

The application is for full planning permission for the retention of a radio aerial mast on a paddock in Alsagers Bank adjacent to a residential property that is also used as a community radio station.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

The 8 week determination period expires on the 30th November 2017

RECOMMENDATION

Permit with the following conditions:

- 1. The mast shall at no time exceed 18 meters in height**
- 2. The mast shall be permanently removed once the community radio station ceases to operate from Red Roofs,**
- 3. If the mast approved under planning application 15/00747/FUL is re-erected then the mast hereby permitted shall be permanently removed from the paddock**

Reason for Recommendation

The mast does not meet one of the exceptions for appropriate development within the Green Belt and therefore represents inappropriate development within the Green Belt. Whilst the mast would be visible from outside of the site it would not be visually prominent due to its lightweight structure and colour and would also have a limited impact on the openness of the Green Belt. The siting of the mast would not conflict with the purposes of including land in the Green Belt. Such limited harm to the Green Belt and landscape would however be outweighed by the benefits of the development, most notably the wider community benefits of a community radio station. These are considered to represent the very special circumstances required to justify the granting of planning permission development.

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

Advice was given prior to the submission of the planning application and it is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application is for full planning permission for the retention of a radio aerial mast that has been erected on a paddock in Alsagers Bank adjacent to a residential property that is also used as a community radio station.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration (policy N21), as indicated on the Local Development Framework Proposals Map.

This application follows the granting of planning permission in October 2015 under reference 15/00747/FUL for the retention of a change of use of double garage and office accommodation to community radio station, including erection of mast, car parking spaces and installation of an air conditioning unit.

The mast permitted, reference 15/00747/FUL, was erected but had to be removed because it couldn't be safely erected to its full height as there was inadequate room and at a lower height it provided inadequate coverage. It was subsequently relocated on the application site, the adjacent paddock, in order to maintain coverage for the community radio station.

The applicant has indicated that the mast is erected at a height of just below 18 metres.

The key issues in the determination of the development are:

- Is the proposal appropriate development within the Green Belt?
- The impact on the area of landscape restoration,
- The impact on the residential amenity of neighbouring occupiers, and
- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

Is the proposal appropriate 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."

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 mast is, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

Whilst the relocated mast does not conflict with the purposes of including land in Green Belt it has an impact on the openness of the Green Belt, and as it would not therefore meet any of the exemptions outlined within the NPPF it represents inappropriate development and should not be approved except in very special circumstances. Whether such very special circumstances exist will be addressed below.

The impact on the area of landscape restoration

Policy N21 of the local plan advises that the Council will support applications that help to restore the character and improve the quality of the landscape.

The erected mast, which is the subject of this application, at 18 metres is the same height as the previously erected mast and is of a similar appearance. The previously permitted mast was located to the rear of the residential property which did provide some natural screening but at 18 metres in height it was not completely screened from views.

The lower section of the application mast would be more visible, because of its location, but only from the paddock access point and the immediate neighbouring property. Therefore it is still screened by existing buildings and natural vegetation to a large extent.

The existing mast is still a lightweight structure and by virtue of its colour it is primarily lost within the sky line, particularly from longer distance views. Therefore the impact on the landscape would be limited within the wider area.

Other matters

Objections have been received regarding the safety of the mast, including highways safety. The previous application for the community radio station dealt with these matters and the principle of the radio station and mast have been established. The relocation of the mast does not raise any additional concerns or grounds for refusal.

Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF indicates that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The justification for the mast remains the same as the previous application which was accepted as the very special circumstances required to outweigh the harm to the openness of the Green Belt by reason of inappropriateness. The very special circumstance being that the mast would serve a local community radio station.

The relocation of the mast to the neighbouring paddock does result in some minor additional harm on the landscape but not to the extent that a different conclusion should be reached. Furthermore, the mast does not sterilise the land with horses still being kept on the land.

The National Planning Policy Framework (NPPF) at paragraph 42 details that “advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”

It is clear that there are community benefits that the proposed development would bring and that it is supported by a number of organisations within Newcastle. There are no other community radio stations within the borough. The mast has been designed to have the minimum impact possible whilst providing the necessary coverage benefits. Once the mast is no longer required it can be removed with relative ease and without harm to the landscape - a condition ensuring this can be attached to any permission.

Weighing these matters in the balance and having particular regard to the moderate landscape impact it is considered that the benefits do outweigh the harm identified and accordingly that it would be appropriate to grant planning permission on this basis.

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)

Strategic Aim 16: To eliminate poor quality development;
Policy SP1: Spatial Principles of Targeted Regeneration
Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change

Newcastle under Lyme Local Plan 2011 (LP)

Policy S3: Development in the Green Belt
Policy N17: Landscape Character – General Consideration
Policy N21: Area of Landscape Restoration

Other material considerations include:

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

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

Relevant Planning History

15/00747/FUL Retention of change of use of double garage and office accommodation to community radio station, including erection of mast, car parking spaces and installation of air conditioning (Resubmission of 15/00527/COU) PERMITTED

Views of Consultees

The **Environmental Health Division** raises no objections.

The **County Council Public Rights of Way Officer** indicates that the route of Public Footpath No. 98 Audley Parish runs adjacent to the north west boundary of the property associated with this application however the new location of the radio mast is further away from the public right of way than when it was in its original position and so no significant objections are raised.

Audley Parish Council supports the application

Representations

Three letter of representation have been received raising the following objections/ concerns;

- The proposed development does not accord with the provisions of the development plan,
- The mast is an inappropriate development within the Green Belt
- The current planning application does not state the height of the new mast,
- The mast appears much higher than 18 metres,
- The mast is no longer screened by the existing property
- The mast is not mobile as stated,
- The site is exposed to high winds and does not appear safe, and is a danger to the safety of the ponies in the paddock
- There is no reason for the change of mast site other than to achieve the coverage of a wider area.
- Vehicles park on the road not within the curtilage of Red Roofs,
- The current mast is extremely obtrusive, not in keeping with the semi-rural nature of the area,
- The mast is hazardous to drivers, and

- Other similar masts have been refused in the borough recently.

Applicant/agent's submission

The application has been supported by the planning application form, a photograph of the mast and a site location plan and block plan.

All of these documents are available for inspection at the Guildhall and on <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00782/FUL>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

26th October 2017