

The application is for the temporary ad-hoc use of the site for the holding of events such as circuses, fairgrounds, ice rinks, etc., for up to 4 events per year, each lasting 2-4 weeks.

The site lies within the Urban Area of Newcastle. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter and the Primary Shopping Area.

The 8 week period for the determination of this application expires on 2nd August 2019.

RECOMMENDATION

PERMIT subject to conditions relating to the following:

- 1. No buildings, structures, tents or any other feature associated with each temporary event shall be erected or placed on the site until the details have been submitted to and agreed by the Local Planning Authority,**
- 2. No temporary event shall take place on the site for a period exceeding 4 weeks and no more than 4 such events shall take place in any calendar year.**
- 3. Submission, approval and implementation of an event specific Noise and Event Management Plan prior to each temporary event commencing.**
- 4. Any further conditions as recommended by the Environmental Health Division and the Highway Authority that are considered to be reasonable and appropriate.**

Reason for Recommendation

The proposal is acceptable in principle and will bring economic benefits to the town centre. Subject to restrictions/controls, through conditions, relating to the duration and management of the of the proposed ad-hoc temporary events the proposal will not result in an unacceptable impact on amenity or highway safety.

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 so complies with the provisions of the National Planning Policy Framework.

Key Issues

The application is for the temporary ad-hoc use of the site for the holding events such as circuses, fairgrounds, ice rinks etc. The indication within the submission is that it is anticipated that the site would be used for up to four events per year, each lasting 2-4 weeks.

The site is located within Newcastle Town Centre (TC) designated as a primary shopping area as indicated on the Local Development Framework Proposals Map.

The precise nature of these events is not specified within the application submission and there are no details of any structures, tents etc. that may be brought to site in association with such events. The visual impact cannot, therefore, be fully assessed at this time. The site has, however, already been used for two temporary events in 2017 (No Fit State Circus) and 2014/15 (Winter Wonderland). Both of which required planning permission, both involved temporary structures etc. and in both cases when granting planning permission it was concluded that there would be no adverse visual impact for the temporary period they were to take place. There is no reason to consider that any events that would take place under any permission granted on this application would have an unacceptable visual impact unlike the two previously permitted events. Provided that a condition is imposed requiring

the prior approval of any building, structure, tent or other feature associated with each temporary event it is considered that the proposal does not result in any grounds for refusal on visual impact.

As such the key issues in the determination of this application are considered to be;

- The principle of the development
- The impact on the amenity of the area, and
- The impact on highways safety.

The principle of the development

The proposed use of the land would take place for temporary periods over an unspecified number of years. The site is cleared and is not, at present, contributing to the vitality and viability of the TC. The permitted temporary uses that have taken place on the site already will have had a positive benefit to the TC bringing in people who may not otherwise have visited and who may have used the TC car parks and visited other businesses within the ring road. There is no reason to consider that further temporary uses as proposed will not result in similar benefits.

The site has been identified as a key development site within the TC which the Newcastle Town Centre Supplementary Planning Document (TCSPPD) indicates could add to the retail offer of the town centre, and could accommodate housing. The proposed temporary uses would not achieve the development potential identified in the TCSPPD but it would bring some benefits until a suitable redevelopment scheme is carried out. The granting planning permission would not, even if for an unspecified number of years, prevent the redevelopment of the wider site of the former Sainsbury's store and the former Civic Offices.

In light of the above, and in recognition that the site could be put to such temporary uses for up to 28 days in any calendar year without the need for planning permission, it is concluded that the development is acceptable in principle.

The impact on the amenity of the area

Whilst the site is located within the TC it is in close proximity to noise sensitive uses including the Magistrates Court and the residential properties located on the opposite side of the Ryecroft.

The views of the Environmental Health Division have not, as yet, been received but it is noted that no objections were raised by them, subject to conditions, to the temporary uses on this site that have been the subject of previous planning applications. It is, however, understood that such uses have been the cause of complaint in relation to noise and artificial lighting. It is therefore necessary to ensure that conditions are imposed on any planning permission granted that secure suitable controls to avoid unacceptable impact on amenity.

The impact on highways safety

As discussed the site is located within the town centre and so is recognised as a highly sustainable location with good access to public car parks, transport links and residential areas.

The Highway Authority has not commented but has previously raised no objections to the applications that have been received for temporary uses on this site. There is no basis to conclude that any significant harm would be caused to highway safety.

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 ASP4: Newcastle Town Centre Area Spatial Policy
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

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

Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing Arrangements

Other Material Considerations include:

[National Planning Policy Framework \(NPPF\) \(2019\)](#)

[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

| | | |
|----------------|----------------------|---|
| 14/00188/DEEM4 | Permit | Application for prior notification of proposed demolition of former supermarket and adjacent multi storey car park |
| 14/00657/FUL | Permit | Temporary Winter Wonderland consisting of an Ice Rink, Bar, German Market Units and Fair |
| 17/00637/FUL | Resolution to Permit | Demolition of existing buildings and construction of a mixed use development comprising student accommodation, retail shops (Use Class A1), food & drink and leisure uses (Use Classes A3/A4/A5/D1/D2), financial and professional services (Use Class A2), car parking, landscaping, highway improvements including to Corporation Street and other associated works |
| 17/00959/FUL | Permit | Temporary circus consisting of three big tops, box office/bar tent, cafe tent, company catering tent, toilets and showers and space for caravans and trailers. |

Views of Consultees

The views of the **Environmental Health Division, Highway Authority** and **Crime Prevention Design Advisor** have been sought by 9th July. Any comments received will be reported

Representations

None received to date. Publicity period ends 12th July.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link:

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00470/DEEM3>

Background papers

Planning files referred to

Planning Documents referred to

Date report prepared

28th June 2019