

Reference: 10/00220/FUL

Date Submitted: 31 March 2010

Applicant: Melton Borough Council

Location: Multi Use Games Area, West Avenue, Melton Mowbray

Proposal: Erection of fencing, basket ball hoops and boards for multi-use games area

Introduction:-

The application site is currently a Protected Open Area within the town envelope for Melton Mowbray, it is roughly a pentagon in shape and lies between West Avenue, Arden Drive, Charnwood Drive and Rockingham Drive. The space is generally used by local residents for exercising dogs, however there is a small fenced-off playground with traditional playground equipment which has been in place for a number of years. The site is overlooked and surrounded by residential properties.

The site is to be maintained for use by the local community with a part measuring 22m by 11m to be converted to a multi-use games area. A 1.2 metre wide path will surround the fenced area. The use and the surfacing of the site are classed as Permitted Development under Part 12 of the Town and Country Planning (General Permitted Development) Order 1995 and therefore do not require planning permission. However the proposed fencing that surrounds the site and the basket ball hoops do require permission and therefore this application is solely to consider these elements of the proposal.

There will be fencing to all 4 sides of the site constructed of extra strength rebound fence, to the East and West the fencing will stand 4m high, to the North and South it will be 3m high. To the North and South side will be a chicane style entrance to the area side of the site. To the East and West sides there will be 2 recessed goals to accommodate a panel above to incorporate basketball backboards and hoops which will stand at 4m high.

The application is reported to the Development Committee due to objections received relating to the application and the application has been submitted on behalf of Melton Borough Council.

Relevant History:-

The site has been used most recently as a community open area, no relevant planning history.

Policies & Guidance:-

Melton Local Plan (saved policies)

The site is located within the Town Envelope of Melton Mowbray as defined within the saved Melton Local Plan. As such the proposal should be considered against policy OS1 of the Plan. This policy allows for development within the Town Envelope providing that: -

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policy BE12 - The site is also designated as a Protected Open Area as defined within the saved Melton Local Plan. Policy BE12 of the Local Plan states that planning permission will not be granted for development within any area shown on the proposals map as a Protected Open Area except where a proposal is in conjunction or associated with an existing use and the development would not adversely affect the intrinsic character of the area.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
Highways Authority – consider parking	The Multi-Use Games Area is a provision for the local youth of the area. It is not considered that any parking provision would not be required. The development is unlikely to have an impact on parking and highway safety.
Archaeology – no comments	The works described appear to be on a small scale and as such below ground remains are unlikely to be affected by the works
Ward Councillors – No comments received to date	

Representations:

Neighbouring properties have been consulted as a result 1 comment has been received at the time of drafting the report (consultation expiry 01/06/10). The comments are summarised as follows :-

Lighting Concerns that in order for the facility to be used on winter evenings a level of lighting would be required	The application does not involve any form of lighting. Should this be necessary, then a further planning application would be required. A condition can be imposed to ensure that there is no lighting.
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Other material considerations (not raised through consultation or representation)

Policy position: The application is located within the town envelope for Melton Mowbray where there is a presumption in favour of development in the Local Plan under policy OS1. The proposed fencing is considered to satisfies this policy.	The site is a designated protected area and as such needs to satisfy the requirements of BE12. The surfacing and change of use does not require planning permission. The fence is to be used in connection with the existing use on the site and is not considered to impact on the intrinsic character of this part of the Protected Open Area. The proposal is therefore considered to satisfies policy BE12.
Impact on Streetscene:	The MUGA is located in an area which is mainly residential. The MUGA adds a further attraction to the site, the fencing will be of a colour to blend in with the area and the impact upon the streetscene is not deemed to be unacceptable. The site will therefore not overly impact upon the visual amenity of the residents or the street.
Impact on Residential Amenity:	The proposed MUGA is fairly visible, due to the slight raising in land, but it would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of these dwellings.

Conclusion

The application site lies within the town envelope of Melton Mowbray and thus benefits from a presumption in favour of development under saved policy OS1. The proposed fencing, basketball hoops and backboards are acceptable in terms of their design and appearance and would not adversely

impact on the character and appearance of the area, the residential amenities of neighbouring properties or highway safety. The proposal also complies with policies BE12 relating to Protected Open Areas.

RECOMMENDATION: - Permit subject to the following conditions:-

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority.

Reasons :-

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure a satisfactory standard of external appearance.

Officer to contact:

Mrs Karen Jensch

28 May 2010