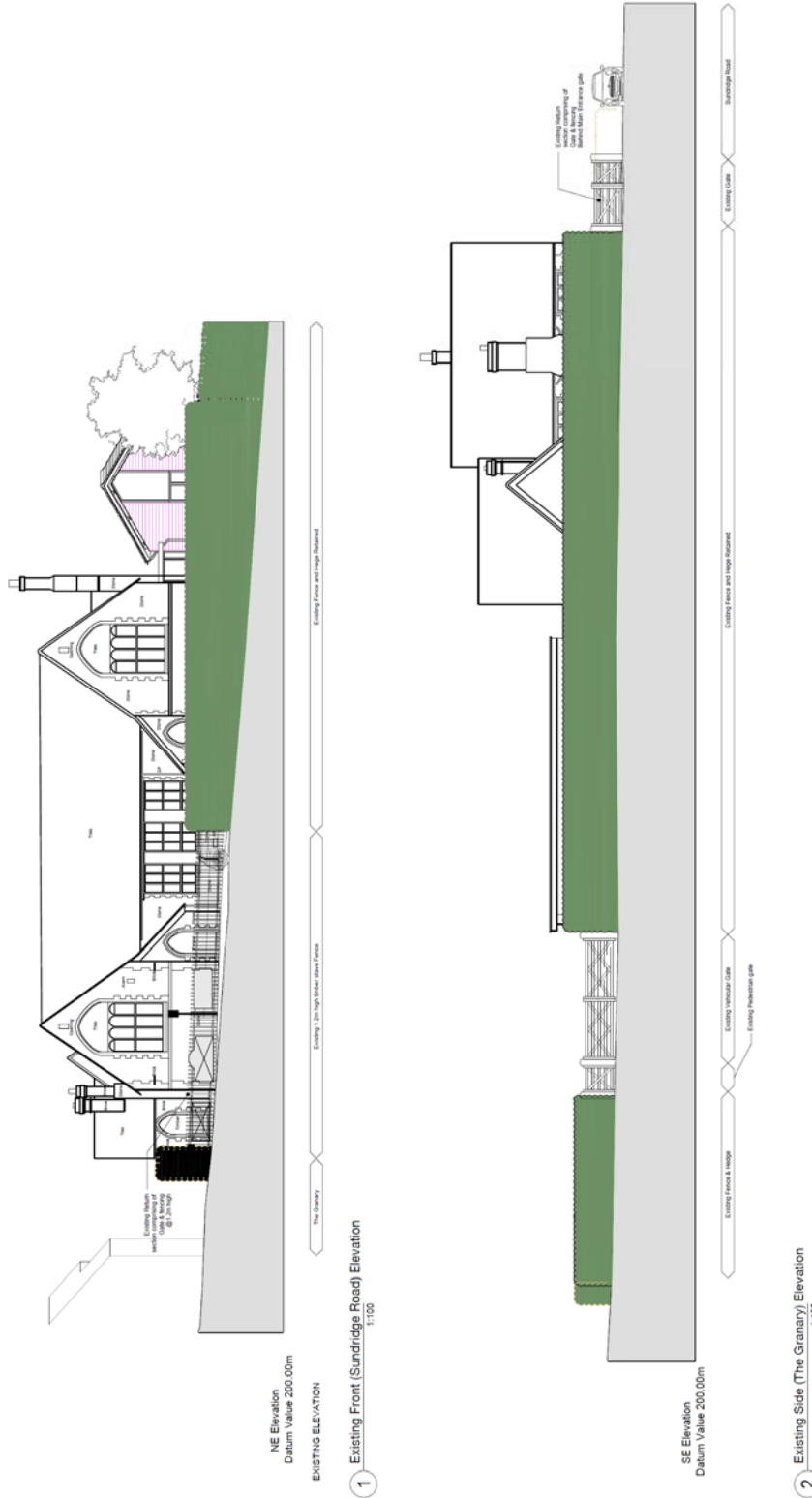
Site Plan – proposed



1 Proposed Plan
1:200

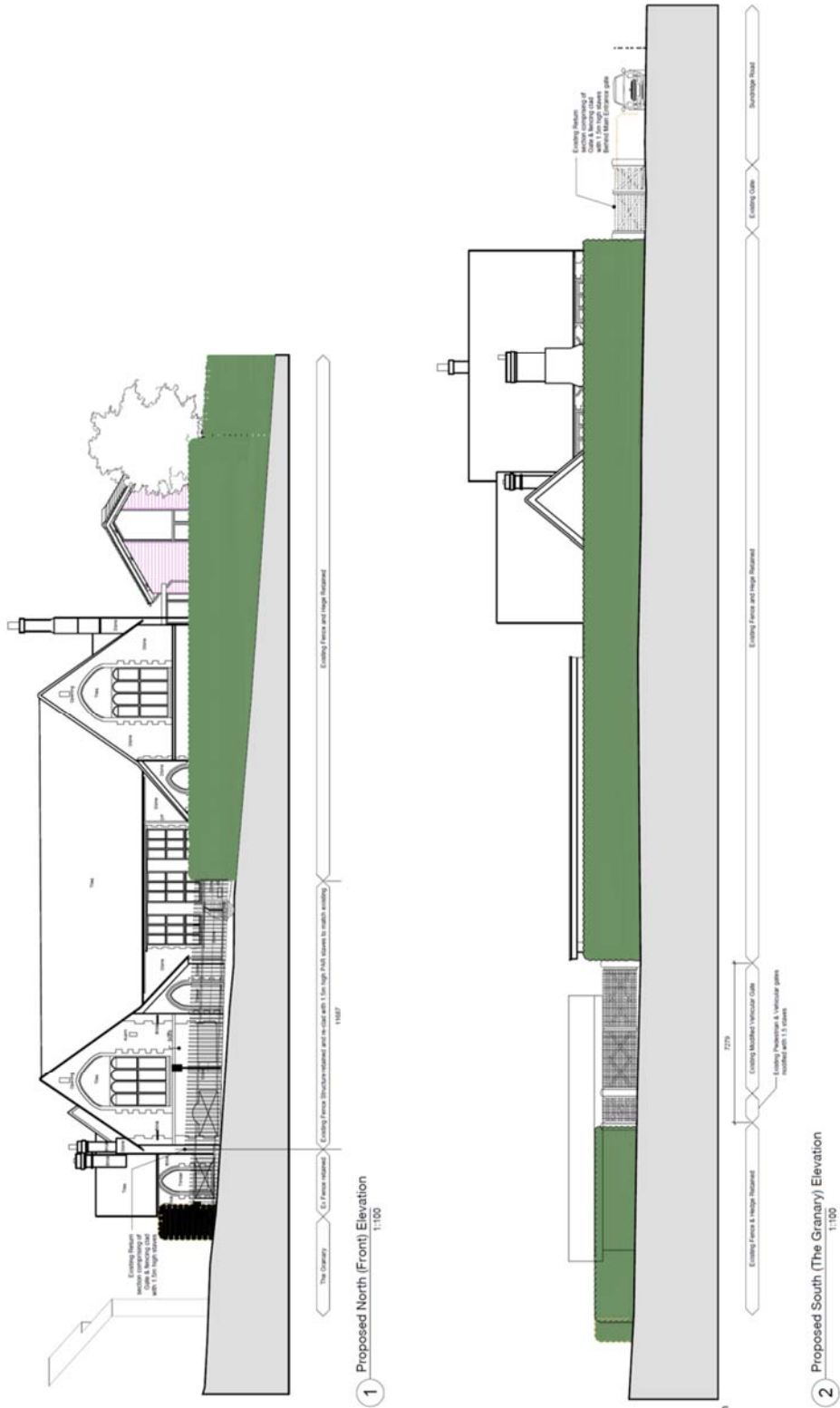
Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Existing Elevations



Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Proposed Elevations



Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Photo showing existing fencing at front elevation



Photo showing existing gates at south elevation



Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

Photos showing sample panel in place next to existing fencing



Planning Policy

12. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:

- (i) **National Planning Policy Framework (NPPF) February 2019** sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance along with the national policy practice guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal,

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

the NPPF guidance and objectives covering the following matters are of particular relevance:

- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Taking a positive approach to applications that make more effective use of sites that provide community services such as schools, provided this maintains or improves the quality of service provision and access to open space and making decisions that promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions;
- Protecting green belt land;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

In addition, Paragraph 94 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.*

- (i) **Policy Statement – Planning for Schools Development (15 August 2011)** which sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. In particular, the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt to improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

(ii) **Development Plan Policies**

Sevenoaks Core Strategy Development Plan (2011)

Policy LO1 – concerns the distribution of development focusing development within the confines of existing settlement with priority given to protecting the rural character of the District. Development will only take place where it is compatible with policies for protecting the Green Belt and the High Weald and Kent Downs Areas of Outstanding Natural Beauty, where relevant.

Policy LP07 – seeks to ensure that new development is of a scale and nature appropriate to the village concerned and should respond to the distinctive local characteristics of the area in which it is situated.

Policy LO8 – seeks to maintain the extent green belt and conserve the countryside and distinctive features that contribute to the special character of the landscape.

Policy SP1 – seeks to ensure that new development is designed to a high quality and responds to the distinctive local character of the area in which it is situated. Account should be taken of guidance adopted by the Council in the form of Kent Design, local Character Area Assessments, Conservation Area Appraisals and Management Plans, Village Design Statements and Parish Plans. In rural areas account should be taken of guidance in the Countryside Assessment and AONB Management Plans. Seeks to

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

ensure that new development is safe, inclusive and attractive environments that meet the needs of users, incorporate principles of sustainable development and maintain and enhance biodiversity. The District's heritage assets and their settings, including listed buildings, conservation areas, archaeological remains, ancient monuments, historic parks and gardens, historic buildings, landscapes and outstanding views will be protected and enhanced.

Policy SP2 – seeks to achieve sustainable development and contribute to reducing the causes and effects of climate change by promoting best practice in sustainable design and construction to improve the energy and water efficiency of all new development and contribute to the goal of achieving zero carbon development as soon as possible.

Allocations and Development Management Plan (2015)

Policy SC 1 – Provides a presumption in favour of sustainable development when considering development proposals. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy EN1 – Seeks to achieve high quality design which responds to the scale, height, materials and which respects the topography and character of the site and the surrounding area and which sensitively incorporate natural features such as trees, hedges and ponds within the site. Seeks to ensure that there is not unacceptable impact on the character of the area and that the design of new buildings and the layout of spaces, including footways, car and cycle parking areas, would be permeable and provide connectivity with neighbouring areas and that the design of new developments would result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour.

Policy EN2 – Seeks to safeguard the amenities of occupants of nearby properties by ensuring that development does not result in, and is not located in areas where occupants of the development would be subject to, excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupants of nearby properties.

Policy EN4 – Seeks to ensure that proposals that affect a Heritage Asset, or its setting, will conserve or enhance the character, appearance and setting of the asset. Applications will be assessed with reference to the historic and/or architectural significance of the asset; the prominence of its location and setting; and the historic and/or architectural significance of any elements to be lost or replaced.

Policy EN5 – Seeks to protect the landscape and scenic beauty of the Kent Downs and High Weald Areas of Outstanding Natural Beauty and their settings. Proposals within the AONB will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.

In addition, the Green Belt Supplementary Planning Document (2015) and the Ide Hill

Alterations to existing fencing and gates at Ide Hill
Primary School - KCC/SE/0014/2019 (SE/19/00247)

Conservation Area Appraisal is a material planning consideration.

Consultations

13. **Sevenoaks District Council** has no objection to the proposal.
14. **KCC Heritage Conservation** has no adverse comments to make on built heritage grounds. They comment that they have been consulted at pre-app stage on this proposal and now viewed the comprehensive documentation accompanying the application and are of the opinion that the approach taken to this project, i.e. by replacing existing staves rather than completely new fencing, in this sensitive position is the right and most pragmatic solution.
15. **Highways and Transportation** has no objection on behalf of the local highway authority.
16. **Kent Downs AONB Unit** has no comment to make to the proposal.
17. **PROW** advise that Public Right of Way Footpath SR237 runs along the route to the south side of the site but do not anticipate it being affected adversely by the raising of the height of the staves to 1.5metres. This seems an entirely proportional response to the need to safeguard children at the school.
18. **Sundridge and Ide Hill Parish Council** did not provide a response however their website includes Planning Committee minutes which state that they have no objection to the proposal.

Local Member

19. The local County Council Member, for Sevenoaks West, Mr Nick Chard was notified of the application on 31st January 2019.

Publicity

20. The application was publicised by the posting of a site notice, newspaper notice and notification of 30 properties.

Representations

21. In response to the publicity for the proposal, 2 letters of representation have been received. One of which supports the amendments as a result of revisions to the original proposal which was withdrawn and the other objects to the proposal. The key points raised are summarised as follows:

- Does not agree that the need for the increase to fence height has been justified and there is no Ofsted requirement to change the fence and there has not been a playground safeguarding incident at the school;
- The proposal would impact on the look of the main front elevation which following extension projects over the years would lead to the loss of other original elevations;
- The front elevation deserves to be protected from modernization and urbanisation works;

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

- The school is in a quiet country village and does not have the issues that a large urban school can have;
- Other local village schools have 1.2m high fences (Oxford and Four Elms);
- Because of the difference in levels between the road surface and the playground the existing palisades are already 1.7m above the road surface;
- The substantial mixed holly and hawthorn fence could be extended, and a temporary fence erected in the interim growing period.

Discussion

22. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 12 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.
23. This proposal is being reported to the Committee due to one local objection. In my opinion, the key material planning considerations in this particular case can be summarised as need, location, design, heritage, green belt and landscape implications and the impact on local and residential amenity.

Need

24. The applicant, (The Governors of Ide Hill CE Primary School) consider that the proposal is needed in relation to health and safety of the school site and the ability to safeguard children that use the school. A previous proposal to increase the height of the fence and gates to 1.8m was withdrawn by the applicant.
25. This application includes a Design and Access Statement and an Education Safeguarding Service Review (November 2018). These detail the recommendation of the KCC Area Education Safeguarding Adviser and the KCC Training and Development Manager for a proposed increase in fence and gate height in areas where there is currently no boundary hedge in place. They also refer to the "good" outcome of the most recent Ofsted inspection (October 2015) and that the School had verbally agreed to make improvements to the height of the front fencing and gate at the rear of the school during the Ofsted Inspection.
26. The Safeguarding Service review identified that the 1.2m fencing at the moment is at a height where children can easily climb over or a parent or visitor can easily reach over to get access to a child. The proposal to increase the fence and gate height in the locations suggested would meet the safeguarding and safety needs of the School.
27. There have been no objections from the District Council or the Parish Council regarding the need for the proposal. Whilst there is one neighbour objection to the proposal that does not agree with the need to increase the fence height, I consider that the Safeguarding Service Review by the KCC Area Education Advisor recommendations demonstrate a need for improvements to the School in respect of safeguarding and safety, irrespective of whether there have been playground safeguarding incidents at the school in the past.

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

28. I therefore conclude that the application demonstrates that improvements to existing arrangements are needed for children safeguarding and safety.

Location

29. The proposal relates to a 11.7m section of existing fencing adjoining Sundridge Road; a small section of fence and pedestrian gate within the site; an existing pedestrian and double gate set measuring 7.3m along the southern elevation opposite residential property to the rear of The Granary and one new pedestrian gate within the Ide Hill School site.

30. The proposed development would be permitted development but for the location which surrounds a listed building. The impact to the listed building is discussed below in relation to heritage.

31. The site is also located within the Metropolitan Green Belt. The NPPF states that the fundamental aim of the Green Belt is to serve 5 purposes: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; assisting in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns and to assist in urban regeneration by encouraging the recycling or derelict and other urban land. One of the essential characteristics of Green Belt is their openness. I consider that the proposal to increase the height of the fence and gates by 0.3m using materials which are very similar to the existing arrangement does not compromise the purposes of the Green Belt designation nor the openness of the Green Belt in this location. The proposed new fencing would be in keeping with the existing area and appropriate to the location.

Design and heritage implications

32. This proposal has been shaped by the Applicant as a result of the views received in relation to the previous planning application in 2018 which was withdrawn by the applicant. That earlier application sought permission for 1.8m high black metal fencing and was met with 21 neighbour objections and objection from the District Council.

33. As a result, the applicant sought pre-application advice for a revised design and agreement to a trial section of proposed increased height of fencing at the front of the school.

34. Drawings have been submitted showing the location of the proposed fencing and existing and proposed elevations. The design has attracted no objection from Sevenoaks District Council or the Conservation Adviser.

35. However, a neighbour representation raises objection to the impact of the proposal to the main front elevation and considers that the "front elevation deserves to be protected from [.....] modernisation and urbanisation works". The representation does not detail any adverse impacts other than in relation to the loss of original elevations on the main front elevation.

36. The location in the Ide Hill Conservation Area requires that proposals should conserve or enhance the character, appearance and setting of the heritage asset. The proposed fencing along Sundridge Road is in a prominent location with views from the village green through the Conservation Area. However, the replacement of the fencing with new

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

staves that at 1.5 metres are only 0.3 metres higher does not in my view adversely affect the character and appearance of the Conservation Area or the setting, historic and/or architectural significance of the Listed Building and therefore the policy requirements of EN4 of the Local Plan and the NPPF are met.

37. The school is grade 2 listed. The listing entry is “1-storey building of shallow U-shape. Each gabled wing has large window, under pointed relieving arch with tile-hung tympanum, with 4 round-headed, transomed lights. Lean-tos on inner returns hold doors under pointed arches. Random rubble masonry, stone dressings in right wing, red brick in left. High pitched tiled roofs. Centre section has 3 grouped, 3-light double-transome windows. All door and window dressings of stone. Domestic quarters behind in narrower parallel span. Later rear additions at South end”.
38. The listing therefore refers to the building itself and not the curtilage features. The fencing is not an original feature. The KCC Conservation Advisor comments in this instance that provided that the modern works are of high quality then they can sit well with a historic building. Timber palisade fencing is well suited to a rural location and the open nature of this fencing proposal will not preclude views to the front elevation. Raising the height of the fencing with like for like materials would not materially alter the front elevation of the building. Notwithstanding the local resident’s view, the KCC Conservation Officer does not consider this proposal to be urbanisation. Furthermore, there has been no objection from Sevenoaks District Council or the KCC Conservation Adviser as to the impact to the listed building nor the Conservation Area.
39. However, as the front elevation is important to the Historic England listing the applicant will need to seek advice from Sevenoaks District Council on the need for Listed Building Consent in relation to the proposals. I am satisfied that this can be requested via an Informative should Members be minded to grant permission for the proposal.
40. Whilst the setting of the school in a rural location is quite different to that of a large urban school, it does not mean that safeguarding and safety of the school is not a consideration in a rural location. The creation of a safe and secure environment and incorporation of adequate security measures and features to deter crime and the fear of crime is a design consideration for all proposals within Local Plan policy EN1. I consider that the proposal seeks to achieve a sympathetic design which meets the needs of the School in terms of safeguarding and health and safety and which also appropriately addresses the location within the AONB and Conservation Area and the listed building setting.
41. In light of this, I consider that the proposed design is acceptable in this location and meets the planning policy requirements relating to design and heritage.

Landscape and tree protection

42. The proposal is the Kent Downs AONB and Policy EN5 requires consideration of the form, scale, materials and design in relation to the AONB setting and that proposals would conserve and enhance the character of the landscape with regard to the Kent Downs Management Plan which is a material planning consideration. The Kent Downs AONB have no comments to make on this proposal.
43. The proposal does not require the removal of any trees or hedges at the site.

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

44. It has been suggested in a representation that existing planting could be extended along the existing fence line instead of replacing the existing fence staves with higher fence staves. It has also been suggested that temporary fencing could be used meanwhile to allow the hedge to grow. However, that is not what has been proposed by the applicant and a decision needs to be made on the proposal that has been submitted to the County Planning Authority. Furthermore, as the playground surface extends to the fence boundary and the narrow highway verge abuts the boundary any planting is unlikely to be practicable.

Transport and Highway Implications

45. The proposal does not give rise to any highway impacts.

Residential Amenity Considerations

46. The proposal does not create any adverse residential amenity impacts and accords with policy EN2. The proposal does not give rise to excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and does not result in the unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties. There have been no objections relating to residential amenity.

Other Considerations

47. A neighbour comment has been received stating that the existing palisades are already 1.7m above the road surface because of the difference in levels between the road surface and the playground. The applicant, in response, advises that the road is on a slope and as a result at one end of the existing fence the difference in levels is 1.7m and that at the other end the top of the fence is 1.2m above the road level. The elevations submitted with the application show that the ground slopes however the photos show that the fencing is installed at the level of the school playground and not the road level. The actual existing fence height is 1.2m. The applicant seeks to increase the fence height to 1.5m as stipulated in the KCC Safeguarding report at the points of maximum vulnerability. Whilst other local village schools may well have 1.2m high fences, this proposal needs to be considered in relation to the information submitted to the County Planning Authority in this application and be considered on its own merits.

Conclusion

48. There is strong national policy support for schools related development. The applicant has submitted information to demonstrate a need for the proposal in areas of the site where the existing arrangements need improvement and have amended previous proposals to suit the setting of the grade 2 listed building in the Ide Hill Conservation Area. This revised proposal has attracted considerably fewer objections than the original proposal.
49. The key considerations in the determination of this application are the impacts to Heritage, Landscape, Green Belt and Design. There has been no objection from the District Council, the Kent Downs AONB Unit or the KCC Conservation Advisor in relation to these matters. The 0.3m taller proposed replacement staves of the timber palisade fencing would be well suited to a rural location. The open nature of this fencing proposal will not preclude view to the front elevation and the features of the building that relate to the listing. I therefore conclude that raising the height of the fencing with like for like

Alterations to existing fencing and gates at Ide Hill Primary School - KCC/SE/0014/2019 (SE/19/00247)

materials would not materially alter the front elevation of the building and is an appropriate design solution.

50. There have also been no objections to the proposals in relation to Public Rights of Way nor Highways and Transportation and the proposal does not adversely impact on residential amenity.

51. Whilst the proposal has received one objection, I consider that the proposal accords with development plan policy in Sevenoaks and with the principles of the National Planning Policy Framework and the Government's planning policy statement on school development. I do not consider that there are any material planning considerations which indicate that permission should not be granted for this proposal. Therefore, my recommendation is that planning permission be granted.

Recommendation

52. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO imposition of conditions covering (amongst other matters) the following:

- The standard 3 year timescale for commencement of the development;
- The development be in accordance with the submitted details;
- The protection of existing trees and hedgerows along the southern and eastern site elevations within the application area.

And Informatives concerning:

- PROW and highways advice
- That the applicant establishes the need or otherwise for Listed Building Consent via Sevenoaks District Council.

Case Officer: Hazel Mallett	Tel. no: 03000 413411
-----------------------------	-----------------------

Background Documents: see section heading
