



Appeal Decision

Site visit made on 11 May 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2023

Appeal Ref: APP/M3645/W/21/3283485

Haxted Cricket Ground, Haxted Road, Edenbridge TN8 6PT

- 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 Danny Goss against the decision of Tandridge District Council.
 - The application Ref TA/2021/294, dated 23 February 2021, was refused by notice dated 11 June 2021.
 - The development proposed is described on the application form as 'change of use – outdoor sports field to agricultural. Erection of a polytunnel. The proposal is to convert the former cricket ground at Haxted to agricultural use for the purpose of growing flowers to sell. The land will be ploughed and cultivated to grow flowers. The polytunnel will be 20.12 metres long, 7.32 metres wide and 2.99 metres tall. Its position is marked on the site map. The polytunnel will be used for the germination and propagation of flowers as well as extending the growing season.'
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of former cricket ground to agricultural use for the purpose of growing flowers to sell (not selling on site itself) and the erection of a polytunnel for the germination and propagation of flowers as well as extending the growing season with associated ploughing at Haxted Cricket Ground, Haxted Road, Edenbridge TN8 6PT in accordance with the terms of the application Ref TA/2021/294, dated 23 February 2021, subject to the conditions appended to this decision.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the proposed development comprises the change of use of former cricket ground to agricultural use for the purpose of growing flowers to sell (not selling on site itself) and the erection of a polytunnel for the germination and propagation of flowers as well as extending the growing season with associated ploughing. The Council dealt with the proposal on this basis and so shall I.
3. A full version of Sport England's Playing Fields Policy was not provided. I have made reference to that document only insofar as it is relevant to the proposed development. This document was obtained from Sport England's website.

Main Issue

4. The main issue is the effect of the proposed development on playing field provision.

Reasons

5. The appeal site forms an enclosed parcel of grassland. It is accessed from Haxted Road via a private drive. Although the appeal site is not allocated, the evidence before me demonstrates that the site has previously been used for the playing of cricket. This is a matter not in dispute between the Council and appellant.
6. Policy CSP13 of the Tandridge District Core Strategy (CS, 2008) and Policy DP18 of the Tandridge District Local Plan Part 2: Detailed Policies (LP, 2014) aim to protect existing community, recreational and sports facilities, generally resisting proposals involving their loss. LP Policy DP18 sets out that the loss of such facilities will only be found acceptable where the requirements of the National Planning Policy Framework (the Framework) are satisfied.
7. Paragraph 99 of the Framework sets out exceptions for the redevelopment of open space, sports and recreational buildings and land. This includes where an assessment has been undertaken which has clearly shown the space to be surplus to requirements; or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision. In a similar manner, Sport England's Playing Fields Policy generally opposes the loss of playing field provision, subject to certain exceptions. One exception, E4, is where the area of playing field to be lost would be replaced, prior to the commencement of development, by a new area of playing field that is of an equivalent or better quantity and quality, in a suitable location, which is subject to equivalent or better accessibility and management arrangements.
8. The evidence before me demonstrates that the playing of cricket at the appeal site was on an informal basis and took place over a number of years, with the use of land provided by a family member of the cricket club. The site is not accessible by members of the public, accessed via a private drive, and is positioned in a relatively isolated location away from nearby settlements.
9. The club that once used the ground at the appeal site has recently relocated to a ground at nearby Starborough Manor. Details of that facility have been provided. Notwithstanding the unclear planning history of that other site, which is a matter for the Council, it is evidenced that the site has already been used for the playing of matches. Moreover, it provides improved facilities and management arrangements, including a larger pitch to that of the appeal site and underground watering systems, not previously a feature at the Haxted site. Changing facilities are provided within the on-site hotel, compared with the informal arrangements at the appeal site where a derelict barn was used. From the evidence before me, I am satisfied that the loss of the cricket ground at Haxted Road has been suitably replaced by a much-improved provision in terms of quantity and quality at nearby Starborough Manor.
10. I acknowledge the comments contained within the consultation response from Sport England (SE), and its position on the proposed development, based on the evidence that was before the Council and SE at the time of the original planning application. The Council also relies on that originally submitted information in its appeal statement. I, too, acknowledge the referenced Tandridge Playing Pitch Strategy, which identifies a shortfall in the district's future capacity for senior cricket. However, for the reasons set out above, I am satisfied that the proposed development meets the relevant planning policy

criteria, including that of SE, and would not harm the district's playing field provision.

11. Overall, I conclude that the proposed development would not result in the loss of playing field provision, in accordance with the relevant provisions of CS Policy CSP13 and LP Policy DP18 which, taken as a whole, seek to protect playing fields. This is in a similar vein to the provisions of paragraphs 98 and 99 of the Framework which aim to improve access to opportunities for sport and physical activity, which is important for the health and well-being of communities.

Conditions

12. The Council has provided a list of conditions that it suggests should be applied in the eventuality that the appeal is allowed. I have assessed those with reference to the advice in the Framework and Planning Practice Guidance, and have amended the wording of some, and combined provisions of others without altering their fundamental aims.
13. In addition to the standard time limit condition, I have imposed a condition requiring compliance with the relevant plans. I have imposed a condition preventing the retail sale of goods on the site. These conditions are required for certainty. I have imposed a condition requiring that the external surfaces of the development match the details provided in the supporting documents. This is necessary in the interests of the character and appearance of the area.

Conclusion

14. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

A Price

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Polytunnel drawing to scale – east & west face; Polytunnel drawing to scale – north & south face.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown in the submitted application particulars.
- 4) The development hereby permitted shall not be used for the retail sale or trading of goods or products on the site.

End of Schedule.