

The application is for full planning permission for the formation of a proposed BMX cycle track within Wereton Road Community Park, Audley.

The application site lies in the Green Belt and an Area of Landscape Enhancement as indicated on the Local Development Framework Proposals Map.

The application is brought to Planning Committee as the applicant is Borough Councillor Ann Beech and the agent is a Council Landscape Officer.

**The 8 week period for the determination of this application expires on 24<sup>th</sup> December 2015.**

### **RECOMMENDATION**

**Permit, subject to conditions relating to the following: -**

- 1. Standard Time limit for commencement of development.**
- 2. Approved plans**
- 3. Landscaping plan details to be approved**
- 4. Final sections and heights to be approved.**
- 5. Any external lighting to be approved**
- 6. No soil (or soil forming materials) to be imported until information on their source, the results of any soil analysis and an assessment of their suitability for use has been submitted and approved by the LPA.**
- 7. Prior approval of a scheme of tree protection for the existing hedgerow adjacent to the proposed BMX track for the duration of the construction phase.**

### **Reason for Recommendation**

The proposal would constitute appropriate development in the Green Belt being appropriate facilities for outdoor sport and recreation, which would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. The development is capable of achieving an acceptable design, subject to approval of details, in accordance with Policies S3 and N20 of the Newcastle under Lyme Local Plan, Policies CSP1, CSP 3 and CSP 4 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, and with the aims and objectives of the National Planning Policy Framework 2012.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

This is considered to be a sustainable form of development and complies with the provisions of the National Planning Policy Framework.

### **Key Issues.**

This is an application for full planning permission for the formation of a BMX cycle track on the Wereton Road community park, off Queen Street/ Wereton Road, Audley. The site is located within the Green Belt and within an Area of Landscape Enhancement, as indicated by the Local Development Framework Proposals Map.

The main issues to be considered with this proposal are:

- Is the proposal appropriate or inappropriate development in the Green Belt and if inappropriate, do the required very special circumstances exist to justify approval?
- Is the design of the proposal acceptable?
- Would the proposal have an acceptable impact upon residential amenity?

Appropriate or inappropriate 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.”

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 89 and 90 of the NPPF set out the types of development that are not inappropriate in the Green Belt. These include appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposal is for a BMX cycle track within an existing community park. As such, your officers are satisfied that the proposal represents appropriate facilities for outdoor sport and recreation.

The mounds that would make up the track would be not more than 2 metres high at their highest point. The mounds forming the track would be grassed which will help reduce its overall conspicuousness within the Green Belt, and their limited height to not more than 2 metres at their highest point would keep the development low and retain openness. No fences or railings are proposed.

Overall, it is considered that the raised track would preserve the openness of the Green Belt, and as such the proposal is considered to represent appropriate development in the Green Belt. The development would comply with Policy S3 of the Local Plan and with the aims and objectives of the National Planning Policy Framework 2012.

Given that it is concluded that the proposed development is appropriate development, there is no requirement for the applicant to demonstrate a case for very special circumstances.

#### Is the design of the proposal acceptable?

The government attaches great importance to the design of the built environment, requiring good design as a key aspect of sustainable development.

Scale plans showing the layout of the proposed BMX track have been provided, however the plans showing the side elevations of the track are not to scale. The agent has advised that the highest track would be not more than 2 metres in height and would be built up from imported material.

It is considered that details of the appearance of the track and its height can be conditioned to be approved. Low maintenance shrub planting is proposed, which will provide dense and bushy screening. It is considered that the landscaping details can be subject to a prior to use of the development condition.

Overall, the design of the track and the proposed landscaping area would be acceptable, and the proposal would comply with Policy CSP1 of the Core Spatial Strategy, and with the aims and objectives of the National Planning Policy Framework.

#### Would the proposed development have an acceptable impact on residential amenity?

The site of the proposed BMX cycle track is overlooked by residential properties, the closest being approximately 30 metres from the proposed track. The proposed landscaping would be situated between the track and the closest residential properties, however the track would still be visible from these properties.

Whilst visible, it is not considered that the amenity of these properties would be harmed by the proposed BMX track, and it is a sufficient distance to not cause any loss of privacy and light to the closest residents.

The proposal is considered acceptable with regards to its impact upon neighbouring residential occupiers, and would comply with the Council's guidance on amenity standards and the aims and objectives of the National Planning Policy Framework.

## **Policies and proposals in the approved development plan relevant to this decision:-**

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

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP2: Historic Environment  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets

### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy N17: Landscape Character - General Considerations  
Policy N20: Area of Landscape Enhancement  
Policy S3: Development in the Green Belt

### **Other Material Considerations include:**

National Planning Policy Framework (NPPF) (2012)  
National Planning Practice Guidance (2014)

### Supplementary Planning Guidance/Documents

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)  
Space around Dwellings Supplementary Planning Guidance (2004)

### **Relevant Planning History**

15/00285/PLD Permitted Application for a lawful development certificate for proposed installation of skate boarding equipment

10/00351/FUL Permitted Installation of play equipment

### **Views of Consultees**

The **Environmental Health Division** has no objections subject to a condition to require approval of details in relation to any soil or soil forming material to be imported to the site.

**Audley Rural Parish Council** supports the application

The **Landscape Division** has no objections subject to conditions relating to the prior approval of a detailed landscaping scheme, and the submission of a scheme of tree protection for the existing hedgerow adjacent to the proposed BMX track for the duration of the construction phase of the development.

### **Representations**

None received.

### **Applicant's/Agent's submission**

The results of a consultation exercise regarding the proposal with 75 signatories supporting the proposal, in addition to application forms and plans have been submitted. These documents are available for inspection at the Guildhall and under the application reference number 15/00923/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**

23<sup>rd</sup> November 2015