

AUDLEY COMMUNITY CENTRE, NANTWICH ROAD, AUDLEY
AUDLEY MEDIEVAL SOCIETY. 12/00203/FUL

The Application is for full planning permission for a new metal storage container at Audley Community Centre, Nantwich Road, Audley.

The application site is located within the Green Belt and in an Area of Landscape Enhancement as shown on the Local Development Framework Proposals Map.

The 8 week determination period expired on 15 January 2013.

RECOMMENDATION

Permit subject to the following conditions relating to the following matters:-

- (i) Commencement of development.**
- (ii) Approved plans.**
- (iii) Prior approval of the exterior colour of the container.**

Reason for Recommendation

Although the proposed development is inappropriate in the Green Belt and would have some impact upon the character and appearance of the landscape, such impact would be small scale and limited to a relatively small area. No demonstrable substantiated harm to other interest exists in this case. Weighing the harm of the proposal arising by definition from inappropriate development against the very small scale of the container in terms of its height and capacity and the benefits arising for this community facility in providing storage it is considered that the very special circumstances exist to justify the proposal. The proposed development would adhere with the overarching aims and objectives of both local and national policy in this regard.

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.

Policies and Proposals in the Approved Development Plan Relevant to This Decision:-

West Midlands Regional Spatial Strategy 2008 (WMRSS)

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a high quality built environment for all

Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 (SSSP)

Policy D1: Sustainable Forms of Development
Policy D2: The Design and Environmental Quality of Development
Policy D5B: Development in the Green Belt
Policy D4: Managing Change in Rural Areas
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection and Restoration
Policy NC19: Conservation Areas
Policy T13: Local Roads

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles of Economic 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 (NLP)

Policy S3: Development in the Green Belt
Policy N17: Landscape Character – General Considerations
Policy N20: Areas of Landscape Enhancement
Policy B14: Development in or adjoining the boundary of Conservation Areas

Other Material Considerations Include:

National Planning Policy Framework (March 2012)

The Secretary of State's Announcement of His Intention to Abolish RSS

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

Supplementary Planning Guidance

Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, formally adopted on 10 May 2001.

Relevant Planning History

09/00713/FUL Permit – 4 February 2010 Proposed repositioning of the existing storage unit & new storage unit.

Views of Consultees

Audley Parish Council - support the application, provided that the container is painted green.

Representations

No representations have been received on this application.

Applicant/Agent's Submission

The requisite application forms and plans were submitted along with a Design and Access Statement. These documents are available for inspection at www.newcastle-staffs.gov.uk/planning/audleycommcen

Key Issues

Full planning permission is sought for a new metal storage container at the Audley Community Centre, Nantwich Road, Audley, which is located within the Green Belt and an Area of Landscape Enhancement, as indicated by the Local Development Framework Proposals Map.

The steel storage container would be sited on the west side of the community centre, towards the north west corner of the existing building and it is proposed to paint it green.

The container would measure 2.3 metres in width by 2.8 metres in length, and be 2.5 metres in height.

The key issues in the determination of the development are:

- Is the proposal appropriate development in the Green Belt?

- The impact of the proposed development on the character of the landscape and visual amenity in general
- The impact on the adjacent Audley Conservation Area
- If inappropriate development do the very special circumstances exist?

Is the proposal appropriate development in the Green Belt?

Policy S3 of the Local Plan presumes against any form of development with certain exceptions. The proposals sought do not fall within any of the categories outlined. Structure Plan Policy D5B does not address this type of proposal.

The National Planning Policy Framework states that new buildings within the Green Belt are not appropriate, unless for one of the exempted development types specified in the framework. The new storage container is not considered to fall within any of the appropriate developments or uses in the Green Belt, therefore the development is considered to be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances.

The case for very special circumstances will be considered later in the report.

The impact of the proposed development on the character of the landscape and visual amenity in general

The NPPF advises at para.61 that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Para. 64 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

SSSP Policy D2 states that development should generally conserve and, where possible, improve the quality of life and the environment and should be informed by, or sympathetic to, the character and qualities of its surroundings, in its location, scale and design.

Policy NC1 of the SSSP advises the countryside will be safeguarded for its own sake and non-renewable and natural resources will be afforded protection. It goes on to advise that new buildings in the open countryside will be strictly controlled. New development should respect the character of the countryside and maintain or improve the environment. Where development is considered acceptable the proposal should include measures for adequate mitigation of, or compensation for, adverse environmental impacts.

The site is within an Area of Landscape Enhancement, as indicated by the Local Development Framework Proposals Map. In these areas, the Council will support, subject to other plan policies, proposals that will enhance the character and quality of the landscape.

The new storage container would be single storey in height and would be of steel construction and proposed to be painted green, to help it to blend with its surroundings.

The proposed new storage container would be sited to the west of the community centre, towards the north west corner of the building. In this location it would be well screened from the wider landscape, and your officers consider that the impact on the landscape enhancement area would be minimal.

Overall, the container is considered to be of an acceptable appearance and sited in a position where it would have a minimal impact on the character of the surrounding area and Area of Landscape Enhancement. The proposal is considered in accordance with Policies D2 and NC1 of the Structure Plan, Policy N20 of the Local Plan and the aims and objectives of the NPPF.

The impact on the adjacent Audley Conservation Area

Policy B14 of the Local Plan states that special regard will be given to the acceptability or otherwise of a developments form, scale and design when related to the character of its setting within a conservation area.

Exceptionally, where proposed development immediately adjacent to the Conservation Area would be likely to affect the Conservation Area adversely, similar constraints may apply.

Policy NC19 of the Structure Plan states that new development within or adjacent to a conservation area should respect, protect and enhance their character and appearance with respect to its height, scale, intensity and materials, and only generate levels of activity which will support their preservation and economic viability.

The proposed storage container would be sited approximately 43 metres outside of the Conservation Area boundary. This distance, coupled with the fact that the storage container would be sited adjacent to the existing community centre, which is a much larger building than the storage container, and separated from the Conservation Area by the community centre car park, it is considered that the storage container would have no impact upon the character and appearance of the adjacent Audley Conservation Area.

If inappropriate development do the very special circumstances exist?

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

A case for very special circumstances has been invited from the applicant, however at the time of writing this report no case has been submitted for consideration. However, with the size of the container being small, it would have such a minimal impact upon the wider landscape and Green Belt area that it could be considered to be of a scale small enough to be considered as de minimis and in its context of a community centre and its car park would appear very minor.

In conclusion, it is your officer's opinion that due to the minimal size of the container in terms of its height and capacity, very special circumstances to exist which outweigh the harm caused by inappropriate development in the Green Belt.

Background Papers

Planning files referred to

Planning Documents referred to

Date Report Prepared

9 January 2013