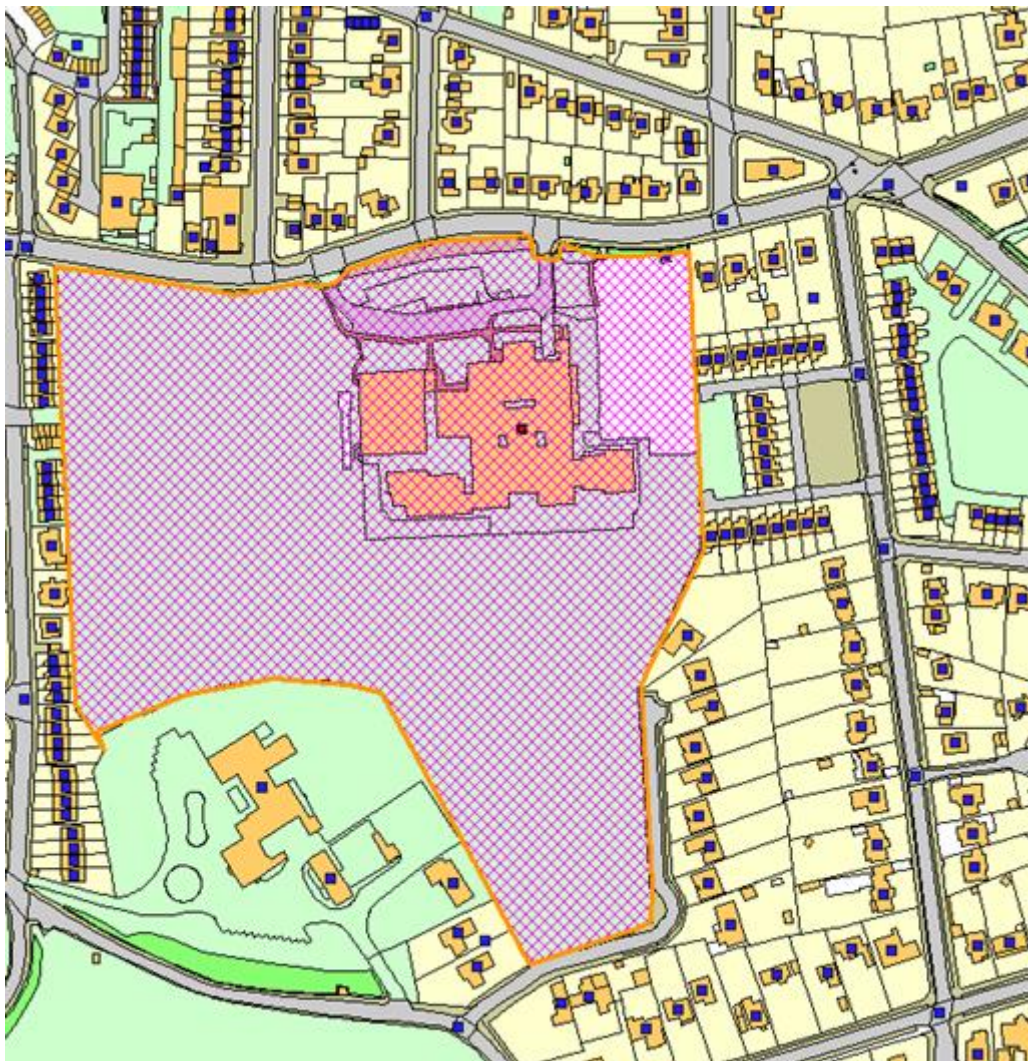


Report to: Planning Applications Committee
Date: 15th February 2023
Application No: LW/22/0275
Location: Seaford Head Lower School, Steyne Road, Seaford, BN25 1AL
Proposal: Replacement of existing boundaries with fence to improve safeguarding measures.
Applicant: Ms S Laidlaw, Seaford Head School Academy Trust
Ward: Seaford South
Recommendation: Grant Planning Permission subject to conditions.
Contact Officer: **Name:** Julie Cattell
E-mail: julie.cattell@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is not CIL Liable.

Site Location Plan:



1.	Executive Summary
1.1	The proposed new fence is required by the school to improve security around the site. Following the receipt of amendments to the height of the fence in some locations and additional information about the impact of the works on the special character and setting of the adjoining listed building, the proposal is considered to be acceptable, and approval is recommended.

2.	Relevant Planning Policies
2.1	<u>National Planning Policy Framework</u> 4. Decision making 8. Promoting healthy and safe communities 12. Achieving well-designed places 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historic environment
2.2	<u>Lewes District Local Plan:</u> CP10 (Natural Environment and Landscape) CP11 – Built and Historic Environment & Design DM24: Protection of Biodiversity and Geodiversity DM25 – Design DM33 – Heritage Assets
2.3	<u>Seaford Neighbourhood Plan:</u> SEA5: - Areas of Established Character (Corsica Hall)

3.	Site Description
3.1	<p>The application site, Seaford Head Lower School, is located on Steyne Road, Seaford and covers an area of 5.3ha. It is bounded by Steyne Road to the north, the rear of gardens to Cricketfield Road to the west, the rear of Corsica Hall and some properties in Corsica Close to the south-west, facing Corsica Close to the south, and rear of properties in Fitzgerald Avenue to the east.</p> <p>The area is within an Archaeological Notification Area. Corsica Hall is a grade II listed building and is within its own Area of Established Character. The eastern-most boundary of the Seaford Town Centre Conservation Area is approximately 300m to the west of the site.</p> <p>Much of the existing boundary treatment comprises a mix of low, unpainted rendered walls, chain link fencing and timber fencing which are in a poor state of repair. There is hedging along some lengths of the fencing. Along the eastern boundary, is a combination of masonry retaining walls and timber fencing, which is in a fair condition and is to be retained. The existing fencing dates from 1986.</p>

4.	Proposed Development
4.1	Full planning permission is sought to replace all sections of walls and fencing, except that to the top part of the eastern boundary. The application has been amended at the officer's request to reduce the height of the fence from 2.4m to 2.030m and 1.83m at rear of rear gardens along Cricketfield Road. The applicant also confirmed that the proposed fence colour will be green, not black.
4.2	<p>The proposed works to existing boundary treatment at each location around the school boundary are as follows:</p> <ul style="list-style-type: none"> • Northern (front) boundary with Steyne Road – remove all sections of existing damaged rendered concrete wall, brick wall and chain line fencing. Replace with 2m high welded open mesh system, finished in green (RAL 6005) with new controlled double entrance gates and one manual gate to match fencing system. • Eastern boundary with properties in Fitzgerald Park (off Fitzgerald Avenue) – retain existing timber panelled fence. • Eastern boundary with Corsica Close (opposite front of properties) – remove existing 1.4m chain link and concrete post fencing. Replace with 2m high welded open mesh system, finished in green (RAL 6005). • South/western boundary with Corsica Hall (grade II listed) – remove existing 1.5m high chain link fence. Replace with 2m high welded open mesh system, finished in green (RAL 6005). • Western boundary with Cricketfield Road. Replace with 2m high welded open mesh system, finished in green (RAL 6005) – erect 1.83m high welded open mesh system, finished in green (RAL 6005).
4.3	In addition, the embankments along part of the northern (front) boundary will be stabilised.

5.	Relevant Planning History:
5.1	LW/86/0722 - Erection of a black 1.4-metre-high chain link fence and Hawthorn / Buckthorn Hedge. Deemed approved conditionally by ESCC – No objection from LDC.

6.	Consultations – (Officer Responses to the Consultations are also set out (OR), after each key consultation comment)
6.1	<p><u>ESCC Archaeology:</u></p> <p>Does not believe that any significant archaeological remains are likely to be affected by these proposals and has no recommendations to make.</p>

6.2	<p><u>Green Consultancy – Contaminated Land:</u></p> <p>Recommend the following condition and informative:</p> <ul style="list-style-type: none"> • Unsuspected land contamination. • Removal of waste materials <p><i>OR: appropriate conditions recommended</i></p>
6.3	<p><u>Green Consultancy - Ecology:</u></p> <p>Works should only be undertaken under a precautionary approach and in accordance with the recommendations in the Preliminary Ecological Appraisal (Aval Consulting Group, July 2022) and in the additional advice given above. There is the opportunity to incorporate habitat enhancements on site as part of the development.</p> <p>Details of habitat and species enhancement measures should be included into the plans and submitted prior to commencement of works.</p> <p><i>OR: appropriate conditions recommended</i></p>
6.4	<p><u>Conservation and Heritage Officer</u></p> <p>Notwithstanding the fact that there is already a fence similar to that which is proposed, in the setting of Corsica Hall - the proposed new fence would harm the setting of the Grade II building, because, it would be...."incongruous, and a somewhat prison like enclosure" ...adjacent to the building which looks down onto open land.</p> <p>Views into and out of the building would be compromised by the proposed "security fence". A more traditionally detailed barrier would be preferable to delineate ownership if that is needed.</p> <p>Some concern about the impact on the setting of the Seaford Conservation Area.</p> <p><i>OR: The heritage officer view is significantly contested. The proposed fence would be open mesh and painted green. It would be "see-through" and at middle distances would often disappear in long views. The open space to be enclosed is large with few large or tall buildings, so the open sky and character of the space are the most prominent aspect of views, and these would not be affected. The fence would present at the rear of the listed building. It would present as a positive and "newly well looked after" environmental signal, resulting in a contribution to the local area.</i></p>
6.5	<p><u>Environment Agency:</u></p> <p>No response.</p>
6.6	<p><u>Seaford Town Council:</u></p> <p>OBJECTS to the application. While it was acknowledged that it was Government policy to provide and improve safeguarding and security at schools and the policy was supported 'in principle', it was considered in the case of the proposals for this school there were several compelling issues which outweighed the need to implement this scheme. These were: -</p> <p>a) The provision of 2.4 m fencing tight to the western boundary would create an unacceptable form of enclosure to the rear of properties in</p>

	<p>Cricketfield Road which currently had the benefit of wide-open views to the downland to the east. <i>OR: The open mesh proposed green fence would not prevent any views. Rather the fence would signal a “well looked after” environment.</i></p> <p>b) Considering the short rear gardens of those properties the fencing would be overbearing and seriously detrimental to residential amenities and would cause fire safety problems by restricting exit from the rear of the properties <i>OR: The proposed fence would not be a safety risk. It would be climbable with support. It would not pose a barrier to emergency vehicles. Its open mesh design means it would not be overbearing or overshadowing.</i></p> <p>c) There had been no consultation with the residents most affected by the proposals. <i>OR: Consultation has been undertaken through the planning application process</i></p> <p>d) The school buildings were already relatively secure with a caretaker living on-site and it was considered that additional security could be achieved with far less intrusive measures than those proposed. <i>OR: The open mesh fencing would reinforce the image and behaviour that the school is well looked after, is safe and secure – important community safety values.</i></p> <p>e) The new boundary fencing to the south would be likely to interfere with access to existing badger setts. <i>OR: An appropriate planning condition is proposed to safeguard wildlife and biodiversity.</i></p> <p>f) The town is a 'low crime' area and the nature and number of incidents at the school did not justify the type of scheme proposed. <i>OR: The open mesh fencing would reinforce the image and behaviour that the school is well looked after, is safe and secure – important community safety values.</i></p>
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7.	Other Representations:
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7.1	<u>Neighbour Representations:</u> 1 representation of support was received:
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Fully understand why the school need to do this work and support their application.

48 objections were received from local residents including Cllrs Brett and Lambert, on the following grounds:

- Neighbours and students would feel penned in and enclosed, would affect enjoyment of gardens, claustrophobic, detrimental to mental health, especially those who work from home or are housebound because of health issues repressive atmosphere to school, will look like a prison camp.

OR: The proposed fence would be new compared to the existing which is in poor repair and gives a poor impression. The proposed new fence would be open mesh, so would be see through. The size of the green open space would mean there would be no feeling of “enclosure/claustrophobia” – but rather, a “feeling of controlled safe space and an appropriate warning to keep out, unless invited in”.

- There is low security risk and no vandalism at the school, no safeguarding issues, Seaford has a low crime rate – school has not given a valid reason why the fence is necessary, there are no reports from the police of security breaches to the school this is about security not safeguarding, fence is unnecessary and disproportionate response – should not be on all boundaries, only along public roads, there is already a security fence.

OR: The school has identified security/safeguarding risks in consultation with Sussex Police. In addition, the proposed new fence presents an image of environmental pride and looked after space, which is an important behaviour for communities to learn.

- Loss of view across school grounds, loss of view and sense of openness

OR: There is no loss of view or openness since the proposed fence is open mesh, which from a distance, often disappears as the eye concentrates on middle distant buildings and views.

- Loss of light

OR: the open mesh fence means there would be no loss of light

- Loss of property value

OR: not a planning issue

- Inability of neighbours to escape in case of fire

OR: see OR answers above to concerns by Seaford Town Council

- Concern about subsidence

OR: replacement fence would not cause subsidence

- Most properties along Cricketfield Road have rear fences and trellis

OR: The school wants control over its boundary. The scheme would not be environmentally damaging.

- Concern about noise of wind through the fence

OR: unlikely to be noise, because the proposed fence is open mesh

- Out of character with the area, impact on Corsica Hall

OR: See OR response to Heritage Officer comments above.

- Concern about cost of fence from the public purse

OR: Not a planning issue

- Badgers and foxes have been seen on the site, new fence will block existing 'tunnels' that allow them to move off the site, wildlife would be blocked from entering the site, impact on wildlife

OR: an appropriate condition is proposed.

- Fence should be no more than 1.8m

OR: The applicant has reduced the proposed height of the fence to 1.83m on the western boundary with properties in Cricketfield Road.

- Fence will attract graffiti

OR: Open mesh fencing is a very difficult surface for graffiti

- Trees would be a better solution

OR: Trees/hedges would present problems of maintenance, and trees could potentially cut out light to small rear gardens and take away from the open aspect of the site which is one of its important characteristics.

- Concern about loss of historic boundary walls to the school wall to front

OR: no evidence that the northern boundary has any historic value. Not listed and not in the Seaford Town Centre Conservation Area.

- Chain link fence would be a better solution

	<p><i>OR: A new open mesh fence would be secure and retain open aspect character of the area.</i></p> <ul style="list-style-type: none"> - SDNP should have consulted as views would be impeded <p><i>OR: The SDNP is almost 3km away from the site. No impact.</i></p>
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8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>The main considerations are the impact on the visual character of the area, on the setting of the Grade II listed Corsica Hall/Area of Established Character, the Seaford Town Centre Conservation Area the impact on the amenity of neighbouring properties that bound the site.</p>
8.2	<p><u>Principle:</u></p> <p>There is no in principle objection to the proposal to replace the existing fence.</p>
8.3	<p><u>Design</u></p> <p>The proposed fence is an open mesh design, the dimensions of the apertures being approximately 200mm x 50mm. It is of a superior and a more robust design to the existing chain link fence and is widely used in public-facing areas around schools and other educational institutions. The proposal does not raise any conflict with policies CP11 and DM25 in terms of design.</p>
8.4	<p><u>Impact on Heritage Assets:</u></p> <p>The County Archaeologist has no objection to the proposal.</p> <p>The Heritage officer has objected to the proposal – see 6.4 above.</p> <p>Corsica Hall - this building is set on a grassy slope that is higher than the level of the school playing fields and the windows to the flats in the east facing windows have an elevated view over them. The existing 1.5m high chain link fence along this boundary has been in place for nearly 40 years. The difference in impact of the setting of Corsica Hall between the existing and proposed fences would be minimal. There have been no representations from any of the residents in Corsica Hall.</p> <p>Conservation Area - the boundary is 300m to the west of the boundary of the site, at the junction with Crouch Road and Steyne Road. Looking eastwards from this junction, the view is dominated by the houses on either side of Steyne Road; there are no distant views of the school or the existing boundary from this point. Equally, the views towards the conservation area from the school would not be impacted.</p> <p>It is considered that the proposed fence would have a neutral impact on these heritage assets, and that the proposal would not be in conflict with policies CP11, DM33 or SEA5.</p>
8.5	<p><u>Impact on amenity</u></p> <p>As has been noted above, the fence is not solid, with apertures of 200mm x 50mm. In comparison, the apertures of the chain link fence are 50mm x</p>

	50mm. The level of visibility through each type of fence is very similar, so there will be no loss of view, daylight, or sunlight to the gardens of the affected properties, most of which are in Cricketfield Road.
8.6	<u>Ecology and Biodiversity:</u> In accordance with the comments by the council's ecologist and the submitted PEA, conditions will be added to ensure that the works are carried out 'under 'a precautionary approach', and to secure biodiversity enhancements.
8.7	<u>Planning Obligations:</u> Not applicable.
8.8	<u>Human Rights Implications:</u> The neighbours do not have a right to a view. It has been noted above that the open mesh fence would have no more impact on existing outlook, daylight, or sunlight to rear gardens than a chain link fence.
8.9	<u>Conclusions:</u> The proposal is considered to be acceptable and to meet all relevant national and local planning policies. Approval is recommended subject to conditions.

9.	Recommendations
9.1	Grant planning permission

10.	Conditions:
10.1	Time limit The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted. Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
10.2	Biodiversity enhancements The works approved shall not be carried out until a programme of biodiversity enhancements have been submitted to and approved by the Local Planning Authority and the works carried out in full as approved. The enhancements shall include, but not restricted to, the following: <ul style="list-style-type: none"> • Provision of wildlife boxes for bees, birds, and bats • Hibernacula for reptiles and amphibia • Create 'gateways' in the fences for free movement of badgers, foxes and hedgehogs • Removed or modified flora to be re-established and enhanced with native species where appropriate.

	<p>A management/maintenance plan should also be included in the submission.</p> <p>Reason: to provide a net gain for biodiversity having regard to policies CP10 and DM24 of the Lewes District Local Plan, the NPPF and Section 40 of the Natural Environment and Rural Communities Act 2006.</p>
10.3	<p>Precautionary approach</p> <p>A precautionary approach should be followed prior and during all development stages of the works. All undergrowth, vegetation patches, hedges and trees that require removal should be checked beforehand for evidence of birds, reptiles, amphibians, badgers, hedgehogs, and any other protected species. If evidence is found during the development, work must cease immediately, and advice sought from a fully qualified and experienced ecologist.</p> <p>The applicant should refer to the PEA and the Council's Ecologist's comments for further detailed advice.</p> <p>Reason: In order to protect potential habitats of protected species on the site during the works having regard to policies CP10 and DM24 of the Lewes District Local Plan, the NPPF and Section 40 of the Natural Environment and Rural Communities Act 2006.</p>
10.4	<p>Unexpected contamination</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,</p> <p>neighbours and other offsite receptors in accordance with Policy DM21 of the Lewes District Local Plan and the National Planning Policy Framework.</p>
10.5	<p>Informative</p> <p>All waste material arising from any site clearance, demolition, preparation, and construction activities at the site should be stored, removed from the site, and disposed of in an appropriate manner.</p>

11.	Plans:		
11.1	This decision relates solely to the following plans:		
	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	General	20 July 2022	Preliminary Ecology Appraisal

	Photographs	20 April 2022	Photo Schedule
	Design & Access Statement	30 November 2022	Revised Design & Access Statement
	Proposed Section(s)	26 April 2022	P06 Existing Embankment Sections/Elevations (South and North)
	Proposed Section(s)	26 April 2022	P07 Proposed Embankment Reconstruction Typical Sections/Elevations
	Proposed Section(s)	26 April 2022	P03 Rev 02 - Proposed Boundary Wall Section
	Location Plan	20 November 2022	P02 Rev 01 - Site Location Plan
	Proposed Section(s)	26 April 2022	P05 Rev 02 - Proposed Embankment Reconstruction Sections
	Proposed Section(s)	26 April 2022	P04 Rev 02 - Proposed Embankment Reconstruction Section
	JUST - Justification / Heritage Statement	12 January 2023	Heritage Statement
	Photographs	12 January 2023	Additional photos

12.	Appendices
12.1	None.

13.	Background Papers
13.1	None.