



Appeal Decision

Site visit made on 11 August 2011

by **G Powys Jones MSc FRTPI**

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

Decision date: 26 August 2011

Appeal Ref: APP/M1710/A/11/2153869

Anstey Park, Anstey Lane, Alton, Hampshire, GU34 2NB

- 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 Molson Coors Brewing Company (UK) Limited against the decision of East Hampshire District Council.
 - The application Ref 33615/005, dated 19 August 2010, was refused by notice dated 29 November 2010.
 - The development proposed is a junior football hub comprising three pitches with a clubhouse, floodlighting, and the provision of associated car parking, access road and landscaping.
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Decision

1. I dismiss the appeal.

Preliminary matters

2. I was accompanied at the site visit by the appellant's agents and Council officers. Representatives of the Alton Town Council were also present, together with several local residents, including some involved with the Anstey Residents Group.
3. Whilst I have been made aware of development proposals affecting nearby land in the appellant's ownership, currently used for sport, the appropriateness of the development of that land is not a matter before me.
4. The land subject of the appeal is owned by the Town Council. However, as correctly contended by the appellant, this appeal is concerned with land use planning issues, and not with aspects relating to land ownership or leasing.

Main Issue

5. The main issue is the effect of the appeal proposals on the character of the locality.

Reasons

6. Anstey Park is situated on the northern fringes of the town. Judging from my visit, it is a well-maintained and well-used facility, and gauging from the representations received, highly valued by the local populace as a recreational and leisure resource.
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7. Within the park, nearest to the town, stand buildings and other facilities. These include a gymnasium and associated café/bar; a rugby football clubhouse; a building housing the Royal British Legion; scouts hall; tennis/netball courts; a skateboarding area; a large children's play area displaying a variety of equipment; the Town Council's parks depot and associated car parking areas. A new pavillion, incorporating changing facilities, is under construction.
8. The facilities currently occupied by Alton United Youth Football Club are also evident as part of this complex. The club has a full-sized playing area, a spectator stand and shelters, a clubhouse and changing facilities, most of which is enclosed by a security fence of a rather uninviting appearance. The appeal proposals, in effect, involve the repetition of this facility in another part of the park, to include floodlights and the addition of 2 pitches, vehicular access and car parking areas.
9. That part of the park comprised of buildings and other built facilities is contained within Alton's settlement boundary as defined in the East Hampshire District Local Plan – Second Review (LP). The remaining sections of the park are open and relatively free of development. These parts are situated in the countryside as defined in the LP and in a gap, designated to prevent the coalescence of Alton and Holybourne, and so as to maintain their separate identity.
10. The extensive part of the park closest to the buildings is used for sport, generally rugby in winter, and cricket during the summer. However, when games or matches are not being played, the public is allowed to roam at will, the cricket square excepted, which is roped off as would normally be expected.
11. Beyond lies an area known locally as Diggers Field, where the junior football hub is proposed. This is a U shaped area of open land enclosed by hedges and trees. Although a set of rusting goalposts is seen in the far corner of the field, no formal sports are currently played here. However, the field has been levelled, grassed and is regularly mown. The strong indications are that it was acquired by the Town Council with sports' pitch provision in mind. Although no formal surveys have been produced, many of the objectors to the scheme enjoy using Diggers Field for walking and exercising in relative isolation, and for other informal recreational purposes.
12. In the light of the above descriptions, Anstey Park, in my view, falls into three areas, each with its distinct characteristics:
 - (i) the area closest to the town containing buildings and formal facilities, which is clearly built-up and forms part of the settlement for policy purposes;
 - (ii) the area laid out as formal sports pitches. Although open, it has a close physical and visual relationship with the built-up area, which bears upon it;
 - (iii) Diggers Field, a relatively tranquil area, visually contained within an envelope of trees and hedging. Whilst the town is not far away, I perceived this area as being largely divorced and insulated from its influence, having more of an affinity with the open countryside

beyond to the north and north-east. Its attraction as an accessible area for informal recreation so close to the town is therefore unsurprising.

13. LP policy GS3 provides, *inter alia*, that the countryside will be protected for its intrinsic character. It further provides that planning permission for development will not be granted unless all the qualifying criteria set out in the body of the policy are met. I harbour no doubts, based on what I saw, that the proposed junior football hub, having regard to the extent and formality of the building forms proposed, with or without security fencing, and the encroachment of traffic, would significantly urbanize the area, materially and harmfully affecting the character of this part of the designated countryside.
14. Whilst individually, the proposed buildings, structures and hardstandings may not be regarded by some as large, collectively they would have a material impact on the perception of local character. The development accordingly conflicts with the requirements of criteria (b) & (c) of LP policy GS3 in that it would harm the character of this part of the countryside, its tranquility and the sense of local distinctiveness.
15. Specific policies in the LP allow for limited development in the countryside, other than that sited there of necessity. One such policy is R1 which is a generally permissive policy favouring the provision of outdoor sport and recreation in the countryside, providing that the requirements of 6 criteria are met. I share the appellant's view that the proposals meet the requirements of most of the criteria, including criterion (d). In this respect, I consider that appropriate design measures could be introduced to minimize the risk arising from the potentially dangerous conflict between public footpath users and cars using the proposed access.
16. The explanatory text to policy R1 provides that ancillary buildings, in the absence of buildings capable of conversion, should be sited unobtrusively, preferably within an existing group. Diggers Field, however, contains no buildings.
17. Whilst, largely because of the boundary vegetation, the proposed buildings and other structures would not have a significant visual impact when viewed from most points outside Diggers Field during the summer, the extent and scale of building proposed could not fail to impact upon and to harm the character of this part of the countryside.
18. The proposals, accordingly, fail to satisfy the provisions of the first criterion of policy R1, that requiring the character of the countryside not to be harmed. If the development, however, had been limited to the provision of sports pitches alone with minimal ancillary development, it is probable, in my view, that the provisions of both LP policies GS3 & R1 would have been met.
19. The content of the appellant's landscape appraisal has been noted, and I share the bulk of its findings. It is largely for this reason, and the absence of significant visual impact outside the site, that I consider, on balance, that the development would not materially affect the gap protected by the thrust of LP policy C11. Whilst the visual impact of the development would be significant within Diggers Field, and from some points adjacent to it, the gap's primary role in preventing coalescence and maintaining the separate identities of Alton

and Holybourne would not be fatally compromised. Accordingly, the effect of the proposals on the gap would not, in itself, justify a refusal of planning permission.

20. I therefore conclude on the main issue that the proposals conflict with the provisions of LP policies GS3 & R1 since the character of this part of the designated countryside, its tranquility and sense of local distinctiveness would all be harmed if they were to proceed.

Other matters

21. Whilst I have found that the proposals conflict with local development plan policies designed to protect the character of the countryside, I have also considered whether any material consideration is of sufficient importance as to outweigh the harm to local character, warranting a departure from the provisions of the development plan.
22. The appellant has described the benefits to the local community and the need for the facility. The reasoning behind the 'domino' effect of allowing the proposal, or that other matters may more easily slip into place, is understood.
23. I appreciate too the community value of providing improved facilities for an organised and regular source of soccer and its associated physical exercise for approximately 450 local youngsters and children. The benefits arising to the Alton United Youth Football Club from the new facilities and additional pitches are self-evident, particularly since some of the 'home' pitches played upon by members of the club are somewhat scattered at present. Moreover, the largely unchallenged evidence points to a clear shortage of junior football pitches in the Alton area, and a need for more. Alton Town Football Club would also benefit from the proposals.
24. In this context, the appellant's reliance on LP policy HC3 is noted. I find the development to be at odds with criterion (b) of this policy in that it is of an inappropriate scale, not in keeping with the characteristics of the surrounding area. But setting that aspect momentarily aside, there has been no adequate explanation satisfying me that all alternative possibilities for achieving the undoubted benefits to local sports provision arising from the scheme have been thoroughly considered, as required by policy HC3.
25. In this respect, insufficient evidence has been presented that all suitable sites available within the settlement boundary have been examined. Nor am I convinced, should no such sites exist, that the possibility of accommodating the proposal, or aspects of it, in a location more closely related to the settlement, or to the other built elements in the park than currently mooted, have been seriously thought through.
26. Such an approach may inevitably call for a more flexible approach to the provision and location of junior pitches by the relevant parties than currently appears to be the case. I consider that the exercises outlined to be necessary since, in my view, they are fundamental to addressing the requirements of policy HC3, criteria (ii) & (iii).
27. In the circumstances, I do not consider that the benefits of the scheme and the need for junior pitches outweigh the harm I have found, or the conflict with

- development plan policy relating to the protection of the character of the countryside.
28. The appellant contends, contrary to the doubts expressed by many objectors, that the proposed sports pitches, when not in use, would remain open to the public. The access track would also be accessible at all times and space would be left alongside the facility to allow pedestrian access to the undeveloped remainder of Diggers Field. Accordingly, the appellant maintains that access for informal recreation throughout Diggers Field would remain largely unaffected.
29. In view of the planning history of the proposal and statements made by representatives of the junior football club, I fully understand the objectors' concerns that the facility could conceivably become enclosed by security fencing, and that access may therefore be restricted. However, even if I were to take the appellant's statements on enclosure at face value, the continued accessibility to Diggers Field would be insufficient to outweigh the harm to the character of the area identified above.
30. I have considered the numerous representations made by members of the public, both for and against the development, and hope to have dealt with the main planning related points above. I have also taken into account the comments made by members and officials of the Alton United Youth Football Club (and the submitted petition); by Alton Town Council; the Alton Society; the Anstey Residents Group; the Anstey Park Casual Users Group; Sport England and Tesco Stores Ltd.
31. The extent of the representations indicate to me that the criticism made of the appellants in the context of the consultation requirements of *Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation* (PPG 17) is largely unwarranted.
32. I have noted the references to other development plan and draft development plan policies, and to aspects of national policy and guidance. I consider the development plan policies to which I have referred to above to be the most pertinent to this case. The views of the Council's officers, and their recommendations, have been taken into account.
33. The comments made on the draft *National Planning Policy Framework* (NPPF), recently published for consultation, have been considered. I have accorded the comments and the policies little weight since the NPPF is in draft form and therefore subject to change.
34. No other matter raised is of such significance as to outweigh the considerations which led me to conclude that the appeal should be dismissed.

G Powys Jones

INSPECTOR