
Appeal Decision

Site visit made on 5 September 2016

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th September 2016

Appeal Ref: APP/T3725/W/16/3150927

Crackley Hall Sports Field, Princes Drive, Warwickshire CV8 2FS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by The Princethorpe Foundation against the decision of Warwick District Council.
 - The application Ref W/16/0028, dated 8 January 2016, was refused by notice dated 4 March 2016.
 - The development proposed is the construction of a new car park.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. It is not clear from the submissions as to whether drawing 1028-A1-0504-A formed part of the planning application that was considered by the Council. The plan does not change the application but demonstrates how pitches can be accommodated on site as well as the proposed car parking. Both the Council and Sport England have had opportunity to comment on the drawing and therefore I do not consider that interested parties would be prejudiced if I were to take it into account in my determination.

Main Issue

3. The main issues are:
 - i) whether the proposal is inappropriate development in the Green Belt;
 - ii) the effect on the openness of the Green Belt;
 - iii) the effect of the proposal on the provision of open space for sport and recreation, and
 - iv) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
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Policy

4. I have had regard to the policies brought to my attention by the Council within the Warwick District Local Plan 196-2011 (2007) (the Local Plan). However none relate to development within the Green Belt or sports land provision. Furthermore the Warwick District Local Plan 2011-2029 - Publication Draft 2014 has not yet been adopted which limits the weight I can give to emerging Policies. In any case the Council has not drawn my attention to any relevant policies. I have therefore had regard to the National Planning Policy Framework (the Framework) as reflected in the Council's decision notice, along with the policies of the Local Plan raised by the appellant..

Reasons

Inappropriate development including openness

5. The proposal involves the layout and construction of a car park for up to 30 cars within a sports field associated with a nearby school.
6. Paragraphs 89 and 90 of the Framework state that the provision of appropriate facilities for outdoor sport and engineering operations would not be inappropriate development, as long as they preserve the openness of the Green Belt and do not conflict with the purpose of including land within the Green Belt. It follows therefore that a degree of impact on the openness of the Green Belt must be permissible for such development. The Framework does not, however, provide any specific guidance as to the point which this impact becomes unacceptable and it is therefore a matter of judgement.
7. The proposal would be an engineering operation and would be associated with outdoor sport. Therefore deciding whether the proposal should be categorised as inappropriate development depends on an assessment of the consequences for openness and Green Belt purposes.
8. Openness is one of the essential characteristics of the Green Belt. It is the absence of buildings or development. Hence openness is epitomised by the lack of buildings rather than those that are unobtrusive or screened in some way. As such, there is a clear distinction between openness and visual impact.
9. In this instance the development would be contained at ground level and therefore there would be little obstructive impact on openness. The Council's concern lies in the parking of 30 cars on the site which they consider would have a considerable permanent loss of openness.
10. While the appellant has stated that the car park would only be used when the playing fields are being used I have no details of how often this would be. It is unclear for example whether this would be restricted to term time or evenings or throughout the day. While the car parking may, therefore, not be permanent, the visual effect of up to 30 vehicles parking within this part of the sports field at certain times of the day would still fundamentally alter its unbuilt on nature and would have a significant effect on the openness of the Green Belt.
11. I am aware that part of the site is already hard surfaced and has been used for temporary contractors parking while work was carried out on the school. However, the Council has confirmed that no planning permission is in place for such a use.

12. The Green Belt serves five purposes, one of which is to check the unrestricted sprawl of large built-up areas. The appeal site is located within a sports field which lies between residential properties and an industrial estate and a tennis club. To the rear is open countryside and the sports field constitutes an extension of open undeveloped land into the residential area of Kenilworth. The provision of the car park would, encroach into the open area, and due to its size and extent significantly extend the large built up area of Kenilworth.
13. For the reasons above therefore I consider that the proposal would be inappropriate development within the Green Belt.

Provision of open space for sport and recreation

14. The Council consider that the proposed car park would lead to the loss of an area of the playing field impacting on the cricket pitch, football pitch and athletics track (and rounder's pitch from other years) and would reduce the capacity of the playing field to contain pitches.
15. Sport England consider that plan 1028-A1-0504-A demonstrates that existing pitches would still be accommodated with the proposed car park in place. They do raise concerns regarding the proximity of the cricket pitch to the proposal and the potential for cricket balls to cause damage to parked cars. They consider though this could be adequately dealt with through the imposition of an appropriately worded condition if the proposal were otherwise acceptable. I saw nothing on my site visit which would cause me to disagree with the expert views of Sport England.
16. For the reasons above I conclude that the proposal would enable adequate provision of open space for sport and recreation. It would therefore be in accordance with paragraph 74 of the Framework which requires that there is not an unacceptable loss of sports land.

Very special circumstances

17. Paragraph 88 of the Framework states that "substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."
18. The appellant states that the provision of parking within the site would prevent on street parking on the adjacent industrial estate or Coventry Road which is at a level to be detrimental to highway safety and therefore contrary to part c of Policy DP8 of the Local Plan. At the time of my site visit while there were some cars parked on the road in the industrial estate there was also sufficient room for more cars to be parked. Furthermore, the road is wide enough to allow vehicles to pass parked cars safely and visibility along the road is good. Coventry Road is a busier road but nevertheless also had capacity for parking.
19. I appreciate my site visit represented a snapshot in time. However I have been supplied with no substantive evidence to demonstrate that without the appeal proposals the parking of cars in the vicinity would be at such a level to cause harm to highway safety which Policy DP8 seeks to avoid. I therefore give very limited weight to this alleged benefit.
20. The appellant also refers to Warwick District Council's Supplementary Planning Document 'Vehicle Parking Standards' 2007 (the SPD) which require Playing

Fields with low accessibility to provide 12 car parking spaces and 1 motor coach space to be provided per pitch. As there are four pitches on the field that could be used at any one time this would result in a requirement for 48 spaces and 4 motor coach spaces. However, this is a playing field associated with an existing school. I have seen no evidence that the pitches would be open to general community use. It is likely therefore that users of the playing pitches would walk from the school. As a result, I would not expect such a high requirement for parking to be applied to school playing pitches.

21. The appellant also refers to Policy DP15 of the Local Plan which states that all new development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users. They point out that the development will provide 2 parking spaces for disabled persons where there is currently none. I appreciate that this would be a benefit of the development, but parking is available in the vicinity of the sports field. It would therefore be of limited benefit

Other matters

22. I have had regard to planning applications W/13/0148 and W/12/0076 involving the provision of two storage containers and erection of extensions and a parking area at the adjacent tennis club respectively. In both applications the development proposed was viewed as appropriate facilities for outdoor sport. However, I am not aware of the specific circumstances that made these proposals acceptable and therefore whether the situation was directly comparable to that before me now. Furthermore, the containers cover a much smaller area than that of the proposed car park. In any case I have determined the appeal based on its own merits.

Green Belt Balancing and Conclusion

23. The proposal amounts to inappropriate development within the Green Belt and the Framework advises that substantial weight is to be attached to such harm. The other considerations do not clearly outweigh this harm and the very special circumstances necessary to justify the proposal do not therefore exist.
24. For the reasons given above, and taking all other relevant matters into consideration, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR