



Appeal Decision

Site visit made on 30 July 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal Ref: APP/F4410/W/24/3342854

Tickhill Cricket Club, 1 Alderson Drive, Doncaster DN11 9EU

- 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 Tickhill Cricket Club against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 22/02411/FUL, dated 28 October 2022, was refused by notice dated 20 December 2023.
 - The development proposed is new vehicular access to an existing grass car park and expanded outside seating area.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Tickhill Cricket Club against Doncaster Metropolitan Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The description of development differs from the application form to the decision notice. I have no evidence to suggest that change was agreed, therefore I have used the original description. I am satisfied neither party is prejudiced by this course of action.
4. The appellant has questioned why amended plans were not reconsulted upon before the decision was made and asked that the proposal is assessed on these plans for the appeal decision. It is not for the appeal process to modify a scheme, so this appeal decision will be made on the basis of the plans that the Council based their decision on.

Main Issues

5. The main issues in this appeal are:-
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on trees.

Reasons

Character and appearance

6. The appeal site is the Tickhill Cricket Club, which is located in a predominately residential area, with a pavilion and venue area to one corner and a sizeable area of grassed area on the adjacent corner. I understand that some vehicles park in that area on an informal basis during matches, and access that passing the pavilion. Other parking is generally on-street.
7. The appeal proposals seek to expand the outdoor seating by the pavilion and as this would terminate the access passing the pavilion another access would be created on Alderson Drive.
8. The works would see a section of hedgerow removed to access the parking area. The access road to the parking area would then pass the north end of the site, close to the trees on the boundary. Originally to be left as grass, the appellants have now stated that the access road would be of a "grasscrete" construction or similar, single track in width, but with a passing place either side of the boundary of the cricket pitch.
9. It has been put to me in the Statement of Case of the appellant that on match days, the lack of on-site parking means that vehicles are parked on Alderson Drive, which can cause highway safety issues and that opening up the parking area to allow more parking on-site would assist in addressing that issue.
10. The site is allocated as public open space, and public footpaths run down the side of the cricket pitch.
11. Policy 27 of the Doncaster Local Plan (2021) (the LP) relates to open spaces and their retention in which Part A of that policy seeks to ensure no loss of sports facilities, the retention of visual amenity and the protection of environmental and ecological features. Part D states that proposals should also be in accordance with National Policy, in this case the National Planning Policy Framework (the Framework)
12. The expanded seating area near the pavilion would lead to improvements to the character and appearance of the area, with pedestrians now given control of the area, rather than vehicles, which should lead to improvements due to the works.
13. With regard to the area to be used as the parking area, it is a grassed area without formal use, and I am sure that children take advantage of the wider open space, including the cricket field, when not in use. I understand that during matches and other times when the facilities are in use that children may play in the proposed parking area, but I surmise this takes place alongside parked vehicles, so is still an informal use.
14. The works proposed would seek to retain the "green features" of the site, but offer additional parking for vehicles and when seen in conjunction with the improvements to the area around the pavilion, the removal of vehicles from that pavilion area, and the potential removal of vehicles from the highway during matches and functions, these benefits outweigh the loss of a small area of informal open space and therefore I find this outweighs the limited harms in addressing policy 27 of the LP, does not materially harm the character and appearance of the area or the open space aspects of the guidance set out in the Framework.

Trees

15. There is a band of trees at the northern boundary of the site, which are close to the proposed access track to the new parking area. The consultee on tree matters has concerns with regard to the potential proximity of the access track to the root protection areas of the trees and has asked for additional details to be submitted in order to ensure that the trees would not be harmed by any potential access track.
16. According to the Council, the information submitted is insufficient to address the concerns of the consultee, and I concur with that position. The trees are long established, and any harm or loss would cause visual and amenity harms which could take decades to repair. Without conclusive proof that a system could be installed, most probably with shallow excavations that would not harm the trees, I cannot be certain that harm will not be caused by the access track and works to the existing trees.
17. As such, I find conflict with policy 32 of the LP which seeks to ensure that development does not cause significant adverse impact, by matters including surveys and demonstration of how features are to be protected during development.
18. In summary, there could be progression on this matter, but this would require discussion, and submission of suitable details, which is not a matter for this appeal to determine.

Other Matters

19. I note the concerns of interested parties with regard to highway safety, but a suitable scheme, if found, would alleviate many of the highway concerns, and issues of security and noise will already be in-situ, as this is not a new proposal but a long-standing use. As such the club and neighbours have existed "cheek-by-jowl" for many years.

Conclusion

20. Despite the fact I have found in favour of the appeal on the issue of the open space, and its impact on the character and appearance of the area, the harm that I have identified in relation to trees means that the appeal cannot be allowed.
21. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, I conclude that the appeal should not succeed.

Paul Cooper

INSPECTOR