

The application seeks retrospective planning permission for the change of use of land to form part of a garden.

The application site lies within the urban neighbourhood of Newcastle as defined by the Local Development Framework Proposals Map.

The statutory 8 week determination period for the application expired on 28th November 2016 but the applicant has agreed to extend that period until 7th December 2016.

RECOMMENDATION

PERMIT subject to a condition relating to the following matter:

- i) Landscaping to be carried to soften the appearance of the fence in accordance with an approved scheme and within 3 months of the date of the decision.**

Reason for recommendation

No loss of useable open space has arisen from the change of use to garden that has taken place and subject to the carrying out of landscaping along the site frontage to soften the appearance of the fence that has been erected it is considered that the development will be acceptable in appearance.

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

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

KEY ISSUES

Full planning permission is sought, retrospectively, for the change of use of an area of informal open space as garden involving the erection of a 2m high wooden fence to enclose the land.

The land is sited next to the bridge on Knutton Lane in a position elevated above the Greenway. Prior to the change of use to garden the land was visible behind an open highway barrier. It does not appear, however, that it was readily accessible and used for any purpose. The change of use to garden has not, therefore, resulted in the loss of any useable open space.

The fence that has been erected, at approximately 2m, is higher than is standard for a front boundary treatment. It is, however, set back by about 1m behind the existing highway barrier and combined with its proximity to the bridge and the retention of a hedge at the side of the area adjoining the house it is not as prominent in public views as would be expected for a front boundary. It is therefore considered that if suitable landscaping is carried out in front of the fence behind the barrier it can be made acceptable in appearance. Such landscaping can be secured through a condition.

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)

Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy N17: Landscape Character

Other material considerations include:

National Planning Policy Framework (March 2012)

Planning Practice Guidance (2014)

Newcastle-under-Lyme and Stoke on Trent Urban Design Guidance (adopted December 2010)

Relevant Planning History

10/00085/FUL	Construction of car parking bays for 94 To 98, 102 To 140, 146 To 168
Knutton Lane	Permitted 2010

Views of Consultees

The **Landscape Development Section** has no objections, but suggests that a lower boundary treatment on the Knutton Lane boundary may be more appropriate in terms of its visual impact than the existing fence.

Representations

None received.

Applicant/agent's submission

All of the application documents can be viewed at the Guildhall or using the following link.
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00838/COU>

Background Papers

Planning File
Development Plan

Date report prepared

22nd November 2016.