

The application is for full planning permission for the retention of a timber outbuilding to house new water storage tanks in the grounds of a registered care home.

The site is located on the edge of the urban area but within the open countryside on land designated as Green Belt and locally as an Area of Landscape Restoration, as identified within the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expires on the 10<sup>th</sup> September but the applicant has agreed to an extension of time until the 22<sup>nd</sup> September 2020.**

### **RECOMMENDATIONS**

**PERMIT with no conditions.**

### **Reason for Recommendation**

Whilst the development represents inappropriate development within the Green Belt, it is accepted that there are very special circumstances which would outweigh any limited harm to the openness of the Green Belt from this development. It is therefore considered that very special circumstances exist that justify approval of planning permission. In all other respects the development accords with local and national planning policy.

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

Additional information has been requested during the consideration of the application and the applicant has submitted details to satisfy any concerns. The development is now considered to be a sustainable form of development in accordance with the National Planning Policy Framework.

### **Key Issues**

The application is for full planning permission for the retention of a timber outbuilding to house new water storage tanks in the grounds of a registered care home.

The site is located on the edge of the urban area but within the open countryside on land designated as Green Belt and locally as an Area of Landscape Restoration, as identified within the Local Development Framework Proposals Map.

The site is within a High Risk Coal Mining area but due to the nature of the works it is considered that it falls under the Coal Authority exemptions list and the application does not need to be supported by a desk based Coal Mining Risk Assessment

The key issues in the determination of this planning application are considered to be;

- Is the proposal appropriate development within the Green Belt?
- Design and impact on the character and appearance of the landscape, 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 133 of the 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".

The NPPF further indicates in paragraph 145 that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, however exceptions to this include, amongst other things, buildings for agriculture and forestry, the provision of appropriate facilities for outdoor sport and outdoor recreation, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building and the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

The timber outbuilding that has been applied for has already been erected on the land and houses water tanks.

The development does not meet any of the listed exemptions set out within the NPPF and on this basis it represents inappropriate development within the Green Belt and should only be permitted if very special circumstances exist.

#### Design and impact on the character and appearance of the landscape

Paragraph 124 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Council's Core Spatial Strategy 2006-2026 requires that the design of the development is respectful to the character of the area.

The timber outbuilding is a modest structure which measures 2.45 metres by 1.83 metres in width and length respectively with an overall height of 2.25 metres.

The building has the appearance of a shiplap timber garden shed. It is located to the rear of the main building and there would be minimal views of it from any main vantage points. Therefore it is not considered that it would harm the character and appearance of the landscape and it accords with Policy N21 of the Local Plan, Policy CSP1 of the Core Spatial Strategy and the requirements of the NPPF.

#### Do very special circumstances exist which would outweigh the harm caused to the openness of the Green Belt, and any other harm?

As the development is considered to represent inappropriate development in the Green Belt, very special circumstances are required that would outweigh the harm caused by the inappropriate development, and any other harm, to the Green Belt.

Paragraph 144 of the NPPF sets out 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 resulting from the proposal, is clearly outweighed by other considerations."

The building is of a modest size with an approximate volume of 10 cubic metres, therefore the impact on the openness of the Green Belt would be limited.

The applicant has set out that there used to be a 5000L cold water storage tank situated in the current position of the shed that has now been erected but that its location in the open was a health and safety risk. It was also exposed to adverse weather such as frost. Therefore the tanks needed to be housed in a building and there is not enough space within the boiler house to accommodate them. The timber building provides the secure and safe environment for the water tanks.

Given the circumstances and justification provided, along with the limited size of the structure and its acceptable appearance, it is considered that the necessary very special circumstances exist that would outweigh the harm that would result to the openness of this part of the Green Belt.

## 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 CSP3: Sustainability and Climate Change

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

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

### **Other Material Considerations include:**

#### National Planning Policy

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

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

#### Supplementary Planning Guidance/Documents

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

#### Relevant Planning History

06/00055/COU Change of use from guest house to a seven bedroom care home for young adults with learning disabilities Permitted

#### Views of Consultees

**Kidsgrove Town Council** have not responded by the due date of the 12<sup>th</sup> August 2020 and it is assumed that they have no observations to make on the application.

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

#### Representations

None received

#### Applicant's/Agent's submission

The submitted plans and justification for the development can be viewed on the Council's website using the following link: <https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/20/00566/FUL>

#### Background papers

Planning files referred to  
Planning Documents referred to

#### Date report prepared

28<sup>th</sup> August 2020