
Appeal Decision

Site visit made on 26 August 2026

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2026

Appeal Ref: 6010036

Emmaus School, School Lane, Staverton, Wiltshire BA14 6NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Noel Hannan against the decision of Wiltshire Council.
 - The application Ref is PL/2026/00464.
 - The development is security fencing.
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Decision

1. The appeal is allowed and planning permission is granted for security fencing at Emmaus School, School Lane, Staverton, Wiltshire BA14 6NZ in accordance with the terms of the application, Ref PL/2026/00464, and the plans submitted with it.

Preliminary Matters

2. The description of development in the banner heading and decision above is taken from the application form; however, I have removed the superfluous wording that does not refer to acts of development.
3. The security fencing has already been installed; the appeal is therefore being considered retrospectively. Notwithstanding the development is already in situ, I have dealt with the appeal on its planning merits.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, including the host building, which is a non-designated heritage asset.

Reasons

5. The appeal site comprises a Victorian school which benefits from a recently constructed extension of a contemporary appearance. It is situated between the railway line which runs along the rear boundary of the site and School Lane to the front. Beyond the side boundary of the site lies a prefabricated pre-school building, an enclosed play area and Staverton Church of England Primary School. There is residential development opposite the site, which includes semi-detached dwellings set back from the road, with parking and front gardens between them and the highway.
6. The appeal scheme seeks retrospective permission for the erection of black metal bow top fencing 2m in height adjacent to the newly extended part of the school and a 3m high, black-coated open mesh steel fence which encloses an area of playground (MUGA) between the side elevation of the school building and the small car park adjacent to the B3105. The Council's submissions indicate it has no

objection to the 2m high fence that has been installed, based on my own observations at my site visit, I have no reason to reach a different view.

7. There are a range of boundary treatments in the area of various heights and designs, including chain link fencing supported by concrete or wooden posts, boundary walls and hedges, bow top railings, close boarded timber fencing and metal palisade fencing. While greater in height than other boundary treatments nearby, the 3m high fence is a relatively lightweight structure, finished in a recessive colour. Moreover, a fence of such a height and design is not an uncommon feature of an educational facility and therefore not entirely at odds with the existing appearance of the site.
8. Taking these factors into account, notwithstanding its position close to the entrance of School Lane, the fence does not appear as an unduly incongruent feature or a visually conspicuous addition to the street scene when viewed within the context of the site. In that regard it does not conflict with advice in the Wiltshire Design Guide, 2024, insofar as it expects development to incorporate high-quality detailing which matches or otherwise complements the existing detailing. Accordingly, the 3m high fence does not detract from the overall character and appearance of the area.
9. The school is identified by the Council as a non-designated heritage asset (NDHA). It is of modest significance given its age, architectural interest and use of traditional materials including Bath stone. Considering this and given its prominent position on School Lane, the building contributes positively to the character and appearance of the area. Although positioned close to the building at the nearest point, the 3m high fence does not affect the form or fabric of the NDHA. Furthermore, like other additions, it is ancillary to the building's function and does not unduly disrupt its architectural integrity.
10. However, despite the relatively lightweight and open design of the fence, which does not preclude views of the side elevation of the building and the open countryside beyond, it is nevertheless readily apparent in the foreground of views towards the NDHA, whereby, by virtue of its 3m height, position and extent, it appears as an imposing and visually prominent feature. Consequently, it interrupts views of the asset and diminishes the ability to appreciate its significance. Whilst the effect is limited in extent, the fence nonetheless causes harm to the significance of the NDHA as experienced through its setting.
11. Given the effects are limited to views of only part of the site, and considering the modest significance of the heritage asset, the degree of harm to the significance of the NDHA is less than substantial in this case. In such circumstances, Policy HE7(2) of the National Planning Policy Framework (the Framework) sets out that this harm should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the NDHA.
12. The 3m high fencing provides a secure and safe environment for pupils and staff, enclosing the school's only outdoor play and recreation area. It also reduces the likelihood of balls leaving the MUGA and entering adjacent roads, and potential harm to highway safety, while supporting the continued and potential future use of the facilities for physical education, recreational activities and wider community use. When balanced against the modest significance of the NDHA, the benefits are of

considerable weight which outweigh the less than substantial harm to its significance.

13. In light of the foregoing considerations, I therefore conclude that the security fence does not harm the character and appearance of the area. In that regard it does not conflict with the aims of Core Policy 57 of the Wiltshire Core Strategy, adopted January 2015 (WCS), which seek development of a high standard of design, which is complimentary to the locality. While I have found that it does give rise to harm to the setting of the NDHA and therefore its significance, and thus conflicts with Core Policy 58 of the WCS, which amongst other things requires development to protect, conserve and where possible enhance the historic environment, including non-designated heritage assets, this is outweighed by the benefits of the scheme.

Other Matters

14. While I acknowledge concerns regarding the removal of the original stone wall to the front boundary of the site, this work did not require planning permission and is thus not a matter before me in the context of this appeal. Moreover, while the development may differ from the original proposals to extend the school, I have determined the appeal on its own merits, based on the evidence before me.
15. Whether or not the development that has been carried out is in accordance with conditions attached to an earlier planning permission is a matter for the parties to resolve outside of the appeal process.

Conditions

16. Since the appeal scheme seeks retrospective planning permission, a condition relating to the implementation of the permission is not necessary.

Conclusion

17. For the reasons set out above, while the development does not harm the character and appearance of the area, it causes less than substantial harm to the significance of the NDHA. However, I have found that the less than substantial harm in this instance is outweighed by the benefits arising from the development. As such it accords with the development plan when read as a whole and the Framework.
18. I therefore conclude that the appeal should be allowed.

E Worley

INSPECTOR