
Case Number	18/02710/FUL (Formerly PP-07129732)
Application Type	Full Planning Application
Proposal	Erection of Ball Stop Fencing to the Loundside and northern elevations of the playing field
Location	Thornccliffe Cricket And Social Club Lound Side Sheffield S35 2US
Date Received	16/07/2018
Team	West and North
Applicant/Agent	Thornccliffe Cricket & Social Club Limited
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Red-lined Site Location Plan;
Location of New Fencing Layout - Plan;
Location of New Fencing Layout - Lound Side Elevation and Plan View;
Location of New Fencing Layout - Northern Boundary Elevation and Plan View;
Drawing A 008 Detail of Ground Works;
all received on 16.7.18.

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

3. Within two months of the ball stop fencing being erected, full details of the management and maintenance of the ball stop fencing shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the ball stop fencing shall be managed and maintained in accordance with the approved details.

Reason: To provide protection for the occupants of the adjacent dwellings and users of the public highways from ball strike.

Other Compliance Conditions

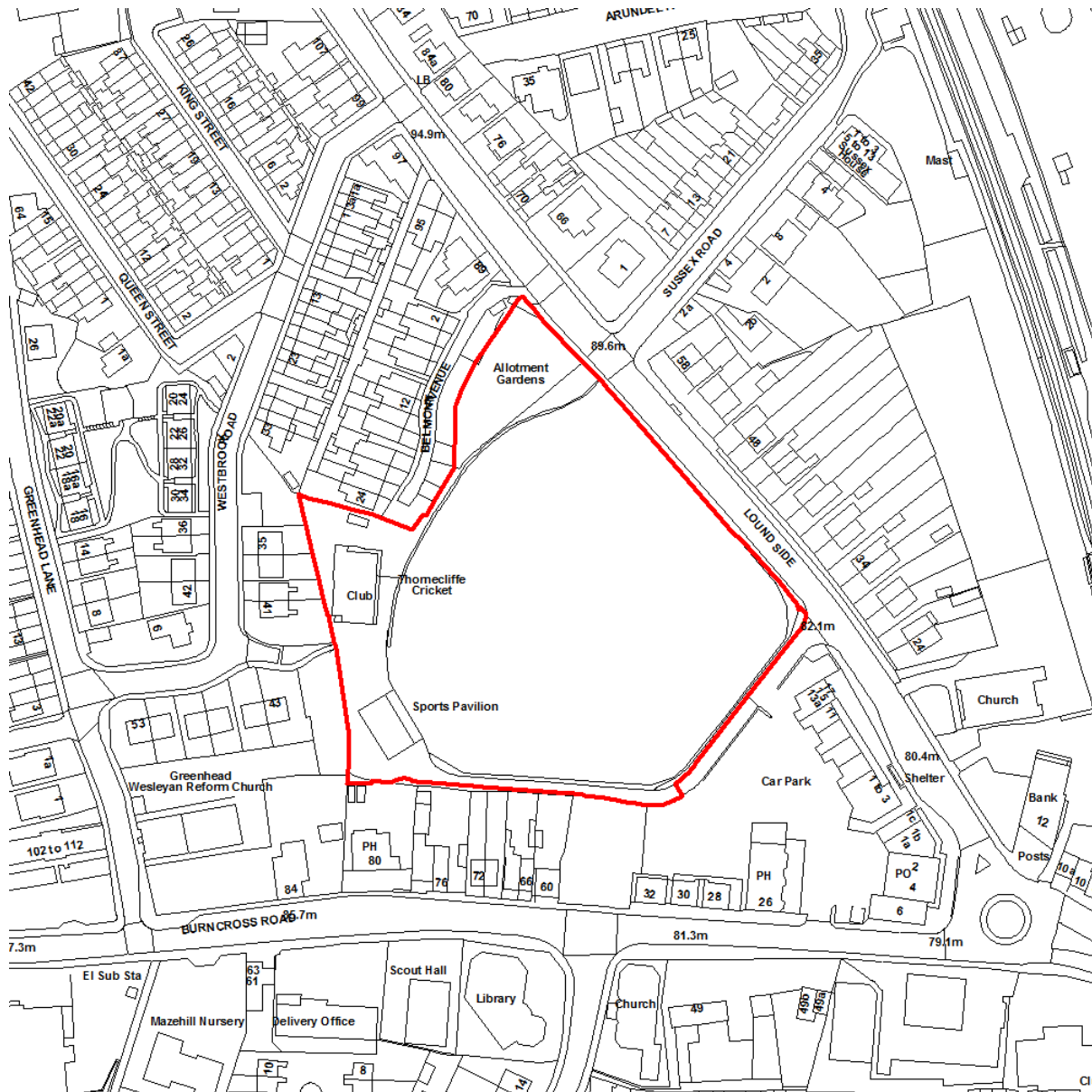
4. Notwithstanding the provisions of the Town and Country Planning (Control Of Advertisements) (England) Regulations 2012 or any Order revoking and re-enacting that Order, no advertisements shall be displayed on either side of the ball stop fencing without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION

The site is located on the southwest side of Lound Side between the edge of the town centre in Chapeltown and Belmont Avenue to the north.

The site comprises a cricket ground and associated buildings. The land levels gradually rise from the southwest to northeast across the site. A hedge runs along part of the northern boundary. A concrete sectional panel fence and a rigid mesh fencing run alongside the boundary with Lound Side and along the southern and western boundaries. There is also a high hedge on the outside of the fence line on

the southern boundary. The existing boundary fencing varies in height from 3.15 to 3.9 metres high.

There is a small area of allotment gardens on part of the northern boundary at the junction of Lound Side with Belmont Avenue. There are houses on the opposite sides of Lound Side to the northeast and Belmont Avenue to the north.

PROPOSAL

The proposal seeks full planning permission for the erection of ball stop fencing to the boundaries of the cricket field along Lound Side and along the northern boundary of the field.

The fencing would be sited on the field side of the existing boundary fences. The fence posts would have a green painted finish and the colour of the netting between the posts would be black.

The proposed fence along Lound Side would be 70 metres in length. It would be 10 metres high above the perimeter ground level at its southern end and 6 metres high above ground level at its northern end.

The proposed fence on the northern boundary would be 50 metres long and would have a 6 metre high section of fencing 10 metres wide at its western end rising to 10 metres high for the remaining four sections of fencing.

The applicant has submitted a Boundary Risk Assessment Technical Report in support of the proposal.

RELEVANT PLANNING HISTORY

There have been several planning applications previously submitted in respect of various development proposals relating to this site.

In the 1980s and 1990s planning permission was granted for the erection of a pavilion and various extensions to the buildings on the site.

In 2008 advertisement consent was refused for the retention of banner signs to perimeter fence (application no. 07/04078/ADV refers).

In 2012 planning permission was granted for single storey extension to social club and erection of a retaining wall to the rear (application no. 12/02980/FUL refers).

SUMMARY OF REPRESENTATIONS

The application has been publicised by notification letters and display of site notices.

5 representations of objection have been received from residents on Belmont Avenue relating to the following matters:

-never known any balls come over to Belmont Avenue, erection of a permanent fence is disproportionate;

- affect appearance and character of the avenue, would feel caged in;
- effect on bats and bird species;
- no reason to have a fence erected down Belmont Avenue;
- why aren't there any proposals to have the fence erected on the other two sides where there is more vehicle and pedestrian movement;
- will interfere with access to the field;
- should the proposal be passed will there be a condition that forbids advertising boards;
- fencing or netting could be removed when not the cricket season.

5 representations of support have been received from residents on Lound Side relating to the following matters:

- this fence has been needed for a long time;
- health and safety risks, damage to cars, buses and property, numerous buses and vehicles have been hit, neighbours window broken;
- there has been an increase in cricket balls leaving the ground, this happens nearly every match and training session;
- the English Cricket Board and Council's health and safety officer agree.

Ecclesfield Parish Council has no objection.

Representations made relating to prevention and interference of a residents view of the cricket ground and park, effect on private access rights, and effect on house value are not material considerations.

PLANNING ASSESSMENT

Policy Issues

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP). The UDP Proposals Map identifies the site as being within an Open Space Area.

The Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State. The Draft Proposals Map maintains the Open Space designation.

UDP Policies LR4 and LR5 seek to protect Open Space Areas. Core Strategy Policy CS47 seeks to safeguard open space.

The Government's planning policy guidance contained in the National Planning Policy Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless in certain specified instances (NPPF paragraph 97 refers).

The applicant's Boundary Risk Assessment is a desk top study which uses modelling to assess the risk of cricket balls being hit over the boundary of the cricket field to surrounding areas. It assesses the site and distances to ascertain the risk of balls

landing in adjacent areas. The report considers each of the four boundary orientations.

Whilst the cricket square from where balls are hit is located centrally within the cricket field, the distances from it to the boundaries vary due to the irregular shape of the site.

In respect of the north east direction towards Lound Side, the report notes that the distances from the nearest edge of the cricket square to the boundary vary from approximately 36 to 41 metres and states that at these shortest distances a 17/18 metre high fence should stop all but the fastest shots for community level cricket and to reduce all risk a 25 metre high fence would be required however this may not be practical or proportionate.

The report recommends that to significantly reduce the frequency of the risk, mitigation of up to 8 to 10 metre high at the shortest boundary would be required. It notes that this may not stop all shots from landing beyond the boundary but it is believed from the assessment of ball trajectory it will significantly reduce their frequency.

In respect of the northwest direction, the report notes that the shortest distance from the edge of the cricket square to the boundary is approximately 41 metres and states that at this distance a 16 metre high fence should stop all but the fastest shots for community level cricket and to reduce all risk a 25 metre high fence would be required however this may not be practical or proportionate.

The report notes that the ground levels rise to the northern end of the cricket field and the closest part of the square is used by junior players and the height of recommended mitigation could be reduced to approximately 12 metres.

The report notes that ball strikes in the southeast direction do not currently raise issues with the adjacent car parking use although to further reduce risk increasing the height of the current fence could be considered if deemed to be required, and that in the southwest direction where the distance to the boundary is approximately 51 metres the existing mitigation at 3 to 3.5 metres high is a sensible and suitable solution.

The Council's Health and Safety Enforcement Service have advised that following investigations of complaints about the risk from numerous numbers of cricket balls being hit over the boundary fence on Lound Side causing damage to property, there is an associated risk to pedestrians, vehicles and residents and that an increase in height of the boundary fence is the only suitable way to control the associated risk.

Sport England has advised that they have sought the views of the England Cricket Board (ECB) on this proposal. The ECB has commented that they support the planning application, that the club (the applicant) is responding to Sheffield City Council Health and Safety Enforcement department following complaints by neighbours, that the club has a legal obligation to consider duty of care for persons and property where the risk of ball strike is foreseeable, that the club commissioned a ball strike risk assessment to inform the level of risk and mitigation, that the height

of the netting is informed by the risk assessment to provide a practical solution to lowering risk to neighbours to a proportionate level (elimination of risk altogether would require much higher netting but this would not be practicable or proportionate, a permanent solution is necessary, that retractable or demountable netting is not suitable for protection of this scale and creates a management risk.

Sport England have stated that they do not wish to raise an objection to this application subject to a condition to secure that within two months of the ball stop fencing being erected details of its management and maintenance is agreed with the local planning authority after consultation with Sport England.

In this instance the proposed development is for ancillary facilities supporting the principle use of the site as a playing field and would not harm any features of significance, or harm the character of the Open Space Area, or adversely affect the quantity or quality of the playing field.

The proposal complies with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

Impact on the Amenities of Residents and the Locality

There are residential properties opposite the site on Lound Side and Belmont Avenue.

There would be a separation distance of approximately 20 metres from the dwellings on the northeast side of Lound Side to the proposed fence and approximately 13 to 33 metres between the houses on the north side of Belmont Avenue and the proposed fence.

The proposed fencing comprising metal posts up to 10 metres high with up to 10 metre high netting between the posts would be visible within the streetscene and from the residential properties opposite the site. The impact of the proposed fencing is lessened by the slender design of the vertical posts (152mm reducing to 100mm wide), and the relative transparency of the open mesh netting which would have a 50mm gauge mesh.

It is considered that would be sufficient separation distance between the proposed fences and houses opposite the site off Lound Side and Belmont Avenue to ensure that the proposed fence would not over dominate or otherwise harm the living conditions of the residents of these properties.

Whilst the height of the fencing would be visible within the streetscene along both Lound Side and Belmont Avenue it is considered that the design and appearance of the proposed open mesh fencing would significantly reduce its visual impact. The proposal would not significantly harm the character and appearance of the streetscene.

Although the proposal involves two lengths of fencing, one 50 metres long and the other 70 metres long, the extent of the higher fencing now proposed covers only a

small part of the perimeter of the sports ground. It is considered that the proposal would not have a significant impact on wildlife in the locality.

Highway Issues

There are no highway implications to this proposal.

SUMMARY

The UDP Proposals Map identifies the site as being within an Open Space Area.

In this instance the proposed development is for ancillary facilities supporting the principle use of the site as a playing field and would not harm any features of significance, or harm the character of the Open Space Area, or adversely affect the quantity or quality of the playing field.

There are no objections from Sport England.

It is considered that would be sufficient separation distance between the proposed fences and houses opposite the site off Lound Side and Belmont Avenue to ensure that the proposed fence would not over dominate or otherwise harm the living conditions of the residents of these properties.

The proposal would not significantly harm the character and appearance of the streetscene.

There are no highway implications to this proposal.

The proposal complies with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

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