

**JOLLIES FIELD PLAYING FIELD TO THE NORTH OF NEWCASTLE STREET, SILVERDALE**  
**IBSTOCK BRICK LTD (MR NICK SPENCE)** **17/00550/FUL**

The application is for full planning permission for the erection of a security fence around the existing playing fields at Jollies Field.

The application site is located within the Green Belt and an Area of Landscape Regeneration as identified within the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expired on 25<sup>th</sup> August 2017 but the applicant has agreed to an extension of time of the statutory determination period to the 13<sup>th</sup> October 2017.

**RECOMMENDATION**

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

- 1. Standard Time limit for commencement of development**
- 2. Approved plans**

**Reason for Recommendation**

Whilst it is not considered that the proposed fencing would have any significant adverse impact on the character and appearance of the area, it has to be concluded that it constitutes inappropriate development in Green Belt policy terms. Whilst the fencing is not insignificant by reason of its height, it has little volume or mass and the openness of the site is in effect maintained by the proposals. It is considered that the benefits in terms of the provision of improved outdoor sport facilities in a location that is already used for that purpose, outweigh any harm by definition and it is considered that the required very special circumstances do exist and that planning permission can be granted.

**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**

The application seeks planning permission for the erection of a security fence around existing playing fields at Jollies Field.

The site is located within the Green Belt and an Area of Landscape Regeneration as identified within the Local Development Framework Proposals Map. The key issues in the determination of this planning application are as follows:

- Does the proposal comprise appropriate development within the Green Belt?
- Would the development have any adverse impact on the character and appearance of the area?
- If the development is inappropriate development within the Green Belt do the required very special circumstances exist so as to justify approval?

**Does the proposal comprise appropriate development within the Green Belt?**

The application site is located within the Green Belt. Paragraph 79 of the NPPF indicates 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 goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Policy S3 of the Local Plan states that development for sport and recreation uses of a predominantly open character, whether formal or informal, or for other uses of land that preserve the openness of the area, may be located in the Green Belt so long as it does not disrupt viable farm holdings.

Paragraphs 89 and 90 of the NPPF indicate that certain limited forms of development are not inappropriate development within the Green Belt but none of those listed match the proposed works. Accordingly the conclusion has to be that the fence must be viewed as inappropriate development in Green Belt terms. The question of whether the required very special circumstances exist to justify a grant of planning permission will be addressed later on in this report.

**Would the development have any adverse impact on the character and appearance of the area?**

The mesh fence would be erected around the perimeter of the football pitch. It would be 2.4m in height on the northern and southern boundaries and 3m high on the western and eastern boundaries. A single gate is to be provided on the northern, southern and western boundaries and a double gate providing vehicular access is proposed on the eastern boundary. The fence is to be green in colour.

The site lies within an Area of Landscape Regeneration and Policy N22 of the LP states that within such areas, the Council will support, subject to other plan policies, proposals that would regenerate the landscape appropriate to its urban or rural location.

The site is surrounded by substantial mature landscaping and is barely visible from any public viewpoints. Whilst the fencing would not be insignificant in height, it would be against the backdrop of the trees and it is not considered that it would have any significant adverse impact on the character and appearance of the area. The Landscape Development Section has no objections subject to tree protection conditions.

**If the development is inappropriate development within the Green Belt do the required very special circumstances exist so as to justify approval?**

Given the conclusion above – that the fencing does not constitute appropriate development in the Green Belt – the Committee must decide whether it considers the required “very special circumstances” exist. Inappropriate development is, by definition, considered to be harmful to the Green Belt and the NPPF indicates that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that ‘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.

The application states that Knutton Quarry received planning consent to deepen Knutton Quarry in August 2012 and that consent is subject to a Section 106 Agreement that includes a requirement for Ibstock Brick Ltd to maintain the football pitch at Jollies Field and to fund the reasonable costs of fencing the football pitch. The Borough Council will accept the Deed of Gift when it is satisfied that the ‘management plan for Jollies Field and the Plantation Area has been agreed, including the type, height, location and colour of the fencing erected around Jollies Field’. In recent years, the requirement for the fencing has become increasingly crucial for the ongoing use of the field as it is frequently subject to problems of antisocial behaviour and vandalism.

On the harm side, whilst the fencing is not insignificant by reason of its height, it has little volume or mass and the openness of the site is in effect maintained by the proposals. As discussed above, in landscape terms there is not considered to be any material harm. That leaves the harm that by definition flows from inappropriate development itself. On the positive side, to be weighed against such harm, there are undoubted benefits in terms of the provision of improved outdoor sport facilities in a location that is already used for that purpose. Finally reference can be made to the fact that one of the stated objectives of Green Belt policy is to provide opportunities for outdoor sport and recreation.

On the above basis it is considered that the required very special circumstances do exist and that planning permission can be granted.

## **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

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt  
Policy N17: Landscape Character – General Considerations  
Policy N22: Areas of Landscape Regeneration

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

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Relevant Planning History](#)

None

[Views of Consultees](#)

The **Landscape Development Section** has no objections subject to conditions requiring a tree protection plan and a schedule of works for existing trees on the periphery of the site.

**Silverdale Parish Council** supports the application.

The **Highway Authority** has no objections.

The **Crime Prevention Design Advisor** states that as a means to prevent littering, dog fouling, broken glass, drug and alcohol use and the lighting of small fires on the football pitch, the proposal to enclose the pitch to deny unauthorised access is clearly understood and supported. The choice of fencing appears to be a good one but there are no details of the proposed access gates. Gates can be easily climbed if there are square box sections typically housing the locking arrangement or if the gates are smooth topped or have horizontal or diagonal bars within the design. This advice should be passed on to the applicant so that the likelihood of problems can be reduced.

[Representations](#)

None received

[Applicant's/Agent's submission](#)

The application forms and plans have been submitted. These documents are available for inspection at the Guildhall and on the website that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00550/FUL>

### **Background papers**

Planning files referred to

Planning Documents referred to

**Date report prepared**

13<sup>th</sup> September 2017