

Application Number:	2023/0351	Application Type:	Full
Proposal:	Full: The Installation of 2 meter fencing around parts of Bowling Green	Location:	Whitworth Bowling Green Off Market Street Whitworth Rossendale OL12 8DP
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	10/10/2023
Applicant:	Lee Childs (RBC Facilities Manager)	Determination Expiry Date:	13/10/2023 (extension of time agreed)
Agent:	N/A		

Contact Officer:	Storm Grimshaw	Telephone:	01706 252411
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	No
3 or more objections received	No
Other (please state):	Council application / council owned land.

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Approval subject to the conditions contained within this report.

2. SITE

The application relates to Whitworth Bowling Green to the west of Market Street in Whitworth. The bowling green is located to the south of the Riverside Whitworth Civic Hall and is accessed from the access road leading to the Civic Centre's car park. The bowling green is enclosed by a mix of hedging, stone walling and low fencing.

The application site is identified as a recreation area, green infrastructure and is located within the defined urban boundary.

3. RELEVANT PLANNING HISTORY

None.

4. PROPOSAL

The applicant seeks planning permission to install 2m high green mesh fencing along parts of the perimeter of the bowling green, including two gates for access.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 4 Decision Making
Section 8 Promoting Healthy and Safe Communities
Section 11 Making Effective Use of Land
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: Urban Boundary and Green Belt
Policy ENV1: High Quality Development in the Borough
Policy ENV4: Biodiversity, Geodiversity and Ecological Networks
Policy ENV5: Green Infrastructure Networks

6. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objection, condition recommended.
Whitworth Town Council	Support.

Consultee	Response
Police	Support.

7. REPRESENTATIONS

In order to publicise the application a site notice was posted and neighbouring properties were notified.

Two comments in support of the proposal and one neutral comment have been received in response to the application commenting:

- Pleased the fencing has been applied for because of incidents of anti-social occurring at the bowling green.
- Fencing needs to be robust to prevent trespass and concerns raised over ability to withstand vandalism.

Separate to the above the case officer has received several emails from local councillors and users of the bowling green explaining why the proposed fencing is considered to be necessary.

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity;
- 4) Access, Parking and Highway Safety.

Principle

The application site is located within the urban boundary, where Policy SD2 of the Local Plan seeks to locate the majority of development, and the bowling green is designated as a recreational area.

The purpose of the proposed fencing is to secure the bowling green and prevent further trespass in light of repeated incidences of anti-social behaviour and vandalism committed at the bowling green. The case officer has received emails from residents and member of the bowling club detailing such incidences and have also provided photographic evidence of the vandalism.

It is considered that the development is acceptable in principle and would serve to secure the designated use of the site as a recreational area.

Visual Amenity

The existing boundary treatments along parts of the bowling green fail to provide adequate security. The proposed fencing would be of a greater height than some of the existing boundary treatments, and the style of fencing proposed is not considered to represent a high standard of design or appearance. However in this particular case it is not considered that the fencing would form an overly prominent or intrusive

feature, and the visual impact is considered to be low overall, with balanced consideration given to the purpose of the fencing in protecting the recreational facility in question.

Overall, it is considered that the development is acceptable in terms of visual amenity.

Neighbour Amenity

Owing to the separation distances involved, it is not considered that the development would result in any significant harm to the living conditions of residents living nearby or the amenity of users of the nearby Civic Centre.

As such, it is considered that the development is acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

The local highway authority have raised no objection to the development, and have recommended a condition restricting the times of deliveries to the site.

In light of the above the development is considered to be acceptable in terms of access, parking and highway safety.

9. SUMMARY REASON FOR APPROVAL

The installation of the fencing is considered to be acceptable in principle and would serve to secure the designated use of the site as a recreational area. The development would not unduly detract from visual amenity, neighbour amenity or highway safety subject to the use of planning conditions. The proposal is therefore considered to accord with the provisions of the National Planning Policy Framework and Policies SS, SD1, SD2, ENV1 and ENV5 of the adopted Local Plan.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in strict accordance with the following drawings and documents:
 - Application form signed 20 July 2023
 - Revised Location Plan
 - Indicative Sketch of Fencing
 - Document titled V Mesh Fencing

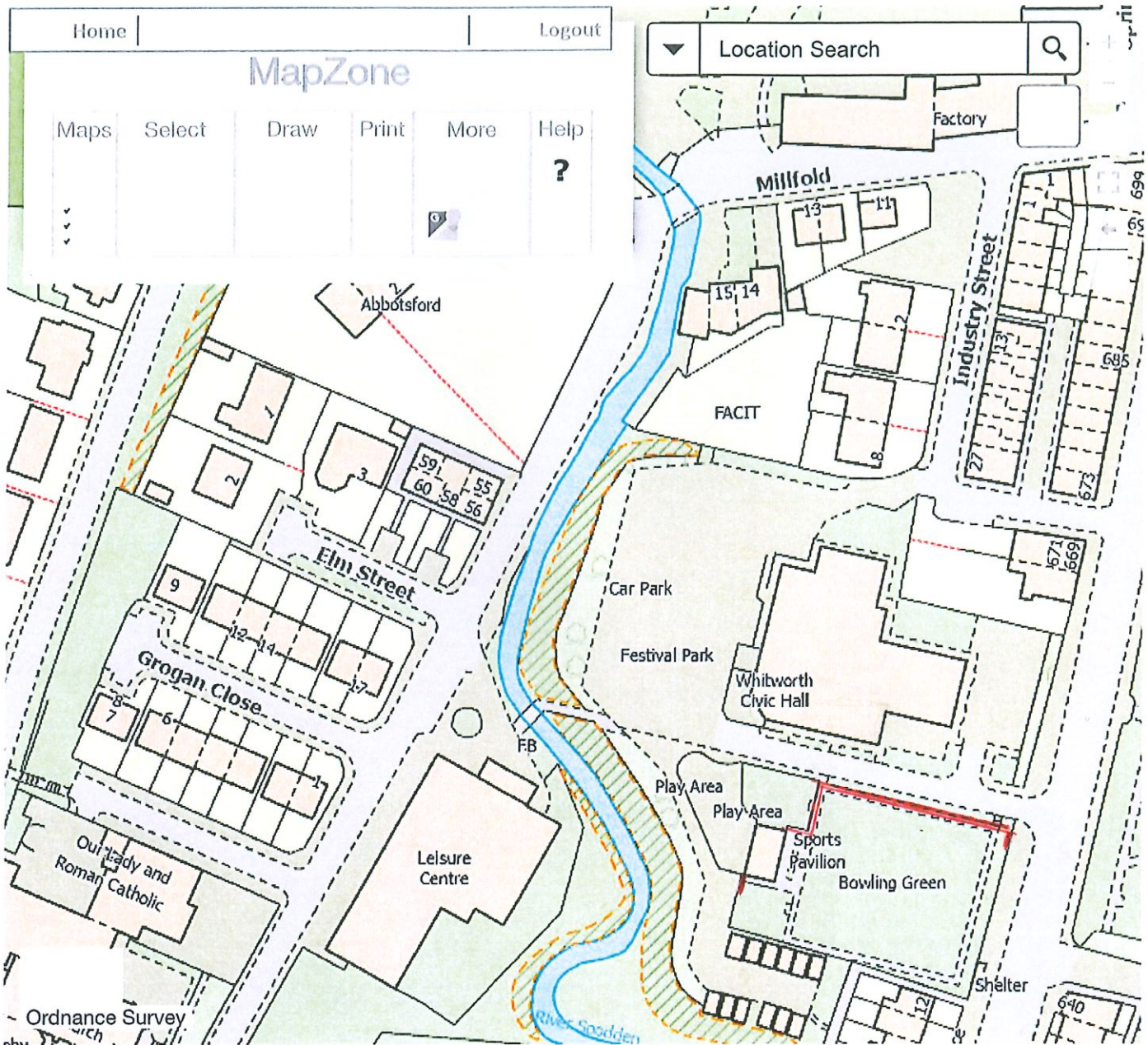
Reason: To define the permission and in the interests of the proper development of the site.

3. Deliveries to the application site shall only be accepted between the hours of 09:30am and 2:30pm, to avoid peak traffic on the surrounding highway network.

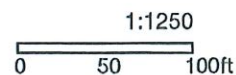
Reason: In the interest of highway safety.

11. INFORMATIVES

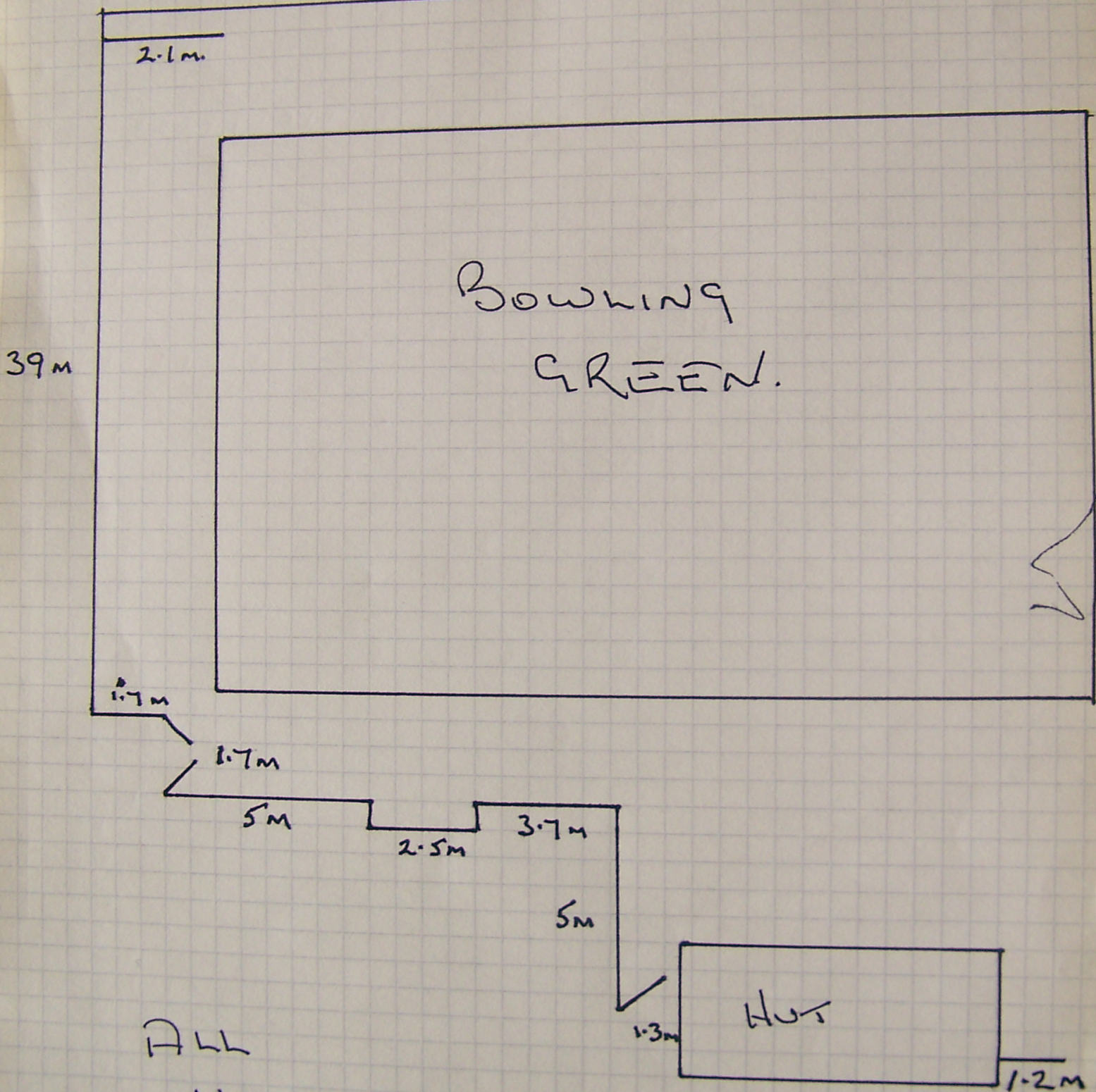
1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.



2 METRE FENCE IN RED.



388,768.152 418,842.264 Metres



ALL
MEASUREMENT
APPROX



General
Children
at
play

