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**Application Number:** 2022/1206

**Applicant:** Mr D Bamforth

**Description:** Erection of cricket practice nets with 3no wicket lanes and associated 2.4m high weld mesh perimeter security fence

**Location:** Higham Cricket Club, Royd Lane, Higham, Barnsley, S75 1PH

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## Description

The application relates to an existing cricket ground located to the West of Royd Lane and Pogwell Lane in Higham. There are residential properties to the North, East and South East of the site and open fields, with the M1 beyond, to the West and South West. The site slopes down from East to West and North to South.

There are existing structures on the site including a recently constructed brick/render/clad building to the North East of the site which accommodates changing facilities. To the East of the site, south of the access, is a pavilion and car parking area. The rest of the site is occupied by the cricket pitch and play areas.

The area of the site subject to this application is to the South West and is currently landscape and sits adjacent to the tree bet which runs adjacent to the M1.



## Site History

2011/1536 – Erection of pavilion & formation of car park – Approved subject to conditions

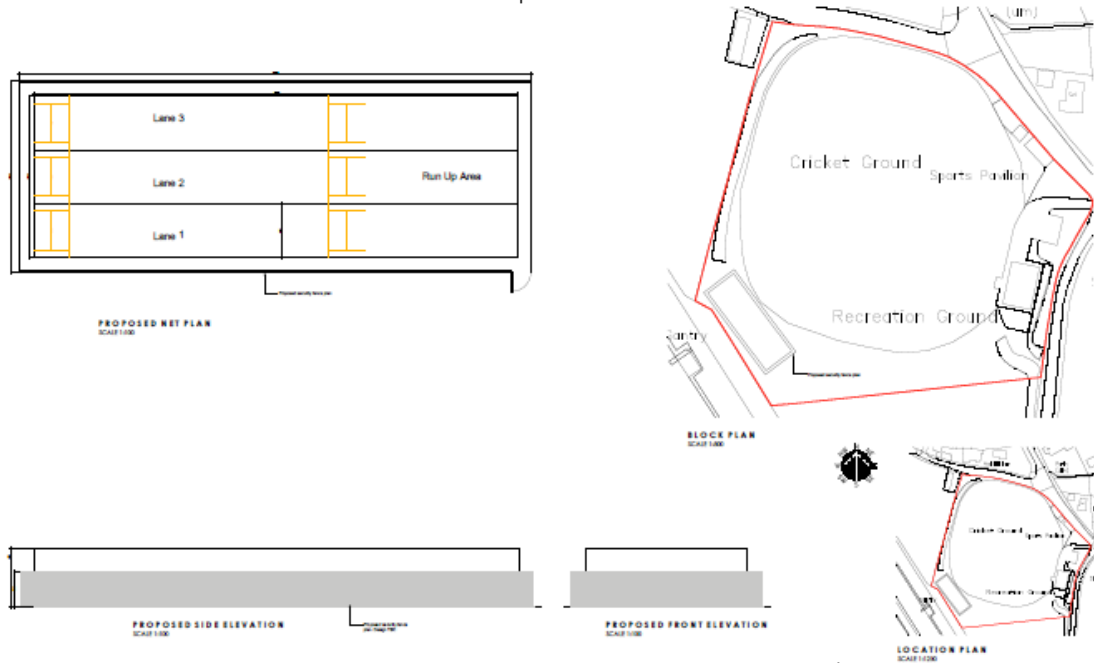
2016/0854 – Erection of cricket pavilion & formation of car park – approved subject to conditions

2017/0685 – Variation of condition 2 of planning permission 2016/0854 - Erection of cricket pavilion and formation of car park to enable amendments to location and cladding material – Approved subject to conditions

2019/1392 – Removal of existing changing rooms building and storage shed and provision of replacement changing rooms building and new storage shed – approved subject to conditions

## Proposed Development

The applicant seeks permission to erect cricket practice nets containing 3no wicket lanes and associated 2.4m high weld mesh perimeter security fence. The total size of the enclosed area is 13m wide and 35m long. The wickets themselves measure 3.67m wide and 33m long.



## Policy Context

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Plan was adopted by the Council in January 2019 and the Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is allocated as Green Belt and Green Space within the Local Plan and therefore the following policies are relevant:

Policy D1 'High Quality Design and Place Making'

Policy GB1 'Protection of Green Belt'

Policy GS1 'Green Space'

Policy GD1 'General Development'

Policy T4 'New development and Transport Safety'

Policy HE1 'The Historic Environment'

### NPPF

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

*147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*148. When considering any planning application, local planning authorities should ensure that substantial weight is 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 resulting from the proposal, is clearly outweighed by other considerations.*

*149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*a) buildings for agriculture and forestry;*

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

*e) limited infilling in villages;*

*f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

*– not have a greater impact on the openness of the Green Belt than the existing development; or*

*– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

### **Consultations**

Highways – No objections and no conditions required

Conservation Officer – No Objections

Reg Services – No objections

Sport England – No objection

## **Representations**

17 letters were sent to neighbouring properties and a site notice was erected on the corner of Higham Common Road and Royd Lane. 1 no. letter of support has been received.

## **Assessment**

### Principle of development

The site is located within the Green Belt where the construction of new buildings/structures is regarded as inappropriate. As with previous Green Belt Policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New facilities for outdoor sport are generally exempt from this definition through clause (b) of para 145. This clause requires that new sports facility buildings/structure preserve the openness of the Green Belt to meet the exemption test. Given the proposed wickets would be surrounded by netting, which in turn would be enclosed by relatively open fencing, at only 400mm above permitted development fencing height, it is considered the development would preserve the openness of the Green Belt. Furthermore, the location of the development is adjacent to the South Western boundary which is adjacent to the mature tree belt which runs along the M1. As such, it is the LPA's view that the proposal does benefit from clause (b) of para 145 in this instance as the openness of the Green Belt shall be preserved.

The site is also allocated as Green Space. Policy GS1 'Green Space' states that in some circumstances development proposals would be allowed that result in the loss of green space where the development is for small scale facilities needed to support or improve the proper function of the green space. In this case the proposed practice wickets are to be developed to support the sites function as a cricket ground. The level of development proportionate to the size of the greenspace is marginal and will benefit the primary use of the greenspace.

Overall the principle of development is determined as being acceptable in line with the NPPF and LP Policy GS1.

Furthermore, Sport England is satisfied that the proposed development meets Exception E2 of their playing fields policy, in that:

*'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'*

### Visual Amenity

The proposed wickets would be located to the Southwest of the site, set away from the neighboring highways and public vantage points. That section of the site is also on a lower level than the majority of the site and would be viewed against the backdrop of the mature tree belt running alongside the M1, outside of the site boundary.

The design of the proposal is relatively simple with the wickets being enclosed by netting and the entire area being enclosed by 2.4m high mesh fencing. Light and views would be allowed through the fencing and netting. Limited details have been submitted regarding the exact design and colour of the fencing but that will be conditioned.

Although the area is currently landscaped and free from development, it has recently been cleared and does accommodate the wicket covers and practice net.

### Residential Amenity.

The proposed practice wickets would be located over 100m from the dwellings to the East on Higham Common Road and over 100m from the dwellings on Royd Lane. It is noted that the use of these practice facilities will generate some noise and disturbance, however, they will generally be in use when other activities are taking place on the site which are closer to the housing than they are.

In addition, no floodlights are proposed so the wickets will be in use during daylight hours and during fair weather given the lack of roof. It should also be noted that they will be immediately adjacent to the M1 motorway which raises the background noise levels within the area.

Given the comments above, the proposed development would not have a significant impact on the residential amenity of the surrounding residents, in accordance with Local Plan Policy GD1.

### Highway Safety

There would be no change to the existing access or parking arrangements.

### Trees

The wickets would be set in from the tree belt which runs alongside the M1 and is outside of the redline boundary. In addition, given the modest level groundwork required there would be limited impact on the trees.

### Heritage

The location of the recreation field / cricket pitch site at Higham contributes nothing to the heritage significance and setting of value of the listed barn at (the former) Royd Hill Farm. Furthermore, the location for the practice nets / wire fencing is well away from the zone of visibility and unlikely to intrude into the setting in any harmful way, in accordance with Local Plan Policy HE1.

### **Conclusion**

The site sits within the Green Belt but meets the requirements of exceptions (b) and (c) of paragraph 149 of the NPPF. As such, the proposed works are not inappropriate development in the Green Belt and furthermore they would not have a greater impact on the openness of the development.

Taking into account the relevant development plan policies and other material considerations the application is in accordance with the development plan (most notably policies D1, GD1 and GS1), as well as NPPF paragraph 149 and is assessed to be a suitable and sustainable form of development that accords with Local Plan Policy SD1 Presumption in favour of Sustainable Development in overarching terms. Similarly in National Planning Policy terms (NPPF) the presumption in favour of sustainable development is considered to apply also (para 11) which is that proposals that accord with an up to date development plan should be approved without delay.

The recommendation is one of approval therefore subject to the conditions listed below.

**Recommendation**

Approve with conditions.