

LAND ADJACENT 92 – 98 HARRISEAHEAD LANE, HARRISEAHEAD  
ASPIRE HOUSING. 12/00637/FUL

**The Application** is for full planning permission for the creation of a parking lay-by for 2 to 3 cars on land adjacent to 92-98 Harriseahead Lane, Harriseahead.

The site is located within the Green Belt and an area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

**The statutory 8 week determination period expired on 18 December 2012.**

**RECOMMENDATION**

**Permit subject to the following conditions:**

- (i) Commencement of development.**
- (ii) Approved plans.**
- (iii) Development shall not be brought into use until the parking area is provided in accordance with the approved plans.**
- (iv) Prior approval of surfacing materials – grasscrete.**

**Reason for Recommendation**

Although the proposed development is inappropriate in the Green Belt and would have some impact upon the character and appearance of the landscape, such impact would be limited to a relatively small area. No demonstrable substantiated harm to other interest exists in this case. Weighing the harm of the proposal arising by definition from inappropriate development against the benefits associated with the highway safety gains, it is considered that the required very special circumstances exist to justify the proposal. The proposed development would adhere with the overarching aims and objectives of both local and national policy in this regard.

**Statement as to How the Local Planning Authority Has Worked in a Positive and Proactive Manner in Dealing With This Application**

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**Policies and Proposals in the Approved Development Plan Relevant to This Decision:**

West Midlands Regional Spatial Strategy 2008

- Policy QE1: Conserving and Enhancing the Environment
- Policy QE3: Creating a high quality built environment for all
- Policy QE6: The Conservation, Enhancement and Restoration of the Region's Landscape

Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011

- Policy D1: Sustainable Forms of Development
- Policy D2: The Design and Environmental Quality of Development
- Policy D5B: Development in the Green Belt
- Policy NC1: Protection of the Countryside: General Considerations
- Policy NC2: Landscape Protection and Restoration

Newcastle-under-Lyme Local Plan 2011

- Policy S3: Development in the Green Belt
- Policy N21: Areas of Landscape Restoration
- Policy T16: Development – General Parking Requirements

## Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP2: Spatial Principles of Economic Development  
Policy SP3: Spatial Principles of Movement and Access  
Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

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

#### **National Planning Policy**

National Planning Policy Framework (2012)

Circular 11/95 The use of conditions in planning permissions

Planning for Landscape Change – Supplementary Planning Guidance to the Structure Plan

#### **Supplementary Planning Documents (SPDs)**

Newcastle-under-Lyme and Stoke-on-Trent Urban Design SPD (2010)

### **The Secretary of State's Announcement of His Intention to Abolish RSS**

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

### **Relevant Planning History**

Nil

### **Views of Consultees**

**Kidsgrove Town Council** object as the access road is too narrow to accommodate the proposed extra parking spaces and current problems will be exacerbated as vehicles already have to reverse out of the road. Large vehicles will find it difficult to use the access road and will be forced to mount the grass verge. The extra parking spaces will not be an asset to the area and it is anticipated that instead nuisance will be caused to the local residents affecting their own ability to park in Harriseahead Lane.

The **Highway Authority** has no objections, subject to a condition to ensure that the parking bays are not brought into use before they are provided in accordance with the approved plans. They note that the area proposed for the parking area is Aspire Housing land and therefore the future maintenance of the parking area would be the responsibility of Aspire Housing.

### **Representations**

Two representations have been submitted expressing concerns which are summarised below:

- The road is a very narrow cul-de-sac to drive in and to reverse out of.
- On the land where the car parking spaces are proposed, there is a telegraph pole which would make it impossible to park without encroaching on to the kerb.
- There are four houses involved, 92 and 94 are Aspire owned and 96 and 98 are private properties. At the present time there are five cars parked in this small cul-de-sac and everyone parks in front of their own property comfortably.
- Why is there a need for this parking proposal to take place?

- If this application is approved it would attract other vehicles to park on the land, which would create double parking which would also stop the refuse, recycling lorry and any other delivery vehicles from reversing in as they need to reverse onto the land to get into the cul-de-sac.
- The proposed car parking area would completely block the view and devalue their property.
- It is number 87 that requires the parking space.
- Aspire are proposing grasscrete which is not considered appropriate.
- Aspire have informed one of the objectors that the removal of their garage will enable Aspire to make the plot more useful to the community, however Aspire only own three properties on the lane.
- Would prefer their garage to remain, but if this is not possible they would like the surface to be tarmaced and specifically for the use of house No. 87 and 96.

### **Applicant/Agent's Submission**

The requisite application forms and plans were submitted along with the following documents:

**Design and Access Statement** - The layout of the site, access & neighbouring properties have influenced the design approach and limited the parking area to 2-3 spaces. Due to space limitations no allowance has been made for disabled parking in this design. The parking spaces will be surfaced in a Grasscrete cellular paving system which comprises a self draining surface and helps it blend with the grassed verge. The parking is for both private and social housing, and no trees will be affected by the proposal.

**Supporting Statement** – The need for the parking bays comes from Aspire Housing's plans to use the "build your own garage" sites for infill housing, and in response to concern expressed from two of the users of the garages to be demolished. Some of the properties have been able to create car parking areas within their curtilages, however some have not, therefore Aspire have identified this site for car parking, to decrease the number of cars parked on the highway and improve highway safety.

The documents are available to view at the Guildhall or on line using the following link [www.newcastle-staffs.gov.uk/planning/HarriseaheadLane](http://www.newcastle-staffs.gov.uk/planning/HarriseaheadLane)

### **Key Issues**

The planning application is for the change of use of part of the grass verge opposite Nos 92 – 98 Harriseahead Lane to a parking lay-by for 2-3 cars. The application site is located within the Green Belt and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The main issues for consideration on the determination of this application are:-

- Is the proposal appropriate development in the Green Belt?
- The impact of the proposed development on the character of the landscape and visual amenity in general.
- If inappropriate development do the very special circumstances exist?

#### **Is the proposal appropriate development in the Green Belt?**

Policy S3 of the Local Plan presumes against any form of development with certain exceptions. The proposals sought do not fall within any of the categories outlined. Structure Plan policy D5B does not address this type of proposal. The National Planning Policy Framework states that changes of use of land within the Green Belt are not appropriate, unless for one of the exempted development types specified in the framework. The change of use of land to a car parking area is not considered to fall within any of the appropriate developments or uses in the Green Belt, therefore the development is considered to be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances.

The case for very special circumstances will be considered later in the report.

#### **The impact of the proposed development on the character of the landscape and visual amenity in general**

The application site is located within the open countryside in an area designated as Green Belt and an Area of Landscape Restoration as specified on the Local Development Framework Proposals Map.

Within these areas, the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape, and it will be necessary for applicants to demonstrate that the development will not further erode the character or quality of the landscape.

The proposed parking area would only take up part of the grass verge, and it would be on the north side of the verge, closest to dwellings it would serve. Part of the grass verge would be lost, however the applicant has proposed to use grasscrete, which is a type of surfacing that is interspersed with holes through which grass is grown. The appearance of grasscrete is much less conspicuous than a fully hard surfaced area, and it is considered that this will help to maintain the quality and character of the landscape restoration area.

It is therefore considered that the proposed parking lay by will not erode the character or quality of the landscape restoration area, and the development accords with Policy N21 of the Local Plan.

#### Highway safety

It appears clear that there is highway safety issues arising from cars parked along the main road during peak times. This proposal should alleviate these issues over time as people become aware of the additional parking facilities which would provide a safer environment for both pedestrian and vehicular users improving visibility along the road and removing cars from obstructing the road.

The parking lay-by is sufficiently wide enough to ensure that vehicles can park clear of the road and as such it is not considered that the parking of vehicles in this location will have an adverse impact on refuse vehicle access.

#### If inappropriate do the very special circumstances exist?

Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

In order to weigh in the balance the harm and other material considerations or benefits, it is necessary to first identify what harm arises from the proposal, other than that which inappropriate development causes by definition. As already indicated, the operations incorporated to form the car parking area and the change of use itself are deemed inappropriate in Green Belt terms and contrary to that purpose of including land within Green Belts that refers to safeguarding the countryside from encroachment. The overall effect on the openness of the Green Belt is, however, limited given the nature of the proposal with the most harm seen when cars are actually parked on it.

As to landscape harm, as already indicated this has been assessed as being quite limited. No other substantive harm has been identified.

The applicant states that the very special circumstances exist as the lay-by will reduce the need for cars to park on Harriseahead Lane, thus improving highway safety in a location where there is limited visibility and where there have been numerous accidents.

It is considered that this reason, alongside the construction of the lay by with grasscrete, overcomes the harm to the openness of the Green Belt. Should the lay-by not be permitted, the cars will still be parking in the surrounding area, therefore the openness of the Green Belt will still be affected to a certain degree by having parked cars within it. Formalising a car parking area that will also contribute to making the highway safer is considered a circumstance that can be considered as very special to justify approving this development in the Green Belt.

### Conclusion

Based upon the above reasoning, it is felt that the limited harm to the Green Belt in terms of encroachment to the countryside would be overcome by the very special circumstances demonstrated. It is therefore considered by your officer that planning permission should be granted.

### **Background Papers**

Planning File

Planning Documents referred to

### **Date Report Prepared**

22 November 2012