

The application is for full planning permission for the partial demolition and renovation of the existing public house (and restaurant) with a new build extension to restaurant, extension of the car park and associated landscaping.

The site extends to approximately 0.63 hectares and is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Enhancement (policy N20), as indicated on the Local Development Framework Proposals Map.

**The 8 week determination period expires on the 11<sup>th</sup> January 2015**

### **RECOMMENDATION**

**A. Subject to the applicant submitting amended plans to reduce the volume of the proposed extensions and reducing the amount of land to be used as car parking by the 22<sup>nd</sup> December 2015, permit the application with the following matters to be reserved by condition:**

- 1. Standard Time limit for commencement of development**
- 2. Approved plans**
- 3. Submission and approval of external materials**
- 4. Construction and demolition hours**
- 5. Ventilation and odour abatement**
- 6. Control of noise**
- 7. Prevention of food and grease debris entering the drainage system**
- 8. Submission and approval of external lighting**
- 9. Approval of full landscaping proposals to include boundary treatments**
- 10. Submission and approval of Tree Protection measures**
- 11. Arboricultural Method Statement**
- 12. Retention of trees**
- 13. Submission and approval of new boundary treatment to (A531) Newcastle Road**
- 14. Access, car parking and turning**
- 15. Car park shall remain ungated**

**B. Should the matters referred to in (A) above not be achieved, then the application should be refused by virtue of the development representing inappropriate development within the Green Belt and the very special circumstances would not outweigh the harm caused to the openness of the Green Belt which would be contrary to local and national planning policy.**

### **Reason for Recommendation**

Subject to amended plans being received to reduce the volume of the proposed extensions and reducing the amount of land to be used as car parking, the development, whilst representing inappropriate development within the Green Belt, would have limited additional harm on the openness of the Green Belt and the purposes of including land within the Green Belt to that which currently exists. Any harm would be outweighed by the benefits, namely the acceptable design and the enhancement to the landscape and the development supporting a rural business. It is therefore considered that very special circumstances exist that justify approval of planning permission.

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

Pre application discussions were undertaken and further discussions have resulted in amended plans being requested. Subject to these amended plans being received the development is 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 replacement extensions, an extension to the car park and associated landscaping to the Broughton Arms Public House. The Public House has a number of existing extensions that would be replaced to accommodate the new scheme.

The application site is located on a busy junction within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Enhancement (policy N20), 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?
- Design of the proposals and the impact on the area of landscape maintenance,
- 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 further details in paragraph 89 that local planning authorities should regard new buildings within the Green Belt as inappropriate. Exceptions to this include the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces. Another exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling.

The applicant has provided volume calculations and it is clear that the existing building has had substantial extensions previously. Whilst these extensions will be replaced as part of this application and an original building will also be removed the proposals include further extensions and so the starting point has to be that the proposals do not meet the exceptions outlined in paragraph 89 due to the volume of the replacement and new extensions proposed being disproportionate in scale above the size of the original building.

An extension to the car park is proposed which would result in a change of use of land from agriculture. Paragraph 90 indicates that other forms of development are classed as inappropriate development other than in a number of identified exceptions. Changes of use of land do not fall within one of these exceptions and so the development has to be considered to represent inappropriate development within the Green Belt and should not be approved except in very special circumstances.

Therefore the proposals represent inappropriate development within the Green Belt and should not be approved except in very special circumstances. This will be addressed below.

### Design of the proposals and the impact on the area of landscape enhancement

The NPPF details in paragraph 60 that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness. Furthermore, in paragraph 63 it also indicates that great weight should be given to outstanding or innovative designs.

The main public house will be retained due to its character and appearance but the existing extensions would be replaced with extensions that would have a more modern or contemporary rural appearance. The fundamental designs of the proposed extensions are acceptable but officers have requested reductions to the size of the proposals and amended plans are awaited. Subject to the

amendments being received the replacement of old fashioned extensions would result in the proposals having a landscape enhancement.

The land to be used as car parking is overgrown and represents low grade agricultural land. The applicant has indicated that the proposed car park surfacing would be reinforced grass which is not synthetic 'astroturf' but a grid of matting that allows grass to grow through whilst adding enough resilience to prevent cars from churning the surface into mud. The amount of land to be changed to car parking is being reduced by the applicant due to the harm caused and amended plans should be received prior to the committee.

Landscaping improvements are also proposed which will enhance the appearance of the site, including the car parking and areas around the buildings.

In summary the proposals would significantly enhance the site and landscape in general which would comply with policy N20 of the Local Plan and the general design requirements outlined in the NPPF. It is therefore considered acceptable.

#### The impact on highways safety

The proposals include improvements to the existing access arrangements and the removal of the car parking to the front of the building. The existing car parking would also be reconfigured and as discussed an area of land outside the existing site curtilage being used as an overflow carpark.

Policy T16 of the local plan indicates that for a public house a maximum of 1 space per 6m<sup>2</sup> of proposed floor area should be available and 1 per 10m<sup>2</sup> for a restaurant. The proposal is for a mixed use and so a maximum of 1 per 8m<sup>2</sup> is advisable.

The applicant has detailed that the site has a total of 65 spaces and an additional 89 spaces are proposed (41 within the overflow car park). This well exceeds the maximum requirements and the applicant has been advised to reduce the number of spaces. Amended plans are expected prior to the committee which would reduce the number of spaces to an acceptable level for this rural business.

The Highways Authority has raised no objections subject to conditions which should improve the existing access and car parking arrangements on a busy junction.

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

The NPPF details 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 applicant has indicated that the shift in focus from 'Pub with Restaurant' to 'Restaurant with Public Bar' would significantly increase the profitability of the rural business. Projected staff numbers are to be 35 full time and 15 part time, compared with the 10 full time and 5 part time staff currently employed by the Broughton Arms. They consider that the proposed development would benefit not only the owners but the local community by creating local jobs and helping to maintain a diverse rural economy. It would also secure the renovation and upkeep of a prominent local landmark building.

Officers have sought amendments to the scheme which would reduce to the amount of extensions proposed so that the proposals would directly replace extensions and original buildings only. Therefore the harm to the Green belt would be no greater than the existing disproportionate extensions. The appearance of the landscape would be improved by the design of the extensions which would clearly be a benefit.

It is accepted that some additional car parking is required to support this rural business and make it sustainable. Subject to the amended car parking arrangements being received the harm caused by this additional car parking would be outweighed by the benefits and the mitigation of using a reinforced grass surfacing material.

It is considered that the above represent the very special circumstances that are required to justify the proposed development in this instance, this being in accordance with the requirements of the NPPF.

## **APPENDIX**

### **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 SP3: Spatial Principles of Movement and Access  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets

Newcastle under Lyme Local Plan 2011 (LP)

Policy S3: Development in the Green Belt  
Policy T16: Development – General Parking Requirements  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character – General Consideration  
Policy N20: Area of Landscape Enhancement

### **Other material considerations include:**

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

Supplementary Planning Guidance/Documents

Space Around Dwellings (July 2004)  
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)  
Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Relevant Planning History

|               |                                 |           |
|---------------|---------------------------------|-----------|
| N13999 (1985) | Improvements and extension      | Permitted |
| N17707 (1988) | Extension to form function room | Permitted |

Views of Consultees

The **Environmental Health Division** raises no objections subject to conditions regarding construction and demolition hours, control of ventilation, odour, noise, food/ grease debris and external lighting.

The **Landscape and Development Section** raises no objections subject to conditions for prior approval of Tree Protection Proposals, Arboricultural Method Statement, Retention and protection of all trees shown as retained on dwg 0899-104, prior approval of appropriate boundary treatment and approval of full landscaping proposals.

The **Highways Authority** raises no objections subject to conditions that require the submission and approval of boundary treatments on the (A531) Newcastle Road frontage, the access, turning and parking being provided and the access remaining un-gated.

**Betley, Balterley & Wrinehill Parish Council** has no objection in principle to what is proposed and welcomes the retention of the original 19th Century building. It considers that the Local Planning Authority (LPA) needs to be satisfied that the scale, location and use of materials are acceptable. The LPA also needs to be satisfied that the extension of the car park into the Green Belt is necessary and

that there are exceptional reasons to justify an exception being made to that aspect of the Borough Planning Policy. Concerns are expressed about the location of the car park entrance and HA should be satisfied that no hazard would be caused by poor visibility.

**Natural England** raises no objections and indicates that the proposed development is not likely to have a significant effect on the interest features for which Midland Meres & Mosses Phase 2 Ramsar has been classified. It will also not damage or destroy the interest features for which the Black Firs & Cranberry Bog SSSI has been notified. Standing Advice should be applied for the impact on protected species.

### Representations

No letters of representation have been received.

### Applicant/agent's submission

The application has been supported by a design and access statements which makes the following key points;

- The Broughton Arms is located on the Staffordshire / Cheshire boarder near Balterly, at the junction of the A513 (Newcastle Road) and the B5550 (Four Lanes End / Nantwich Road).
- From a commercial point of view, The Broughton Arms is not currently fulfilling the full potential of an A3 or A4 business in this prime location.
- Establishing a sustainable business model for The Broughton Arms is clearly of benefit not only to the owners but to the local community too - it will create local jobs and help maintain a diverse rural economy whilst also securing the renovation and upkeep of a prominent local landmark building.
- Projected staff numbers are to be 35 full time and 15 part time, compared with the 10 full time and 5 part time staff currently employed by the Broughton Arms.
- It is important to mention the proven track record already established by the Applicant, who have extensive experience of renovating and managing restaurants and pubs. The Orange Tree (Stoke on Trent), The Swan with Two Necks (Blackbrook) and The Wayfarer (Stone) are all similar projects undertaken by the applicant in recent years.
- Vehicle access is currently at several points along Four Lanes End due to an irregular parking layout. Our intention is to rationalise the parking and make a single access, in approximately the same location as the current principal entrance.
- A second access will be created for deliveries, with a dedicated off road parking space for unloading supplies.
- The area of the site currently occupied by 65 tarmac parking spaces will therefore be re-organised and re-surfaced to provide 51 spaces (plus one space for deliveries), as well as a safer pedestrian access route including level access ramp.
- It is believed that this will be sufficient for most hours of business, however, an overflow carpark will be required at certain peak times, particularly during the Christmas period. We therefore propose a further 41 spaces on the adjacent meadow.

The full document, application plans and other supporting information can be inspected at the Guildhall and searching under the application reference number 15/00964/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

16<sup>th</sup> December 2015