

APPLICATION NO PA/2014/0758

APPLICANT North Lincolnshire Council

DEVELOPMENT Planning permission to retain security fencing

LOCATION Co Op Sports Ground, Brumby Wood Lane, Scunthorpe

PARISH SCUNTHORPE

WARD Kingsway and Lincoln Gardens

CASE OFFICER David Wordsworth

SUMMARY RECOMMENDATION Grant permission

REASONS FOR REFERENCE TO COMMITTEE Member 'call in' (Councillor Gosling – significant public interest)

POLICIES

National Planning Policy Framework: Paragraphs 11, 12, 56, 60, 61, 66, 75, 186, 196 and 197 apply.

North Lincolnshire Local Plan: Policies R1, LC11, DS1 and DS3 apply.

North Lincolnshire Core Strategy: Policies CS5 and CS23 apply.

CONSULTATIONS

Highways: No objections.

PUBLICITY

This application has been advertised by site notices and on the council's website. At the time of writing 10 letters of objection have been received which are summarised as follows:

- The fence will have a detrimental impact upon the character of the area.
- The neighbourhood would lose important amenity if land is fenced off for the minority.
- The fence has changed the whole feel of the area.
- This land has been used by the community for over 40 years.
- The fence denies people's free and open access to Central Park.
- The land has been a shared space for decades. It denies a prescriptive right of access.

- The fence will have an adverse impact on wildlife such as deer, badgers, foxes and hedgehogs.
- A gap of 6-9 inches at the bottom of the fence should be left for wildlife.
- The AFWAC area is not fenced making security for the field impossible.
- The application form states 'development not started' but the fence has been erected.
- The application form states that the fence would have a galvanised finish but a green powder-coated fence has been erected.
- The application has been amended to the retention of a security fence rather than the erection of a security fence.
- Only one site notice is visible.
- The council is operating outside its own guidelines.
- The whole process has been brought into disrepute.
- The fence should be removed.

ASSESSMENT

Planning permission is sought for the retention of a green powder-coated steel fence which exceeds 2 metres high, erected approximately around one half of the perimeter of the Co-op sports ground to the south of Brumby Wood Lane, Scunthorpe. The sports ground, which consists of two football pitches, a bowling green and a pavilion with associated parking area, forms part of a wider area of public open space, parkland and woodland within the urban area of Scunthorpe. Central Park is located to the south and east of the sports ground and Brumby Wood is located to the north and west. The whole of the application site falls within the protected playing fields allocation (policy R1) of the North Lincolnshire Local Plan. Vehicular access to the sports ground and the pavilion is gained from an access road from Brumby Wood Lane to the north which is gated at its southernmost point across the access road.

The key issues in determining this application are: whether the fence has an adverse impact upon the visual appearance and character of this area of open space; whether the fence has an adverse impact upon the existing wildlife and biodiversity in and around the site; and whether the development unreasonably restricts people's access and enjoyment of this area.

Visual impact

The fence is described on drawing number C0002 Rev A as *new 2m high Heras "Pallas 200 System" welded mesh panel security fencing*. The fencing that has been erected marginally exceeds 2 metres high but in all other aspects resembles this description. The fence is not highly visible within the park or views into the site from Kingsway to the south, because the fence is screened from view by an existing deciduous hedge that contains mature trees that borders the majority of the southern boundary and also the western boundary of the Co-op sports ground. If walking within the park along the footpath provided, it is only the south-

eastern corner of the existing fence that is visible from outside the sports ground. This is not only attributed to the position of the fence in relation to the existing natural features but also on account of its design and colour. Firstly, the welded mesh panels allow views through the structure so that the development does not present the appearance of a physical barrier. Secondly, the mesh panels are not considered to be visually unattractive. Thirdly, the fence has been powder-coated green, a colour that is considered to be suitable, particularly given the extensive green areas in which it sits and also the backdrop of existing woodland and parkland setting. Whilst of a different design to the fencing that encloses the children's play area to the east of the sports ground, it is felt that both types of fencing complement rather than contradict each other's existence.

Biodiversity

The fence has been erected adjacent to, but not within, the existing deciduous hedgerow. It is felt that whilst the fence has been secured by steel poles in concrete foundations, the gaps within the mesh will allow relatively small animals to pass through the fence. The existing hedgerow and trees will provide an important wildlife corridor which has not been adversely affected by the fence. North Lincolnshire Council's ecologist has been consulted on the application and has assessed the potential impact of the fence upon wildlife. Prior to any works being undertaken at the site a nesting birds survey was undertaken which established that some hedge trimming would be required and its potential impacts were summarised as:

- direct impact of flailing;
- flying debris from side-arm flail;
- disturbance from use of the flail; and
- exposure to predators.

The survey concluded that:

- a number of active birds' nests were present in the hedgerows to be affected by trimming and installation of the fence;
- sensitive working methods should be used to avoid impacts on nesting birds;
- biodiversity enhancement is recommended on the site to ensure the development will comply with local, regional and national policy requirements; and
- all digging works should be carried out in accordance with the National Joint Utilities Group (NJUG) publication, volume 4.

The hedge trimming works were undertaken in accordance with the ecologist's recommendations. There were no significant impacts upon wildlife and no objection to the proposal from the council's ecologist.

Access

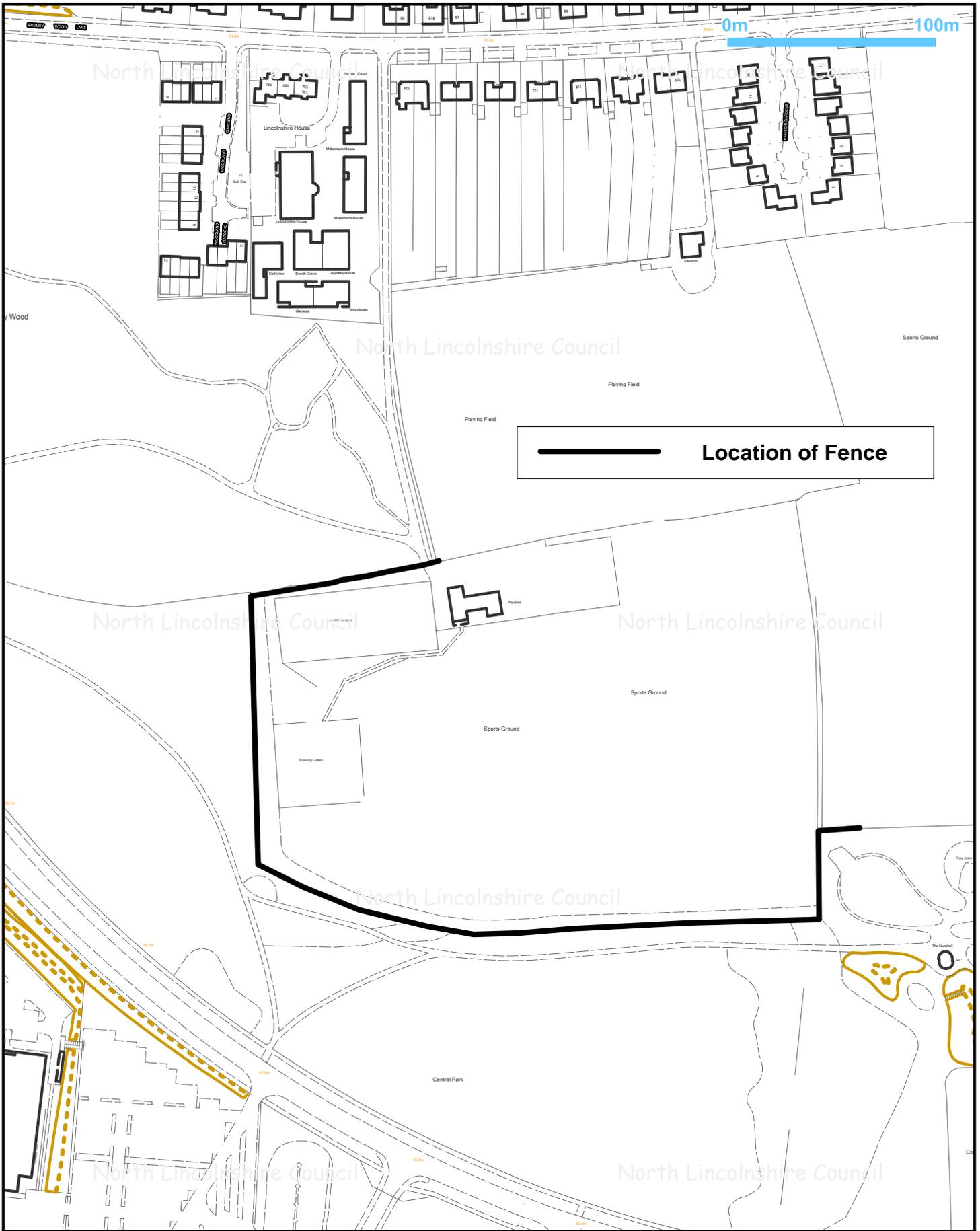
Gates for access and maintenance purposes are installed in the perimeter fencing. This provides the necessary level of security overnight for the sports pitches and pavilion and is

consistent with the terms of the covenant on the land. The current intention is that the gates will not be locked during daylight hours.

RECOMMENDATION Grant permission.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2014/0758			
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