

To the Chairman and Members of the  
PLANNING REGULATORY BOARD

Date 19<sup>th</sup> November 2015

**Report of the Director of Planning, Regeneration and Culture Service**

ITEM NO.    SUBJECT

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| 1 | Ref: RB2014/1513<br>Appeal Decision: - Appeal Dismissed<br>Appeal against a refusal to grant planning permission for the proposed<br>erection residential development on land at Millicent Square, Maltby |
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**Item 1** **Ref: RB2014/1513**

**Appeal Decision: - Appeal Dismissed**

**Appeal against a refusal to grant planning permission for the proposed erection residential development on land at Millicent Square, Maltby**



**Recommendation**

That the decision to dismiss the appeal be noted.

**Background**

A planning application was submitted (ref: RB2014/1513) for the erection of residential development on land at Millicent Square, Maltby and was refused for the following reason:

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The site is allocated as Urban Greenspace on the adopted UDP and the loss of the Urban Greenspace, which is not clearly surplus to requirements and is in an area where existing private gardens are limited in size, would be detrimental to the local community and the applicant has failed to demonstrate a scheme whereby equivalent or improved provision of Urban Greenspace would be provided within the locality. As such, the

proposals are contrary to Core Strategy Policy CS22 'Green Spaces' and to 'saved' UDP Policy ENV5.1 'Allocated Urban Greenspace', as well as the guidance contained within the NPPF.

An appeal was lodged with the Planning Inspectorate and we have now been informed that the appeal has been dismissed.

### **Main Issues**

In assessing the appeal, the Inspector noted that the main issue is the effect of the proposal on local urban green space.

### **Decision**

The Inspector considered that "Although the green space assessments undertaken by the appellant show that there is other similar basic green space provision in the area within walking distance of Millicent Square and that there are areas with higher recreational quality including formal play areas in the village, it has not however been clearly demonstrated that the green space at Millicent Square is surplus to requirements. That is to say, whether the current green space provision in the village exceeds what is required.

I note the comment that the appeal site is below the minimum size accepted by the Council for new green spaces and that being below 0.2 ha in size, it was not included in the Council's Greenspaces Audit. I also note that the Council's Green Spaces Manager stated that the loss of the site would not necessarily lead to a deficit in the area. However, those factors also do not demonstrate that the site is clearly surplus to requirements.

Although the green space at Millicent Square may not be of a high quality and may have localised usage, I nevertheless note from the representations received that the area is a local resource valued by residents, especially given the limited private garden space available to them and as such consider that it contributes positively to the living conditions of the residents of Millicent Square.

The proposal would not therefore have an acceptable effect upon green space provision in the area. The proposal does not accord with the Framework as it has not been clearly shown that the green space is surplus to requirements and consequently the appeal site should not be built on. Whilst the proposal would make a modest contribution towards housing supply, which stands at less than five years; this would not outweigh the harm caused by the development. The proposal also does not accord with the Rotherham Local Plan Core Strategy Policy CS22 and saved UDP Policy ENV5.1. Core Strategy Policy CS22 sets out that the Council will seek to protect and improve the quality and accessibility of green spaces available to the local community including protecting and enhancing green space which contributes to the amenities of the surrounding area. Saved UDP Policy ENV5.1 seeks to safeguard urban green space and sets out circumstances when it could be developed."

### **Conclusion**

For the above reasons and having regard to all other matters raised, the Inspector concluded that the appeal should be dismissed.