

Report to: **Planning Applications Committee**  
Date: **14 October 2020**  
By: **Director of Planning**  
Local Authority: **Lewes District Council**  
Application Number: **SDNP/20/01664/FUL**  
Applicant: **Mr Darren Guyett**  
Application: **Installation of new main entrance gates (1 x vehicular and 2 x pedestrian) associated fencing and dropped kerbs.**  
Address: **Wallands Community Primary School,  
Gundreda Road,  
Lewes,  
BN7 1PU.**  
Recommendation: **That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.**

## **Executive Summary**

This planning application has been made on behalf of East Sussex County Council Children's Services for the provision of new main entrance gates and associated fencing to Wallands Community Primary School.

### **1. Site Description**

1.1 The application site is a Community Primary School situated at the northern end of Gundreda Road, Lewes. It is in the South Downs National Park (SDNP) but is not a Listed Building, nor is it in a Conservation Area.

### **2. Proposal**

2.1 The proposed works are to install new automated gates to the main entrance to control vehicular and pedestrian access and egress, with associated fencing and pavement works. The entrance is currently mostly ungated as the previous gates require replacing due to their deterioration (one brick pier no longer exists and half of the vehicle entrance gate is missing as a result). Due to the design of the "existing" gates (approx. 1 - 1.5m high and of a wooden strut construction) they do not provide any control of school traffic or offer any protection to school users. This proposal seeks to install more suitable gates and fencing to provide the level of security desired by the applicant in line with their measures to improve safeguarding at the school.

### **3. Relevant Planning History**

LW/08/0772 (Application Approved) - Retention of existing temporary access from Nevill Road with permanent turf and topsoil covering on school site together with construction of tarmac apron. Work to include erection of gate and fence to match height of existing boundary fence: all to form fire access road.

## **4. Consultations**

### **East Sussex County Council - Highways**

No objection to this planning application.

#### Access

The existing driveway and layout is to be retained. The proposed vehicular gates and the western pedestrian gate will be automated. The eastern gate will be manually operated.

During the hours of 07:00 - 09:00 and 15:00 - 18:00 both pedestrian gates and the vehicular gate will remain open for free access to the school by pedestrians and vehicles. Outside of these hours the gates will remain closed, the western pedestrian gate and vehicular gate being operated by security fobs for staff and via an intercom for visitors.

A pedestrian dropped kerb has been provided in front of the main gates to enable pedestrians to conveniently cross the road to use the western pedestrian gate during times when the eastern pedestrian gate is locked.

### **East Sussex County Council - Early Years Development Childcare Partnership**

None received.

### **Parish Council Consultee**

Members considered views of neighbours and others and noted that this application for increased security gates at the entrance to the school is poorly considered for the majority of families who approach from the Northern and Eastern sides of the school.

Pedestrian access on the right will be removed, meaning that children and their families arriving from Landport via Hill Road or Gundreda Road will have to cross in front of queuing and turning traffic.

Members concur with neighbours predictions that there will be an increase in noise and pollution from queuing traffic.

It was noted that neighbours were surprised that they had not been informed or consulted on these plans, and Members question whether the required publicity was carried out.

Officer comment – the application benefitted from press and site notice as well as neighbour consultation in accordance with the requirement. As a result 14 neighbour representations were received and therefore it is not considered that no prejudice has occurred.

## **5. Representations**

14 objections from neighbours and local residents:

- Traffic congestion

- Air pollution
- Noise pollution
- Design
- Parking
- Pedestrian safety
- Alternative access

## 6. Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs Local Plan 2014-2033** and any relevant minerals and waste plans. Other plans considered:

### Lewes Neighbourhood Plan

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

## 7. Planning Policy

### **Relevant Government Planning Policy and Guidance**

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

### **National Planning Policy Framework (NPPF)**

The following National Planning Policy Framework documents have been considered in the assessment of this application:

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD19 - Transport and Accessibility
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources

Consideration also given to Policies contained within the Lewes Neighbourhood Plan.

### **Partnership Management Plan**

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years.

## **8. Planning Assessment:**

### Site:

8.1 Wallands Community Primary School is located in the North West area of Lewes and is accessed via Gundreda Road. The school is the termination point at the northern end of Gundreda Road. The main school building is set back from the main road by an access road and car park and consists mainly of two storey, flat roof buildings.

### Proposal:

8.2 The proposal is for the installation of automatic entrance gates (of a vertical rail design) for vehicles and pedestrians at the school entrance from Gundreda Road on the site of the old entrance gates which only partially exist and replacing a section of existing fencing to the east of the proposed gates with railings to match the gates.

8.3 The proposal also includes the installation of two dropped kerbs to assist pedestrian crossing either side of the vehicle gate. Two existing brick piers are to be retained and one removed (one previously demolished). The gates are to be set back from the previous gate point by approx. 3m with railings either side (1.8m high) with a pedestrian access either side of the vehicular gate. The west pedestrian access (1.8m high x 1.23m wide) and the vehicular access gate (1.8m - 2.08m high x 3.25m wide) will open inwards and be have access controlled by an audio link to the main reception, the eastern pedestrian gate (1.8m high x 1.43m wide) will be manually operated. The school logo is to be positioned centrally on the upper half of the vehicular access gate. The railings to the east of the gates from

the brick pier to the boundary will be 1.8m high x 1.7m wide. The intercom for the western pedestrian gate will be located on / by the railings between the gate and the brick pier, the intercom for the vehicular gate will be positioned on the pavement level with the brick piers to allow ease of use for drivers. The pedestrian gate PTE (push to exit) post and the vehicle photo beam posts are located within the school grounds and are not higher than the gates or fencing.

#### Access:

8.4 It has been suggested within local objections that the fire access road approved under application LW/08/0772 be used instead of the Gundreda Road entrance as the main access and egress for the school. This suggestion does not form part of this planning application assessment. The site of the proposed works is clearly indicated on the submitted Block Plan (reference: P-100-01).

8.5 During normal school days the gates are proposed to be open between 7am - 9am and 3pm - 6pm to allow for normal access and egress and as such there is not likely to be any worsening of congestion than would currently be the case during these hours. Between 9am and 3pm the gates will be closed and access authorised by the school reception via the intercom. After 6pm the gates will be closed and access would only be granted (automatically) to those with a security fob, this would be the same for weekends and school holidays.

8.6 Due to the gates being set back from their previous position there will be sufficient space to accommodate one, possibly two vehicles awaiting entry without restricting access to the immediate neighbours driveways. Should there be more than two, or the vehicles be of a longer than average (4.5m) length then any impact (emissions / noise / resident driveway access) will be limited to the time between access granted and the entrance of each vehicle. The time between requesting access and access being granted is anticipated as extremely low and therefore further consideration of air pollution as a result of this proposal is not deemed warranted. However, it is suggested that a sign be placed requesting the drivers turn off their engines should they be required to wait for longer than would be considered normal. The applicant has stated that there will be no change to the available car parking within the school grounds and as stated previously, the impact of vehicle emissions on local air quality as a result of this development is not considered to be significant, however, it is thought appropriate that an Electric Vehicle Charging Point is conditioned to be installed within the school grounds.

8.7 The distance between the school gates and the immediate neighbour's dwellings is a minimum distance of 9m and any noise created by the mechanical operation of the gate and / or the intercom are not thought likely to be of a level to cause concern considering the frequency of use and noise regulations. In addition a flashing safety beacon is to be installed as part of this proposal. Further information/ clarification will be sought regarding the beacon and potential noise by way of condition.

8.8 This proposal has been revised during the assessment process by the applicant to include dropped kerbs to assist pedestrian crossing between the two paths over the vehicular access entrance. This element combined with the close proximity of a streetlight, the warning beacon and speed bumps just beyond the vehicular access within the school grounds are considered sufficient safety elements and features for pedestrian safety when using the paths inside and outside the school gates. It is noted that the ESCC Highways have no objection to this proposal.

8.9 The design of the gates and fencing is proposed as framed vertical steel railings which will be powder coated to an as yet undermined colour which will require approval by discharge of condition. It is thought that the gates have been designed to a high standard and of an appropriate scale to serve their intended purpose and therefore accord with the Local Neighbourhood Plan policy PL2.

8.10 The location of the school means that the gates are likely to be viewable only by the residents of Clare Road as they access Gundreda Road, the residents of the section of Gundreda Road that forms the access road to the school, anyone passing across the junction of Gundreda Road and Fitzjohns Road as well as school users. Due to its set back location, the access road not being a thoroughfare, and in addition to Gundreda Road and Fitzjohns road not being considered to have high non-local residential or non-school related pedestrian traffic it is not thought that this development would be highly visible to the general public.

8.11 The installation of the proposed gates and associated works will allow the School to continue to operate whilst improving the protection it offers to its users by controlling access and egress, which will reduce the possibility of unauthorised personnel entering the school grounds, and also reduce the possibility of school users leaving without permission during core hours. The gates and fencing have been designed to serve this purpose whilst being as unobtrusive and aesthetically sympathetic to the local area as thought reasonably possible (some elements to be approved by condition). In combination with the traffic and pedestrian management and the conditioned future installation of an Electric Vehicle Charging Point it is considered that this proposal contributes towards reduced energy demand and is of satisfactory environmental design and therefore accords with the Lewes Neighbourhood Plan policies AM1, HC1, PL2 and PL4

#### Summary:

8.12 Notwithstanding the elements within this proposal that warrant a condition, it is considered that the size, scale and nature of this development is not disproportionate to the site, or detrimental to the character and appearance of the local area to any extent that would justify refusal. It is also thought that there would be minimal impact on the amenities of local residents and or the public.

8.13 As a result of the above reasoning it is considered that this proposal is in accordance with policies SD01, SD02, SD04, SD05, SD19, SD20 and SD48 of the South Downs National Park Local Plan (2019) and the Lewes Neighbourhood Plan and it is therefore recommended for conditional approval.

## **9. Conclusion**

9.1 It is recommended that planning permission be granted.

## **10. Reason for Recommendation and Conditions**

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 (1) of the Town and

Country Planning Act 1990 (as amended) / to comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. Prior to the entrance gates hereby permitted being brought into use, details of the size, position and brightness of the illuminated beacon, and the sound levels of the gate mechanism and intercom, shall be submitted to and approved in writing by the local planning authority.

**Reason:** In order to safeguard the amenities of the locality in accordance with policies SD5 and SD7 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

4. Prior to the new access gates hereby permitted being brought into use, they shall be painted in accordance with details (including RAL code of the paint colour) that shall be submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of visual amenity and in accordance with policy SD5 of the South Downs Local Plan, policy PL2 of the Lewes Town Neighbourhood Plan, and having regard to the National Planning Policy Framework

5. Prior to the entrance gates hereby permitted being brought into use an electric vehicle charging point shall be provided within the school parking area and made available for use.

**Reason:** In order to reduce local contributors towards climate change and provide for sustainable transport in accordance with policies SD19 and SD48 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

## 11. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

## 12. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## 13. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## 14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining

this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



## Appendix 1

### Site Location Map



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## **Appendix 2 – Plans Referred to in Consideration of this Application**

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date on Plan</b>	<b>Status</b>
Plans - Proposed plans	04060		28.04.2020	Superseded
Plans - Location and Block plans	P-100		28.04.2020	Approved
Plans - Existing plans and photos	P-102		28.04.2020	Superseded
Application Documents -	Supporting Statement		28.04.2020	Superseded
Plans - Proposed plans	04060		24.07.2020	Approved
Application Documents -	Supporting Statement	Rev. C	12.06.2020	Superseded
Plans - Proposed plans	04060		08.07.2020	Superseded
Plans - Existing plans and photos	P-102	02	08.07.2020	Approved
Application Documents -	Supporting Statement	Rev. D	08.07.2020	Approved

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