

Extract from Draft Minutes of a Meeting of the Planning Committee Held on 12 April 2023 – Application Number 211335

108. APPLICATION 211335 LAND ADJOINING LYNFIELD HOUSE, WHITE HORSE LANE, FINCHAMPSTEAD, BERKSHIRE, RG40 4LX

Proposal: Full application for the proposed change of use of a section of agricultural land to a recreational all-weather cricket track and wicket with mobile cricket cage, plus fencing, parking and associated works.

Applicant: Mr R Bishop

The Committee considered a report about this application, set out in agenda pages 159 to 178.

Nicola Greenwood, resident, spoke in objection to the application. She commented that the square at all the cricket grounds listed in the report, were placed 60 to 150 metres to the nearest road bordering reasonable straight roads or in cul de sac locations. She referred to Twyford in particular. Nicola Greenwood indicated that she had contacted the British Horse Society Director of Safety who had commented that without having visited the site and seen the layout and proximity of the proposed nets, it was in his opinion, misguided to comment on how horses may or may not react to the particular sound stimulus. He had disagreed that horses could become desensitised to the sound of a cricket ball hitting a bat. Only the degree that horses might react, differed. Nicola Greenwood requested that any approval be conditional on additional horse rider signs being placed at 150 metres either side of the site, the cricket nets placed a minimum of 60 metres from the road, mirroring other similar sites in the Borough, or alternatively it be built as an indoor, sound proofed facility.

David Greenwood, resident, spoke in objection to the application. He stated that as the closest nearby neighbour he and his family were the most impacted by the application, and the noise that would be generated. The sound of a cricket ball hitting a bat had been likened to the sound of a rifle crack. David Greenwood went on to state that CP3 made clear that any development must be without detriment to the amenities of the adjoining land uses and occupiers. He commented that the type of facility proposed could be expected to be located by existing cricket facilities. However, the proposed location was very rural and would introduce an unacceptable level of noise.

Paddy Greenwood, resident, spoke in objection to the application. He emphasised that the NPPF stated that sustainable development must respect the character of the countryside, avoid, and mitigate adverse impacts on, and contribute to the improvement of health and quality of life. Section 15 indicated that new development should not contribute to unacceptable levels of noise pollution, must integrate effectively with existing business, and that existing businesses should not have unreasonable restrictions placed on them as a result of developments permitted after they were established. Paddy Greenwood went on to refer to CP1 and CP3 and Policy CC06.

Rebecca Margetts stated that the land adjoining Lynfield House, White Horse Lane was a very rural location, on a narrow winding lane. The lane was predominantly used by walkers, cyclists, and horse riders. Rebecca Margetts was of the view that the application to change the use of a section of agricultural land to an all weather

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cricket track, would potentially cause harm to the rural setting. She highlighted that there was no public transport to the site and the only access was via private car, which was not in line with the Climate Emergency Strategy. Whilst the net would be limited to five users, this would still represent significant increased traffic to the lane. The lane could be difficult to navigate due to its bends, and the site sat on a blind bend. Rebecca Margetts highlighted that the NPPF and CP11 of the Core Strategy supported recreational leisure use in the countryside. However, the application was for commercial use not local leisure pursuits. Sport England had been unable to support the application. The need for such a facility had not been proved and there were other facilities locally such as in Finchampstead and Eversley. Whilst the application promoted usage for school age children the proposed opening hours were 9am-5pm when children were at school during the week. Finally, Rebecca Margetts referred to the number of objections from residents and the Parish Council. She suggested that the Committee may wish to undertake a site visit to better understand the rural location and the potential impact on residents and the surrounding environment.

David Cornish commented that his original concerns had centred around development in the countryside. However, he had been advised of other examples of rural development. He stated that until 2018 the area had been agricultural land, and then permission had been given for a farm worker's cottage. Permission was now being sought for business activities. David Cornish stated that whilst he applauded the provision of facilities for young people, Finchampstead Memorial Park was already located very nearby.

Andrew Mickleburgh stated that the application was before the Committee for redetermination after the original approval had been quashed following a Judicial Review. He queried whether any new information in addition to the report from an Equine Behavioural Specialist and letters from the owners from Wheatlands Farm, had been received since the original application. Mark Croucher, case officer, stated that there had been third party representations, which the Committee were aware of. Andrew Mickleburgh sought clarification on the reasons for the quashing of the original application following the Judicial Review, and whether this included the impact of noise on all horses and riders in the vicinity, including users of White Horse Lane, and not purely on Wheatlands Farm. Mark Croucher explained that the consent order stated that the Council had failed to ensure that it had sufficient expertise to address the objection to the proposed development that the sudden surprising noise of a ball striking a cricket bat, would spook horses being recreationally ridden down White Horse Lane. It had considered that the report was inadequate in addressing this issue. The Equine Behaviour Specialist report took into account those horses using the wider area of White Horse Lane.

Andrew Mickleburgh noted that Sport England had not been able to support the application as there was no proven need for the facilities. He queried how much weight should be given to Sport England's submission and whether evidence would be required that a sequential test had been applied, should a need be identified. Mark Croucher advised that weight should be given to the comments, but they needed to be considered in context. Sport England had been unable to support the application, mainly because they did not have the information that the proposal

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was English Cricket Board compliant, or information from the County Cricket Board regarding need. However, the policy requirement referred to leisure usage in the countryside rather than the level of need. Andrew Mickleburgh questioned the relationship between Lyndfield House and the nets, and whether users of the nets would have access to toilet facilities and storage. Mark Croucher indicated that the nets were separate to Lyndfield House, and users would not have access to the property.

In response to a Member question regarding the Finchampstead Neighbourhood Development Plan and whether maintaining a separation gap between a developed area could be a material planning consideration, Mark Croucher stated that only limited weight could be given to the Finchampstead Neighbourhood Development Plan. It was currently at independent assessment. The area of separation was to the north of the site and did not specifically cover the plot.

Alistair Neal questioned whether enforcement action was being taken regarding the enclosure of agricultural land. Mark Croucher explained that it was dependent on the outcome of the application. If refused, the enforcement process could be undertaken. Alistair Neal went on to state that the site was in a prominent location in the countryside and questioned how CP11 could be considered to support the application. Mark Croucher commented that it was considered to promote the recreation enjoyment of the countryside. In terms of visual impact, the Council's Landscape Officer had not felt that excessive expansion or encroachment would be caused.

Wayne Smith sought clarification about the boundary.

Rachelle Shepherd-DuBey asked about the possible impact of the noise of agricultural machinery and dirt bikes in the surrounding area, on horses. Mark Croucher commented that some agricultural processes could make noise. The road itself as opposed to the bridleway had been focused on, and some vehicles were louder than others. It was clarified that the bridleway was secured at both end and would be difficult to access on a dirt bike.

In response to a Member question regarding the determination of the application, Mark Croucher indicated that the Committee was required to consider the application afresh.

Stephen Conway questioned available parking and was informed that three spaces had been identified. Highways had considered this to be sufficient as it would be small scale usage. Stephen Conway questioned which direction the nets would be facing, and if there was any possibility of cricket balls being hit into the road. He was informed that the nets would be mobile and could be directed either way. The separation distance and level of vegetation provided some mitigation.

David Cornish clarified that the site was within the area of important separation identified in the Finchampstead Neighbourhood Development Plan. He added that whilst Highways had not identified issues with car parking, they had recommended refusal due to the accessibility of the site.

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Stephen Conway proposed that the application 211335 be deferred to enable a site visit. This was seconded by Wayne Smith.

RESOLVED: That application 211335 be deferred to enable a site visit.