

The application is for full planning permission for the retention of a wooden building in use for the sale of wood burning stoves for a period of three years.

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

The 8 week period for the determination of this application expires on the 6th May 2016.

RECOMMENDATION

PERMIT with the following conditions:

- 1. Temporary three year permission**
- 2. Removal of building after three years**
- 3. Approved plans**

Reason for Recommendation

The proposed development represents inappropriate development within the Green Belt. However, very special circumstances are considered to exist which would outweigh the harm to the Green Belt that would be caused by virtue of inappropriate development. Such circumstances are the limited visual impact arising from the development, its temporary nature and that it involves employment development in a rural area which is supported by national policy..

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 a sustainable form of development that complies with the provisions of the National Planning Policy Framework. No amendments were requested or additional information sought as part of the application process.

Key Issues

This is an application for full planning permission for the retention of a wooden building in use for the sale of wood burning stoves. The submission seeks permission for a temporary period of three years.

The applicant has recently started a small business, selling log burning stoves. The business is operated from a wooden shed, and in accordance with information provided attracts no more than 20 visitors per month. The business is operated by the applicant and no other persons are employed. They are seeking to establish the business before they seek out alternative accommodation.

The key issues in the determination of this application are therefore:

- Whether the proposal constitutes appropriate or inappropriate development in the Green Belt
- The impact of the proposal upon the character of the area and on the Area of Landscape Restoration
- Highway Safety and car parking
- Impact on amenity
- If the development is considered to be inappropriate development, so the required very special circumstances exist?

Is the development 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.”

The NPPF further states in paragraph 89 that local planning authorities should regard new buildings within the Green Belt as inappropriate. Exceptions to this are listed at paragraphs 89 and 90. The exceptions identified do not include new buildings for business use, and therefore the starting point in the determination of this application is that the proposal represents inappropriate development within the Green Belt, which should not be approved unless there exists a case for very special circumstances that outweighs the harm caused to the openness of the Green Belt, and any other harm.

Impact on the character of the area

Saved Policy N21 of the Local Plan states that the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape, and that within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

The National Planning Policy Framework states that good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people.

The wooden shed building is located on an established farm yard at Mitchells Wood Farm. It is not visible within wider landscape views and its backdrop is agricultural buildings making it less conspicuous in the landscape.

The building is single storey and of wooden construction, and is not harmful to the character of the area.

Overall, in terms of character and appearance, and impact on the wider landscape restoration area, the proposal is considered acceptable.

Highway Safety and car parking

The business is likely to attract visitors by car, therefore sufficient car parking and turning within the site curtilage is required. There appears to be adequate car parking space for the minimal number of visitors anticipated, however should permission be granted, a condition requiring a plan showing how cars will park and turn within the curtilage should be included on any approval.

Impact on amenity

The business would not cause harm to amenity of nearby residents, which are located over 75 metres away from the building.

Overall, it is considered the proposed development will have a minimal impact on surrounding amenity, and as such is considered acceptable in this regard.

Do the required very special circumstances exist that would overcome the harm caused by inappropriate development in the Green Belt

A case has been advanced in support of the application which is summarised below:

- The building is of timber construction erected upon the same base as a slightly larger building that stood on this site until recently and which this building replaces
- The earlier building is clearly seen on the aerial photograph at the rear of this letter
- The use of the building is only required for a 2 to 3 year period and planning permission for this temporary use only is sought
- The building sits immediately to the rear of a mature hedge. Its materials and siting mean that it is not readily seen in the wider landscape

- The business is fledging. The business it generates provides a living wage for the applicant and jobs for local trades people who install the log burning stoves which are sold from this site.
- Local and national policy in the NPPF support the business development and growth
- The business could be carried out within a section of one of the existing farm buildings. In this case the business would be so insignificant as to not constitute development at all or would it benefit from permitted development rights under recent changes to national planning policies and provisions.
- The positive attitude taken to diversification in the countryside is a direct response to the very significant changes that have been brought about by a sharp decline in family farms and family farm businesses.
- Less than one customer a day is generated by the business. There are no internet sales now or planned. The level of traffic will cause no noticeable change to the safety or convenience of local road users and there are considered to be no highway objections

Whilst it is not accepted that all of the points above are the basis upon which it can be concluded that very special circumstances exist to justify inappropriate development in the Green Belt, which by definition is harmful. It is considered, however, that weight can be given to the facts that the building is of temporary construction and that it is not proposed that it would be a permanent feature within the Green Belt. In addition it is a relatively small building amongst larger farm buildings and this together with screening from a hedgerow ensures that it has a limited visual impact on the area.

The intention is that the business is established over a two to three year period and that when established alternative premises will be found. Economic growth in the rural area is supported by the NPPF in order to create jobs and prosperity, by taking a positive approach to sustainable new development. The site is in a relatively sustainable location, within the rural area but close to the urban area where good access to public transport can be gained. It is possible that visitors to the retail unit could get there using public transport/ walking.

Taking all of the above points into consideration it is considered that the very special circumstances exist that would overcome the harm to the openness of the Green Belt.

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 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: Areas of Landscape Restoration
Policy T16: Development – General Parking Requirements

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

None considered relevant

Views of Consultees

The **Highway Authority** has no objections subject to submission and approval of full details of provision of parking and turning within the site curtilage

The comments of the **Environmental Health Division** and **Landscape Division** are awaited. Any comments will be reported via a supplementary.

Representations

None received

Applicant's/Agent's submission

The application forms and plans have been submitted, along with a supporting statement and a 'Special Circumstances' statement. These documents and the representations referred to above are available for inspection at the Guildhall and can be viewed on the website using the following link; <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00146/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

14th April 2016