



Planning Committee

Application Address	Bournemouth School, East Way, Bournemouth, BH8 9PY
Proposal	Erection of fencing and gates
Application Number	7-2021-1260-BA
Applicant	Bournemouth School
Agent	Kendall Kingscot
Date Application Valid	12 April 2021
Decision Due Date	6 June 2021
Ward	Muscliff & Strouden Park
Report Status	Public
Recommendation	Grant subject to conditions which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision
Reason for Referral to Planning Committee	119 objection comments which are contrary to the approval recommendation.
Case Officer	Natasha McCann

Description of Development

1. Planning consent is sought for the a 2.4m high green metal meshwork fence along the northern boundary extending to the eastern boundary and replacement entrance gates.

Key Issues

2. The main considerations involved with this application are:
 - Impact on character and appearance of the area
 - Impact on heritage assets
 - Impact on neighbouring amenity
 - Impact on trees
 3. These points will be discussed as well as other material considerations below.
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Planning Policies

Core Strategy (2012)

- CS1: NPPF – Presumption in Favour of Sustainable Development
- CS2: Sustainable Homes and Premises
- CS4: Surface Water Flooding
- CS5: Promoting a Healthy Community
- CS6: Delivering Sustainable Communities
- CS18: Increasing Opportunities for Cycling and Walking
- CS31: Open Space
- CS40: Local Heritage Assets
- CS41: Quality Design

District Wide Local Plan (2002)

- 3.20 Contaminated Land
- 4.25: Landscaping
- 5.33: Educational Uses
- 7.19: School Playing Fields

Supplementary Planning Documents:

Sustainable Urban Drainage Systems (SUDS) - PGN
Bournemouth Parking – SPD

The National Planning Policy Framework (2021)

Paragraph 8 new development to meet sustainable development principles and social, economic and environmental need

b) a Social objective:

...by fostering well designed beautiful and safe places

c) an environmental objective:

to protect & enhance our natural, built and historic environment

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Part 2 Achieving sustainable development

Part 4 Decision making

Part 8 Promoting healthy & safe communities

Part 11 Making effective use of land

Part 12 Achieving well designed places

110. In assessing ...specific applications for development it should be ensured that:

c) design standards reflect National design guide and national model design code

125. Design guides can be used to help ensure land is used efficiently while also creating beautiful and sustainable places

126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve

127 & 129 reinforce need for design guidance to inform new development to achieve beautiful and distinctive places taking into account national design guide and national model design guide & and national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

130. *Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

134. *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.*

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.*

Relevant Planning Applications and Appeals:

7-2020-1260-AZ: Alterations and replacement of front entrance double doors to south elevation: Granted 22 February 2021

7-2004-1260-AH: Alterations and two-storey extension to school. Granted: 27 July 2004

7-2009-1260-AC: Alterations and single-storey extension to sports hall. Granted: 21 June 1999

7-1997-01260-Z: Erection of a Sport Hall. Granted: 13 October 1997

7-1996-01260-W: Alterations, first floor extension and erection of a single-storey building to form additional classrooms. Granted: 23 September 1996

7-1994-01260-S: Erection of two-storey block of 6 classrooms and siting of a temporary classroom. Granted: 20 December 1994

7-1994—1260-R: Alterations and first floor extension to school and erection of external staircase. Granted: 21 March 1994

7-1994-01260-Q: Erection of Sports Hall and access road to East Way. Granted: 19 December 1994

Representations

4. 4 site notices were posted in the vicinity of the site which included one on Uplands Gardens, two on Charminster Road and two on West Way; and a press advert advertised on 30/04/2021 with an expiry date for consultation of 04/06/2021.
5. 119 letters of objection have been received. The objection comments are summarised below;
 - Impact on movement of wildlife and detriment to the natural environment
 - Loss of access for the public for recreational activities and shared space such as dog walking, exercise and sports
 - Loss of space for young people to spend time which may lead to anti-social behaviour
 - The area will be under used during the school holidays
 - Loss of habitats
 - No evidence of safety concerns which have raised questions as to why the fencing is needed
 - Disrepair of land
 - Harm to the visual amenity of the area
 - Increased levels of wind and noise
6. 20 letters of support have been received. The support comments are summarised below;
 - Increased levels of security for the school
7. The comments received will be taken into consideration during the assessment of the application and discussed further below.

Consultations

8. Heritage officer – The heritage officer states that a more traditional style metal railing of a lesser height would be preferable, however any harm to the setting of the designated and non-designated heritage assets is deemed slight and the benefit of safeguarding the public is acknowledged. Furthermore, the heritage officer notes that this type of fencing is not uncommon surrounding school sites and also the meshwork style would allow for permeability through and as such, on balance the proposed is not considered to result in a level of harm which would equate to an objection. The heritage officer also states that the boundary with the church is well treed which will help screen the replacement fencing from the listed building, with the green colouring going a small way to help it blend in.
 9. Tree officer – No objection subject to compliance with arboricultural method statement.
 10. Rights of way officer – No objection however notes the site will be further assessed if a claim is made.
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Constraints

11. TPO, affects the setting of a listed building and the original school building is locally listed.

Planning Assessment

Site and Surroundings

12. Bournemouth School stands on the north side of East Way. It occupies a severely restricted plot that is encompassed by woodland to both the sides and rear; these trees are covered by an Area and Woodland Tree Preservation Order. The main school building is locally listed whilst St Francis of Assisi Church to the west is Grade II listed.

Key Issues

13. The proposed development comprises a 2.4m high green metal meshwork fence along the northern boundary extending to the eastern boundary and replacement entrance gates.

Principle of development

14. Paragraph 97 of the NPPF, under the heading of 'Promoting healthy and safe communities', states;

'Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and

b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.'

15. The weight attached to education is acknowledged in the assessment of this application as a whole and particularly in the event that harm is identified.

Impact on character and appearance of the area

16. Bournemouth School occupies a heavily constrained site with the school's layout largely cramped together surrounded by woodland to the rear and sides which appears to consume the site; this is readily apparent in aerial views. The proposed fencing would be located along the northern boundary extending to the eastern boundary set back from the principal elevation of the main school building. Amended plans have been received which has removed the initially proposed western element of the fence which would have extended to the front of the school building. The removal of this element of the fencing is considered to reduce the visibility of the fence when viewed from the highway reducing the impact of the proposal on the visual appearance of the site or its setting.
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17. The proposed fencing which would be located along the eastern boundary of Grade II listed Church of St Francis of Assisi is noted to be largely obscured by the lush vegetation present and therefore, as agreed by the heritage officer would not result in any detrimental harm in this regard however this will be further assessed within the heritage section of the report. The proposed fencing in its entirety would be largely shielded from the public realm by virtue of the rearward position together with the densely vegetated characteristics of the copse woodland area. Attention is given to the views of the surrounding dwellings which border the site, however given the existing boundary treatments present, the introduction of permeable fencing outside of the existing boundaries would not result in an increased level of bulk or mass which would harm the character of the area or setting on the properties. The proposed replacement gates are also noted to be constructed in materials which are common within school/education settings and therefore not considered to be at odds with the context of the site. Additionally, the replacement nature of the gates would measure similar scales as that of the existing gates and are therefore acceptable in this respect.
18. The proposed fencing design would be of a meshwork style which would allow for permeability reducing bulk and mass of the fencing retaining a level of visibility between the woodland and existing boundary treatments boarding the site. The proposed design together with the use a neutral green colouring is considered to blend well with surrounding context of the site in a manner which would not detract from the character of the site. Whilst the proposed height of 2.4m is larger than that of normal fencing which is common along the rear boundaries of the surrounding properties, it would not appear jarring against the existing boundary treatments given the topography of the site. The position of the fencing against the treed nature of the woodland and the level of shielding from the trees on site which would largely be retained and maintained as per the arboricultural method statement which will be ensured by condition. Attention is also given to the replacement nature of parts of the fencing which would replace existing boundary treatments which have since fallen into disrepair including some parts which have collapsed in their entirety resulting in an unattractive and unsafe area within the school grounds. As such, the new fencing is considered to be more practical for both safety and future maintenance of the site.
19. Consideration is also given to the need for the fencing which is to provide additional security for the school and its grounds. Additional information in the form of a report from the Crime Prevention and Design Advisors Prevention Department at Dorset Police has been submitted alongside the application which supports the requirement of the additional fencing and gates. The report concluded that new fencing and gates was the most viable option to ensure better security of the site. This would include help promote a healthy and safer community which would comply with the standards set out within the NPPF.
20. For the reasons above it is considered that the development would meet the aims of Policy CS41 of the Bournemouth Local Plan: Core Strategy and the NPPF in relation to character and design.

Impact on Heritage

21. The original school building is of local importance in Bournemouth and on the Council's list of buildings of local interest and is thus a non-designated heritage asset. The description reads:

'An excellent example of the modernist low horizontal architecture introduced shortly before World War 2, stylistically it moves forward from Art Deco into the International style. This uncompromisingly functional design is softened by the addition of the clock tower. The

choice of orangish brick topped with a low orange pantile roof has weathered well. The new school was moved into just as War broke out in September 1939'.

22. Paragraph 203 of the NPPF states *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining planning applications....'* thus the status of the school is a material planning consideration. Paragraph 203 further states *'...In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*. Policy CS40 is applicable; this states that the Local Planning Authority will protect local heritage assets by only supporting development that sustains or enhances the significance of heritage assets. Further, where a proposal for alteration, extension or demolition is likely to affect a local heritage asset or its setting, an assessment of the asset and the impact of the proposal will be required.
 23. The woodland setting in which the school is appreciated is thus important and the pockets of soft landscaping to the front and the woodland to the sides/ rear are key positive elements of the significance of the setting of the school. As discussed above, given that the fencing would not be immediately visible from the public realm, would to an adequate degree blend well with the context of the site and would be designed in a manner which would relate well within its setting. As such, the proposed fencing is considered acceptable in regard to design and impact on character.
 24. The school site also forms part of the setting of a designated heritage asset comprising the listed St Francis of Assis church and its associated buildings to the west on Charminster Road. Whilst the church is within an urban context, the strong presence of trees and soft landscaping across the application site positively contributes to its setting. This dense band of mature trees also provides screening. It is important that this mature band of trees is not detrimentally impacted through any works to the school. In this regard, paragraph 199 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Furthermore, paragraph 200 of the NPPF states that any harm to the significance of a designated heritage asset, including its setting, should require clear and convincing justification. Further, at Section 66, the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the requirement to have special regard to the desirability of preserving a listed building or its setting. At a local level, policy CS39 states that the Local Planning Authority will seek to protect designated heritage assets from proposals that would adversely affect their significance.
 25. On balance, the fencing would be set back from the frontage of the site and largely unseen when travelling along East Way, is designed in a manner which is considered to reflect the context of the site and would be largely screened from the adjoining site in which the Grade II listed Church of St Francis of Assisi is located. On this basis, the proposal is not adjudged to result in any harmful impact to the setting of this designated heritage asset with planning conditions also helping to safeguard this level of tree screening.
 26. The scheme results in less than substantial harm to the heritage asset. Applying the guidance in paragraph 202 of the National Planning Policy Framework (2021), this impact must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The scheme will not impact on the ongoing use of the building as a church, which is considered to be its optimum use and the public benefits in this case are considered to outweigh any harm to the heritage asset. On the basis of the
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details submitted, the proposal is not considered to result in detrimental harm to the listed St. Francis of Assis Church and its associated ecclesiastical buildings in accordance with CS39.

Impact on neighbouring residents

27. Neighbouring dwellings which boarder the north and north-west of the site are located an appreciable distance from the proposed fencing – the properties to the north in Uplands Road having sizeable back gardens and are 25m-plus from the proposed fence. Thus the proposal is not considered to result in any adverse harm to residential amenity. For the reasons above it is considered that the development would meet the aims of the Bournemouth Local Plan Policy CS39, Core Strategy and the NPPF in relation to protecting neighbouring amenity.

Impact on trees

28. The proposal will result in the loss of a small number of trees that are all low category due to poor condition or location however the arboricultural method statement has detailed specific precautions to protect the retained trees which has been agreed by the arboricultural officer. It is concluded that the proposal will have no long term detrimental impact on tree health or the contribution of trees to the character of the wider setting. A condition will be added to ensure the arboricultural method statement is implemented in full unless otherwise agreed in writing by the local planning authority.

Response to public consultation comments

29. As noted above, 119 objection comments have been received. The most frequently noted concern was regarding the loss of access for the public to the woodland for recreational use including but not only, dog walking, exercise and sporting activities. Whilst it is appreciated that the loss of such shared recreational space is regrettable, the proposed position of the fencing is located within the ownership of the school and as such, is afforded the option to alter or extend within the land in question subject to the approval of planning which has been assessed above. Given that the current use for recreational use is unauthorised, limited weight is given to this objection comment. It is also noted that no Rights of Way claims have been submitted.
30. The objection comments have also raised the concern that the proposal would result in detriment to the natural environment and harmful impact on the movement of wildlife. Consideration has been given to this argument, however given that the fencing would be constructed largely alongside existing boundary treatments (such as neighbouring fencing), it is not found that the proposal would result in a level of detrimental harm to the habitats on site. As per the tree officers' comments, a condition will be added which will ensure compliance with the arboricultural method statement in which supports the retention and strengthening of the habitats on site. Therefore, this concern is considered to have been adequately addressed and not found to result in a level of harm which would warrant refusal.
31. The concerns raised also state that the confinement of the woodland will mean that copse area will not be used during school holidays. This is not considered to result in a material planning consideration which would outweigh the benefits of the proposal. Several of the objection comments also stated that the need for more security within the site has not been established and no evidence provided. However, following conversations with the agent of the application, additional information in the form of a letter from Crime Prevention and Design Advisors Prevention Department within the Dorset Police Department established
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that areas of the site were in a poor state leading to safety issues and following incidents recorded in relation to the woodland, it was concluded that the most viable option to ensure better security and subsequent better safety of the site was to erect new fencing and gates as proposed. The evidence proposed is considered to adequately support the need for better security on the site.

32. The objection comments also raised concerns regarding impact on visual amenity however as established above, the proposal is not considered to result in a level of harm to the character of the area or designated or non-designated heritage assets which would warrant refusal. An objection comment stated that the proposed fencing would result in increased levels of wind and noise however given that the existing woodland would be largely retained and maintained where possible, it is not considered that the wind and noise levels would substantially increase.
33. Cumulatively, whilst the concerns raised have been taken in to consideration, the objection comments do not outweigh the benefits of the proposal in relation to security and safety and as such are not considered to overturn the approval recommendation.

Planning Balance

34. Planning permission is sought for the erection of fencing and replacement gates. The NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter school places thus there are significant merits attached to the proposal. On balance, it is considered that the great weight afforded to the proposal by virtue of the NPPF in relation to security of the education site would outweigh the objections raised. It is considered that the proposed fencing and gates would not result in detrimental harm to the character of the area, designated and non-designated heritage assets, neighbouring amenity and trees and as such should be recommended for approval.
35. Therefore, having considered the appropriate development plan policies and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring occupiers and would be acceptable in terms of impact on trees and heritage assets. The Development Plan Policies considered in reaching this decision are set out above.

Recommendation

1. Development to be carried out in accordance with plans as listed

The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing 2002 P3: Proposed site plan: Received 4th of August 2021
Drawing 2001 P3: Proposed site plan: Received 4th of August 2021
Drawing 2003 P3: Proposed site plan: Received 4th of August 2021
Drawing 1400 P1: Proposed elevations: Received 13th of April 2021
Drawing 1151 P1: Existing site plan: Received 13th of April 2021

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Materials as Specified

The materials to be used on the external surfaces of the proposed development shall be as specified on the application form and drawing 1400 P1 received 13th of April 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

3. Tree Protection

The tree protection measures as detailed in the arboricultural method statement dated 9th of November and prepared by Barrell Tree Consultancy shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).
