

This application seeks consent to vary condition 3 of planning permission 18/00456/FUL for a compound area adjacent to the university sports field, to allow equipment to remain on site until the 31st March 2021.

The site lies within a Grade II Registered Park and Garden and within a Landscape Maintenance Area as defined on the Local Development Framework Proposals Map. The site also falls within the Green Belt.

The 8 week period for the determination of the application expires on 10th June 2020.

RECOMMENDATION

PERMIT the variation of Condition 3 of 18/00456/FUL so that it reads as follows:

The development hereby permitted shall be fully removed from the site in its entirety and the land reinstated to its original appearance before the development was installed by the end of March 2021.

and subject to the imposition of all other conditions attached to planning permission 18/00456/FUL that remain relevant at this time.

Reason for Recommendation

The proposal is, in part, inappropriate development within the Green Belt. Although the compound would remain on site for a further 10 months than originally envisaged, the proposal is linked to an important research initiative of wider public environmental benefit and it is concluded that the benefits derived from the development outweigh any harm identified. As such it is considered that the very special circumstances required to justify approval of the scheme exist in this case.

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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

Key Issues

Planning permission was granted in 2018 for a compound area at the University's sports field to contain an electrolyser, electrical input container, grid entry unit, a cylindrical hydrogen storage vessel and substation (Ref. 18/00456/FUL). The development is in connection with an experimental project at the University designed to investigate the potential for hydrogen gas (as a zero carbon gas) to be used as an alternative to fossil fuel use. The application sought a temporary consent and condition 3 of the permission states as follows:

The development hereby permitted shall be fully removed from the site in its entirety and the land reinstated to its original appearance before the development was installed by the end of June 2020.

The application proposes to amend condition 3 to allow equipment to remain on site until 31st March 2021. The applicant states that due to the experimental nature of the project it had some early teething problems and given the current situation with the Covid 19 global pandemic, the trial is currently suspended. The evidence base that is produced from this trial needs to be of a certain length to ensure that the data is consistent across all seasons of the year to inform future growth in the UK Hydrogen economy and to inform HyNet North West trials. An extension to the temporary consent is sought to allow the successful completion of the trial.

The site is within the Green Belt and in considering the original application, it was concluded that the proposal is, in part, inappropriate development within the Green Belt. However it was concluded that given that the proposal is linked to an important research initiative of wider public environmental benefit, the benefits derived from the development outweigh the harm identified particularly given that the development is only required for a temporary agreed period and will be subsequently removed from the site in its entirety. As such it was considered that there were very special circumstances to justify approval of the scheme in this case.

The variation of the condition would allow the equipment to remain on site for a further 10 months. The site is in a secluded position to the rear of the University sports hall and therefore there would be no significant detriment to the appearance of the campus. Although the site is located within a Registered Park and Garden, given that it is located within the sports field environs and is relatively small in scale, it is not considered to be harmful.

The outbreak of the Covid19 pandemic was an unforeseeable event, and the requested extension to the temporary consent would allow the successful completion of the experimental research project. Overall taking into account that the proposal remains of a temporary nature, the public benefits arising from the development are considered to outweigh the limited harm and overall these are considered to be very special circumstances that justify approval of application.

The effect of a grant of permission upon an application to vary a condition is to create a new planning permission. Accordingly, unless there have been other material changes, such a permission should also make reference to the other conditions of the original planning permission where they remain relevant.

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
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change

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

Policy S3: Development within the Green Belt
Policy N17: Landscape Character – General Considerations
Policy N19: Landscape Maintenance Areas

Other Material Considerations include:

[National Planning Policy](#)

[National Planning Policy Framework](#) (February 2019)

[Planning Practice Guidance](#) (2018)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

18/00456/FUL Proposed compound area containing an electrolyser, electrical input container, grid entry unit, a cylindrical hydrogen storage vessel and substation at the sports field (Temporary development and will be fully removed and all land will be reinstated by June 2020) – Approved

Views of Consultees

The **Conservation Officer** raises no objections to the proposal.

Historic England make no comments on the proposal.

The Gardens Trust makes no comments on the application.

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

Any comments received from **Staffordshire Gardens & Parks Trust** or **Keele Parish Council** by the deadline of 25th May will be reported to Members in a further report.

Representations

None received to date.

Applicant's/Agent's submission

The submitted documents are available for inspection on the Council's website by searching under the application reference number 20/00291/FUL on the website page that can be accessed by following this link; <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/20/00291/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

12th May 2020