

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Aldi Stores LTD	Erection of a net fencing system to prevent footballs from the Victoria Ground entering the parking area of Aldi  Land At, Victoria Ground, Birmingham Road, Bromsgrove, Worcestershire B61 0DR	09.10.2018	18/00979/FUL

**This application is being reported to members because it is situated on Council owned land.**

**RECOMMENDATION:** That planning permission be **Refused**.

### **Consultations**

**Conservation Officer** Consulted 16.08.2018

Whilst I have have no objections to the principle of net fencing system or its location, it is considered that the design and character of the proposed net would result in an unsympathetic and uncharacteristic addition to the street scene, therefore causing harm to the setting of designated heritage assets.

**Sport England** Consulted 16.08.2018

No objection.

**Sports and Leisure Services Manager** Consulted 16.08.2018

No objection.

### **Publicity**

**18 Neighbour Letters** Sent 16.08.2018 Expired 09.09.2018

**18 Neighbour Letters** Sent 06.09.2018 Expired 23.09.2018

**Site Notice** Posted 21.08.2018 Expired 14.09.2018

**Press Notice** Published 17.08.2018 Expired 03.09.2018

1 Representation received from Bromsgrove Sporting Limited (Company name of Football Club at Victoria ground) - support the application.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP12 Sustainable Communities

BDP17 Town Centre Regeneration

BDP19 High Quality Design

BDP20 Managing the Historic Environment

BDP21 Natural Environment

BDP25 Health and Well Being

## **Others**

NPPF National Planning Policy Framework (2018)

NPPG National Planning Practice Guidance

## **Relevant Planning History**

18/00748/ADV	Proposed advertisement on net of net fencing system	Pending
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## **Assessment of Proposal**

### **Site Description**

The application site is located on land south of the southern terrace of the Victoria Ground football stadium and sits just north of the Aldi car park, located on Birmingham Road. The site is situated within an area designated as Town Centre Zone in the Bromsgrove District Plan and is within the setting of several Grade II listed buildings and the Bromsgrove Town Centre Conservation Area.

### **Proposal**

The application is for the erection of a net fencing system constructed of a 24x 6 metre protective net supported by 9no lattice work 6 metre high posts. The netting is proposed to be a thick, tightly knitted knotless mesh, with a mesh size of 30mm and a diameter of 3mm.

The proposal is required to ensure that footballs are contained within the football ground site and do not enter the adjoining land which forms the car parking area to Aldi retail store.

### **Historic Environment and character and appearance of area**

The proposed net fencing system would be a large structure which would be clearly visible from Birmingham Road, which provides an important view North out of the Bromsgrove Town conservation area towards the Lickey Hills and to the Grade II listed 31-33 Birmingham Road. The Conservation Officers view is that the proposed fencing system would fall within the immediate setting of these heritage assets.

The Councils Conservation Officer has raised no objection to the principle of the net fencing system or its location. However, the Conservation Officer does object to the design and character of the proposed net, as they consider it would result in an unsympathetic and uncharacteristic addition to the street scene, therefore causing harm to the setting of designated heritage assets.

The proposed design of the netting would be a thick tightly knitted knotless mesh covering 144m<sup>2</sup>; the density (30x30mm) and size of which would result in the structure having a large hoarding type appearance. The Councils Conservation Officer considers that this would appear as a dominant and incongruent feature within the streetscene.

The Councils Conservation Officer considered that the harm caused by the proposal would amount to less than substantial harm. The NPPF sets out that Great weight should be attached to the conservation of designated heritage assets, and that any harm should require clear and convincing justification and should be balanced against the public benefits of the scheme.

The Councils Conservation officer is of the view that clear and convincing justification has not been provided for the proposed use of this particular type of dense netting, which has a high visual impact, over the use of a more discreet less dense netting of lower visual impact which would result in lesser harm to the settings of the surrounding designated heritage assets.

It would appear that some public benefits would arise through improved safety when visiting the adjacent retail store; however it is considered that this same level of public benefit could be achieved through the use of a less dense mesh netting system.

### **Amenity**

Due to the sitting and design of the proposed net fence, it is not considered that it would adversely affect the amenities of the occupiers of the neighbouring residential properties.

### **Conclusion**

Overall due to the density and appearance of the mesh netting, it is considered that the proposed net fencing system would appear as an incongruent feature in the street scene which would fail to sustain and enhance the significance of the surrounding designated heritage assets. It is therefore considered that the proposal would be contrary to the policies in the Bromsgrove District Plan and the NPPF.

**RECOMMENDATION:** That planning permission be **Refused**.

### **Refusal reason:**

- 1 Due to the density and appearance of the mesh netting, the proposed net fencing system would appear as an incongruent feature in the street scene which would fail to sustain and enhance the significance of the Grade II listed buildings adjacent the application site and the setting of the Bromsgrove Town Centre Conservation Area. This is contrary to Policies BDP17.5, BDP20.2 and BDP20.3 of the Bromsgrove District Plan and the NPPF.

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