

The application is for full planning permission for the retention of a garden shed in garden area of a barn conversion.

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

The 8 week period for the determination of this application expired on 25th January 2016.

RECOMMENDATION

Permit, no conditions

Reason for Recommendation

The proposed development would constitute inappropriate development in Green Belt. However it is acknowledged that the building will provide storage and the very small scale of the building is such that it would have a limited impact on the openness of the Greenbelt. Such factors are considered to be the required very special circumstances to justify granting planning approval.

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 retention of a garden shed, the building has an interlocking timber construction and a shallow dual pitched roof. The walls are painted in a muted light green finish and the roof is finished with an artificial grass affect covering, the roof extends to provide a small open veranda/overhang, with glazed double doors and a window in its front elevation

The shed has a maximum height of approximately 2.45 metres, a maximum length of approximately 3.80 metres and a maximum width of approximately width of 3.6 metres.

The main issues to be considered with this proposal are:

- Is the proposal appropriate or inappropriate development in the Green Belt?
- Would there be any adverse visual impact of the proposal on the surrounding countryside?
- Does the proposal have an adverse impact on residential amenity?
- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

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 which are not inappropriate in the Green Belt. It considered the proposal does not meet any these exceptions and as such the proposed development should be viewed as inappropriate development in the Green Belt.

It is therefore considered that the proposed development constitutes inappropriate development within the Green Belt and should not be approved except in very special circumstances. This will be addressed below.

Impact on the surrounding landscape

The application site is within an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map. Policy N21 of the Local Plan advises that within these areas the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

Given the limited scale, the materials and its location within a garden it is considered the proposal would not adversely harm or erode the character or quality of the landscape.

Residential Amenity

The Framework states within paragraph 9 states that pursuing sustainable development involves seeking positive improvements in peoples quality of life, including improving the conditions in which people live, work, travel and take leisure. The impact upon the amenity of surrounding residents has to be taken into consideration. Paragraph 17 sets a core planning principle that planning should seek to secure a good stand of amenity for all existing and future occupants of land and buildings.

Whilst the Council's adopted Supplementary Planning Guidance (SPG) on Space around Dwellings provides guidance on new dwellings and as such is not applicable in this instance, it does provides a starting point and provide the basic guidance in the consideration of privacy and daylight standards.

The shed is sited adjacent to a tall boundary fence and hedge (approximately 2 metres in height) and approximately 8 metres from the rear wall of the neighbouring property. The shed is sited at a lower level than the adjacent property. Given this siting and the separation distance, only the roof of the shed would be viewed from the neighbouring property. The proposal would not breach the SPG guidance within this document as such it is considered the proposal would not have an adverse impact on residential amenity of neighbouring occupiers.

The National Planning Policy Framework at paragraph 88 advises "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

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

As indicated above, by definition inappropriate development is harmful to the interests of the Green Belt.

A case has not been advanced by the applicant setting out very special circumstances to justify inappropriate development. Notwithstanding this it is considered that the building is very small in scale with limited impact on the openness of the Green Belt and provides storage of garden equipment and other domestic paraphernalia for the property which has no other such provision. Such factors provide the required very special circumstances to justify granting planning approval.

APPENDIX

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 CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3: Development in the Green Belt
Policy N17: Landscape Character - General Considerations
Policy N21: Area of Landscape Restoration

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)
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

13/00540/FUL Proposed barn conversion to residential with new access driveway - Permit

Views of Consultees

Audley Parish Council supports the application.

Representations

Two letters of objection has been received raising the following concerns:

- The shed is positioned too close to the boundary of the neighbouring property
- The views and privacy from the adjacent property are compromised
- The shed is positioned close to the boundary hedge blocking out light to the hedge resulting in the deterioration of its health
- Its impact on the openness and restrict views of the Green Belt
- The roof covering is not is keeping with its surroundings
- The shed is sited so as not to restrict views from the applicant's property.

Applicant's/Agent's submission

A Planning Statement 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 15/01047/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

13th January 2016