

The application is for proposed public artwork to celebrate local mining heritage. The height of the sculpture is 3 metres.

The site of the proposed artwork is located within Silverdale Country Park Close to the end of High Lane, about 200m south of the High Lane Mast, which is within the Green Belt and an Area of Landscape Regeneration as defined on the Local Plan Proposals Map.

The 8 week determination period for the application was 3rd October but that has been extended by agreement with the applicant to the 10th November 2017.

RECOMMENDATION

PERMIT subject to the following conditions:-

- 1. Time limit/plans.**
- 2. Materials.**

Reason for Recommendation

The proposal represents inappropriate development in the Green Belt. The proposed artwork would have a limited impact on the openness of the Green Belt but would not conflict with the purposes of including land in Green Belt. The public artwork is considered to be a positive landscape feature that will be enjoyed by the users of the park and will celebrate local mining heritage, and it is considered that such public benefits amount to very special circumstances that would outweigh the harm to the openness of the Green Belt and would justify approval of planning permission subject to the imposition of the above conditions.

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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The application is for the erection of public artwork sited within Silverdale Country Park. The height of the sculpture is 3 metres. It is to be constructed from steel and will feature the head and shoulders of a coal miner on one side, and on the other side a female local activist significant to the heritage of the area. The applicant states that the sculpture has been funded by the Heritage Lottery Fund as part of a local heritage project (for Silverdale called "Our Storey"). The design idea has been generated through collaboration with a local primary school and a community artist.

The site is owned by the Land Trust and previously operated as part of an opencast mine prior to its restoration. The proposed location is at one of the highest and visible points on the country park situated on grassland accessed from High Lane. The sculpture faces south-westwards towards Silverdale village.

The site is located within the green belt and an Area of Landscape Regeneration as defined on the Local Plan Proposals Map. The key issues to consider are:-

1. Is the proposal appropriate development within the Green Belt?
2. the acceptability of the visual appearance of the proposal and the impact on the wider landscape; and

3. Should it be concluded that the development is inappropriate in the Green Belt are there very special circumstances that justify the granting of planning permission?

1. The principle of the development in Green Belt terms?

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.”

At paragraph 90, the NPPF sets out forms of development, other than buildings which are not inappropriate in Green Belt. These include engineering operations, which the installation of the public artwork would be, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. The artwork does not conflict within any of the five purposes that Green Belt serves as set out in paragraph 80 of the NPPF but at an overall height of 3 metres the sculpture has a material impact on openness and therefore the conclusion can only be is that the proposal represents inappropriate development. The existence of any very special circumstances is assessed at section 3 of this report.

2. The acceptability of the visual appearance of the proposal and the impact on the wider landscape

Paragraph 56 of the NPPF 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.

Policy CPS1 of the Core Strategy sets out how design quality is assessed which includes the need for new development to contribute positively to an areas identity and image.

Policy CSP2 states that the Council will seek to preserve and enhance the character of the historic heritage of the Borough where there is historic interest.

Saved Local Plan Policy N22 states that within Areas of Landscape Regeneration the Council will support proposals which will regenerate the landscape appropriate to its urban or rural location. Where development can be permitted, developers will be expected to use the opportunity provided by the development to make a positive contribution towards landscape regeneration.

The sculpture in the position that is proposed will provide a positive local landscape feature for visitors and passers-by. The location is on high ground and very prominent within public vistas which will result in this public artwork becoming a landmark feature. The proposal reflects the heritage of the local area and is appropriate in scale and character in the context of the site surroundings. The structure will be a positive addition to the locality and one anticipated to generate interest to ramblers and other members of public using the country park. The area is defined by the Local Plan as a location for landscape regeneration which this proposal can be said to support.

3. Should it be concluded that the development is inappropriate in the Green Belt are there very special circumstances that justify the granting of planning permission?

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. At paragraph 88 the NPPF goes on to state that 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.

The proposal is a public art initiative, headed by the Land Trust, of local significance reflecting the local mining heritage of Silverdale. The sculpture is linked to the use of Country Park as a

place of outdoor recreation and will be a notable landscape feature for people visiting the park to enjoy and which will celebrate local mining heritage. It is considered that such public benefits amount to very special circumstances that would outweigh the harm to the openness of the Green Belt and would justify approval of planning permission subject to the imposition of the above conditions.

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](#)

CSP1: Design Quality
CSP2: Historic Environment
ASP6: Rural Area Spatial Policy

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

S3: Development in the Green Belt
N9: Community Woodland Zones
N17: Landscape Character – General Considerations
N22: Areas of Landscape Regeneration

Other Material Considerations

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

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

[Supplementary Planning Documents/Guidance](#)

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

[Relevant Planning History](#)

None relevant.

[Views of Consultees](#)

The **County Council Rights of Way Officer** has no objections but points out that there is a Public Path Order in progress with Staffordshire County Council to divert Public Footpath No 7 Silverdale Parish to run along the made path which is alongside the application site. The attention of the developer should be drawn to the existence of the footpath and to the requirement that any planning permission does not construe the right to divert, extinguish or obstruct any part of the public path.

The **Coal Authority** has no objections.

Silverdale Parish Council supports the application.

[Representations](#)

None received.

[Applicant/agent's submission](#)

Application forms and indicative plans have been submitted. These documents are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00670/FUL>

Background Papers

Planning File.
Planning Documents referred to.

Date Report Prepared

19th October 2017.