

Application Number:	P/FUL/2022/02962		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Harbour Vale School Simons Road Sherborne Dorset DT9 4DN		
Proposal:	Install a 3m high twin mesh fence and 1 x No. gate. The fence line will sit inside of the existing fence (iron fencing on top of a brick wall which will remain in situ).		
Applicant name:	SAST		
Case Officer:	Annabel Cox		
Ward Member(s):	Cllr Andrews		
Publicity expiry date:	6 July 2022	Officer site visit date:	
Decision due date:	4 August 2022	Ext(s) of time:	

1.0 This application is called to committee due the site being Dorset Council Owned land.

2.0 Summary of recommendation:

Grant, subject to conditions

3.0 Reason for the recommendation:

- The National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is acceptable and complies with relevant policies.

Scale, design, impact on character and appearance	The proposed fence has a visual impact, being significantly higher than the existing boundary wall and fencing. However, the proposal is not considered detrimental to the site or locality and the public benefit outweighs these impacts. In addition to this, the boundary wall and fence will be retained to preserve the existing features and will therefore be read as a secondary measure to provide security.
Impact on amenity	The proposed fencing does not have a significant impact on neighbouring residential amenity.
Road Safety	It is considered that the proposal will not compromise road safety subject to the attached conditions.

5.0 Description of Site

The application site concerned in this application is located in the northern part of Sherborne, where Simons Roads meets Harbour Way. The locality is primarily residential with Sherborne Primary School being to the north east of the site. The site does not lie within a Conservation Area or AONB but is within Sherborne development boundary.

Harbourvale School is a newly formed school, playing an important educational role for children ages 11-16 years. The existing site comprises of an attractive brick-built building under a slate roof with UPVC double glazed large windows, formerly a primary school building. The building is thought to date back to the 1910's to cater for the growing demand of the town. The building has been altered over time and evolved to cater for the educational needs to the local population. The site benefits from an outside area for recreation and the existing boundary is a low-level brick-built wall and black metal railing.

6.0 Description of Development

This application seeks to erect a 2.33m black fence along the boundary of the site facing Harbour Way and Simons Road. A pedestrian gate will be included along Simons Road. To the north of the site, the existing timber fencing will be removed and replaced with green mesh fencing 1.93m. A further internal mesh fence (black) is proposed (1.93m high), separating the outside areas.

7.0 Relevant Planning History

WD/D/20/000376- Erect single storey reception and classroom building, new entrance gate and renovation works to the existing building including new rooflight-
Granted

1/N/88/000422 Erect extension and make alterations- Granted

8.0 List of Constraints

Somerset Levels Hydrological Catchment (Phosphates)

Risk of Surface Water Flooding Extent 1 in 1000

Areas Susceptible to Groundwater Flooding; Clearwater; < 25%;

Areas Susceptible to Groundwater Flooding; Clearwater and Superficial Deposits Flooding; < 25%;

Site of Special Scientific Interest (SSSI) impact risk zone;

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. **DC - Highways – No objection subject to conditions.**
2. **Sherborne Town Council- No response**
3. **Sherborne East Ward Member - No response**

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	0	0

10.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

As far as this application is concerned the following policies are considered to be relevant.

- INT1- Presumption in favour of Sustainable Development
- ENV1 – Landscape, seascape & sites of other geological interest
- ENV 9- Pollution and Contaminated Land
- ENV10 - The landscape and townscape setting
- ENV 12 – The design and positioning of buildings
- ENV 16 – Amenity
- SUS 2- Distribution of development

National Planning Policy Framework

The relevant chapters of the NPPF include:

Part 2- Achieving sustainable development.

Part 4- Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Part 12- Achieving well-designed places.

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

This school provides specialist provision to students that cannot attend mainstream provision, and may have protected characteristics. The provision of the fence would ensure that safeguarding arrangements at the school are sound, and that the safety of the students is maintained. For these reasons, if the fence was not provided, this would have a negative impact on persons with protected characteristics.

13.0 Planning Assessment

Principle of development

The proposed development seeks to erect 2.33m fencing along Harbour Way and Simons Road as well as the replacement of a timber fence and installation of an internal fence, to increase the security of the school. The proposed fencing is secondary, and the existing wall and black metal railings will be retained. The principle of development is acceptable and complies with relevant policies.

Design

The proposed fence has a visual impact, being significantly higher than the existing boundary wall and fencing. However, the proposal is not considered detrimental to the site or locality and the public benefit outweighs these impacts. In addition to this, the boundary wall and fence will be retained to preserve the existing features and will therefore be read as a secondary measure to provide security. The proposed

development would not have a significant adverse impact on the visual amenities of the site or locality.

Amenity

Due to the openness of the mesh fencing and distance between the site and neighbouring residential properties, the proposed development is not considered to result in any unreasonable loss of amenity. The proposed fencing does not have a significant impact on neighbouring residential amenity.

Road Safety

It is considered that the proposal will not compromise road safety subject to the attached conditions.

14.0 Conclusion

The proposed development complies with the policies of the adopted Local Plan and the relevant sections of the National Planning Policy Framework as already listed.

15.0 Recommendation: Grant, subject to the conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
101 Location and Site Plan
102 REV 3 Harbour Vale School Block Plan and Elevations

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

2. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3. Any entrance gates must be hung so that the gates do not open over the adjacent public highway.

Reason: To ensure that any gates do not cause a safety hazard on the highway.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and

- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

-The application was acceptable as submitted and no further assistance was required.

2. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.