

Grounds of Appeal Statement



AN APPEAL BY:
MR N HANNAN
PRINCIPAL DESIGNER, CH ARCHITECT
ON BEHALF OF EMMAUS SCHOOL

RELATING TO:

EMMAUS SCHOOL, SCHOOL LANE,
STAVERTON, TROWBRIDGE, BA14 6NZ

AGAINST A REFUSAL OF PLANNING
PERMISSION FOR:

RETROSPECTIVE APPLICATION FOR
APPROVAL OF SECURITY FENCING
WHICH REQUIRED TO SUPPORT THE
SAFEGUARDING, SAFETY AND
EFFECTIVE OPERATION OF THE
SCHOOL, WHILE MAINTAINING AN
OPEN AND WELCOMING
ENVIRONMENT APPROPRIATE TO ITS
EDUCATIONAL SETTING.

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Robinson Escott Planning LLP,
Downe House, 303 High Street, Orpington, Kent BR6 0NN

1. **INTRODUCTION & BACKGROUND TO APPEAL:**

- 1.1. An application for planning permission made by 'CH Architech' on behalf of Emmaus School ['the Appellant'] was submitted to Wiltshire Council ['the Council'] on 21 January 2026. The application was subsequently validated on 23 January 2026 and was assigned reference number **PL/2026/00464**. The application was given the following description:

"Retrospective application for approval of security fencing which is required to support the safeguarding, safety and effective operation of the school, while maintaining an open and welcoming environment appropriate to its educational setting".

- 1.2. The application was submitted following positive dialogue with the Council following the erection of 2m high metal black security fence fronting the street and opposite the two-storey modern extension, and the erection of a 3m black steel fence fronting the street and enclosing the MUGA at the site. The fencing was erected following the implementation of planning permission **PL/2023/10641** which granted the following development:

"Demolition of existing modular classroom and rear extension to main school building to accommodate the erection of two storey building on existing playground with erection of single storey rear extension and associated landscaping".

- 1.3. The fencing was erected to secure the school premises for the safety of pupils and staff as well as to prevent balls breaching the fence of the MUGA.
- 1.4. During the application process, dialogue was undertaken between the Appellant and the Council. Email correspondence was received on 16 March 2026 (**APPENDIX 1**), which confirmed that the application had been called into Planning Committee. It was also confirmed that the 2m high fencing was permitted development. However, the Officer explained that the Council had concerns regarding the height of the MUGA fencing to the north of the school building.

- 1.5. A response was made by the Appellant to the Council's email on 31 March 2026, which provided justification for the height of the perimeter fencing around the MUGA. Despite this further justification, an email on 7 April 2026 from the Case Officer outlined the finely balanced case, given that they had prepared a report to both grant and refuse the application (**APPENDIX 2**).
- 1.6. The application was however subsequently refused by the Council without further dialogue on 9 April 2026 on the following grounds:

1 By reason of its height and its incongruous relationship with the host building and streetscene, the 3m high fence that encloses the school playground (which is considered the most important part of the application submission), is disproportionate and harmful to the scale of the Victorian-built stone school building (which is considered to be a non-designated heritage asset) and is equally harmful to the character and appearance of the immediate surroundings and streetscene, through its harsh, utilitarian appearance, which is at odds with both the historic vernacular character of the identified local asset and the suburban character of the immediate area. As such, the proposal fails to deliver the required high-quality design that respects local character and distinctiveness and is consequently contrary to WCS Core Policy 57 and the Wiltshire Design Guide and the NPPF.

2 By reason of its height and juxtaposition with the host building, the 3m high fence has a low level less than substantial harm to the significance, character and appearance of the Victorian-era school building on-site which is considered to be of merit as a non-designated heritage asset that this harm is afforded great weight in the decision-making process. No heritage justification has been provided, nor have sufficient public benefits been demonstrated that would outweigh the identified harm. The proposal therefore fails to conserve or enhance the historic environment and is contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy, the Wiltshire Design Guide, and section 16 of the NPPF.

1.7. Despite the above refusal grounds, having reviewed the Officer report (**APPENDIX 3**) in respect of material planning considerations, the following matters can be agreed as common ground between parties for this appeal:

Principle of Development	- NPPF section 8 states that planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 100(a) sets out that great weight should be given to the need to alter schools through decisions on planning applications. - The fencing has replaced the previous ad hoc mixed boundary treatments including the loss of an old low stone wall (which previously enclosed the former playground). - Officers have no objection to the 2m high black metal rail fencing that fronts the modern school extension facing School Lane.
Design	The 2m high metal rail fence qualifies as permitted development and does not technically require the consent of the LPA.
Heritage	The loss of the low height wall is regrettable but was undertaken as works that are permitted development. Similarly, the construction of fencing up to 2 metres in height does not require planning permission and, regardless of its detailed design or materials, it would be unreasonable to attribute harm to this element.
Transport	The proposal is considered acceptable in terms of the relevant development plan policies pursuant to highway and public protection matters.

1.8. Given the refusal grounds raised and the common ground identified, the main issues for this appeal are:

- Whether the 3m high fence is disproportionate and harmful to the scale of the Victorian-built stone school building and harmful to the character and appearance of the immediate surroundings and streetscene.**

- **Whether the 3m high fence harms the Victorian-era school building on-site which is considered to be a non-designated heritage asset.**
- **Whether there are other material considerations comprising benefits and justification of the appeal proposal, having regard to the scale of any harm to the significance of the non-designated heritage asset in the overall planning balance.**

1.9. Preceding the assessment against the two grounds of refusal will be a description of the site and its surroundings, the planning history of the site, as well as a full evaluation of relevant planning policy and guidance.

2. APPEAL SITE & SURROUNDINGS:

- 2.1. The appeal site is situated on the western side of School Lane, at its northern end close to the junction with New Terrace. The site is situated at the northern tip of Trowbridge and just south of Staverton.



Figure 1: OS Map.

- 2.2. Emmaus School is a small independent, co-educational, Christian school. The school opened in September 1997, with three full-time pupils and two members of staff. Since that time there has been a steady growth in the number of children to around sixty pupils, although the school is registered with the Department for Education to accommodate 75 pupils aged 5 -16 years.
- 2.1. The school obtained planning permission for a two-storey building and single storey rear extension under **PL/2023/10641** which has now been fully implemented on site.
- 2.2. To the east of the appeal site is generally two storey semi-detached dwellings set back from the highway. Further south is Staverton Church of England Primary School with Nestlings Pre-School abutting the southern boundary. The western boundary comprises a railway line.

- 2.3. The site is situated in the built confines of Trowbridge. It is not situated in a Conservation Area, and the main school building is not statutorily listed. It has been assessed by the Council that the main school building is a non-designated heritage asset. There are no landscape or ecological designations which cover the site.

3. RELEVANT PLANNING HISTORY:

3.1. The following relevant planning history is attributed to the appeal site:

- W/06/01108/FUL - Demolition of existing side room to main building and separate mobile classroom, 2 new extensions to sides of existing school building and conversion of part of existing roofspace to provide additional classrooms, sanitary facilities and new reception/entrance area. Approved.
- W/10/00272/FUL - Removal of existing mobile classroom and demolition of existing single storey extension, to allow replacement single storey rear extension, and two storey side extension. Approved.
- 15/12696/FUL - Refurbishment and two storey extension. Approved.
- PL/2023/10641 Demolition of existing modular classroom and rear extension to main school building to accommodate the erection of two storey building on existing playground with erection of single storey rear extension and associated landscaping Approved.
- PL/2025/05832 Non-Material Amendment to planning application PL/2023/10641 – Window changes. Approved.

3.2. As outlined in this statement, the 2023 permission has now been implemented and built out on site. Prior to the works, the northern parcel of the appeal site comprised a large unsightly modular building which was in very poor condition and a close boarded domestic style fence. Both these elements concealed the northern façade of the building and have been removed from the site as a result of the works. Photographs of the previous condition of the northern parcel of the site are outlined below.



Figure 2: View of northern façade of building prior implementation of planning permission PL/2023/10641



Figure 3: View from New Terrace (the B3105) prior implementation of planning permission PL/2023/10641.

- 3.3. Within the **APPENDIX 3**, the Council have confirmed that the appeal property retains permitted development rights.

4. **APPEAL DEVELOPMENT:**

4.1. The appeal development proposes the following:

“Retrospective application for approval of security fencing which is required to support the safeguarding, safety and effective operation of the school, while maintaining an open and welcoming environment appropriate to its educational setting”.

4.2. Although the 2m high fencing in front of the modern two-storey building formed part of the appeal scheme as depicted on the plans, as outlined in this statement, it is common ground between parties that this fencing comprises permitted development under Part 11 (Heritage and demolition), Class C – demolition of gates, fences, walls etc and Schedule 2, Part 2 (Minor operations), Class A – gates, fences, walls etc of the Town and Country Planning (General Permitted Development). On this basis, the 2m high metal rail fence qualifies as permitted development and does not technically require the consent of the Council.

4.3. Therefore, the black-coated 3m high open mesh steel fence enclosing the MUGA to the north of the school building is the only element which requires formal approval as part of this appeal. The reason for the fencing is:

- To reduce the probability of footballs, tennis balls etc being get kicked or thrown over the fence and could cause an accident on the adjacent road(s). The school has received correspondence from local road users prior to implementing the fencing where balls escaping from the school had caused a highways safety hazard (**APPENDIX 4**) and;
- To provide a secure and safe environment for school children.

4.4. An extract of the submitted plans is outlined below:

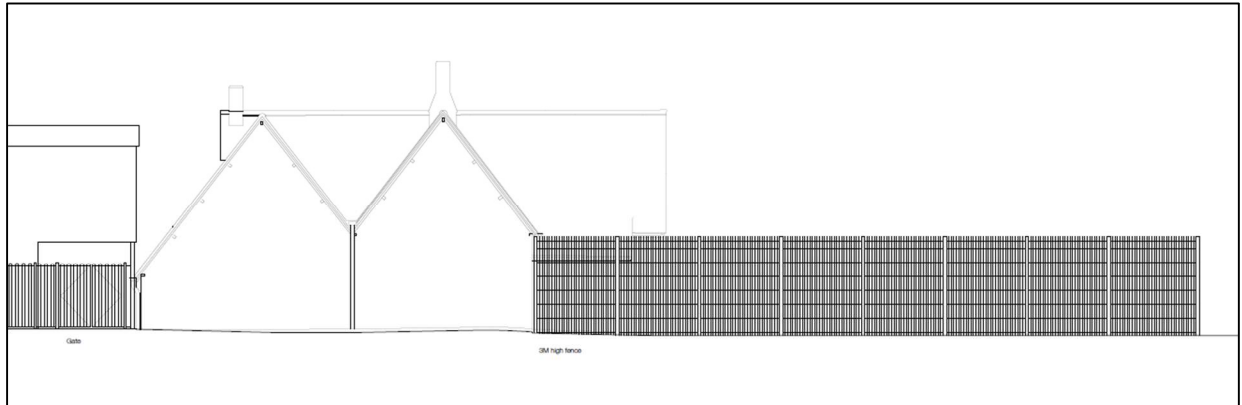


Figure 4: Proposed street scene elevation.

4.5. Photographs of the fencing are outlined below:



Figure 5: Site looking west.



Figure 6: Site looking south.

- 4.6. The MUGA is used to offer support to home school pupils in various ways, including for sports sciences and use of the sport facilities. The school also host other small schools for sports events that do not have adequate sports facilities themselves. The school is also actively looking to make the facilities available to summer school students, including internationals and widening the use of the MUGA for afterhours clubs.

5. PLANNING POLICY:

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 Act states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2. The Council have alleged in the decision notice that the appeal development does not accord with the policy below. Other parts of the NPPF and other material planning considerations are also outlined.

The Wiltshire Core Strategy (WCS) 2015

- 5.3. Core Policy 57 of the Wiltshire Core Strategy states:

“A high standard of design is required in all new developments ... Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

- enhancing local distinctiveness by responding to the value of the natural ... environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced*
- the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, ...), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development*

- *responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting ...*
- *making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area*
- *having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)*
- *ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible in accordance with Core Policy 66 (Strategic Transport Network)*
- *taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future*
- *the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm*
- *meeting the requirements of Core Policy 61 (Transport and New Development)."*

5.4. Core Policy CP58 states that development should protect, conserve and, where possible, enhance the historic environment. The policy requires that heritage assets and their settings be conserved and/or enhanced in a manner appropriate to their significance.

Wiltshire Design Guide

- 5.5. Section 4.5 Expectation: Quality Detailing of the adopted Wiltshire Design Guide advocates high quality detailing and materials to be employed for boundary walls and other means of enclosure to enhance the public realm.

National Planning Policy Framework (NPPF)

8. Promoting healthy and safe communities

- 5.6. Paragraph 100 states that it is important that a sufficient choice of early years, school and post-16 places are 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:

- a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on application.

12. Achieving well-designed places

- 5.7. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.8. Paragraph 135 states that 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 users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

16. Conserving and enhancing the historic environment

- 5.9. Paragraph 207 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 5.10. Paragraph 216 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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.

Other Material Considerations

5.11. The following material planning considerations are considered relevant to this appeal:

- British Standards Institution BS 1722 Part 14 Fences. Specifications for open mesh steel panel fences (endorsed by Department for Education site security guidance)
- Secured by Design – New Schools (2014)

6. THE APPELLANTS CASE:

6.1. The introduction section outlines the two grounds of refusal and the main issues identified for the appeal which are:

- **Whether the 3m high fence is disproportionate and harmful to the scale of the Victorian-built stone school building and harmful to the character and appearance of the immediate surroundings and streetscene.**
- **Whether the 3m high fence harms the Victorian-era school building on-site which is considered to be a non-designated heritage asset.**
- **Whether there are other material considerations comprising benefits and justification of the appeal proposal, having regard to the scale of any harm to the significance of the non-designated heritage asset in the overall planning balance.**

6.2. Given the nature of this appeal, and the common ground established within Section 1 of this statement, this section will focus solely on the above main issues. It is particularly important to emphasise that the 2m high fencing in front of the new two storey school building is permitted development.

(i) Character of Area

6.3. The site comprises an established school use for Emmaus School, a small independent, co-educational, Christian school. The school has been recently extended, with the approved development under **PL/2023/10641** now implemented. The fencing subject of this appeal encloses the schools only external play area / MUGA, which the school uses for Physical Education and Recess. It provides essential on-site recreational space for students.

6.4. The purpose of the fencing / enclosure to the north of the original school building is:

- To reduce the probability of footballs, tennis balls etc being get kicked or thrown over the fence and could cause an accident on the adjacent road(s), and;
- To provide a secure and safe environment for school children.

- 6.5. Prior to the development approved by **PL/2023/10641**, the area of the appeal site comprised an unsightly, large modular classroom which was in a poor condition. A small marquee and various sheds were situated on the side of the modular classroom to accommodate pupil learning, and the area exhibited a cluttered and discordant appearance. Importantly, the northern façade of the school building was concealed by the former building in this area of the site when viewed from the north.
- 6.6. The chosen fence design, material and colour exhibit a familiar school enclosure which is used on educational establishments across the country. It consists of a lightweight and permeable finish with the black colouring not being overly prominent. Importantly, given its characteristics, the enclosure allows for views through the site to the open countryside to the west of the site, allowing for a green and verdant backdrop when looking through the site from School Lane. The nature of the enclosure and its lightweight appearance ensure it does not compete with the original school building. Importantly, the northern façade of the building is now visible when travelling down School Lane and when viewed from New Terrace. The school building is therefore better revealed within the public realm, particularly when compared to views of the site prior to the works approved under **PL/2023/10641**.
- 6.7. The school intend to install some sympathetic planting to soften the fence such as climbers, for example clematis montana. This will provide a green edge to the school which will harmonise with the backdrop of the school towards the open fields to the west of the site.
- 6.8. It is accepted that the enclosure is 1m higher than what is permissible under permitted development. However, this increase in height does not have an adverse impact on the existing building or wider street scene. This is evidenced in Figure 9 of **APPENDIX 3**.

6.9. The Appellant considers it unfair to compare the boundary enclosures of Staverton Primary School to the appeal site. This is a much larger site, benefits from a large play area away from the street scene and has much more defined areas of public and private spaces within the school campus.

6.10. Based on the above assessment, it is assessed that the 3m fencing is acceptable in this instance. For this reason, the fencing is in accordance with Section 12 of the NPPF, Core Policy 57 of the Core Strategy and the Wiltshire Design Guide.

(ii) Heritage

6.11. The NPPF defines a designated heritage asset as:

Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

6.12. It has been assessed by the Council that the original school building on the site comprises a non-designated heritage asset (NDHA) given its age, vernacular design and traditional materials palette, including its Bath stone walling.

6.13. In assessing the harm caused by the fencing on the NDHA, the Council outlined the following:

“Taking into account the modernised character of the wider site context, alongside the limited aspect of the development requiring planning permission, it is considered that the proposal would result in a low level of less than substantial harm to a non-designated heritage asset which merits being given great weight.”

6.14. However, the site does not comprise a designated heritage asset. Within the NPPF, the assessment of harm under paragraph 215 is only triggered for designated heritage assets, not

NDHA's and any identified harm does not need to be specifically outweighed by public benefits. Paragraph 216 of the NPPF relates to impacts on NDHA's and requires only a 'balanced judgement to be made' with regard to the significance of those assets. The Council in their assessment have therefore misapplied paragraph 215 when assessing the harm to the NDHA.

6.15. The significance of the NDHA is relatively low and as demonstrated within this statement, the impacts incurred are also low based on the below assessment:

- Prior to works the northern parcel of the site was cluttered, with the northern façade of the building concealed by an unsightly modular building which was in very poor condition and a domestic appearing close boarded fence.
- Visually, the fencing is permeable and allows views of the northern façade of building when viewed from New Terrace and School Lane, better revealing itself within the public realm. The school proposed soft landscaping climbers to provide greenery on the boundary.
- The erection of a 2m fence is permitted development. Therefore, the increase of 1m beyond what is permitted development is not considered to result harm to the original school building.

6.16. Therefore, as required, by paragraph 216 of the NPPF, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

(iii) Balanced Judgement / Planning Balance

6.17. In accordance with paragraph 216 of the NPPF, potential impacts on the significance of NDHA should be weighed in a 'balanced judgement'.

6.18. Paragraph 100(a) of the NPPF gives great weight to the need to create, expand or alter early schools on decisions on applications. The fencing provides a secure and safe environment for pupils which should be attributed significant weight in favour of the proposal.

- 6.19. The fencing also reduces the probability of footballs, tennis balls etc being get kicked or thrown over the fence from the MUGA which could cause an accident on the adjacent road(s). A lower fence of 2m would result in a greater highways safety risk. The school has received correspondence from local road users prior to installing the fence where a highways safety incident occurred (**APPENDIX 4**).
- 6.20. The MUGA is used to offer support to home school pupils in various ways, including for sports sciences and use of the sport facilities. The school also host other small schools for sports events that do not have adequate sports facilities themselves. The school is also actively looking to make the facilities available to summer school students, including internationals and widening the use of the MUGA for afterhours clubs. There are therefore benefits of offering a safe recreational space for the wider community.
- 6.21. Based on the low significance and low impact on the NDHA as a result of the fencing, the importance attributed to alter schools in the NPPF and the positive community benefits of the proposal outweigh any harm in this instance. On this basis the fencing is acceptable and in accordance with paragraph 216 of the NPPF and Core Policies 57 and 58 of the Core Strategy.

7. CONCLUSIONS:

- 7.1. This Grounds of Appeal Statement has outlined that Emmaus School is a small independent, co-educational, Christian school which is registered with the Department for Education to accommodate 75 pupils aged 5 -16 years. The school has recently been extended under planning permission **PL/2023/10641**.
- 7.2. This Grounds of Appeal Statement has identified significant areas of common ground between the Appellant and the Council. Most importantly it has outlined that the 2m high fencing in front of the new two storey school building is permitted development.
- 7.3. The reason for the fencing to the north of the original school building, which is subject of this appeal, is:
- To reduce the probability of footballs, tennis balls etc being get kicked or thrown over the fence and could cause an accident on the adjacent road(s), and;
 - To provide a secure and safe environment for school children.
- 7.4. Through careful assessment, the Appellant has outlined that the 3m fencing is acceptable in this instance in terms of its impact on the character and appearance of the area. For this reason, the fencing is in accordance with Section 12 of the NPPF, Core Policy 57 of the Core Strategy and the Wiltshire Design Guide.
- 7.5. Based on the low significance and low impact on the NDHA as a result of the fencing, the importance attributed to alter schools in the NPPF and the positive community benefits of the proposal outweigh any harm in this instance. On this basis the fencing is acceptable and in accordance with paragraph 216 of the NPPF and Core Policies 57 and 58 of the Core Strategy.
- 7.6. Taking all material factors into account, it is respectfully requested for this appeal to be allowed.

8. APPENDICES

- **APPENDIX 1 – 16.03.26 - EMAIL FROM COUNCIL**
- **APPENDIX 2 – 07.04.26 - EMAIL FROM COUNCIL**
- **APPENDIX 3 – CASE OFFICERS REPORT**
- **APPENDIX 4 – EMAIL FROM LOCAL ROAD USER**

Subject: FW: Planning application PL/2026/00464 - Emmaus School, School Lane, Staverton

From: Edge, Alex <Alex.Edge@wiltshire.gov.uk>

Sent: 16 March 2026 10:53

To: Noel Hannan <noel@charchitech.co.uk>

Subject: Planning application PL/2026/00464 - Emmaus School, School Lane, Staverton

Dear Noel,

Many thanks for your patience while I reviewed the proposal and its planning context.

The application has also been called in to Planning Committee, and several matters require attention. I have set out each issue below.

Design

From the site's planning history, it appears that the property retains its permitted development rights, including:

- Part 2 (minor operations), Class A (gates, fences, walls etc); and
- Part 11 (heritage and demolitions), Class C (demolition of gates, fences, walls etc)

Collectively, these rights allow for the demolition of non-listed walls outside conservation areas—such as the stone wall that was removed—and for the erection of school fencing up to 2m in height adjacent to the highway.

On this basis, we consider that fencing up to 2m high would be acceptable in this location (this includes the new railings installed opposite the new building).

However, we do have concerns regarding the height of the secure playground fencing to the north of the historic building, which currently reads as an overly prominent and incongruous feature within the street scene.

Unless design improvements can be offered, we would be minded to recommend refusal. We would suggest a reduction in the height of the playground fence and the introduction of planting to soften its appearance.

Ecology

It is noted that the fence installation involved the removal of a short section of hedgerow. It is unclear whether this was accounted for in the approved 2023 scheme, as it is absent from the existing and approved plans and is not referenced within the ecological reporting. In addition, we have received comments suggesting that the ecological enhancements required by Condition 7 of the 2023 consent (see Section 5 of the attached report) have not yet been implemented, and that new lighting does not comply with the specifications set out in the ecological assessment.

While compliance with the 2023 ecological recommendations sits outside the scope of this current application, I note that one of the approved recommendations relates to *“any other new soft landscaping.”* As mentioned above, introducing planting to soften the playground fencing could contribute positively in this regard and may also help address the requirements of condition 7.

Planning Committee

The application has been called in to Planning Committee by a Councillor. As a result:

- If officers are minded to approve, the application must be determined at Committee.
- If officers are minded to refuse, the decision can be issued under delegated powers.

The next Planning Committee meeting is scheduled for Wednesday 22 April, with the officer report deadline being Friday 3 April.

Closing / Recommendation

Having regard to the above, please could you consider our recommendation to reduce the height of the playground fence and soften it with landscaping. Submission of revised plans at your earliest convenience would allow us to continue progressing the application and, if appropriate, enable it to be reported to the April Planning Committee.

I look forward to hearing from you.

Kind regards,
Alex

Alex Edge BSc (Hons) MA MRTPI
Planning Officer
Development Management
Email: Alex.Edge@wiltshire.gov.uk
Tel: 0300 456 0114



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Neal Thompson

Subject: FW: 23-06 EMMAUS - fence planning

From: Edge, Alex <Alex.Edge@wiltshire.gov.uk>
Sent: 07 April 2026 14:35
To: Noel Hannan <noel@charchitech.co.uk>
Cc: Catherine Hannan <catherine@charchitech.co.uk>
Subject: RE: 23-06 EMMAUS - fence planning

Dear Noel,

Many thanks for this.

By way of update, I am now largely through drafting the Committee Report. As my Line Manager is currently catching up on outstanding matters following their return to the office, we have not yet been able to agree whether a change in recommendation from refusal is appropriate. As a result, I have, somewhat unorthodoxly, prepared both a Delegated Report recommending refusal and a Committee Report recommending approval. I will discuss this with my Manager at the earliest opportunity so that our position can be finalised.

In either scenario, the identified harm remains the same, namely the incongruous appearance of the MUGA fencing, resulting in a low level of less than substantial harm to the Victorian school building, which is a non-designated heritage asset. The critical issue in this case is that the NPPF affords great weight to the need to alter and extend schools. In addition, the availability of the MUGA for some level of community use represents a further public benefit. The overall planning balance therefore turns on whether these public benefits are considered to outweigh the identified design and amenity impacts. I will update you once our position has been confirmed.

Separately, you may recall that I previously raised concerns, on behalf of a local resident, regarding whether the ecological enhancements approved as part of the 2024 consent had been implemented. I have reviewed the file and note that the approved measures included the installation of one bat box and two bird boxes, as well as the retention of the northern green area (as shown on the attached plan). I did not observe the boxes during my site visit, although I was not specifically looking for them or recording their locations. However, I did note that the green area appears to have been cleared and is currently being used for storage.

Please could you check the current status of these ecological enhancements and encourage the applicant to implement them as soon as possible?

Many thanks,
Alex

Alex Edge BSc (Hons) MA MRTPI
Planning Officer
Development Management
Email: Alex.Edge@wiltshire.gov.uk
Tel: 0300 456 0114

Wiltshire Council



Please note that Friday is a non-working day for me.

From: Noel Hannan <noel@charchitech.co.uk>
Sent: 06 April 2026 16:07
To: Edge, Alex <Alex.Edge@wiltshire.gov.uk>
Cc: Catherine Hannan <catherine@charchitech.co.uk>
Subject: Re: 23-06 EMMAUS - fence planning

Dear Alex

Firstly, thank you for your help on this project.

I have now spoken with the school and they have advised me that, and I quote...

Regarding current use of the MUGA, we offer support to home schoolers in various ways, including sports sciences, and use of sports facilities. We also host other small schools for sports events that do not have adequate sports facilities themselves.

We are looking to make the facilities available to summer school students, including internationals, and we are open to exploring widening the use of the MUGA for afterhours clubs.

Emmaus school, its teachers and all those involved with it have always been committed to the community and will continue to so do, with the MUGA use being part of this. I would be grateful if you could add this to your report.

Thank you

Kind regards

Noel Hannan MCIAT MSAI

On behalf of CH ArchiTech



CUSACK HANNAN

07986399583

<http://charchitech.co.uk>

From: Edge, Alex <Alex.Edge@wiltshire.gov.uk>
Sent: 03 April 2026 21:36
To: Noel Hannan <noel@charchitech.co.uk>
Cc: Catherine Hannan <catherine@charchitech.co.uk>
Subject: RE: 23-06 EMMAUS - fence planning

Good evening Noel,

I have sourced the standards/guidance.

Notwithstanding this, I would still implore you to seek betterments from the school to strengthen the planning merits of the case.

Another matter we could factor in is whether this fencing has created a facility that is used by the local community beyond the school. i.e. can you/the school provide evidence that clubs or events use the MUGA space?

If you can let me know Tuesday morning so I can factor it into my report. I am afraid by CoP Tuesday I will no longer be able to take any further matters into account as that is the Committee Report deadline.

Kind regards,
Alex

Alex Edge BSc (Hons) MA MRTPI
Planning Officer
Development Management
Email: Alex.Edge@wiltshire.gov.uk
Tel: 0300 456 0114



Please note that Friday is a non-working day for me.

From: Edge, Alex
Sent: 01 April 2026 08:35
To: Noel Hannan <noel@charchitech.co.uk>
Cc: Catherine Hannan <catherine@charchitech.co.uk>
Subject: RE: 23-06 EMMAUS - fence planning

Dear Noel,

Many thanks for your response.

I appreciate the justification provided. You refer to clear standards and guidelines, but no specific sources are cited. It would strengthen your case if you could reference the relevant guidance directly – both in relation to MUGA specifications and general perimeter fencing standards for schools.

Unfortunately, your response places us in a difficult position. We have already formed the view that the proposal, as submitted, is not acceptable (as set out in the attached email) and we reached this position even taking into account the requirement in paragraph 100(a) of the NPPF to give great weight to the need to expand or alter schools. My intention was to take the application to Planning Committee with some form of betterment offered, but none has been offered in this instance.

For now, I will continue preparing the Officer Report based on the current scheme. However, this remains a holding position until I am able to discuss the matter with my Line Manager, who returns next week to review the reports.

In the meantime, I would encourage you to address the points above and to reconsider whether any form of betterment could be offered.

Kind regards,
Alex

Alex Edge BSc (Hons) MA MRTPI
Planning Officer
Development Management
Email: Alex.Edge@wiltshire.gov.uk
Tel: 0300 456 0114

Please note that Friday is a non-working day for me.

From: Noel Hannan <noel@charchitech.co.uk>
Sent: 31 March 2026 11:41
To: Edge, Alex <Alex.Edge@wiltshire.gov.uk>
Cc: Catherine Hannan <catherine@charchitech.co.uk>
Subject: 23-06 EMMAUS - fence planning

Good morning Alex,

Firstly thank you for your help in this matter, it is appreciated.

We have discussed this at length and as you will be aware, security and safety are paramount in relation to schools.

We take on board your comment that the 2M high fence is covered under Permitted Development rights. Thank you for pointing that out.

Regarding the 3M high fence around the MUGA playing area, the guidelines are very clear;

Sports court fencing height typically ranges from 2.75 to 4 meters (9 to 12 feet), with 3 meters (approx. 10 feet) being a standard, common height for tennis and general multi-use games areas (MUGAs). Fencing behind goals or baselines is often higher, around 4 meters (12–13 feet), to better contain balls.

This is for both security and safety. If there was only a 2M high fence around the MUGA, then footballs, tennis balls and the like would inevitably get kicked or thrown over the fence and could cause an accident on the adjacent road. The 3M high fence reduces the probability of this happening.

When looking at the visual impact of the fence, please take into account that from the main elevation it is not in front of a building behind. The impact is much less because of this.

Finally, we must keep in mind that this is a school and there is always going to be fences for security and safety. And fences around sports playing area, under the guidelines are always at the higher heights. Because of this we would like to keep the fence height as it is and hope that you can consider supporting this.

Thank you,

Kind regards

Noel Hannan MCIAT MSAI

On behalf of CH ArchiTech



07986399583

<http://charchitech.co.uk>

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Wiltshire Council Disclaimer: <https://www.wiltshire.gov.uk/disclaimer>

APPLICATION FOR FULL PLANNING PERMISSION OFFICER DELEGATED REPORT

APPLICATION REFERENCE	PL/2026/00464
APPLICATION TYPE	Full planning permission
SITE ADDRESS	Emmaus School, School Lane, Staverton, Trowbridge, BA14 6NZ
DEVELOPMENT DESCRIPTION	Retrospective application for approval of security fencing
RECOMMENDATION	Planning permission be REFUSED

SITE CONTEXT

The site lies at the northern end of School Lane where it joins New Terrace (the B3105) situated within Staverton (which is a designated Small Village in the Wiltshire Core Strategy (WCS)) and is within the Bradford on Avon Community Area. In reality, the site is geographically more related to Trowbridge (which is a designated Principal Settlement in the WCS); and adjoins the northern aspect of the town and is identified as forming part of its settlement development limits on the WCS Policy Map. The site location is shown below.

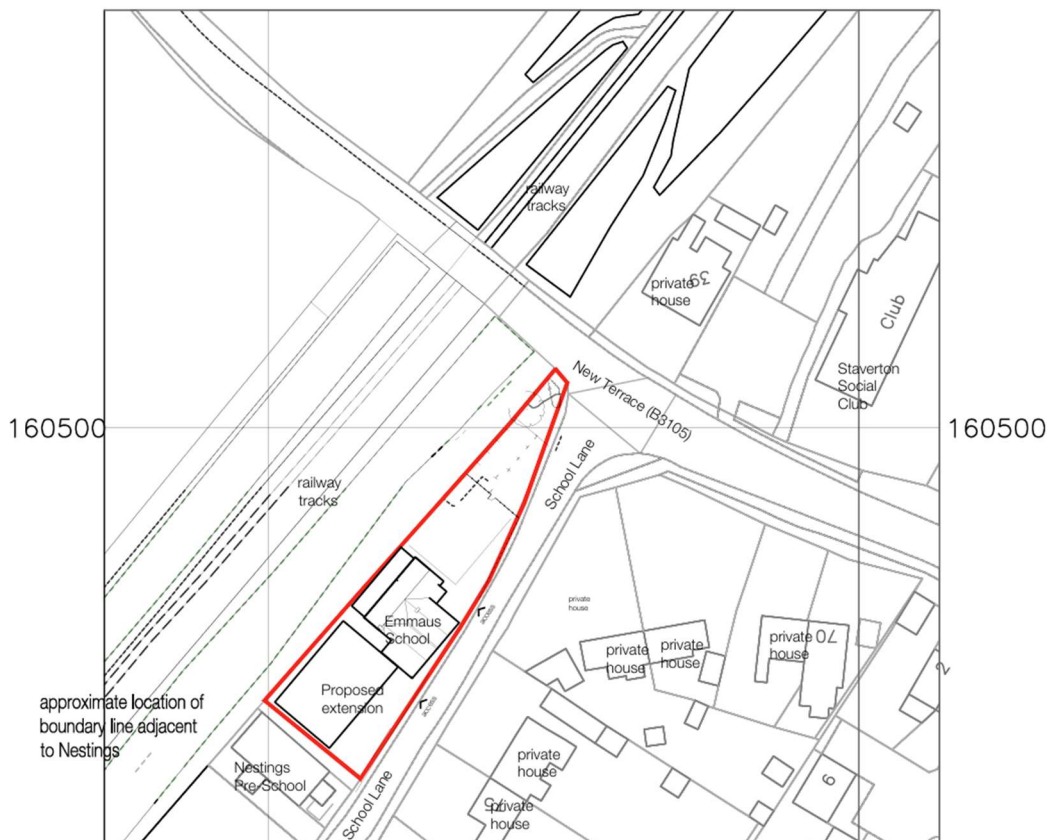


Figure 1: Site plan and OS plan with site outlined in red.

Emmaus School is a small independent, co-educational, Christian school providing education for 5 to 16-year-olds. It has a maximum capacity of 75 pupils with circa 60 currently enrolled.

The school occupies an elongated site and comprises an extended main building which spans the centre and southern part of the site with a small area of hardstanding to the north that is

used for outdoor play with a car parking area beyond. The main building consists of the central historic Victorian structure which was extended to the south with a two-storey contemporary building, that was approved in 2024 under application PL/2023/10641. The host building is not listed, however it is considered to be a non-designated heritage asset given its age, vernacular design and traditional materials palette, including its Bath stone walling. The playground is laid as tarmac hardstanding and was created as part of the part of the aforementioned 2024 consent.

The north, west and southern aspects of the school are enclosed by new fencing which is the subject of this retrospective planning application. This fencing replaced a low historic wall and a short chain-linked fence. The new fencing consists of a 2m high metal black metal rail fence fronting the street and opposite the 2-storey modern extension as shown in **Figure 2**.



Figure 2. Views along school lane showing the 2m high metal rail fencing

The application also seeks permission to regularise the erection of a 3m black steel fence fronting the street and enclosing the playground as shown in **Figure 3**.



Figure 3: Images of the site from school lane and the unauthorised 3m high fence

Immediate surroundings: The site is surrounded by the following properties and/or land uses and features:

- North: New Terrace (the B3105).
- East: School Lane with low density semi-detached modern dwellings beyond.
- South: Nestlings Pre-school with a play area beyond.
- West: Railway embankment with agricultural land beyond.

Constraints and designations: The site and its surroundings are subject to the following constraints/designations:

- **Heritage:**
 - Previous planning records have established that the historic Victorian School building merits being considered as a non-designated heritage asset.
- **Flood risk:**
 - The western site boundary is subject to low surface water flood risk.
- **Ecology:**
 - The site lies within Trowbridge Westbury Bat Mitigation Strategy – Grey hatched zone.
 - The site lies within 4km buffer area of the Bath & Bradford on Avon bats Special Area of Conservation (SAC).
- **Public (environmental) protection:**
 - The site lies within the Trowbridge Air Quality Assessment Zone.



Figure 4: street view along school lane looking south-westerly prior to the 2023 consented extension and the unauthorised fencing works – revealing former boundary treatments

PLANNING HISTORY

Relevant Planning Records			
Reference	Description	Decision	Date
W/06/01108/FUL	Demolition of existing side room to main building and separate mobile classroom, 2 new extensions to sides of existing school building and conversion of part of existing roof space to provide additional classrooms, sanitary facilities and new reception/entrance area	Approved	30/05/2006
W/10/00272/FUL	Removal of existing mobile classroom and demolition of existing single storey extension, to allow replacement single storey rear extension, and two storey side extension	Approved	31/03/2010

15/12696/FUL	Refurbishment and two storey extension	Approved	27/04/2016
PL/2023/10641	Demolition of existing modular classroom and rear extension to main school building to accommodate the erection of two storey building on existing playground with erection of single storey rear extension and associated landscaping	Approved	05/09/2024
PL/2025/04495	Discharge of conditions 4 (features for wildlife and new planting for biodiversity), 5 (materials) and 6 (Drainage Strategy) of PL/2023/10641	Approved	18/09/2025
PL/2025/05832	Non-Material Amendment to planning application PL/2023/10641 – Window changes	Approved	14/10/2025
PL/2025/08325	Unstable existing boundary wall to be removed and replaced with 2m high bow topped fencing in front of new building and with 3m high fencing at car park end of site, Existing "lean to" single storey extension at rear of existing building to be demolished	Refused	05/11/2025

For clarification, the property retains permitted development rights.

PROPOSED DEVELOPMENT

The proposal seeks retrospective planning permission for the removal of the historic stone wall and short chain link fence and the retention of a black-coated 2m high metal railing fence spanning the site frontage to the south of the historic building and a black-coated 3m high open mesh steel fence enclosing the playground to the north of the school building. The existing and proposed site plans and elevations are shown at **Figures 5, 6 and 7** respectively.

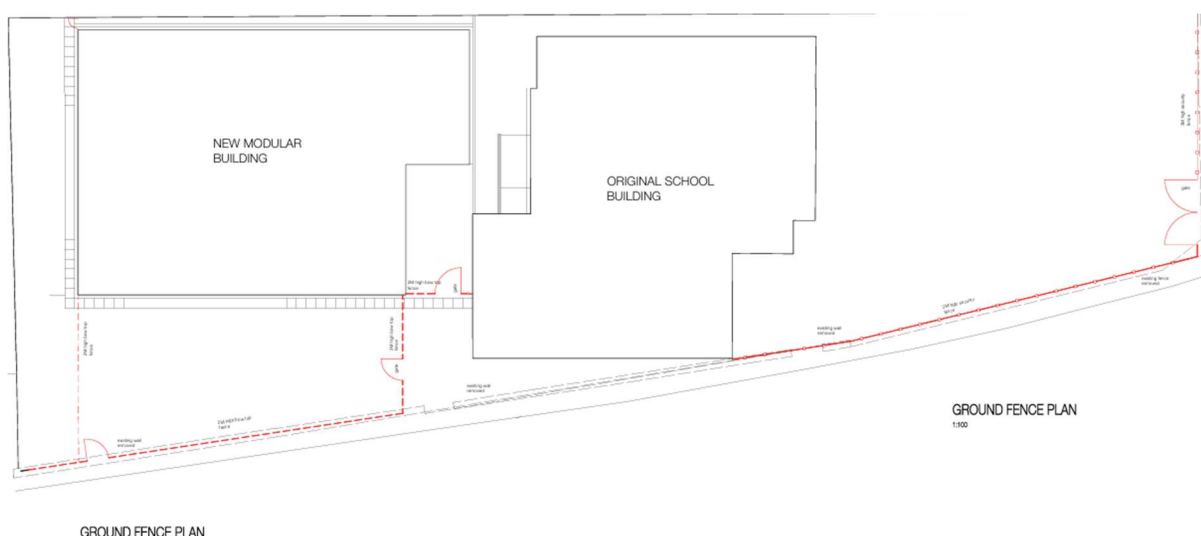


Figure 5: Proposed site plans with the existing wall/fence marked with dashed grey line and new fence marked with red lines.

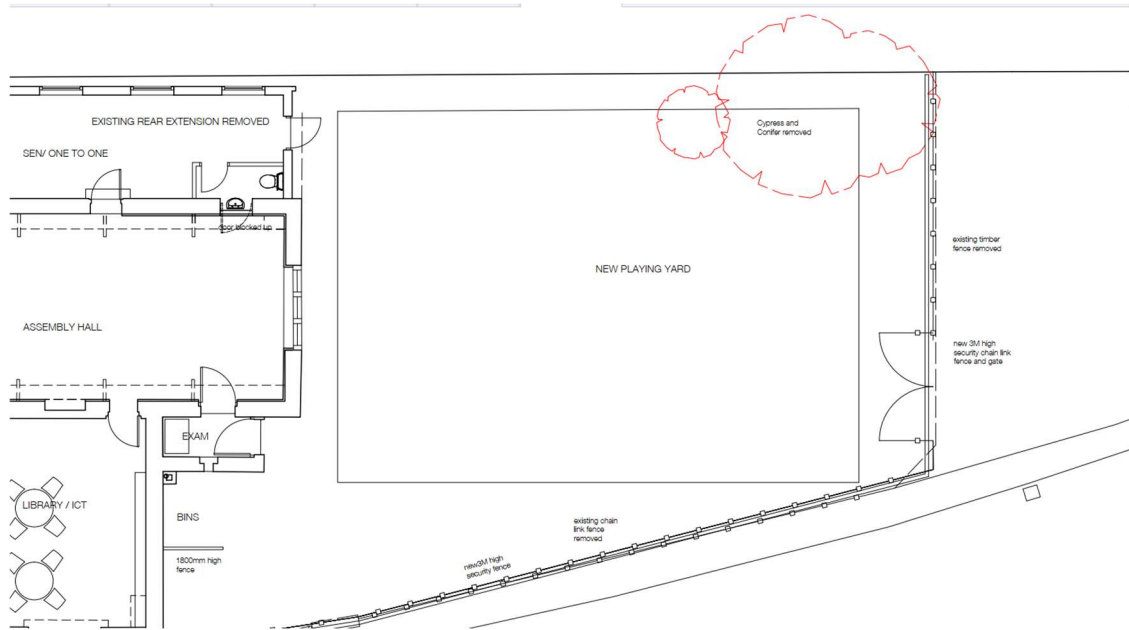


Figure 6: Close up insert of site plan of fenced boundary to playground and car park



Figure 7: Existing and proposed elevations, upper and lower images respectively.
PLANNING LEGISLATION, POLICY AND GUIDANCE

Planning Legislation:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004

Development Plan:

- Wiltshire Core Strategy (WCS, adopted January 2015):
 - Core Policy 1 Settlement strategy
 - Core Policy 2: Delivery strategy
 - Core Policy 7: Spatial Strategy for the Bradford on Avon Community Area
 - Core Policy 57: Ensuring high quality design and place shaping
 - Core Policy 58: Ensuring the conservation of the historic environment
- West Wiltshire Leisure & Recreation Development Plan Document (L&RDPD, adopted January 2009):
 - Policy SC1: Dual-use of school facilities

Material Considerations (Policy):

- National Planning Policy Framework (NPPF, revised December 2024)
 - Section 2. Achieving sustainable development
 - Section 8. Promoting healthy and safe communities – particularly paragraph 100(a)
 - Section 12. Achieving well-designed places
 - Section 16. Conserving and enhancing the historic environment
- Wiltshire Local Plan Submission Draft 2020-2038 (WLP, Regulation 24): The examination of the emerging Wiltshire Local Plan has been paused and the weight to be afforded to any part of the emerging plan can be no more than very limited. A decision on how to proceed will be made by the Council in May 2026.

Material Considerations (Guidance):

- National Planning Policy Framework (Dec 2024) and Planning Practice Guidance
- National Design Guide (January 2021)
- Wiltshire Design Guide (March 2024)
- British Standards Institution [BS 1722](#) Part 14 Fences. Specifications for open mesh steel panel fences (endorsed by Department for Education site security guidance)
- Secured by Design – New Schools (2014)

CONSULTATION REPONSES

Cllr Trevor Carbin (divisional ward member): Issued a call-in request for this application to be determined at Planning Committee should planning officers recommend the application for approval, citing the following concerns:

- The scale of development;
- The visual impact upon the surrounding area;
- The relationship with the adjoining properties; and
- The design – bulk, height, general appearance.

Staverton Parish Council: No comments.

Wiltshire Council – Highways: No objections.

Wiltshire Council – Public Protection: No objections. The Public Protection team recommended a condition restricting any further construction work to standard working hours; however, as the development is already complete, such a condition would be unnecessary if the application is to be approved.

REPRESENTATIONS

One third-party representation has been received objecting to the proposal and is summarised below:

- **Design:**
 - The new fence is out of keeping with the historic site frontage and appears overbearing and visually dominant in contrast to the original lower stone wall. The proposal conflicts with WCS Policy 57 in this regard.
 - There was no structural reason to remove the original stone wall.

- The previous 2010 and 2015 proposals to construct a 2.4m fence behind the stone wall would have been preferable.
- **Ecology and Biodiversity Net Gain:**
 - No meaningful biodiversity measures have been delivered, with the site largely tarmacked. It appears that the ecological enhancement measures secured by condition on the 2024 consent have not been delivered, meaning the approved development has not been lawfully implemented in relation to that condition.

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with this requirement, this application has been assessed against the relevant policies of the development plan and the material considerations listed above.

Having regard to the planning context and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Principle of development
- Design
- Heritage
- Other matters

Principle of Development

- 9.1 WCS Core Policy 1 establishes the settlement hierarchy for Wiltshire and the scale of development appropriate for each settlement type.
- 9.2 It defines Principal Settlements as strategically important centres and the primary focus of development in order to safeguard and enhance their strategic roles as employment and service centres. It identifies Trowbridge is a Principal Settlement.
- 9.3 It defines Small Villages as settlements with a low level of services and facilities, and few employment opportunities and states that development at Small Villages will be limited to that needed to improve employment opportunities, services and facilities.
- 9.4 WCS Core Policy 2 states that there is a presumption in favour of sustainable development within the Principal Settlements. The policy states that development at Small Villages will be limited to infill within the existing built-up area. Development at Small Villages will be supported where it, in relation to this case, provides services and facilities, provided that the development: (i) respects the character and form of the settlement, (ii) does not elongate the village or impose development in sensitive landscape areas and (iii) does not consolidate loose knit development.
- 9.5 WCS Core Policy 7 establishes the spatial strategy for the Bradford on Avon Community Area and identifies that Staverton is a Small Village. However, supporting paragraph 5.35 notes that Staverton adjoins Trowbridge and should be considered in relation to both Trowbridge and Bradford on Avon, with the Area Strategy for the urban area of Trowbridge including Staverton.

- 9.6 L&RDPD Policy SC1 encourages the dual use of school sports facilities to help meet the needs of local communities.
- 9.7 NPPF section 8 states that planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 100(a) sets out that great weight should be given to the need to alter schools through decisions on planning applications.
- 9.8 The retrospective application proposal relates to an established school which falls within a Small Village, albeit the WCS includes Staverton within the settlement development limit of Trowbridge, a Principal Settlement where the presumption in favour of sustainable development applies.
- 9.9 Irrespective of whether the site is categorised as a Small Village or a Principal Settlement, the proposal is associated with an established community facility. The fencing has replaced the previous adhoc mixed boundary treatments including the loss of an old low stone wall (which previously enclosed the former playground).
- 9.10 Officer recognise that the fencing has provided a degree of security and containment for pupils at the school and other users.
- 9.11 With regard to the Core Policy 2 criteria for development in Small Villages, the proposal is not considered to respect the character of the settlement in accordance with criterion (i) – see the Design and Heritage sections for more information.
- 9.12 With regard to Policy SC1, the applicant has advised that: *“Regarding current use of the MUGA, we offer support to home schoolers in various ways, including sports sciences, and use of sports facilities. We also host other small schools for sports events that do not have adequate sports facilities themselves... We are looking to make the facilities available to summer school students, including internationals, and we are open to exploring widening the use of the MUGA for afterhours clubs”*.
- 9.13 No details of the specific events or arrangements have been provided, and as such, this potential benefit can only be afforded limited weight.
- 9.14 Turning to NPPF paragraph 100(a), the proposal is for a form of operational development at a school, and the containment of the school grounds will assist with promoting a healthy, inclusive and safe space for pupils to learn and play. This principle attracts great weight.



Figure 8: 3m fence enclosing playground – not supported by officers

- 9.15 In recognition that LPAs cannot issue part approval / part refusal (unlike planning inspectors), any application that has an element that cannot be supported, or be satisfactorily mitigated, should be refused in its entirety. For this application, officers have no objection to the 2m high black metal rail fencing that fronts the modern school extension facing School Lane. Officers do however, object to the 3m high fencing (shown in **Figure 8**) that has an unacceptable and harmful effect on the character and appearance of the surrounding area and an awkward juxtaposition with the original stone built school building where the fence competes with the eaves of the building and as set out in the following section, this part of the application cannot be supported by officers,

Design Matters

- 9.16 Adopted WCS Core Policy 57 requires that all development be of high design quality, create a strong sense of place and complement its context, including through enhancing local distinctiveness and responding positively to local characteristics. The 3m fence conflicts with this policy requirement.
- 9.17 Section 4.5 Expectation: Quality Detailing of the adopted Wiltshire Design Guide advocates high quality detailing and materials to be employed for boundary walls and other means of enclosure to enhance the public realm.
- 9.18 The Dept of Education Guidance on Site Security for schools etc acknowledges that *“No two schools are identical and the design of the buildings and the layout of the site will differ from school to school. However, many of the issues revolving around security are generic”*.
- 9.19 Officers are also fully aware that for a school, the boundary is the first line of defence and should be protected with a suitable secure fence or railings. Officers are equally aware of the standard set out within the BS:1722, however each application must be assessed on its merits and local context, and a standard specification for a fence or enclosure requires a case-by-case assessment, rather than any slavish adherence to a standard.

- 9.20 The 3m fence encloses a relatively small playground at the school, which offers only limited external play provision. Officers are equally cognisant that on the other side of the school, also fronting School Lane, a lower 2m high fence is provided that has a far more appropriate relationship with the streetscene and the school building.
- 9.21 Officers are also fully aware of the provisions set out within Schedule 2 (Permitted development rights), Part 11 (Heritage and demolition), Class C – demolition of gates, fences, walls etc of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the ‘GPDO’) allows the demolition of any means of enclosure, provided the enclosure is not a listed structure nor that it constitutes ‘relevant demolition’ (this meaning the demolition of an unlisted building in a conservation area where the structure exceeds a particular size/height threshold).
- 9.22 In addition, Schedule 2, Part 2 (Minor operations), Class A – gates, fences, walls etc of the GPDO allows for the construction of any means of enclosure adjacent to a public highway of up to 2m high where it serves a school. As such, the 2m high metal rail fence qualifies as permitted development and does not technically require the consent of the LPA. The 3m high fence is not however permitted development.
- 9.23 Officers have illustrated within **Figure 9** below how PD fencing / site enclosure at the school would appear in comparison to the proposed/part unauthorised element of the submission.

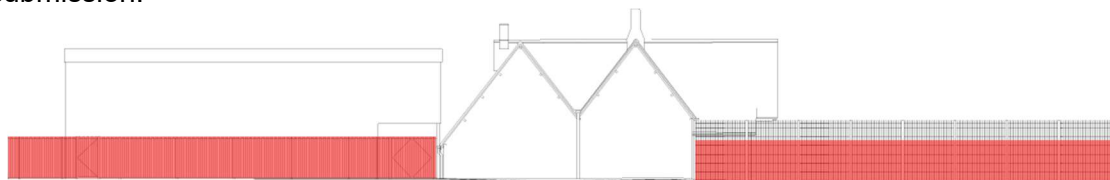


Figure 9: Proposed elevations with fencing height allowed under permitted development shaded red.

- 9.24 Turning to local character, the street scene is defined by the historic Victorian school building, which is a quaint structure reflecting historic rural vernacular. The site and its surroundings are further characterised by the low-density suburban setting, with a strong green character generated by verdant front gardens associated to the nearby residential properties, along with mature boundary hedgerows and some tree planting. Indeed, previously the school frontage featured a small hedgerow along with a chain-link fence before they were removed as part of the 2024 consent. In addition, Staverton C of E Primary School to the south is enclosed by a substantial mature hedgerow and trees. While it is acknowledged that the site backs onto the railway, which has a more utilitarian character, this corridor is also softened by a dense landscape buffer that further reinforces the overall green character of the area.
- 9.25 When viewed in this context, the black 3m open mesh fence, seen together with the fully tarmacked playground and site frontage of the school, results in a very harsh visual appearance that is incongruous with the rural vernacular and quaint character of the historic building and the low-density and the green suburban local essentially residential street character. The fencing is also of a scale that rises above the eaves of the Victorian building and is taller than any other fencing in the vicinity – including the fencing found at Staverton Primary School (as shown in **Figure 10**).



Figure 10: A site frontage view of Staverton Primary School located further along School Lane

- 9.26 The 3m fence at the Emmaus School reads as an incongruous and inconsistent feature (noting the 2m fencing elsewhere at the school) that does not satisfy the requirements of Core Policy 57 that development should promote local distinctiveness, harmonise with its context and represent high quality design. It also fails to meet the expectations of section 4.5 of the adopted Wiltshire Design Guide.
- 9.27 In light of the above, officers sought design betterment through direct liaison with the applicants appointed agent to secure a reduction in the height of the fencing and/or the incorporation of soft landscaping to assist in assimilating the development more effectively into its surroundings. This request was effectively declined in an email from the agent dated 31 March 2026. In that correspondence, the agent cites the need for the fencing to accord with relevant guidance, which recommends heights of 2–2.4 metres for security purposes and in excess of 3 metres for MUGAs. The agent also noted that the fencing is located to the rear of the Victorian building, which they contend is less sensitive.
- 9.28 Officers challenge the agent's assertion that the fence affects the rear of the Victorian school building. It very clearly impacts the front of the building. Officers also challenge the agent's reference to the playground requiring a 3m high fence. There is a clear inconsistency within the application submission pursuant to site security where it is being argued that one part justifies a 3m fence and another only a 2m high fence. Notwithstanding this anomaly, officers maintain that any fence that requires planning permission, must properly assess the impacts as part of a balanced planning judgement, and in this case, the 3m fence is found to be materially harmful to the character and appearance of the surroundings and has a deleterious impact on the character of the Victorian school building and diminishes the appearance of the non-designated heritage asset. Consequently, officers maintain their position that the proposal conflicts with Core Policy 57.
- 9.29 Having regard to the above, it is considered that, by reason of its 3-metre height, which is considered harmful and disproportionate to the scale of the Victorian built school building and the surrounding street scene, and its harsh, utilitarian appearance, is at odds with both the historic vernacular character of the asset and the immediate

suburban character of the streetscene, the 3m high fence appears incongruous and overly dominant. As such, the proposal fails to deliver a high-quality design that respects local character and distinctiveness and is consequently contrary to WCS Core Policy 57 and the Wiltshire Design Guide.

Heritage Matters

- 9.30 Adopted WCS Core Policy 57(i) and (iv) require that development proposals be sympathetic, respond positively to and conserve the historic environment.
- 9.31 Core Policy CP58 states that development should protect, conserve and, where possible, enhance the historic environment. The policy requires that heritage assets and their settings be conserved and/or enhanced in a manner appropriate to their significance.
- 9.32 Paragraph 207 of the NPPF states that local planning authorities should require applicants to describe the significance of any heritage asset affected by development, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on the asset's significance.
- 9.33 NPPF Paragraph 212 clarifies that great weight should be given to an asset's conservation, irrespective of the level of harm.
- 9.34 NPPF Paragraph 215 states that where a proposal leads to less than substantial harm to a heritage asset, the harm should be weighed against the public benefits of the proposal.
- 9.35 NPPF Paragraph 216 states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of any non-designated heritage asset.
- 9.36 As set out above, the original Victorian-built school building is considered to be a non-designated heritage asset (along with the now removed historic low stone boundary wall at the site frontage) contributes positively the local streetscene character. The loss of the low height wall is regrettable but was undertaken as works that are permitted development. Similarly, the construction of fencing up to 2 metres in height does not require planning permission and, regardless of its detailed design or materials, it would be unreasonable to attribute harm to this element.
- 9.37 For reasons similar to those identified in the design section above, the 3m high fencing that encloses the playground is considered to be incongruous in terms of its height, appearance and materiality when assessed against the Victorian school building, and consequently does not conserve the historic environment. Taking into account the modernised character of the wider site context, alongside the limited aspect of the development requiring planning permission, it is considered that the proposal would result in a low level of *less than substantial harm* to a non-designated heritage asset which merits being given great weight. Accordingly, the proposal conflicts with WCS Core Policies 57 and 58 and NPPF section 16, unless it can be demonstrated that the heritage harm is outweighed by the public benefits of the proposal, which is assessed in the conclusion section.

Other Matters

- 9.38 **Transport and public protection:** Given the lack of objection from the statutory consultees and as officers observed no issues relating to transport and public protection matters when visiting the site, the proposal is considered acceptable in terms of the relevant development plan policies pursuant to highway and public protection matters.
- 9.39 **Ecology:** With regard to the concerns raised by a member of the public, the asserted non-compliance of the school with previously imposed ecological enhancements condition requirements set out within Condition 4 of application PL/2023/10641 is not a matter for consideration of this application. It should be noted that details of ecological enhancements were submitted to and were approved by the Council under application PL/2025/04495. These included the installation of one wall-mounted Beaumaris bat box and two VivoPro sparrow boxes on the new building, along with the retention of the green area and associated planting to the north of the car park.
- 9.40 It is unclear whether the bird and bat boxes have been installed. Officers also observed during the site visit that the green area had been cleared and was being used temporarily for the storage of building materials and a skip. Given that minor site works were ongoing at the time of the visit, the matter will be forwarded on to the Council's enforcement team to review and to take any appropriate action. In addition, the applicant has been reminded of their obligations to implement the approved ecological enhancements in accordance with the details discharged under PL/2025/04495.

CONCLUSION (PLANNING BALANCE)

Planning law states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. In this case, two material considerations are of particular relevance: permitted development rights and the local and national policy and the adopted Design Guide.

The proposal seeks retrospective permission for new fencing at Emmaus School, an established school within the settlement development limits. Part of the application proposal relates to a 2m high black metal rail fencing that does not require permission from the LPA since it qualifies as permitted development.

The only part of the application that technically requires the consent from the LPA is the 3m high fence that encloses the playground.

Notwithstanding the applicant's justification to maintain site security, the 3m high fencing enclosing the playground has material harmful impacts on the character and appearance of the surrounding area and its relationship with the old school stone-built Victorian building. By reason of its height, utilitarian form and visually harsh appearance, the proposed 3m high open mesh fencing appears incongruous within the street scene and fails to respect both the rural vernacular of the Victorian school building and the suburban character of the immediate area.

For similar reasons, the same part of the application proposal causes a low level of less than substantial harm to the significance and character of the Victorian school building and diminishes its value as a non-designated heritage asset which is given great weight. As such, the proposal conflicts with WCS Core Policies 57 and 58, in addition to NPPF sections 12 and 16 and the Wiltshire Design Guide.

The NPPF attributes great weight to the need to create, expand and alter schools, and requires that public benefits be weighed against any less than substantial harm to a heritage asset, the conservation of which deserves being afforded great weight.

In this instance, officers do not support the 3m high fencing fronting School Lane. Elsewhere at the school, a 2m high fence is provided that purports to provide the necessary degree of site security for children and officers hold the view that the playground could be appropriately enclosed with a 2m fence at this location, exercising permitted development allowances. The arguments made by the applicants in support of the fence do not outweigh the harm identified to the character and appearance of the area and to the significance of the non-designated heritage asset, which are afforded great and most determinative weight.

As such, and having regard to all relevant material considerations, the proposal fails to comply with the development plan and material considerations when read as a whole. The application is therefore recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED for the following reasons:

1. ***By reason of its height and its incongruous relationship with the host building and streetscene, the 3m high fence that encloses the school playground (which is considered the most important part of the application submission), is disproportionate and harmful to the scale of the Victorian-built stone school building (which is considered to be a non-designated heritage asset) and is equally harmful to the character and appearance of the immediate surroundings and streetscene, through its harsh, utilitarian appearance, which is at odds with both the historic vernacular character of the identified local asset and the suburban character of the immediate area. As such, the proposal fails to deliver the required high-quality design that respects local character and distinctiveness and is consequently contrary to WCS Core Policy 57 and the Wiltshire Design Guide and the NPPF.***
2. ***By reason of its height and juxtaposition with the host building, the 3m high fence has a low level less than substantial harm to the significance, character and appearance of the Victorian-era school building on-site which is considered to be of merit as a non-designated heritage asset that this harm is afforded great weight in the decision-making process. No heritage justification has been provided, nor have sufficient public benefits been demonstrated that would outweigh the identified harm. The proposal therefore fails to conserve or enhance the historic environment and is contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy, the Wiltshire Design Guide, and section 16 of the NPPF.***

Neal Thompson

Subject: FW: Emmaus School Photos

From: Ken Marshall [REDACTED]
Sent: 21 April 2026 09:24
To: Headteacher headteacher@emmaus-school.org.uk
Subject: Question re school grounds

Dear Mrs Wiltshire,

I had occasion to cycle past your school recently and felt constrained, firstly to stop and help a situation in which your students found themselves and secondly to ask if the cause of that situation might be addressed.

The children had been playing with a football which came sailing over the fence towards my bicycle. With slighter greater force it might easily have reached the road.

Whilst that in itself is not a danger, it can easily cause momentary distraction to traffic on that busy road. My suggestion would be to do something that would make it less likely to occur. If the fence were raised slightly it might still occur, but the necessary trajectory would cause it to travel higher rather than further towards the road.

This is merely a suggestion, certainly not a complaint and though I know little about fencing or building work generally I would be very happy to make a donation towards the expense if that helped.

Yours sincerely,
Ken Marshall, Holt.