

East Area Planning Committee

16th April 2013

Application Number: 12/03125/CT3

Decision Due by: 22nd March 2013

Proposal: Erection of fence around the cricket net facility

Site Address: Cowley Marsh Recreation Ground Cowley Road Oxford
Oxfordshire

Ward: Cowley Marsh Ward

Agent: N/A

Applicant: Oxford City Council

Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal to enclose the existing cricket facility is considered acceptable in terms of scale, siting and design; and is in accordance with policies CS18 and CS21 of the Oxford Core strategy, and SR.2 and CP1 of the Oxford Local Plan. Objections received from 32 Oxford Road, have been given careful consideration, however officers views are that they do not amount to a reason for refusal.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans

Main Local Plan Policies:

Oxford Local Plan 2001-2016

CP1 - Development Proposals

CP10 - Siting Development to Meet Functional Needs

CP11 - Landscape Design

SR2 - Protection of Open Air Sports Facilities

Core Strategy

CS18 - Urban design, town character, historic environment

CS21-Green spaces, leisure and sport

Other Material Considerations:

National Planning Policy Framework

Relevant Site History:

10/02916/PDC - PERMITTED DEVELOPMENT CHECK - Proposed cricket practice surfacing.. PNR 15th December 2010.

11/00467/CT3 - Erection of seasonal cricket nets for 2 artificial practice wickets..
PER 12th May 2011.

Representations Received:

32 Oxford Road Cowley Road: objection.

Visibility, Graffiti, Worse eyesore at entrance to community park.

'I would like to object to the erection of fencing around nets in Marsh Park as I believe this will cause decreased visibility in this area. There are many problems in the Marsh Park and it is essential for full visibility. Although this will be made of Perspex this will soon get dirty, also I believe it will encourage graffiti. I understand it will cost £4,000-£5,000 and I think this could be better used by moving the CCTV which is angled at the front of the park to include the area of nets. I think that the nets are an eyesore when coming in to the park and should have been placed on other side of park. On the basis that this is not going to be moved then please leave it as it is rather than a worse eyesore.

Statutory and Internal Consultees:

Oxfordshire County Council drainage: no comment

Issues:

Design

Other matters

Sustainability:

Officers Assessment:

Site description:

1. Cowley Marsh Park is an Oxford City Council owned community open space; which is open to the public. The park can be used informally for walking, dog-walking, exercising, etc. There are however some areas

within the park which have a clear use; such as the tennis courts and the cricket nets. See Appendix 1.

Proposal:

2. Planning permission is being sought to enclose the cricket nets with fencing; in order to improve security and also to prolong the life of the facility by removing the opportunity for people to walk and cycle over the artificial surface; causing damage.

Design:

3. Policy CS18 of the Oxford Core Strategy states that planning permission will only be granted for development that demonstrates high quality urban design. This is reiterated in policies CP1 and CP8 of the Oxford Local Plan. Policy CP1 states that planning permission will only be granted for development that respects the character and appearance of the area and which uses materials of a quality appropriate to the nature of the development, the site and its surroundings.
4. The proposal is to install a fence surrounding the existing cricket facility which received planning permission in 2011; the fence will extend 26.1metres in length, 8.3metres in width and 2metres in height. The existing nets/cage are 3.66metres in height; with access gates at one end. The fencing will enclose the existing nets and bowling area
5. The proposed fencing will be 2metres high twin bar rigid mesh comprising twin 8mm horizontal bars at 20cm spacings and single 6mm bars at 50mm spacings. All steelwork will be galvanised and polyester powder coated black. The fence will not be made of Perspex as identified an objector and as such will not lend its self to being easily vandalized with graffiti.

Other matters:

6. Concern has been expressed about the potential impact the fencing will have on visibility across the park. This has been carefully considered and assessed, however, the cricket facility already exists as do the nets/cage; the proposed fencing will only surround the current facility; and will assist in maintaining and pro-longing it's useful life; for the users of the park; and cricket groups. The view across the park is already marginally interrupted at this point as the 3.66metre nets/cage already exist, the proposed 2metre high fence will not make this significantly worse.

Conclusion: Approve

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Background Papers:

Contact Officer: Kerrie Gaughan

Extension:

Date: 26th March 2013