

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>21/00040/FUL</b>
<b>LOCATION:</b>	<b>St Patricks Church Hall, Back Lane, Nuthall, Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Retain 1.8m high perimeter fence</b>

This application has been called to Planning Committee by Councillor J M Owen.

1 Executive Summary

- 1.1 This application seeks permission to retain a 1.8m high mesh fence that has been erected around the south and east boundaries of the application site.
- 1.2 The application site is not covered by any site specific planning policy, although it is located adjacent to the Nuthall Conservation Area which is to the west of the site.
- 1.3 The applicant states that the fence is required to deter anti-social behaviour and vandalism at the church hall and car park. Whilst the fence has been designed for functional reasons over its appearance, it has an open nature and as it is situated outside the Conservation Area is not considered to be harmful to the character and appearance of the Conservation Area.
- 1.4 The fence is not considered to result in an unacceptable loss of amenity for the residents of any neighbouring properties.
- 1.5 On balance it is considered that the benefits of the proposal outweigh the limited harm, and that planning permission should be granted in accordance with the recommendation in the appendix.

## APPENDIX

## 1 Details of the Application

- 1.1 This application seeks permission to retain the 1.8m high wire mesh fence that has been erected along the south boundary of the application site, adjacent to Back Lane.

## 2 Site and surroundings

- 2.1 The application site comprises the St Patricks Church Hall and car park. The church hall is a bricks built building used by church organisations and hired out to local groups. The land around the church hall is reasonably open, with an ancillary building on the east side of the site. The application site is located in a largely residential location with residential dwellings to the north and south of the site. To the east of the site is a paddocks with the Basil Russell playing fields being to the west along with some larger dwellings. The application site is not within the Green Belt, the boundary for which abuts the east boundary of the site. The applicate site also sits just outside the Nuthall Conservation Area, which abuts the west boundary of the site. The application site is relatively flat, although it is slightly raised from Watnall Road. There is thick vegetation along the west boundary of the site, which also wraps around a small part of the south boundary of the site on the west side.

## 3 Relevant Planning History

- 3.1 The Church Hall was granted permission for an extension in 2002, in accordance with planning reference 02/00863/FUL.
- 3.2 There is no further relevant planning history for the application site.

## 4 Relevant Policies and Guidance

### 4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

### 4.2 **Part 2 Local Plan 2019**

- Policy 17: Place-making, Design and Amenitv
- Policy 23: Proposal affecting designated and non-designated heritage assets.

### 4.3 **Nuthall Neighbourhood Plan**

- Policy 5: Design and the historic environment

#### 4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

### 5 Consultations

5.1 **Council's Conservation Officer:** The fence is not preferable in this location, although is unconvinced that replacements or alterations would necessarily improve the final appearance/impact on the character and appearance of the Conservation Area. May have suggested setting the fence back, alternative colours/manufacturers, alteration to planting and landscape maintenance to improve road side appearance, would have questioned evidence need. However, it is noted that there is a need to the area and buildings to be secured, the land is adjacent to the Conservation Area, not within it, and the harm to the Conservation Area is less than significant and there are benefits to the protection of the buildings and the users. On balance the Conservation Officer cautiously does not object to the scheme.

5.2 **HS2:** No objections raised.

5.3 Nine properties either adjoining or opposite the site were consulted and a site notice was displayed. Nine responses were received, eight of which raise objections and one of which supports the development. The reasons for objection can be summarised as follows:

- Looks like a prison fence.
- Is scruffy and not maintained.
- Causes traffic issues as no passing places and people will have difficulty parking.
- Looked fine without the fence.
- Dangerous for emergency services.
- The fence was erected without permission and without consulting the residents.
- It's not necessary.
- Out of keeping with the character of the area.
- It was not erected by professionals.
- Rubbish accumulates at the fence which is an eyesore.
- Will make houses nearby harder to sell.

The reasons for support can be summarised as follows:

- Stops vandalism and late night cars.
- Stops football in the car park.
- Has resulted in less litter in the area.
- Has led to the area being more peaceful.

## 6 Assessment

6.1 The main issues for consideration are whether the design and appearance of the fence is acceptable and whether or not it has an unacceptable impact on the amenity of neighbouring residents.

### 6.2 **Design and Appearance**

6.2.1 The fence is of a fairly typical design for this type of enclosure. It has an open mesh appearance with metal 1.8m high posts. Whilst the design fence has been designed more with functionality in mind over appearance, the applicant has justified the need for the fence, highlighting historical vandalism and anti-social behaviour at the church hall as the reason for securing the site. Any alternative design such as a close boarded timber fence or metal rail fence which may also achieve the required security are not considered likely to be an improvement on the current proposal in terms of impact on the area.

6.2.2 The fence is located just outside the Nuthall Conservation Area, which is located to the west of the site. Whilst the fence is visible from the Conservation Area, the site is screened to some extent by large hedgerow along the west boundary of the site. The hedgerow and vegetation wraps around the south boundary of the site providing some element of screening of the fence from the Conservation Area. Taking into account the screening and the open design of the fence, as well as its location outside of the Conservation Area, it is considered that the proposal does not result in a harmful impact on the character and appearance of the Conservation Area.

6.2.3 Whilst additional vegetation for screening along the south boundary of the site has been considered, this is not practical given the surface is concrete and therefore does not provide the required ground conditions for additional planting. The grey colour of the fence is a neutral colour and it is not considered any alternative colour scheme would result in an appearance that is more beneficial to the character of the area.

6.2.4 Overall, it is considered that the need for the fencing to provide security to the site has been justified and that the design and appearance is not of such significant harm to outweigh the benefits of the proposal. It is therefore considered that an acceptable standard of design has been achieved.

### 6.3 **Amenity**

6.3.1 Taking into account the size, style and siting of the fence, it is considered that it will not result in an unacceptable loss of light or sense of enclosure for the residents of any neighbouring properties.

6.3.2 The fence secures the church hall and car park and will therefore deter any potential anti-social behaviour issues including vandalism to the church hall and the unlawful gathering of people in the car park that can result in noise nuisance for nearby residents.

6.3.3 Overall it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

**6.4 Access**

6.4.1 The fence is set back from the road, to the other side of the pavement along Back Lane. The fence has therefore not impacted the width of the existing road, which is still sufficiently wide to allow vehicles to pass each other. The open design of the fence also allows for clear visibility along the lane when accessing and egressing the site.

6.4.2 Taking this into account it is considered that the proposal does not result in an unacceptable impact on highway safety.

**7 Planning Balance**

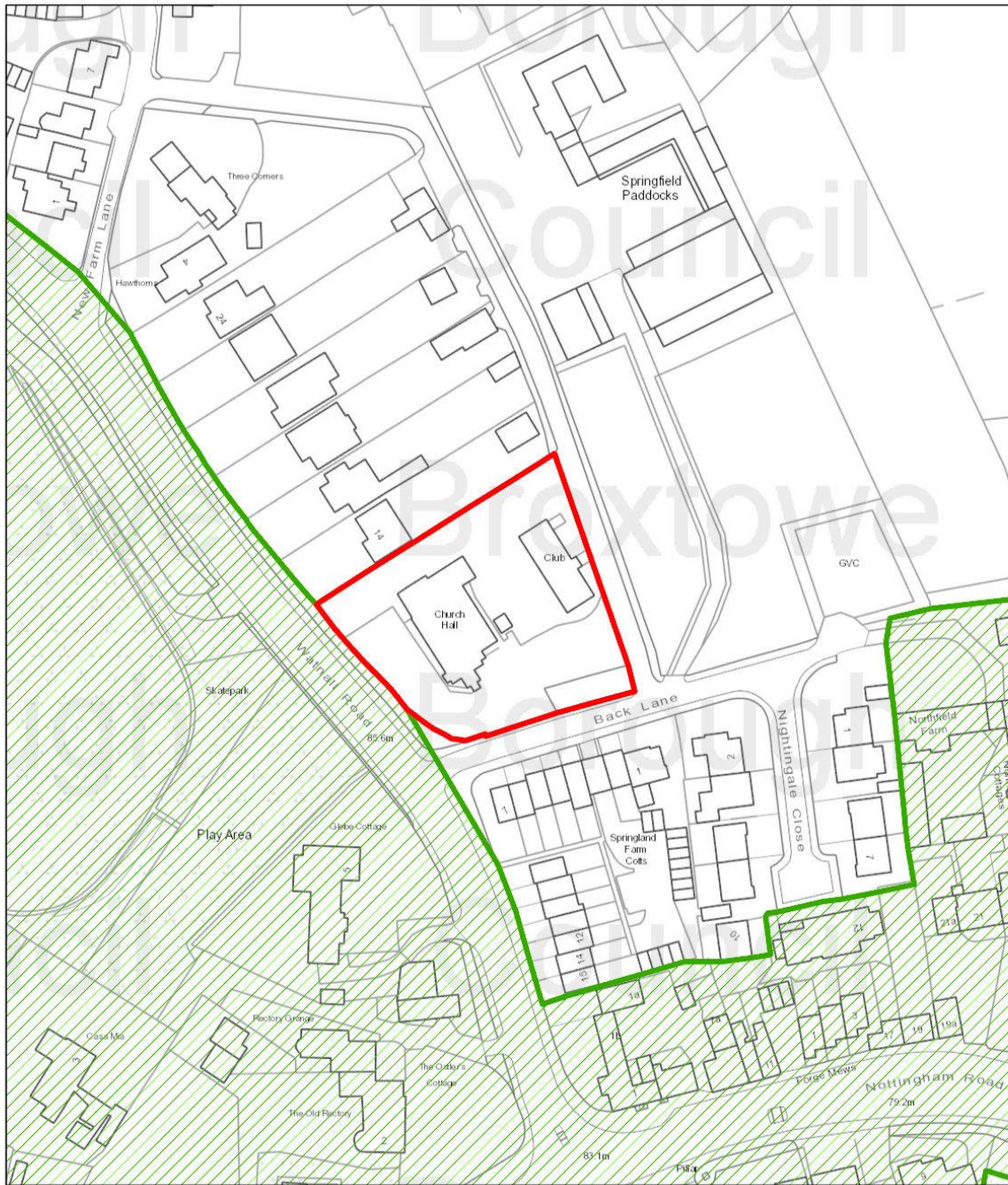
7.1 The benefits of the proposal are that it provides security to the church hall and car park to protect it from anti-social behaviour. Whilst the appearance may not be of the highest standard, the need for it is justified, it is located outside the Conservation Area, and partially screened from the Conservation Area by the existing vegetation. On balance it is considered that the benefits of the proposal outweigh the limited harm, and that planning permission should therefore be granted.

**8 Conclusion**

8.1 The proposal is considered to be in accordance with the aims of the Local Plan and the NPPF. It is therefore considered that the proposal is acceptable subject to the recommended condition below.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following condition.</b>	
<b>1.</b>	<b>The development hereby permitted shall be retained in accordance with the Site Location Plan, Elevation Plans and Block Plan; received by the Local Planning Authority on 29 January and 1 March 2021.</b>  <b><i>Reason: For the avoidance of doubt.</i></b>
<b>NOTES TO APPLICANT</b>	
<b>1.</b>	<b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b>

21/00040/FUL - St Patrick's Church Hall



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-  Conservation Area
-  Site



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Photographs



Fence along Back Lane (south boundary).

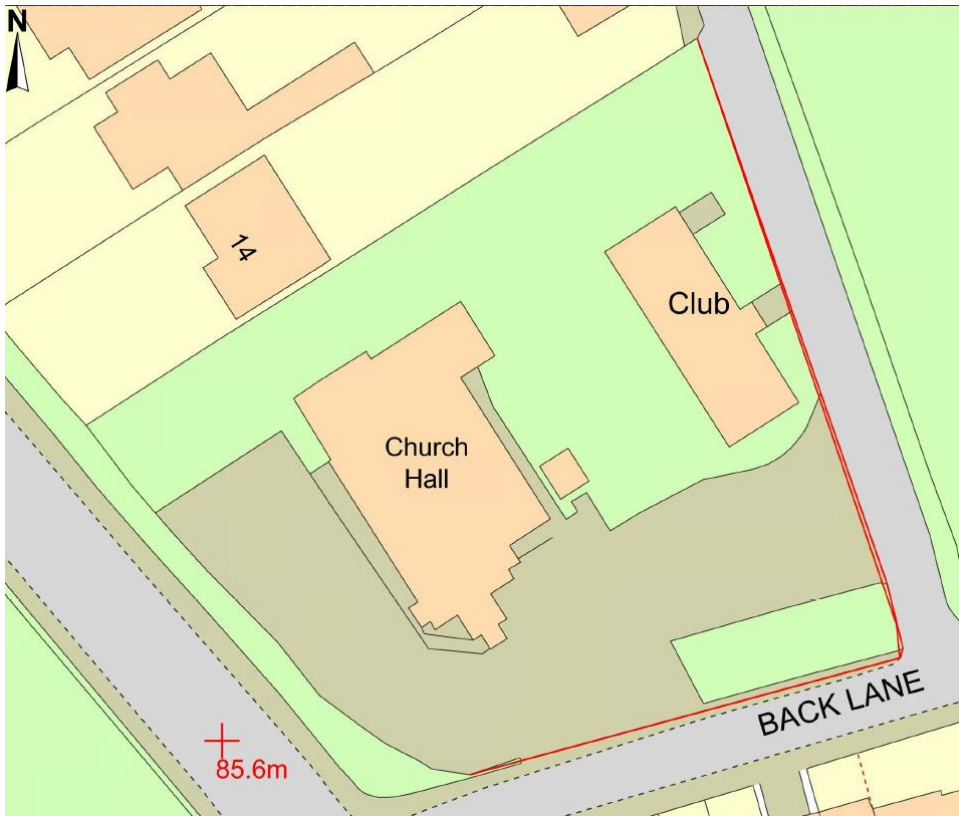


Fence along east boundary.



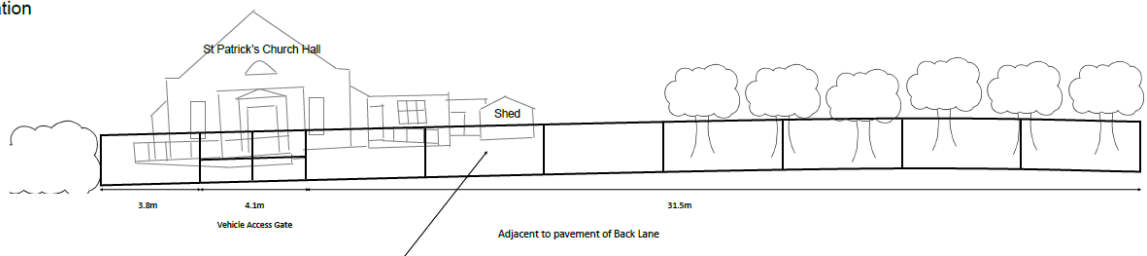
Relationship between fence and dwellings on Back Lane (south of site).

**Plans (not to scale)**

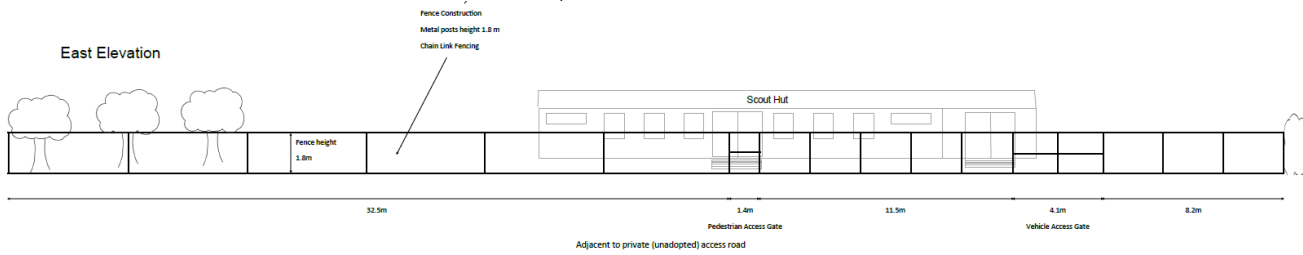


**Block Plan**

South Elevation



East Elevation



**Elevation Plans**