

This application seeks permission for the permanent installation of electrolyser and grid entry unit adjacent to the university sports field.

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 period for the determination of the application expires on 16<sup>th</sup> February 2020.**

### **RECOMMENDATION**

**PERMIT subject to conditions relating to the following:**

- 1. Approved plans.**
- 2. Removal of posters within 2 months of the date of the decision**

### **Reason for Recommendation**

The proposal is, in part, inappropriate development within the Green Belt. It will result in less than substantial harm to the visual appearance of the area which is within a Grade II Registered Parkland and will affect the openness of the Green Belt to a modest extent. Although the compound would remain on site permanently, 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 very special circumstances exist to justify inappropriate development in the Green Belt and the public benefits of the proposal outweigh the harm to the designated heritage asset.

### **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 was 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 and was permitted for a one year trial period. A second application was approved which extended the time period up to the date 31/03/2021 after which the apparatus was to be removed from the site.

This application now seeks permission to allow equipment to remain on site indefinitely. The applicant states that the permanent placement of the equipment will allow Keele University and the Newcastle under Lyme region to be the national hub for Hydrogen research.

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 also concluded

that given that the proposal is linked to an important research initiative of wider public environmental benefit, the benefits derived from the development outweighed the harm identified. As such it was considered that there were very special circumstances to justify approval of the scheme in this case.

Whilst the development can no longer be said to be an important research initiative there are still public environmental benefits associated with it, as the hydrogen gas produced provides an alternative to fossil fuel. As such very special circumstances exist that justify the granting of permission for the retention of inappropriate development in the Green Belt permanently.

The application site is also located within a Registered Park and Garden.

Paragraph 192 of the Framework states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

At paragraph 196 the Framework indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether the potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

At the request of the Councils Conservation Officer a detailed heritage statement has been submitted in support of the proposal. The heritage statement concludes that the application site has been significantly affected by previous development associated with the university to such point that the area no longer displays any historic or architectural characteristics relevant to the registered park and garden.

It is agreed that the immediate area surrounding the application site holds limited historic value, and given that the site is in a secluded position to the rear of the University sports hall and is relatively small in scale, it is concluded that therefore there would be no significant detriment to the historic qualities that make the Registered Park and Garden special. The impact of the development can be further reduced through the removal of the posters that are attached to the compound boundary treatment and which currently draw attention to the compound from longer distance views. This can be secured through condition. Such less than substantial harm would be outweighed by the public benefits of the proposal outlined above.

Overall taking into account that the proposal brings with it a clear public benefit, it is considered that very special circumstances exist to justify inappropriate development in the Green Belt and such benefits outweigh the less than substantial harm to the designated heritage asset that has been identified.

## **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

20/00291/FUL Variation of condition 3 of p/a 18/00456/FUL to allow equipment to remain on site until 31/03/2021 - Approved

### **Views of Consultees**

The **Conservation Officer** notes that the heritage statement has now been provided which makes assessment of the significance of the park and garden as a heritage asset and evaluates the level of harm to that significance.

The statement bases its assessment on the fact that the posters around the compound will be removed as a form of mitigation to the impact of the proposals on the setting of the parkland. This certainly will go some way to helping not to draw attention to the compound from longer distance views. It certainly is viewed within the context of the sports centre buildings, pitches, poles, posts fencing and floodlighting. The summary points made are acknowledged in the statement at 6.1.4 which set clearly the reasons why they have assessed no harm is caused to the asset or to its

setting. There is no disagreement with these points made, the green colour makes the buildings recede and they are relatively speaking small in scale etc.

It is considered that the development results in minor less than substantial harm rather than no harm at all and then the public benefits of the scheme would need to be weighed into the balance.

**Historic England** make no comments on the proposal.

**The Gardens Trust** object to the proposal as they consider that the permanent siting of the plant would consolidate the degradation and harm to the significance of the heritage asset and are opposed to this

No representations have been received by the **Environmental Health Division**

**Keele Parish Council** have no comments on the proposal.

### **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 20/01076/FUL on the website page that can be accessed by following this link; <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/20/01076/FUL>

### **Background papers**

Planning files referred to  
Planning Documents referred to

### **Date report prepared**

15<sup>th</sup> February 2020