

PLANNING & DEVELOPMENT COMMITTEE

LIST A
ITEM NO: 1

APPLICATION NO: M/FP/0762/07/P

DESCRIPTION: Retrospective 5 metre high poles and netting along north boundary

LOCATION: Marton Football Club Hall Drive Middlesbrough

APPLICANT: Mr K Sykes

SUBMITTED BY: Mr K Sykes

REPORT:

LOCATION:

1. The application site is located off Hall Drive, to the north of Marton Football Club sports field and to the south of 4 No. properties on Fane Grove.

PLAN STATUS:

2. Middlesbrough Local Plan Adopted August 1999
Policy E1: General Development Policy
Policy E2: Green Wedges
Policy E41: Development in or Adjoining Conservation Areas

RELEVANT PLANNING HISTORY:

3. No relevant planning history.

PROPOSAL:

4. This application is to retain 11 no. 5 metre high poles and netting which has been erected along the north boundary of Marton Football Club field on Hall Drive.

CONSULTATIONS:

5. The proposal was advertised in the local paper on 10th May 2007. Site notices were posted on 11th May 2007.

6. Following a neighbour consultation exercise two letters of objection have been received.

7. The following summarises the comments received from 8 Fane Grove:

1. Fence is too close to properties and is an eyesore.
2. Exacerbates noise nuisance.

8. The following summarises the comments received from 7 and 9 Fane Grove:

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1. Fence is Unsightly.
2. Visually inappropriate and unacceptable in a residential area.
3. Sense of imprisonment, too close.
4. Errant footballs.
5. Unauthorised access to retrieve footballs.
6. Howl from the wind vibrating the netting.
7. Play too close to boundary.

TRANSPORTATION

9. The Transportation Department have no objections.

CONSERVATION OFFICER

10. The following summarises the comments received from the Conservation Officer:

1. From a conservation point of view, it is important that any such change is reversible rather than permanent. Therefore, the current application should be accepted only if the poles are collapsible poles and will therefore be removable whenever required.

COMMUNITY COUNCIL:

11. The Community Council was consulted. No comments were received.

WARD COUNCILLORS:

12. The Ward Councillors were consulted. No comments were received.

ANALYSIS:

13. The relevant policies in the local plan are E1 (General Development), E2 (Green Wedges) and E41 (Development in or Adjoining Conservation Areas). E1 generally requires new development to be of quality and not to impact on adjacent occupiers so that it impairs the enjoyment of their property. E2 does not allow development that would harm the visual amenity. E41 generally requires that new development must contribute to the preservation or enhancement of the character and appearance of the area.

14. The site subject of this application is a sports field utilised by Marton Football Club on the north side of Hall Drive. Retrospective permission is sought for the erection of 11 no. 5 metre high poles and netting along the north boundary. The poles and netting are placed to the rear of 4 no. properties on Fane Grove, and span a distance of approximately 100 metres. Each pole is erected at equal intervals. The netting is placed above the existing 2 metre high boundary fence, which encloses the site. The netting has a mesh gage of 4 inches. There is a small footpath on the north side of the fence that separates the

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boundary of the football ground from the boundaries of the residential properties on Fane Grove by approximately 2 metres.

15. With regard to the objections received in respect of the proposal the following comments are made: -

1. Unsightly/Eyesore - Although the netting is black and relatively thin with a wide mesh gage it is clearly visible from the rear windows and gardens along Fane Grove, together with the high poles which tower over the existing boundary enclosures which are a standard height of approximately 1.8 metres.

2. Sense of imprisonment, too close - The distance between the rear of the dwellings located on Fane Grove and the boundary with the football club ranges from 4.5 metres to 11.5 metres. The rear gardens as a result appear very enclosed due to the height of the poles and netting and its location to the properties.

3. Noise - The noise caused by coaches yelling, footballs hitting the existing wire fence and a tractor cutting the grass are not planning considerations in connection with the application for the poles and netting. Noise caused by wind would be dealt with under Environmental legislation and not planning legislation.

4. Barbed wire and anti vandal paint - The barbed wire and anti vandal paint is placed upon the original 2 metre high boundary fence which is not subject to this application and does not breach any planning regulations as a result this objection is not a material planning consideration.

5. Errant footballs - Nearby residents and Marton Football Club have confirmed that balls often go over the original boundary enclosure and into the rear gardens of Fane Grove. The erection of the poles and netting was an attempt to prevent this from occurring. However when a dwelling is located adjacent to a sports ground it is almost impossible to eliminate the problem altogether.

6. Unauthorised access - Youths that enter the residents gardens and cause damage is a criminal/civil matter and is not a material planning consideration concerning this planning application as this would appear to occur with or without the 5 metre high poles and netting.

7. Play so close to our fence - This is not a material planning consideration as the location of the pitches is not part of this planning application.

8. Any change should be reversible - The Conservation Officer states that any change within a conservation area should leave the character and appearance unharmed. It is believed that the poles and netting as existing detract from the visual amenity of the conservation area. This could be rectified if the poles and netting were retractable and could be removed when the sports ground is not in use.

16. From the general planning viewpoint: -

1. The site is in a Conservation Area, which necessitates higher quality of development.

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2. The general approach to the design of a boundary fence is one to meet the requirements of security, privacy and enclosure without prejudice to the amenity of the landowners concerned.

3. In this case the means of enclosure is to the detriment of the quality of life of the adjacent occupiers and as such the planning process should seek to find a reasonable compromise.

4. A retractable fence would perform such a role.

17. In summary, the fence is inappropriate visually, functionally it does not resolve the problem of unauthorised access and it is at the expense of the residents amenity.

18. Accordingly refuse and enforce is recommended.

RECOMMENDATION: Refuse and Enforcement Action Authorised

CONDITION(S) / REASON(S):

- 1 The proposal catch fence is considered to be visually inappropriate in the Acklam Hall Conservation Area and is to the detriment of the amenity of the adjacent occupiers by reason of its scale and appearance.
- 2 The proposal is in conflict with Policies E1 (General Development), E2 (Green Wedges) and E41 (Development in or Adjoining Conservation Areas)

Committee Date: 15th June 2007

Originator: Shelly Vickers

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