

## ITEM 2

**Application Number:** 18/0120/FULCLC  
**Address:** John Burrows Recreation Ground Rectory Road  
Hadleigh Benfleet Essex  
(Victoria Ward)  
**Description of Development:** Erection of 9m high ball stop netting to protect the children's play area from cricket balls  
**Applicant:** Castle Point Borough Council  
**Case Officer:** Mr Keith Zammit  
**Expiry Date:** 08.06.2018

---

### Summary

The application seeks permission for a mixture of new netting and fencing on the southern side of the children's playground to prevent flying cricket balls from landing in the playground. Whilst this would have some visual impact within the park, it is considered that the benefits of providing the netting outweigh the minor visual intrusion and it is therefore recommended that planning permission be GRANTED.

### Site Visit

It is not considered necessary for members to visit the site prior to the determination of the application.

### Introduction

The application relates to the children's playground at John H Burrows recreation ground and is located on the western side of Rectory Road some 105m north of its junction with New Road immediately south of the tennis courts.

### The Proposal

Permission is sought for the erection of 9m high fencing/netting to protect the children's play area from cricket balls over sailing the confines of the cricket pitch to the south. The fencing/netting would consist of 4-5 green steel posts braced at each end of the fence line with the upper part in nylon black mesh supported by wire between the posts.

The lower part will be green mesh welded steel fencing with a hole size of 25mm by 75mm set between green steel posts 2.5m high spaced equally apart. The length of fencing/netting would be some 24m.

### Supplementary Documentation

None

### Planning History

None of relevance to this application

### Relevant Government Guidance and Local Plan Policies

National Planning Policy Framework  
Section 8 – Promoting Healthy Communities

## Local Plan

### RE4 – Provision of Children’s Playspace and Parks

#### **Consultation**

#### Legal Services

No objection

#### Cadent (Gas)

Informative requested on any planning permission relating to easements and wayleaves.

#### **Public Consultation**

One response has been received to the neighbour notification, this does not raise an objection in principle to the proposed fence, but suggests that the height is too low to offer complete protection.

#### **Comments on Consultation Responses**

The suggested gas informative may be attached to any permission granted. The appropriate height for the fencing is a matter for the operational services manager to decide. Members are charged with determining if the impact of the proposal on public amenity is acceptable.

#### **Evaluation of Proposal**

Policy RE4 of the Local Plan states that the council will seek to provide and facilitate the provision of additional children’s play space and parks in areas of identified need. RE4 is a policy that is consistent with the requirements of the National Planning Policy Framework (NPPF).

The provision of ball stop netting in this location will facilitate the safe use of children’s play space, albeit that this is an existing facility, and is therefore considered to be consistent with the aspirations of Policy RE4.

In visual terms, the proposed netting would be a fairly tall structure, however there is already netting of similar height and appearance around much of the perimeter of the cricket pitch elsewhere and this has become an established feature of the street scene. Members should also note that the fencing now proposed would be located behind mature trees approximately 10m from the boundary of the site and would therefore have little visual impact in terms of the amenity of the surrounding area.

The netting will of course have some visual impact from within the park, in particular the area in and around the children’s playground. However, it is a feature that will make the use of the playground safer and therefore more likely to be used. Any visual harm arising from its presence would be limited and is considered to be outweighed by the health and safety benefits.

#### **Conclusion**

The proposed netting is considered to be a feature that would assist in the safe operation and use of the children’s playground. Whilst it would have some visual impact from within the park, it is considered that the benefits of providing the netting outweigh the minor visual intrusion and it is therefore recommended that planning permission be granted.

I have taken all other matters raised by interested parties into consideration, but none are sufficient to outweigh the considerations that led to the recommendation.

**My Recommendation is Approval with the following conditions**

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

REASON: This condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

**Informatives**

- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588