

**9 DCSW2005/0282/F - SAFETY FENCE, DORSTONE PLAYING FIELDS, DORSTONE, HEREFORDSHIRE.****For: Mr. R.J. Garrard, Upper Crossway, Dorstone, Hereford, HR3 6AU****Date Received: 28th January 2005      Ward: Golden Valley      Grid Ref: 31407, 41989  
North****Expiry Date: 25th March 2005**  
Local Member: Councillor N.J.J. Davies**1. Site Description and Proposal**

- 1.1 Dorstone playing fields lies within an Area of Great Landscape Value and Conservation Area of Dorstone. The field lies to the north of the B4348 Dorstone to Hay-on-Wye road. It is 2.8 hectares in area and provides screening to its boundaries in the form of hedging and trees. Part of the eastern boundary visually screens the neighbouring property known as Dorstone House and the Public Right of Way, D02 also lies to the east. The southern boundary to the roadside provides low hedging. Church of St. Faiths Grade II\* listed building is to the south on the opposite side of the B4348. The field lies outside the settlement boundary of Dorstone and is considered to be within open countryside.
- 1.2 The proposal is to provide a safety fence measuring 80 metres in length to the eastern boundary of the cricket pitch, which lies to the north of the bowling green. The design of the safety fence will form 4 recycled telegraph poles measuring 7 metres in height and the netting to be of 1 inch square polypropylene. The netting will be temporary during the cricket season.

**2. Policies**

- 2.1 Planning Policy Guidance  
PPS1                      Delivering Sustainable Development  
PPS7                      Sustainable Development in Rural Areas
- 2.2 Hereford and Worcester County Structure Plan  
Policy LR1              Enjoyment of the Countryside  
Policy CTC2            Development in Areas of Great Landscape Value  
Policy CTC9            Development Criteria
- 2.3 South Herefordshire District Local Plan  
Policy GD1              General Development Criteria  
Policy C1                Development within open countryside  
Policy C8                Development within Areas of Great Landscape Value  
Policy C22              Maintain character of Conservation Areas  
Policy C23              New development affecting Conservation Areas

- 2.4 Unitary Development Plan  
Policy S2 Development Requirements  
Policy S7 Natural and historic heritage  
PolicyLA2 Landscape character and areas least resilient to change

### 3. Planning History

- 3.1 SH931321PF Construction of club room Approved 29.11.93
- SH941493PF Proposed new changing rooms, retention of meeting room and relocation of tool shed Approved 18.01.95
- SH970016PF Renewal of SH931321PF Approved 05.03.97
- SW2003/3801/F Extension of protective safety netting between the cricket square and the bowling green Approved 31.03.04

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Ramblers Association observe: No objections provided that the Public Right of Way DO2 is maintained and kept clear at all times.
- 4.2 Open Spaces Society: Awaiting comments.
- 4.3 English Heritage does not wish to make any representations on this occasion.

#### Internal Council Advice

- 4.4 The Traffic Manager has no objections and states that the development would not appear to affect public footpath DO2, however the footpath does pass close to the development and information is provided to ensure that the footpath remains open during development.
- 4.5 The Head of Conservation has no objection, subject to colour of netting being agreed.

### 5. Representations

- 5.1 The applicant makes the following submission:-
- Dr. Hession approached Committee regarding lack of protection to his property with cricket balls clearing the fence.
  - Proposed several safety measures - most effective protective fence along boundary.
  - Successfully applied for a similar protective fence for the bowling green.
  - This scheme has reduced number of posts due to the weight of the fence being only 6kg.
  - Contacted Public Rights of Way - the fence will not interfere with footpath.
  - Shown plans to Dr. Hession, although cannot guarantee 100% safety.

5.2 The applicant has submitted a further letter responding to the objector's letter and comments as follows:-

- Materials of fence chosen to blend within the surrounding area.
- Visual impact of temporary fence less than overgrown hedge.
- Fence is 2.5 metres higher than hedge, a significant increase to stop all freak shots.
- Hedge trimmed before cricket season and if necessary during season.
- Eastern wicket is 39.3 yards to proposed fence - an acceptable distance within the Guidelines of Sportsmarks 'Groundsman's Field Handbook'.
- At present reviewing position of wicket.
- The proposed safety netting and additional rules and measures will be highly effective.

5.3 The Parish Council: Supports the application.

5.4 One letter of objection was received to the from:-

Dr. M. Hession, FRCPsych, Dorstone House, Dorstone, Hereford. HR3 6AW

The main points being:-

- Appreciate Committee making application in response to my concern of cricket balls passing through or over hedge.
- The proposal would amount to yet another semi-industrial structure within the Conservation Area of Dorstone.
- Visual impact upon the DO2 public footpath.
- Safety netting would stop balls through the hedge but not over.
- A higher net would be unsightly.
- Difficult to trim hedge during cricket season if netting in place.
- Wrong solution to the problem of concerns.
- The wicket is approximately half the minimum recommended distance from wicket to boundary.
- Position of the wicket should be reviewed and moved to a safer position.
- Reluctant to accept a temporary safety netting to the present wicket.

The full text of this letter can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

6.1 It is considered that the principal issues for consideration in relation to this proposal are as follows:-

- Impact upon Area of Great Landscape Value
- Conservation Area Issues
- Impact upon Public Right of Way
- Residential Amenity

Each of these will be considered individually.

#### Impact Upon Area of Great Landscape Value

- 6.2 The Head of Conservation has no objection to the proposal. The cricket field lies within the Area of Great Landscape Value and Conservation Area. It is a flat area of land that has existing structures to the western boundary with high tree line screening to the east of the bowling green and lower hedging further east which adjoins the rear garden of the neighbouring property. The area of the cricket pitch lies beyond the bowling green, which can be seen in the wider landscape when viewed on the approach from the western direction of Dorstone.
- 6.3 The proposed safety netting is to be positioned 1 metre from the existing hedge line once the overgrown hedging is trimmed back vertically. The materials of the black netting of polypropylene will replicate the netting currently used for the bowling green. It will be used in a similar manner where it will be hoisted up and pulled across the four telegraph poles covering the span of 80 metres. The netting will remain during the cricket season and removed at the end of the season. It is considered that the proposal would not have a detrimental impact upon landscape quality.

#### Conservation Area Issues

- 6.4 The Head of Conservation has raised no objections to the proposed development. The proposal of the netting and limited number of telegraph poles have been carefully considered having regard to the issues raised with the previous application submitted for the bowling green. As such the proposed application will preserve the character and appearance of the Dorstone Conservation Area.

#### Impact Upon Public Rights of Way

- 6.5 The Traffic Manager has no objection to the erection of the safety fence along the public footpath DO2, provided that the right of way remains open at all times throughout the development. Therefore proposal acceptable in terms of its impact.

#### Residential Amenity

- 6.6 The application is submitted to provide protection of the adjoining neighbour at Dorstone House, having raised concerns regarding the number of cricket balls entering his property through the existing hedge. While the concerns of the owner is recognized and appreciated, it must be stressed that the safety fence has been provided for protective measures. It would be unreasonable to refuse the application on the grounds of the objector.
- 6.7 In assessing the proposed scheme, it is considered that the proposal complies with Policies GD.1, C.8 and C.23 contained in the South Herefordshire District Local Plan in respect of the permanence of the structure within the designated Area of Great Landscape Value and Conservation Area.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

- 1. A01 (Time limit for commencement (full permission))**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2. A06 (Development in accordance with approved plans)**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

**3. Notwithstanding the approved drawings, details of the netting shall be submitted to and approved by the local planning authority prior to the commencement of any works.**

**Reason: To ensure adherence to the approved plans and to protect the general character and appearance of the area.**

**Informative(s):**

**1. The right of way should remain open at all times throughout the development. If development works are perceived to endanger members of the public then a temporary closure order should be applied for from this department, preferably 6 weeks in advance of works starting. The right of way should remain the historic width and suffer no encroachment or obstruction during the works or at any time after completion.**

**2. N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.