

COMMITTEE REPORT

Committee: East Area
Date: 7 July 2010

Ward: Huntington/New Earswick
Parish: New Earswick Parish Council

Reference: 10/00737/FUL
Application at: Recreation Ground White Rose Avenue New Earswick York
For: Replace existing basketball court with multi use games area incorporating 3 metre high perimeter fence.
By: Jaquie Dale
Application Type: Full Application
Target Date: 11 June 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 This application seeks planning permission to convert an existing basketball court into a multi use games area (MUGA). This alteration includes the installation of 3m high metal perimeter fencing.

1.2 The application site is the existing recreation ground located off White Rose Avenue in New Earswick. To the east is New Earswick library and swimming pool and to the south is a childrens play area, which is enclosed by a 1m high fence. To the north are playing fields/sports pitches and tennis courts; approximately 70m to the west are dwellings on White Rose Avenue. The whole of the application site is within the New Earswick Conservation Area.

1.3 This application has been brought to Committee as the agent for the application works within the 'York Young People's Services' Section of the Adults, Children`s and Education Department of the City of York Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: New Earswick CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYHE3
Conservation Areas

3.0 CONSULTATIONS

Internal

3.1 Environmental Protection Unit - No objections.

3.2 Design and Conservation - The proposed MUGA is partially obscured from view and is unlikely to have a negative visual impact on the immediate setting of Listed Buildings on Haxby Road. Although the proposed 3 metre high fencing will alter the appearance of this part of the conservation area and have a visual impact due to the scale of the MUGA, the footprint is proposed as 20 metres by 27 metres, the fencing will form part of the recreational character of the area to the rear of the Folk Hall and is considered acceptable within this context. Details of the colour and finish of the galvanised stainless steel rebound fencing should be confirmed.

External

3.3 New Earswick Parish Council - No correspondence received.

3.4 Third Parties - No correspondence received.

4.0 APPRAISAL

4.1 It is considered that the key issues to consider in the determination of this application are the visual impact on the conservation area and the impact on the amenity of local residents.

4.2 Development Control Local Plan Policy HE3 'Conservation Areas' states that development proposals in conservation areas will only be permitted where there is no adverse effect on the character and appearance of the area. Policy GP1 'Design' states that proposals shall respect the local environment and ensure that residents' livings nearby are not unduly affected by noise and disturbance.

4.3 The application site is located within a community area within New Earswick with a library, swimming pool, children's play area, tennis courts, and sports fields as well as a public car park within the immediate vicinity. On the application site at present is a basketball court consisting of a hardstanding playing area, two basketball poles and hoops, and eight floodlights mounted on four poles.

4.4 It is proposed that the existing floodlights will remain in place and the area will be fenced off to allow it to be used as a MUGA with basketball hoops and goals being installed. The proposed fence would be 3m in height and surround the playing area. It would be constructed of a galvanised mesh which would be polyester powder coated. The applicant has stated that young people of the area will be consulted before a colour is chosen for the fence. It is therefore proposed that a condition is added to any approval to agree a suitable fence colour prior to development.

4.5 It is considered that the proposed MUGA would not look out of place within its surroundings. There is an existing basketball court with hardstanding on site, the amount of hardstanding would not increase from the current size of 27m x 20m. The area contains a number of recreational facilities and the proposal would appear small scale and in keeping within this context. The area benefits from a good level of landscaping which would further minimise the visual impact of any fencing.

4.6 The MUGA would be maintained by Joseph Rowntrees Foundation and the fencing is described as being of an 'anti vandal' specification. Therefore it is considered that in both the short and long term the proposed MUGA would not harm the character and appearance of the area.

4.7 There are two Grade II Listed Buildings to the east on Haxby Road, namely Folk Hall and Hall Cottage. However, these are separated from the application site by the swimming pool and library and therefore it is not considered that there would be any significant impact on the setting of the Listed Buildings.

4.8 Whilst the proposed MUGA will allow a greater number of activities to be played on the site than at present, it is not considered that there would be a significant noise or nuisance issue associated with its use. The nearest dwellings are over 70 metres away and the basketball court is already floodlit and used as a play area. The Environmental Protection Unit raised no concerns regarding the proposed development.

5.0 CONCLUSION

5.1 It is considered that the proposed development would not harm the character or appearance of the area and would not conflict with Policies HE3 and GP1 of the Draft Local Plan.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Site layout plan and fencing specifications received by the CoYC on 14/04/2010

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Prior to the commencement of development the proposed colour of all rebound fencing shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details and shall be thus maintained.

Reason: To ensure the appearance of the development is acceptable within the Conservation Area.

**7.0 INFORMATIVES:
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the character and appearance of the area and the amenity of local residents. As such the proposal complies with Policies HE3 and GP1 of the City of York Development Control Local Plan.

Contact details:

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