

The Application is for full planning permission for the retention of change of use of a double garage to a community radio station, car parking spaces and installation of air conditioning unit at a residential property in Alsagers Bank. The erection of an 18 metre mast is also proposed.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

The 8 week determination period expires on the 9th October 2015

RECOMMENDATION

Permit with the following conditions:

1. **Standard time limit for implementation of permission.**
2. **Approved plans.**
3. **The community radio station use shall not be used independently of Red Roofs, High Lane.**
4. **The mast and associated equipment shall be permanently removed from the site when it ceases to be required.**
5. **Parking shall be provided as set out in the approved plans.**

Reason for Recommendation

The change of use of the detached garage is considered to represent appropriate development within the Green Belt but the mast and air conditioning unit do not meet one of the exceptions for appropriate development within the Green Belt and therefore represent inappropriate development within the Green Belt. The air conditioning unit would have a very limited impact on the openness of the Green Belt and is not visible from outside of the site. Whilst the mast would be visible from outside of the site it would not be visually prominent due to its lightweight structure and colour and would also have a limited impact on the openness of the Green Belt. Such harm to the Green Belt and landscape would however be outweighed by the benefits of the development, most notably the wider community benefits of a community radio station. These are considered to represent the very special circumstances required to justify the development. Any harm to highway safety and residential amenity levels could be mitigated through the imposition of conditions. The proposed development therefore accords with the policies of the development plan identified and the guidance and requirements of the National Planning Policy Framework.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

Discussions with the applicant have been ongoing during the application and further supporting information has been provided. This is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application is for full planning permission for the retention of a change of use of double garage to community radio station, and the erection of an 18 metre mast, car parking spaces and installation of air conditioning unit.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

The key issues in the determination of the development are:

- Is the proposal appropriate development within the Green Belt?
- The impact on the area of landscape restoration,
- The impact on the residential amenity of neighbouring occupiers,
- The impact on highways safety, and
- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

Is the proposal appropriate development within the Green Belt?

Paragraph 79 of the recently published NPPF details that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

The NPPF identifies in paragraph 90 that certain development is not inappropriate in Green Belt provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. Engineering operations and the re-use of buildings provided that the buildings are of a permanent and substantial construction are included.

The garage was a building of permanent and substantial construction and as such this element is considered to be appropriate development as set out at paragraph 90 of the NPPF. The mast and the air conditioning unit would have an impact on the openness of the Green Belt and as they would not therefore meet any of the exemptions outlined within the NPPF they represent inappropriate development and should not be approved except in very special circumstances. Whether such very special circumstances exist will be addressed below.

The impact on the area of landscape restoration

Policy N21 of the local plan advises that the Council will support applications that help to restore the character and improve the quality of the landscape.

The air conditioning unit is small in scale and is placed up against the rendered garage which results in there being no views of it from any main vantage points.

The mast is proposed to be 18 metres in height and would appear similar to a lightweight telecommunications structure. It is proposed that it would be located towards the rear of the site and so would have some screening from the house and the converted garage, particularly of the lower sections. The top of the mast would be lightweight and by virtue of its colour it would be lost within the sky line, particularly from longer distance views. Therefore the impact on the landscape would be limited within the wider area.

The impact on the residential amenity of neighbouring occupiers

The application property is in residential use and the garage would be used as a community radio station. The applicant has provided information which suggests that disturbance will be minimal in terms of noise and traffic movements.

An objection has been received regarding the effect of the development on broadband speeds and radio reception. The Environmental Health Division has raised no objections to the application and they stated that Television Interference and Electromagnetic Compatibility issues are sometimes reported to the Council in the vicinity of radio broadcasting facilities. These are outside the remit of the Environmental Health Department (EHD) and any concerns regarding these should be reported to OFCOM.

The hours of operation are detailed as being 6am until 10pm which are considered acceptable. EHD have not advised of a restriction on these hours and so a condition is not considered necessary.

In consideration of the above it is accepted that the community radio station use of the site would not result in a significant harm to the residential amenity levels of neighbouring properties. The use has the potential to have an unacceptable impact on the living conditions of the occupiers of the existing house (Red Roofs) if it is operated separately and as such it is appropriate to impose a condition which ties the use of the garage to the occupation of the existing residential property. Subject to this condition the application would accord with the requirements of the NPPF.

The impact on highways safety

The community radio station would operate from the existing garage and the existing access for the residential dwelling would be used. The level of parking (five spaces) provided is considered to be adequate for the community radio station and residential property. Overall it is considered that no highway safety concerns arise from this development.

Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF indicates that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicants submission states that community radio stations give a voice to the people and it is a 'not for profit' organisation. The purpose is to give help and support to not for profit groups and charities whilst acting as a focal point for information for the people of Newcastle.

The fm community radio station licence has been obtained from Ofcom following support from a number of parties including a former leader of the Council, a former Mayor, and local businesses in 2012.

The applicant considers that the studio at Red Roofs is situated in an ideal location for a community radio station. In addition he advises that a minimum height of 18 metres is required for the mast in order to reach the licensed coverage area. The mast is the recommended manufacturers colour to blend into the skyline.

The National Planning Policy Framework (NPPF) at paragraph 42 details that "advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services."

It is clear that there are community benefits that the proposed development would bring and that it is supported by a number of organisations within Newcastle. There are no other community radio stations within the borough. The mast has been designed to have the minimum impact possible to provide the necessary coverage benefits. Once the mast is no longer required it can be removed with relative ease and without harm to the landscape - a condition ensuring this can be attached to any permission.

Weighing these matters in the balance and having particular regard to the moderate landscape impact it is considered that the benefits do outweigh the harm identified and accordingly that it would be appropriate to grant planning permission on this basis.

Policies and Proposals in the approved Development Plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

Strategic Aim 16:	To eliminate poor quality development;
Policy SP1:	Spatial Principles of Targeted Regeneration
Policy ASP6:	Rural Area Spatial Policy
Policy CSP1:	Design Quality

Policy CSP3: Sustainability and Climate Change

Newcastle under Lyme Local Plan 2011 (LP)

Policy S3: Development in the Green Belt
Policy T16: Development – General Parking Requirements
Policy N17: Landscape Character – General Consideration
Policy N21: Area of Landscape Restoration

Other material considerations include:

National Planning Policy Framework (March 2012)

Planning Practice Guidance (2014)

Supplementary Planning Guidance/Documents

Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011

Relevant Planning History

None relevant

Views of Consultees

The **Environmental Health Division** raises no objections.

The **Highways Authority** raises no objections

Audley Parish Council supports the application

Representations

Two letters of representation have been received raising the following objections/ concerns;

- Safety concerns about a mast following an incident when the mast was erected previously,
- Concerns about the development affect broadband speeds and radio reception,
- All vehicle parking should be off road due to highway safety on High Lane, and
- There should be a restriction on hours of operation.

Applicant/agent's submission

The applicant has provided detailed information to support the application which includes elements of the application to Ofcom for the community radio station licence which was granted. The information includes submissions from a former leader of the Council, Mayor, Councillors, Aspire Housing director's etc.

The documents are available for inspection at the Guildhall and searching under the application reference number 15/00747/FUL on the website page that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

24th September 2015