



Appeal Decision

Site visit made on 24 November 2020 by Andreea Spataru BA (Hons) MA

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/P4415/W/20/3256858

Wallingfield Paddock, Cricket Field Lane, Wales, Rotherham S26 5ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr T Fletcher against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2020/0585, dated 9 April 2020, was refused by notice dated 17 June 2020.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary matters

3. The application was made in outline with all matters reserved for subsequent approval, except for the access and layout. I have considered the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposal on the provision and function of the Green Space site.

Reasons for the Recommendation

5. The appeal site relates to a parcel of land that is part of a triangular paddock, located to the south of Cricket Field Lane, which is an unadopted road off Mansfield Road. The site occupies the western side of the paddock; there are houses immediately to the west of the site, an industrial area to the north and green open space to the south and east. The proposal seeks to replace the existing equestrian buildings on the site with a new dwelling of the same size.
 6. Policy CS 22 of the Rotherham Local Plan Core Strategy (CS) refers to Rotherham's Green Spaces. The policy states that Green Spaces will be protected and managed, including by protecting green space that contributes to the amenities of the surrounding area. The explanation to this policy says that Green Spaces include, among other things, small green areas (public or private) which provide a setting for built development and which may offer
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opportunities for informal recreation. The site, which has a lawful use as a paddock and provides the setting for the adjacent houses, would meet this definition.

7. The appeal site is part of a larger area that has been designated as Green Space in the Rotherham Local Plan Sites and Policies (S&P) adopted in 2018. Policy SP 38 of the S&P aims to protect Green Space and states that sites that, amongst other things, effectively perform amenity or buffer functions will be protected from future development as it is considered that their loss would be irreplaceable given the location, purpose and function of the allocation.
8. In this case, the Green Space, including the appeal site, acts as a buffer between the existing housing area and the land allocated for industrial and business uses and HS2, thus its function is to provide a break between these contrasting land uses. Notwithstanding the remaining Green Space area, including the woodland and the cricket pitch, the proposed development would extend the housing area, albeit to a limited degree, further into the Green Space, and thus would diminish its buffer function.
9. Whilst the proposed dwelling would replace the existing structures, the buildings are not directly comparable, particularly because of their use. A new dwelling in this location along with its associated infrastructure and residential paraphernalia would have a considerably greater impact on the function of the Green Space than what is currently on site. Likewise, the additional greenery that could be provided in the form of landscaping for the new dwelling would not be sufficient to mitigate the loss of Green Space.
10. It is recognised that the site is not specifically mentioned in Table 16 of the S&P, which lists Green Spaces that perform an amenity or location specific buffer. However, in addition to those specific sites, other allocated green space and incidental green space associated with current or former transport infrastructure, or performing location specific buffer function, are included. This site, by performing a specific buffer function, would fall into that category.
11. Consequently, for the reasons set out above, I conclude that the proposal would adversely affect the provision and function of the Green Space. Thus, it would be contrary to Policy SP 38 of the S&P and Policies CS 22 of the CS as set out above. It would also conflict with Policy CS 19 which says all of Rotherham's green infrastructure will be conserved.

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR