

- 11 **Application for Other Development - Clayton Sports Centre, Stafford Avenue; Newcastle and Hartshill Cricket Club; 14/00212/COU** (Pages 61 - 66)
- 12 **Annual Appeal Report** (Pages 67 - 74)
- 13 **Five Year Housing Land Supply 2015 - 2019** (Pages 75 - 104)
- 14 **Minerals Local Plan** (Pages 105 - 106)
- 15 **DISCLOSURE OF EXEMPT INFORMATION**

To resolve that the public be excluded from the meeting during consideration of the following item(s) because it is likely that there will be a disclosure of exempt information as defined in paragraphs 1,2,3 and 5 in Part 1 of Schedule 12A of the Local Government Act 1972.

- 16 **Restricted Minutes of the Meeting held on 10th June 2014.** (Pages 107 - 110)
- 17 **URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

Members: Councillors Baker (Chair), Mrs Bates, D Becket, Braithwaite, Cooper, Fear, Mrs Hambleton, Mrs Heesom, Northcott, Proctor, Miss Reddish, Stringer (Vice-Chair), Waring, White and Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

PLANNING COMMITTEE

Tuesday, 10th June, 2014

Present:- Cllr Stringer – in the Chair

Councillors Mrs Bates, D Becket, Braithwaite, Cooper, Fear,
Mrs Hambleton, Mrs Heesom, Northcott, Miss Reddish,
Waring, White and Williams

17. **APOLOGIES**

Apologies were received from Cllr Baker and Cllr Proctor.

18. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

19. **MINUTES OF PREVIOUS MEETING(S)**

Resolved: That the minutes of the meeting held on 13th May 2014 be agreed as a correct record.

20. **APPLICATION FOR MAJOR DEVELOPMENT - LAND AT HIGH STREET/MARSH AVENUE AND SILVERDALE ROAD, WOLSTANTON; GLADMAN; 14/00217/FUL**

Resolved: (a) That subject to the prior receipt by no later than 10th July 2014 of a completed unilateral undertaking that achieves restriction of the occupancy of the accommodation so that it falls within the C2 Use Class, that the application be approved.

(b) Failing receipt by that date of the above unilateral undertaking, that the Head of Planning and Development be given delegated authority to refuse the application on the grounds that, in the absence of such an obligation, the proposal would be contrary to policy on the provision of affordable housing and open space for housing developments; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

21. **APPLICATION FOR MINOR DEVELOPMENT - TELECOMMUNICATIONS MAST, WHITMORE ROAD, OFF SNAPE HALL ROAD; VODAFONE; 14/00326/FUL**

Resolved: That the application be approved subject to the following conditions:

- i. Standard time limit
- ii. Approved plans
- iii. Equipment cabinets to be coloured green
- iv. Submission of Arboricultural Impact Assessment and Method Statement to BS5837:2012

22. **APPLICATION FOR OTHER DEVELOPMENT -LYMES FARM, BUTTERTON ROAD, BUTTERTON; CTIL & VODAFONE LTD; 14/00312/TDET**

Resolved: That prior approval not be required.

23. END OF YEAR DEVELOPMENT MANAGEMENT AND ENFORCEMENT PERFORMANCE REPORT 2013/2014

The Head of Planning and Development drew members' attention to the fact that the service had only met the target in relation to minor developments, which constituted the majority of applications received. It was stated that care needed to be taken to ensure that the Council did not hit the level which would lead to it being classed as a poorly performing planning authority.

Members expressed concerns specifically in relation to the indicators for major applications and enforcement as these appeared to show a continuing downward trend.

Resolved: (a) That the report be noted

(b) That the Development Management Team Manager continues to operate mechanisms to maintain current high performance levels and improve the service provided for those procedures where level of performance needed to be addressed.

(c) That the mid-year Development Management Performance Report 2014/15 be submitted to the Committee in October 2014 reporting on performance achieved for the first half of 2014/15 in relation to targets that will have been set by the Head of Planning in the 2014/15 Service Plan for the Planning Service in consultation with the Planning Portfolio holder

24. LAND TO REAR OF GATEWAY AVENUE, BALDWINS GATE; RICHBOROUGH ESTATES; 13/00426/OUT

Resolved: That the public be excluded from the meeting for the consideration on the item by reason of the report containing exempt information as defined in paragraphs 1, 2, 3 and 5 of Schedule 12A of the Local government Act 1972.

Cllr David Loades spoke in relation to the item.

Resolved: (a) That a further report be brought to a future meeting of this committee.

(b) That the Chair be authorised to call an extraordinary meeting of this committee should it be considered necessary for further consideration of the matter.

25. URGENT BUSINESS

Chair

**LAND TO THE REAR OF RANGLES GARAGE, HIGHERLAND
MR P.WADE (RANGLES (GARAGES) LTD)**

14/00163/OUT

The application is for outline planning permission for the erection of up to 12 dwellings on land to the rear of the former Randles Garage. Only access arrangements are applied for at this stage with the appearance, landscaping, layout and the scale of the development all reserved as matters for subsequent approval.

The Design and Access Statement and indicative plan information submitted with the application shows a scheme for twelve 2 bedroom flats together with 20 car parking spaces.

The site measures 0.21 hectares in area and is located within the Urban Neighbourhood of Newcastle as defined by the Local Development Framework Proposals Map. Certain trees in the vicinity of the site are the subject of a Tree Preservation Order. Higherland (Keele Road) is part of the A525, whilst Seabridge Road, from which the access would be taken, is a B class Road.

The 13 week period for the determination of this application expires on the 18th June 2014.

RECOMMENDATION

Refusal on the following grounds:-

1. The number of dwellings proposed and its three storey nature is inappropriate in this elevated position and would be harmful to the appearance of the area.
2. The use of the proposed vehicular access by the number of residential units proposed and also the proximity of three storey development to neighbouring garden land will result in an unsatisfactory level of residential amenity for residents along Seabridge Road adjacent to the site.
3. Without an appropriate secured financial contribution relating to public open space contribution the development would be contrary to policy on the provision of open space for residential development.

Reason for Recommendation

There are two principal concerns about the development. The first is that because of the number of dwellings proposed the three storey nature of the development would be harmful to the form and character of the area, and the second being that the level of the use of the access and expected height of the development would result in significant detriment to the residential amenity of the occupiers of the adjacent houses on Silverdale Road These adverse impacts significantly and demonstrably outweigh the benefits of the development – in particular the provision of housing on a previously developed site involving a disused car parking area, in the context of the Council's inability to demonstrate a 5 year supply of deliverable housing sites, in a sustainable location very close to the Town Centre. The absence of a contribution towards the improvement and maintenance of public open space could be resolved by an obligation but at the time of writing there is no obligation secured.

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

Concerns in relation to the scheme have been raised with the applicant's agent during the application process. Only a lesser number of dwellings than the applicant has applied for would be appropriate on the site. The reasonable course of action available to the Authority is therefore to refuse the application for the reasons detailed.

Policies and Proposals in the Approved Development Plan relevant to the decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles for Economic Development
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy N2: Development and Nature Conservation – Site Surveys
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures
Policy N12: Development and the Protection of Trees
Policy N13: Felling and Pruning of Trees
Policy N17: Landscape Character – General Considerations
Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing Requirements
Policy C4: Open Space in New Housing Areas
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations

National Planning Policy

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (March 2014)
Community Infrastructure Levy Regulations (2010) as amended

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)
Space around Dwellings SPG (July 2004)
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Supplementary Planning Document (2010)

North Staffordshire Green Space Strategy (September 2007)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Staffordshire County Council Education Planning Obligations Policy approved in 2003 and updated in 2008/09

Planning History of other part of former Randles site

12/00701/FUL Change of use of ground floor to A1 retail (convenience goods), installation of a replacement shopfront, associated external alterations and works including the recladding of the building and formation of a car park and amended site access – Permitted 2013, unimplemented to date, but extant permission

13/00463/FUL Variation of condition 6 of planning permission 12/00701/FUL to allow the convenience goods store to open to members of the public between the hours of 07:00 and 23:00 on any day – Permitted, unimplemented to date, but extant permission

Views of Consultees

Severn Trent Water have no objections to the proposal subject to the prior approval and implementation of drainage plans for the disposal of surface water and foul sewage.

The **Waste Management Section** have concerns that the access arrangement proposed will not be able to accommodate a standard sized refuse vehicle. Servicing the proposal would require a collection point to be agreed close to either Higherland, or Seabridge Road, which may prove to be impracticable. Should permission be granted the specific collection arrangements would need to be agreed and adhered to.

The **Highway Authority** have no objections to the proposal subject to conditions securing:

1. Details of the off site highways works required submitted and approved in writing which shall include a Stage 2 Safety Audit, details of construction, surface water drainage and road markings deemed necessary by the Highway Authority.
2. Details of parking and turning within the site curtilage.
3. Means of surface water drainage.
4. Surfacing materials for the private access road and parking areas.
5. Construction Method Statement.
6. Bin storage area adjacent to the highway boundary

The **Landscape Development Section** comment that there are trees that may be affected by the proposal (situated on land adjacent to the site) some of which are affected by Tree Preservation Order 85. Tree protection measures and landscaping of the site should be dealt with by planning condition and should include:

- An Arboricultural Impact Assessment.
- Retained trees and RPAs shown on proposed layout.
- Dimensioned Tree Protection Plan.
- Existing and proposed finished levels.
- Full landscaping proposals.

They also comment that the development triggers the need to secure a financial contribution for public open space improvement and maintenance which would normally be £2,943 per dwelling which equates to £35,316. Commuted sums from the development will be used to pay for improvements to facilities at Queen Elizabeth Park, Westlands Sports Ground, Thistleberry Parkway, Lyme Valley Parkway and Brampton Park.

The **Education Authority** advise that no financial contribution toward education provision is required for a development involving 1 or 2 bedroom apartments. However if the 12 dwellings involved family accommodation they would be projected to generate 3 primary aged pupils and 2 high school pupils. The local High School is projected to have sufficient spare capacity but all three primary schools in this shared catchment area are projected to be full. Therefore a financial contribution of 3 primary spaces at £11,031 each with a total education contribution of £33,093 would be required for a development consisting of family housing.

The **Local Flood Authority (SCC)** have no objections subject to the prior submission, approval and implementation of an appropriate surface water drainage scheme at reserved matters stage.

The **Environment Agency** comment that the site is located on a formation of sandstone which is designated a 'Secondary (A) Aquifer'. An un-named tributary of the Lyme Brook is located 70 metres to the west of the site. Lyme Brook itself is located 400 metres to the east. The previous use may be currently impacting such "controlled water" receptors. In this context they object to the proposal on the basis that no preliminary risk assessment has been submitted with the application demonstrating the risk to 'Controlled Waters' by any site contamination is understood by the applicant and can be safely managed.

Staffordshire Police comment that they have no concerns with the provision of housing for this vacant piece of land to the rear of the old garage site. The sketch scheme drawing although indicative at this stage shows apartment blocks orientated to provide good natural surveillance over the parking provision and towards the single site entrance. The absence of unnecessary through routes is noted and is desirable as it discourages casual access into or across the site and can help foster a stronger sense of community. They also comment that a robust boundary treatment for the western and northern boundaries (which exists currently) would be advisable to help create a secure environment for the future residents. Should outline permission be granted, an explanation within the Design and Access Statement at the reserved matters stage as to how crime prevention has been addressed would be welcomed.

The **Greater Town Centre Locality Action Partnership** have been consulted but no comments have been received by due date so it must be assumed that they have no observations.

The **Environmental Health Division** have no objections subject to conditions relating to.

- Protection of the highway from mud and debris.
- Construction activity being restricted to between 0700 hours and 1800 hours Monday to Friday and not at any time of Sundays, Bank Holidays or after 1300 hours on any Saturday.
- Prior approval of waste storage arrangements.
- Noise mitigation measures to achieved internal and external noise levels.
- Contaminated land remediation matters.

Representations

3 letters of representation have been received including a letter from the **Thistleberry Residents Association** objecting to the development on the following grounds:

- Three storey development situated on an elevated site would have a relationship with the properties along Seabridge Road, Beaumaris Court and Higherland that is harmful to the form and character of the area.
- The proposal would reduce light and privacy levels of neighbouring occupants by an unacceptable degree.
- Low rise bungalow development would be preferable.
- The development is of an inappropriate density for this area
- There are existing on-street parking problems in Seabridge Road. Use of the proposed access would be impeded by this problem and is also considered to be unsafe taking into account its proximity to the junction shared with Higherland and the approved retail store on the adjacent site.
- Surrounding trees and hedgerow should be protected.
- Insufficient parking accompanies the development.
- The approved retail development will be incompatible with the proposed development because of the former's permitted opening hours

Applicants/ Agents submission

The requisite plans and application forms have been submitted along with a Design and Access Statement. The submitted information is available at the Guildhall and on the Council's website

Key Issues

The application is for outline planning permission for the erection of 12 dwellings with only means of access applied for at this stage with all other matters of detail reserved for subsequent approval. The Design and Access Statement and indicative plan information which supports the application shows a scheme involving twelve, two bedroom flats of three storeys in height with 20 car parking spaces.

The site comprises two parts of the former car parking area of Randles Garage, together with an intervening area currently occupied by workshop building. The smaller part of the car park is served by an existing access off Seabridge Road which also leads into workshop building and the first floor of the former Randles building, with the larger part served by an access of Higherland. The proposals envisage all access would be off Seabridge Road. The site slopes significantly down towards the A525 from the its rear.

The term 'access' in relation to such an application, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding highway network.

In consideration of an outline planning application, the Authority must assess if it has sufficient information to demonstrate that the use and amount of development proposed can be satisfactorily accommodated on the site. If it is considered necessary to ensure that the reserved matters of an outline permission accord with the indicative information submitted as part of an application and/or any elements of the Design & Access Statement, including the scale parameters of development, this would need to be made clear by conditions which the Authority has the option of imposing in the consideration of the proposal.

The key issues to consider in the determination of the application are:

1. Is the broad principle of residential development acceptable in this location?
2. Is the impact of the development on the form and character of the area acceptable?
3. Would there be any harm to visually significant trees, and if so would their potential loss be acceptable?
4. Would the resultant living conditions of neighbouring residents and the living conditions of future occupants of the development be adequate?
5. Is the impact on highway safety acceptable?
6. What financial contributions are appropriate for the proposal?
7. What is the risk to 'Controlled Waters' in light of the advice received from the Environment Agency?, and
8. An assessment overall of whether or not any adverse impacts of the development significantly and demonstrably outweigh its benefits, when assessed against the policies in the NPPF taken as a whole.

Is the broad principle of residential development acceptable in this location?

Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provide access to services and service centres by foot, public transport and cycling. The CSS goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects and impacts positively on the growth of the locality.

The National Planning Policy Framework (NPPF) advises, at paragraph 49, that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. At paragraph 14, the Framework also states that where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF at a whole.

The Borough Council is currently unable to demonstrate a five year supply of deliverable housing sites which triggers the provisions of paragraph 49 of the Framework and, on that account, paragraph 14.

The broad principle of residential development in this location does not conflict with any of the relevant housing policies within the Development Plan in any case. The proposal makes use of previously developed land, involving a car park and part of a building, in a sustainable location within a relatively short walking distance of the full complement of services offered within the Town Centre. There is a presumption in favour of this development, therefore, unless any adverse impacts of the development significantly and demonstrably outweigh the benefits of the proposal.

Is the design and appearance of the development acceptable?

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy CSP1 of the Core Strategy sets out the design criteria to which development will be assessed against which include that development positively contributes to an area's identity in terms of scale, density, layout, use of appropriate material for buildings surfaces and accesses. The Council's Urban Design Supplementary Planning Document gives further detail of how the development should be assessed above the broad guidance contained within Policy CSP1.

Although the appearance of the development is not part of this application it is reasonable to consider the indicative material that has been submitted, particularly given that the size and shape of the site suggests that if 12 units are to be accommodated on the site, this would almost certainly have to be in the form of a three storey flatted development.

The form and character of the immediate area comprises semi-detached dwellings to the north on the opposite side of Higherland,, terraced and semi-detached housing on Seabridge Road to the east, single storey backland development to the south, and the sheltered housing flats of Beaumaris Court to the west. The style and variety of housing in this location is broad but it is predominantly two storeys in height except for the backland development behind Seabridge Road. Beaumaris Court is a large residential building comprising of around 38 apartments. Its north, east and south elevations are two storeys although its western elevation is three storeys in height due to the sloping nature of the land which falls downwards toward the cul-de-sac known as Hillside off Higherland. The former Randles Garage building which is immediately to the north fronts onto Higherland and it plus part of its car park separates the application site from Higherland. The application site in relation to Higherland is significantly elevated, although it is set back by at least 30 metres from that road. It is from this public vantage point that the development would be the most prominent. There being quite extensive tree cover between Beaumaris Court and Higherland views approaching from the west are curtailed as a result.

There are concerns that the number of units proposed (up to 12), with provision for parking, and landscaping, and adequate separation between neighbouring properties, is too high. With respect to the indicative plan information supporting the application, of three storey flats, it is considered that such development due to its height in an elevated position relative to Higherland would appear incongruous and harmful to the form and character of the area. If the Authority were to conclude that only a lesser number of dwellings would be appropriate, the appropriate course of action would be to refuse the application detailing the basis for this conclusion.

A broader permission which enables different housing types is considered to be an unrealistic option given the total number of units proposed.

Would there be any harm to visually significant trees?

There are protected trees to the west of the development site and all tree protection matters arising from the proposal can be properly dealt with by planning conditions.

Would the impact of the development on the living conditions for neighbouring residents and the living conditions of future occupants of the development be adequate?

1. The impact of the development on existing neighbouring living conditions

Supplementary Planning Guidance (SPG) Space about Dwellings provides advice on environmental considerations such as light, privacy and outlook.

The relationship of the development with existing residential properties along Seabridge Road adjacent to the site causes concern. Some of these properties have rear facing principal windows. The Beaumaris development also includes a first floor window on its side gable which appears to be a principal window (for the purposes of the SPG). It not appropriate due to the significant level difference between the development site and the slab levels of neighbouring properties that descend along Seabridge Road to rely upon the minimum separation distances advised in the SPG. It is considered that a three storey development, as indicated, relatively close to the boundary of residential properties would be overbearing and there is not enough scope available within the site to create a satisfactory relationship at a reserved matters stage, bearing in mind the amount of development that is being proposed for the site.

Most of the site is a former car park to the former garage/showroom and accordingly there would have been movement upon it during business hours or in the case of the access from Seabridge Road also the movement on occasion of vehicles into the first floor of the building (which it is noted is not affected by the unimplemented retail consent referred to in the planning history section above). Nevertheless even when this is taken into account the additional use of the access serving the development gives rise to concern given the amount of development proposed (and thus the expected number of vehicles movements along that access). The access is immediately to the rear of 2, 4 and 6 Seabridge Road which have a very small amount rear private amenity space. The circulation area for vehicles once within the site is also directly to the rear of 8, 10, 12 and 14 Seabridge Road. Taking into account the gradient of the access and its likely usage, the noise and disturbance created from vehicles going to and from the development would be exacerbated by that of vehicles turning around within the site and from the associated noise of vehicles starting up and the closing of car doors.

A bin collection point which will need to be located along the internal access road and this is discussed further below.

Although soft landscaping and boundary treatments could be provided at points the judgement is that these would not sufficiently address the harm to amenity given the closeness of the access and the turning/parking area to both the boundary and the properties affected. The proposal through noise and disturbance would lead to a degree of harm to the quality of life of neighbouring occupants which further weighs against the proposal. The harm created would decrease with respect to a scheme entailing a significant reduction in the total number of dwellings proposed.

The fall back position – what would be likely to be the result should permission be refused – in the form of a continuation of the use of the part of the site for car parking serving a garage business also has to be borne in mind in the assessment of resultant living conditions – but continuation of the historical use is unlikely given the ground floor of the former Randles Garage building and the car park to its side has been marketed by the landowner as an independent site and is also subject to a separate extant permission. Continuation of the use of the site for parking would have a different and lesser affect anyway in terms of impact upon residential amenity.

2. The expected living conditions of future occupants of the units proposed

Noise

In addition to the potential of noise and disturbance to be experienced by future occupants

from road traffic on the A525 there is also an extant permission for a small convenience store and its car park adjacent to the site which will have a significant impact. However it is considered, upon the advice of the Environmental Health Division, that appropriate design measures to achieve an acceptable internal and external noise levels for this development can be secured by planning condition.

Garden area provision

The amount of private amenity space provision required is dependent on the type of housing proposed. Two bedroom flats have different space requirements than family housing. Development other than that consisting of flats of the density proposed would appear unable to provide sufficient garden space.

Expected bin storage and collection arrangements

The applicant proposes that refuse collection is undertaken from Seabridge Road to avoid the need for waste collection vehicles to enter the site. Collection vehicles entering and manoeuvring within the parking and circulation area shown within the submitted plans has been identified as being impracticable by the Council's Waste Management Section and they also have concerns toward the feasibility of collection points on Seabridge Road and also Higherland. It is recommended by the applicant's advisors that an area of not more than 40 metres from Seabridge Road is allowed for a bin collection point. This provision would be roughly in the vicinity rear of numbers 6 and 8 Seabridge Road but could be positioned so that it is separated from these properties by the access road utilising an area immediately rear to the rear of the Randles garage building. The bin collection point would also need to provide suitable housing to reduce the potential of odour becoming a problem and adequately landscaped which could be achieved.

The Council's technical guidance advises that bin storage area should be no more than 10 metres from the closest point of access for a refuse collection vehicle. The guidance also advises that wheeled bins storage areas should be no more than 15 metres of the public highway. This would not be achievable in this case as refuse collection vehicles could not get into the site. The only solution would be for there to be an appropriately designed bin collection point closer to the Seabridge Road to which occupiers would be expected to bring their bins upon collection days. Although the remote collection arrangement expected would exceed the recommended distances it is considered that this issue can be satisfactorily dealt with at reserved matters stage.

The impact of the development on highway safety.

The applicant proposes to use an existing access off Seabridge Road. A new footway build out which will modify the existing kerb line is proposed to enable safe use of the access. The applicant's agent has submitted a technical report in light of initial concerns from the Highway Authority regarding how this would be achieved. In light of the technical information submitted which details the specific engineering method proposed the Highway Authority have no objections to the development subject to planning conditions. Although not a matter applied for at this stage it is also anticipated that adequate car parking provision can be provided. From a highway safety perspective the development is acceptable.

Financial contributions triggered by the development

The Council needs to have regard to the three tests set out in Section 122 of the CIL Regulations i.e. is any contribution necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

1. Public open space provision

Saved Local Plan Policy C4 states that appropriate amounts of publicly accessible open space must be provided in areas of new housing, and its maintenance must be secured. Core

Strategy Policy CSP5 identifies that developer contributions will be sought to provide a key funding source to meet the needs of new residents and for the delivery of Newcastle's Leisure Needs and Playing Pitch Strategy and the Urban North Staffordshire Green Space Strategy.

Local Authorities are justified in seeking planning obligations where the quality of provision is inadequate or under threat, or where new development increases local needs. The normal contribution expected is £2943 per dwelling (consisting of £1791 for improvements to capital development and maintenance in addition to £1152 per dwelling for 60% maintenance costs for 10 years).

Contrary to the advice of the Landscape Development Section your Officer's view is that the Council is entitled to devise a pragmatic method of calculation for the amount requested to be considered reasonable. With respect to any housing that is not for family occupation it would be inappropriate for the Authority to require a contribution linked to children's play provision which should therefore reduce the level of expected contribution. There is however no completed and secured obligation at this moment in time 'on the table'.

2. Education

The Education Authority views is similarly that it would be unreasonable to require a financial contribution towards local school provision if the development is to consist of one or two bedroom flats. With respect to the prospect of family housing on the site they advise that as primary schools in the catchment area are projected a contribution for 3 primary spaces at £11,031 each – resulting in a total contribution of £33,093 for a development consisting of family housing would be required.

A permission entailing family housing for the density proposed is considered to be unrealistic and planning conditions would enable adequate control without the need for a planning obligation in this respect.

Can the risk of contamination to 'Controlled Waters' be properly managed in light of the objection of the received from the Environment Agency?

Development on the site falls to be considered in the context of national guidance on contaminated land. The Environmental Health Division whilst they would have preferred the application to be accompanied by a desk study, site walkover and preliminary conceptual model report, consider that the issue of contaminated land can be dealt with by the use of the standard contaminated conditions, and this has been the approach taken with respect to other proposals where the impact on 'Controlled Waters' has been raised as an issue.

Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

In conclusion, the adverse impacts of the development are primarily linked to the scale of the development within the confines of the site, the inadequacy of expected waste collection arrangements, the adverse impact on neighbouring amenity due to the expected height of the development and the proximity of the access road and vehicle circulation and parking area to the gardens of existing properties of Seabridge Road, the failure to demonstrate that there will be no adverse impact to highway safety, and also the absence of an obligation securing a financial contribution towards public open space provision. These are matters of considerable weight when taken together and outweigh the benefits (discussed at the beginning on the report), when assessed against the policies in the NPPF taken as a whole.

Background Papers

Planning File
Planning Documents referred to

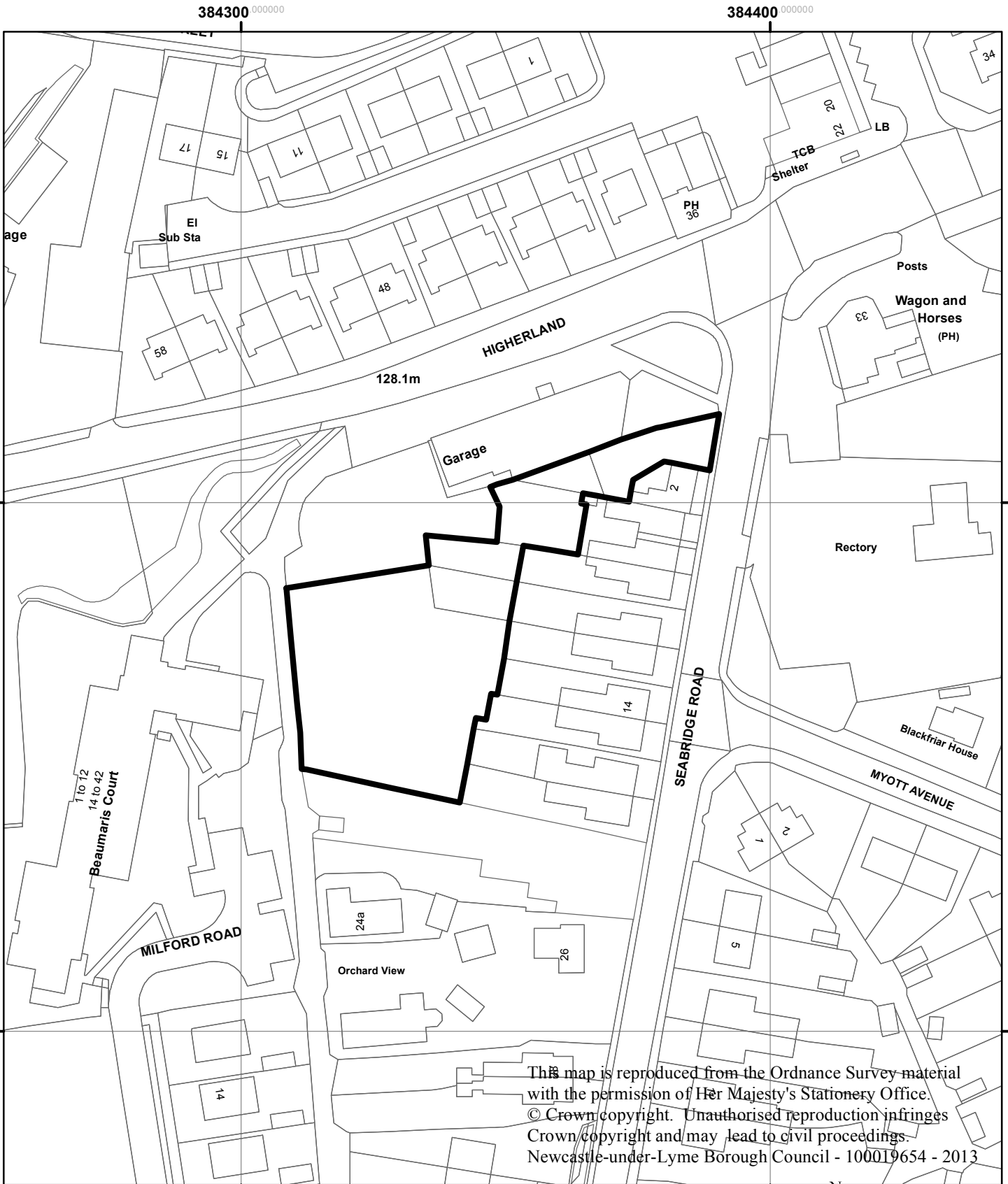
Date Report Prepared

10 June 2014.

Land to rear of former Randles Garage,
Higherland, Newcastle



14/00163/OUT



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**LAND ADJACENT HAMPTONS METAL MERCHANTS, KEELE ROAD, NEWCASTLE
PERSIMMON HOMES (NORTH WEST)**

14/00269/FUL

The Application is for the variation of Condition 16 of planning permission 03/00790/REM which requires the provision of two bus stops, including shelters, within the housing development off Keele Road. The variation sought is to provide one bus stop rather than two.

The site lies within the Urban area of Newcastle as designated on the Local Development Framework Proposals Map.

The 13 week period for this application expires on 23rd July 2014.

RECOMMENDATION

(a) That subject to the securing of an obligation by 21st July 2014, committing the developer to the obligations contained within the previous S106 agreement (unless already complied with),

- **Condition 16 of 03/00790/REM to be varied and all other conditions of 03/00790/REM to continue to apply.**

(b) That should the obligation not be secured within the above period, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on open space provision and the objective of enhancing and encouraging the use of Pool Dam marsh; unless he considers it appropriate to extend the period for completion of the obligation.

Reason for Recommendation

The bus operator has advised that it is unwilling to send a bus into the site any further than the roundabout and on balance the provision of one bus stop at the entrance to the site is considered an acceptable compromise.

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.

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 SP3: Spatial principles of Movement and Access

Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan (NLP) 2011

Nil

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

Relevant Planning History

99/341/OUT Outline planning permission granted for residential development – Approved

Classification: NULBC UNCLASSIFIED

02/1107/REM Details of the means of access to the housing development and scrapyards – Refused but subsequently allowed on appeal in May 2003

03/790/REM Details of 280 houses and apartments – appeal lodged against failure of the Local Planning Authority to determine the application within the appropriate period. Council resolution 21 September 2004 that had the appeal not been lodged it would have granted the application subject to various conditions. Appeal allowed 27 July 2005 and costs awarded against the Authority.

04/1051/FUL Variation of condition on outline planning permission 99/341/OUT for residential development relating to time period within which any application for approval of the reserved matters can be made – Refused

06/774/FUL Variation of condition on outline planning permission 99/341/OUT relating to time period within which any application for approval of reserved matters can be made – Approved

07/156/REM Substitution of house types for 53 plots – Approved

07/529/REM Substitution of house types for plots 52-69, 139-144 and 281-288 (32 dwellings) - Withdrawn

07/755/REM Reserved matters - substitution of house types on 31 plots of scheme approved under 07/156/REM – Approved

07/939/REM Reserved matters - substitution of house types for 33 dwellings – Approved

08/81/REM Reserved matters - substitution of house types for 59 dwellings – Approved

08/614/REM Substitution of house types – Approved

09/00078/FUL Substitution of house types for 48 plots – Approved

09/00387/FUL Substitution of house types – 21 units – resolution to approve 5 January 2010

11/00123/FUL Erection of 76 dwellinghouses (amended layout including 14 additional dwellings) - Refused

11/00430/FUL Erection of 61 dwellings (amended layout including 13 additional dwellings) – Approved

Views of Consultees

The **Highway Authority** has no objections to the proposal.

The **Poolfields and Clayton Locality Action Partnership** query the siting of the bus stop. They state that most of the occupiers of the houses are car owners and so the stop should be sited close to the apartments where people are less likely to be car owners.

Representations

Two letters of support have been received. It is stated that the route around Galingale View is not suitable for buses due to highway safety concerns. Also, one bus stop for the development is sufficient considering the high level of car use.

Applicant's/Agent's submission

Nil

Key Issues

Outline planning permission was granted in 2000 for the residential development of the Keele Road housing site (ref. 99/00341/OUT). An approval of reserved matters for 280 houses and apartments was subsequently allowed at appeal in July 2005 (ref. 03/00790/REM). This application seeks consent to vary Condition 16 of planning permission 03/00790/REM. The condition states as follows:

Details of two bus stops, including shelters, shall be submitted to and approved in writing by the local planning authority. In each case, no dwelling in the nearest phase to the bus stop shall be occupied until the bus stop is completed in accordance with the approved drawings.

The variation sought is to provide one bus stop rather than two.

Earlier this year, Persimmon submitted an application for the approval of the details required by Condition 16 (Ref. 03/00790/CN16). They indicated two bus stops as required by the condition, one to the south of the roundabout at the entrance to the housing site and another to be located on Galingale View, to the north of the play area. In considering the submitted details, the Highway Authority were in contact with the bus operator, First Bus, who advised that they would not consider sending a bus service into the site to provide a direct link to the proposed northern bus stop on Galingale view. They did agree to divert a bus to the proposed stop at the site access which would then turn around on the existing roundabout within the site.

The main issue for consideration is whether the reduction in the number of bus stops from two to one would have an adverse impact upon the accessibility of the development and the ability of residents to use alternative modes of transport to the car.

Whilst some third parties suggest that the highway within the estate would not be able to accommodate a bus service this is not the view of the Highway Authority

The nearest bus stops currently are 265m to the west and 220m to the east of the entrance to the development. The failure to secure a bus stop centrally within the site will result in residents at the northernmost point of the site having to walk approximately 650m to the bus stop at the entrance to the site rather than approximately 350m if the second bus stop were to be provided. The national recommended distance for a suitable walking distance from a property to a bus stop is 400m. A significant number of the properties within the northern eastern part of the site are within 400m walking distance from bus stops on Orme Road which are accessible via a footpath that past the Orme Road Community Centre off Rotterdam. The No.25 bus service, which is of a very high frequency, runs along Orme Road. Critically the bus operator has advised that it is unwilling to send a bus into the site any further than the roundabout presumably because it would increase running time and they do not consider the diversion worthwhile, and clearly, significant weight has to be given to this. When the outline planning permission was granted for this development (in 2000) no contribution to induce the operator to at least initially provide a service within the estate was secured - in contrast with the current practice of the Highway and Planning Authority on developments of a similar scale. An insistence upon a second bus stop within the development will it would appear achieve little other than the provision of a redundant bus stop and shelter. The provision of one bus stop at the entrance to the site is considered an acceptable compromise.

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

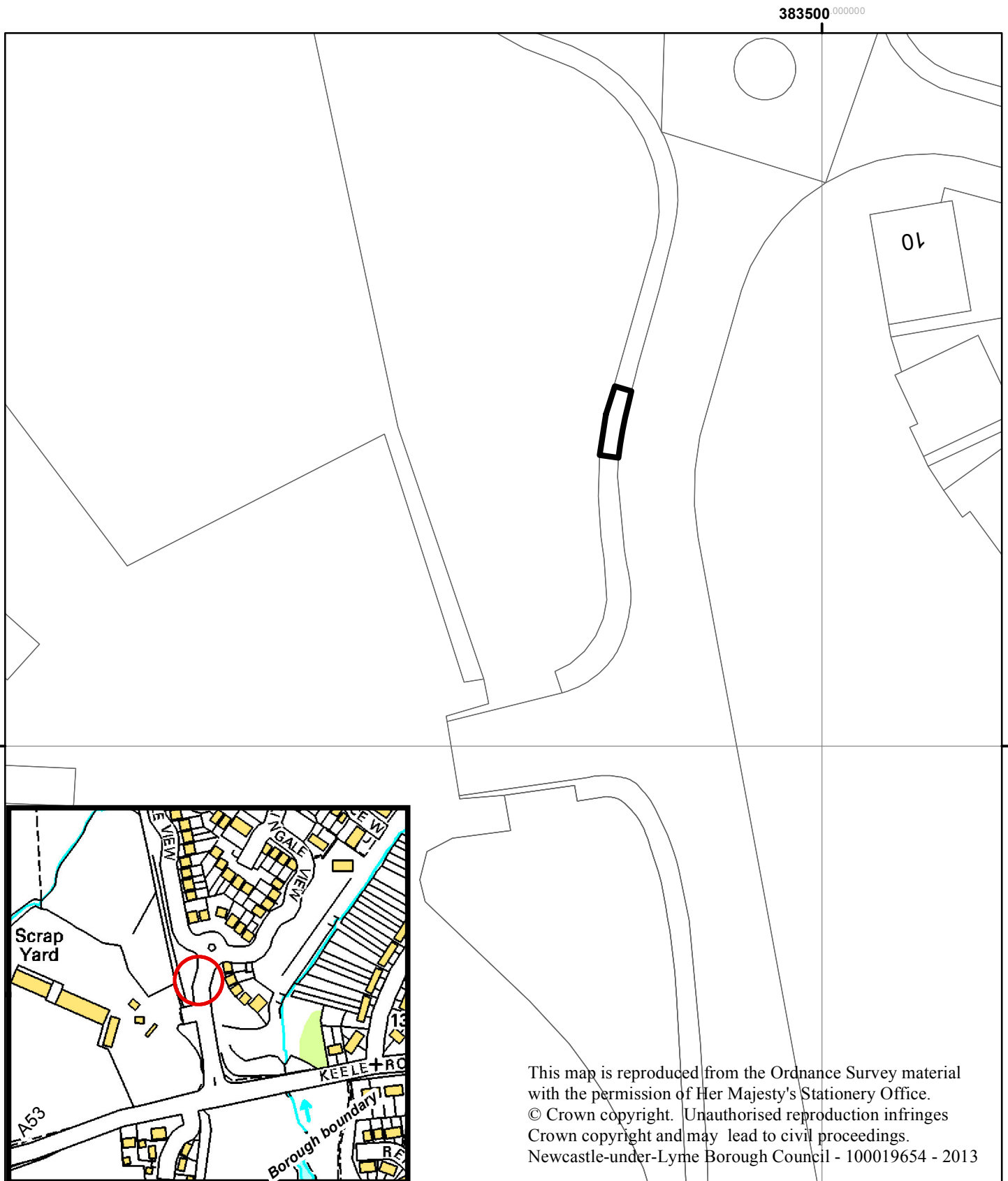
9th June 2014

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Land adjacent to Hamptons
Metal merchants, Keele Road



14/00269/FUL



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**PRIORY DAY CARE CENTRE LYMEWOOD GROVE
EDWARDS AND YU DEVELOPERS**

14/00284/FUL

The application is for the demolition of the former Priory Day Care Centre and the erection of 13 single storey dwellings on a site of about 0.66 hectares in size. The site is located within the Urban Neighbourhood of Newcastle as defined in the Local Development Framework Proposals Map.

The application is a resubmission following the refusal of application reference number 13/00866/FUL for 14 single storey dwellings.

Certain trees on the Priory Road frontage are the subject of a Tree Preservation Order. The entrance railings and gates to Lymewood Cemetery on Lymewood Grove are Listed.

The 13 week period for the determination of this application expires on the 29th July 2014.

RECOMMENDATION

1) Subject to the applicant entering into a Section 106 planning obligation securing a contribution of £34,242 (£2,634 per dwelling) towards offsite public open space provision/enhancement by the 23rd July 2014 PERMIT subject to conditions relating to:-

- 1. Time limit/Plans**
- 2. Materials**
- 3. Tree protection measures**
- 4. Implementation of the tree works specified**
- 5. Retention of trees**
- 6. Landscaping**
- 7. Construction hours**
- 8. Construction and demolition management plan/ method statement**
- 9. Protection of the highway from mud and debris**
- 10. Dust mitigation measures during demolition and construction**
- 11. Internal noise levels of dwellings**
- 12. Contaminated land remediation**
- 13. Foul and surface water drainage provision**
- 14. Provision of access, parking, servicing and turning areas**
- 15. Retention of approved garages to be retained for parking of motor vehicles and cycles**
- 16. Private road signage**
- 17. Contaminated land remediation**
- 18. Removal of permitted development rights for boundary treatments, hardstandings, outbuildings and extensions for all plots**
- 19. Occupancy restriction to the over 55's and their dependents**

2) That should the obligation not be secured within the above period, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on open space provision; unless he considers it appropriate to extend the period for completion of the obligation.

Reason for Recommendation

The site is located within the urban area of Newcastle close to the town centre and is a sustainable location for new housing. The benefits of the scheme include the provision of housing within an appropriate location making use of previously developed land. Overshadowing from the adjacent elevated wooded area will reduce sunlight levels to windows of the affected properties during summer months however this particular concern

does not outweigh the benefits of the development when assessed overall. A planning obligation is however required to secure appropriate payments for off site open space provision and improvement related to the needs of the occupiers of the development

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

Negotiations have taken place prior to the submission of the revised planning application and the amendments made to the scheme since the development of the site was last assessed by the Authority have sufficiently overcome previous objections.

Policies and Proposals in the Approved Development Plan relevant to the decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles for Economic Development
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy B5: Control of development affecting the setting of a listed building
Policy N2: Development and Nature Conservation – Site Surveys
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures
Policy N12: Development and the Protection of Trees
Policy N13: Felling and Pruning of Trees
Policy N17: Landscape Character – General Considerations
Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing Requirements
Policy C4: Open Space in New Housing Areas
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations

National Planning Policy

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014))

Community Infrastructure Levy Regulations (2010) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)

Space Around Dwellings SPG (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Supplementary Planning

Document (2010)

North Staffordshire Green Space Strategy (September 2007)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Staffordshire County Council Education Planning Obligations Policy approved in 2003 and updated in 2008/09

Planning History

13/00866/FUL	Demolition of Priory Day Care Centre and the construction of 14 single storey dwellings	Refused	2014
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Views of Consultees

United Utilities have no objections subject to conditions relating to the prior approval and implementation of a foul and surface water drainage scheme.

The **Environmental Health Division** have no objections to the proposal subject to conditions relating to:

1. Restriction of construction and demolition hours between 18.00 hours and 07.00 hours Monday to Friday, and not at any time on Sundays or Bank Holidays after 13.00 hours on any Saturday.
2. Prior approval and implementation of a construction and demolition method statement.
3. Measures to prevent mud and debris on the highway.
4. Prior approval and implementation of dust mitigation measures during demolition and construction.
5. Implementation of the recommendations of the submitted noise assessment.
6. Prior approval of waste storage and collection arrangements.
7. Site contamination risk assessment and remediation.

The **Landscape Development Section** have concerns that the submitted Daylight and Sunlight Study should include calculations not only when the properties are first occupied but also for the longer term occupation when regrowth has occurred. They recommend that the following conditions be applied on any approval:-

1. All tree work and protection measures shall be undertaken as recommended within the submitted tree survey and in accordance with British Standard BS5837:2012.
2. Prior approval and implantation of a detailed shrub and tree planting scheme.

They also comment that the development triggers a financial contribution of £2,943 per dwelling towards public open space provision, but acknowledge that the appropriate requirement for the development might be less if occupancy were to be restricted to the over 55s.

The **Highway Authority** have no objections subject to conditions relating to:-

1. Provision of access, parking, servicing and turning areas in accordance with the submitted plans.
2. Prior approval and implementation of surfacing materials and surface water drainage.
3. Retention of garages for parking of motor vehicles and cycles.
4. Provision of "private road" signage at the road junction with Lymewood Grove.
5. Submission of a Construction Method Statement which shall be adhered to throughout construction phase.

The **Education Authority** advise that no financial contribution toward education provision is required provided that any planning permission given limits the age of future occupants of the development to the over 55s.

The **Clayton Locality Action Partnership** have not submitted any comments by the due date so it can be assumed they have no objections.

Waste Management have not submitted any comments by the due date so it can be assumed they have no objections.

The **Police Architectural Liaison Officer** has no objections to the application and comments that the development has a high level of natural surveillance and other positive elements from a crime prevention perspective. It is also noted that if the pedestrian route off Priory Road is to be retained this would be better restricted to residents only in the interests of privacy.

Representations

2 letters of representation have been received objecting to the development on the following grounds:

- The close proximity of the development to existing dwellings will lead to a reduction in light levels and privacy to principal rooms.
- New boundary treatments will also have a domineering impact and reduce natural light levels due to ground level changes.
- The proposal entails too many units and appears very cramped.
- Additional traffic onto Lymewood Grove above the cemetery traffic already experienced will exacerbate existing parking and vehicle manoeuvring problems.
- Junction of Lymewood Grove with Friarswood Road would need improving
- Adverse impact on wildlife

Applicants/ Agents submission

The requisite plans and application forms have been submitted along with a:

- Design and Access Statement
- Arboricultural Report
- Planning Statement
- Phase 1 ground investigation report
- Site Waste Management Plan
- Open Space Assessment
- Noise Assessment
- Ecological Survey
- Daylight and Sunlight Study

The submitted information is available at the Guildhall and at www.newcastle-staffs.gov.uk/planning/1400284FUL

Key Issues

The 13 bungalows proposed will each have two bedrooms, and are to be marketed towards the over 55s. The application is a resubmission following the refusal on 7th January 2014 of planning application reference number 13/00866/FUL which was for the erection of 14 bungalows. The grounds for refusal for that previous application were:-

1. A cramped layout and appearance.
2. The proximity of the development was overbearing to neighbouring occupiers and would provide a low level of amenity for future occupants due to overshadowing from adjacent woodland.
3. Harm to trees and expected low light levels for some of the new dwellings would lead to further tree loss.
4. Insufficient space for refuse vehicles to safely turn into and out of the site.
5. Absence of a completed obligation for an appropriate financial contribution toward public open space provision.

The National Planning Policy Framework (NPPF) advises, at paragraph 49 that housing

applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. At paragraph 14, the Framework also states that where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless either any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF at a whole or specific policies in the NPPF indicate development should be restricted.

As detailed in a report to be found elsewhere on the agenda the Borough Council is currently unable to demonstrate a five year supply of deliverable housing sites which triggers the provisions of paragraph 49 of the Framework and, on that account, paragraph 14.

The broad principle of residential development in this location has already been accepted to not conflict with any of the relevant housing policies within the Development Plan. The proposal makes use of previously developed land, involving the removal of a large disused County Council owned building, in a sustainable location within a very short walking distance of the full complement of services offered within the Town Centre. There is a presumption in favour of this development, therefore, unless any adverse impacts of the development significantly and demonstrably outweigh the benefits of the proposal. The site is not subject to any specific policies in the NPPF such as Green Belt which indicate that development should be restricted

Given that the principle of residential development has already been determined as being acceptable in this location the key issues to consider in the determination of the application are:-

1. Is the design and appearance of the development acceptable, inclusive of the impact to the setting of any nearby Listed buildings or structures?
2. Would there be any harm to visually significant trees, and or an unacceptable relationship with trees created, and if so would their potential loss be acceptable?
3. Would the impact of the development on the living conditions for neighbouring residents, and the living conditions of future occupants of the development, be adequate?
4. Is the impact on highway safety acceptable?
5. What financial contributions are appropriate for the proposal?, and
6. An assessment overall of whether or not any adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Is the design and appearance of the development acceptable, inclusive of the impact to the setting of any nearby Listed Buildings?

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy CSP1 of the Core Strategy sets out the design criteria to which development will be assessed against which include that development positively contributes to an area's identity in terms of scale, density, layout, use of appropriate material for buildings surfaces and accesses. The Council's Urban Design Supplementary Planning Document gives further detail of how the development should be assessed above the broad guidance contained within Policy CSP1.

In terms of existing surroundings, immediately to the west of the site is a large wooded area. To the north is Priory Road and to the east and south are residential properties predominantly two storey with the exception of the Kingsley Hall development which comprises of 3 storey apartments. Lymewood cemetery entrance and its Lodge also lies to the south east. The railings and gates at the entrance to the cemetery from Lymewood Grove are Grade II Listed – the Lodge is not referred to in the Listings and whilst attractive is not included in the 'Local

List' either.

Although the site itself is largely situated on a plateau, ground levels rise steeply to the west toward the woodland. There is also a line of tall beech trees fronting Priory Road. It is the sylvan context of the locality which is its main attribute within the street scene off Priory Road and the 3 storey apartments of Kingsley Hall which are the most prominent buildings from this aspect. From Lymewood Grove the elevated wooded area adjacent to the site dominates public views aside from the former day care building to be demolished.

The position of the cemetery access is approximately 45 metres away from the entrance to the development on the opposite side of the road. Whilst the setting of the cemetery provides context to the overall character of the area heritage protection issues considered in isolation are not considered to be a problem.

The architectural style of the individual units proposed is unaltered (from the previous scheme) and does not generate concern. The removal of a unit from the total number of dwellings previously proposed has allowed for a more favourable layout which is less cramped, particularly when viewed from Priory Road which is considered to be the key public view of the development. Areas where there is some potential for planting along the internal road have also been introduced which is a positive change compared to the previous scheme. As a result previous form and character concerns have been satisfied. It is also considered that removal of permitted development rights for new boundary treatments is necessary to ensure the prominence of landscaping within the site is maintained as which is seen as an opportunity to improve the character and appearance of the area.

Would there be any harm to visually significant trees and/or an unacceptable relationship with trees created, and if so would their potential loss be acceptable?

Policy N12 of the Local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

There are protected trees on the site – these are the beech trees fronting Priory Road. The area of woodland to the west although not covered by a Tree Preservation Order is owned by the Borough Council and is a landscape feature on the western side of the town centre of significant amenity value.

The Landscape Development Section are satisfied that all protected trees can be properly safeguarded. With respect to the trees of the wooded area, specific tree works have been identified taking into account a Daylight and Sunlight Study which also accompanies the application in order to evidence the natural light levels expected to be available to the rear of plots 1 to 7 (the plots that back onto this woodland). The removal of a total of 30 trees varying in sizes as well as crown lifting and deadwood removal works is deemed necessary by the applicant. The majority of the tree removal proposed is for safety reasons arising from decay. A total of eight non-protected trees are to be removed purely on the basis to allow the development to proceed.

The Landscape Development Section do not object to the nature of the tree works proposed – the integrity of the woodland as a feature in the landscape would be successfully retained. Taking into account the technical information supporting the proposal it is now demonstrated the amount of tree loss required to accommodate the proposal would be acceptable. The requirements of policy N12 are complied with.

Would the impact of the development on the living conditions for neighbouring residents and the living conditions of future occupants of the development be adequate?

Supplementary Planning Guidance (SPG) Space about Dwellings provides advice on environmental considerations such as light, privacy and outlook.

1. *The adequacy of the expected living conditions of future occupants of the units proposed*

The SPG advises that houses of 3 bedrooms or more should provide a garden with a minimum mean length of 10.7 metres and an area of at least 65 square metres. Whilst the development comprises of 2 bedroom units to which this standard does not apply there is no issue in any case given the size of the gardens provided

Although units 1-7 will be overshadowed by the neighbouring woodland on elevated land the submitted Daylight and Sunlight Study concludes that subject to the tree works proposed adequate daylight levels would be enjoyed by future occupants for internal spaces. The Landscape Development Section do point out that the conclusions of the Sunlight and Daylight Study are based upon the expected light levels immediately after the tree works specified have been undertaken rather than allowing for regrowth over the long term. It is likely that regrowth of the woodland will at some point in the future cause home owners of the development to place pressure on the Council for further tree maintenance works. The Council's Arboricultural Officer has advised that future maintenance of the woodland would certainly not be regular occurrence as an estimate it is likely to be every 10 years or more because of resources and funding. The view of your officers is that it would not be appropriate to require the developer to address the costs related to the future upkeep of the boundary of the woodland – this would fall to the Council as landowner to deal with specific requests for works as they arise and a decision for approval has to be considered in this context. The Study does also conclude that garden areas will receive at least 2 hours of direct sunlight meeting the minimum standard. However sunlight to almost all windows falls below the target standard during summer months but not for winter (when leaf loss is apparent).

With respect to achieving acceptable noise levels the Environmental Health Division are satisfied the noise levels identified in the submitted noise assessment can be achieved through appropriate mitigation measures.

2. *The impact of the development on existing neighbouring living conditions*

The development that is proposed is of single storey properties presenting largely, but not solely, blank elevations towards the adjacent residential development to the east. The existing residential properties of Kingsley Hall and Lymewood Close facing the boundary of the application site are impacted upon by the proposal as they have principal windows, as defined in the Council's Space about dwellings SPG, facing towards the site. It is not appropriate due to the significant difference in levels between the development site and the slab level of neighbouring dwellings to rely upon the minimum recommended separation distances within the SPG expected between a single storey building and neighbouring principal windows of two storey buildings which is 10.7 metres. The SPG makes provision where site circumstances are such that it can be appropriate to seek a greater separation distance for an acceptable level amenity to be provided. The amount of separation achieved between the proposed dwellings and existing residential properties compared to the previous application has been increased and ranges between 13 metres to a maximum distance of 13.8 metres. The view taken is that the development no longer results in an overbearing relationship with neighbouring dwellings taking into account the increase, and in some cases the relationship that would be created would be an improvement upon the existing relationship, given the buildings that are to be demolished to make way for this development..

It is considered necessary that permitted development rights are removed for the erection of extensions, hardstandings, outbuildings on all the plots and new boundary treatments on plots 9, 10, 11, 12 and 13 which have a shared boundary with the flats of Kingsley Hall and properties of Lymewood Close as the replacement of the existing boundary railings on site with a solid barrier would have the potential to be harmful to existing living conditions of neighbouring ground floor residential flats at a lower slab level. Removal of permitted development rights brings within the scope of planning control such developments.

Is the impact of the development on highway safety acceptable?

Policy T16 of the Local Plan states that development will not be permitted to provide more parking than the maximum levels specified but it also seeks appropriate provision. A standard car parking bay measures 2.4 metres by 4.8 metres. Plots 1 to 7, 9 and 11 to 13 provide off road parking for a minimum 3 vehicles including garages. Plots 8 and 10 provide two parking spaces including garages. In assessing the acceptability of the proposed car parking provision, and the adequacy of the access at the junction of Lymewood Grove as well as turning areas within the development site which have been amended following previous concerns, the Highway Authority have not raised any objections.

What financial contributions are appropriate for the proposal?

The Council needs to have regard to the three tests set out in Section 122 of the CIL Regulations i.e. is any contribution being considered necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development?

1. Public open space provision

Saved Local Plan Policy C4 states that appropriate amounts of publicly accessible open space must be provided in areas of new housing, and its maintenance must be secured. Core Strategy Policy CSP5 identifies that developer contributions will be sought to provide a key funding source to meet the needs of new residents and for the delivery of Newcastle's Leisure Needs and Playing Pitch Strategy and the Urban North Staffordshire Green Space Strategy.

Local Authorities are justified in seeking planning obligations where the quality of provision is inadequate or under threat, or where new development increases local needs. The normal contribution expected is £2,943 per dwelling (consisting of £1,791 for improvements to capital development and maintenance in addition to £1,152 per dwelling for 60% maintenance costs for 10 years).

In anticipation of the Council's section 106 requirements the applicant has proposed to undertake arboricultural works to existing woodland trees in the ownership of the Council close to the western boundary, and is of the view, that this should result in a lower contribution to public open space. However it is not appropriate for this consideration to be used as a factor to reduce the amount of contribution required – i.e. it is not reasonably linked to the basis for requiring the contribution in the first place. – and such tree works are at least in part required to provide adequate light levels.

The applicant also asks that the age of the future occupants be taken into account in the calculation of the contribution. The Landscape Development Section acknowledge that this could be so. Your Officer's view is that the Council is entitled to devise a pragmatic method of calculation taking into account the expected age of occupants of the development for the amount requested to be considered reasonable. Taking into account the particular niche of single storey housing proposed – for the over 55's – it would not be appropriate for the Authority to require a contribution linked to children's play provision which should therefore reduce the level of expected contribution to £2,634 per dwelling giving a total requirement of £34,242. Adequate control would need to be applied to limit the age of future occupants of the development which could be achieved by planning condition in this case. There is however no completed and secured obligation at this moment in time 'on the table'.

2. Education

The Education Authority accept that it would be unreasonable to require a financial contribution towards local school provision if the future occupants of the development are limited to the over 55's and as stated previously an appropriately worded planning condition would enable adequate control for such a restriction to be maintained.

Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

Even when the tree works are first done some of the dwellings will experience low sunlight levels to their windows because of the adjacent trees and to this degree the development would present a less than standard level of amenity which the planning system might wish to maintain in the public interest. Against this single adverse impact, which would be experienced by the occupiers of the development, is set the benefits of the development – its reuse in a very sustainable location close to the facilities of the town centre, of an existing developed site, and its contribution towards housing supply in this area. In this context your Officer's recommendation is that the proposal should be viewed positively.

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

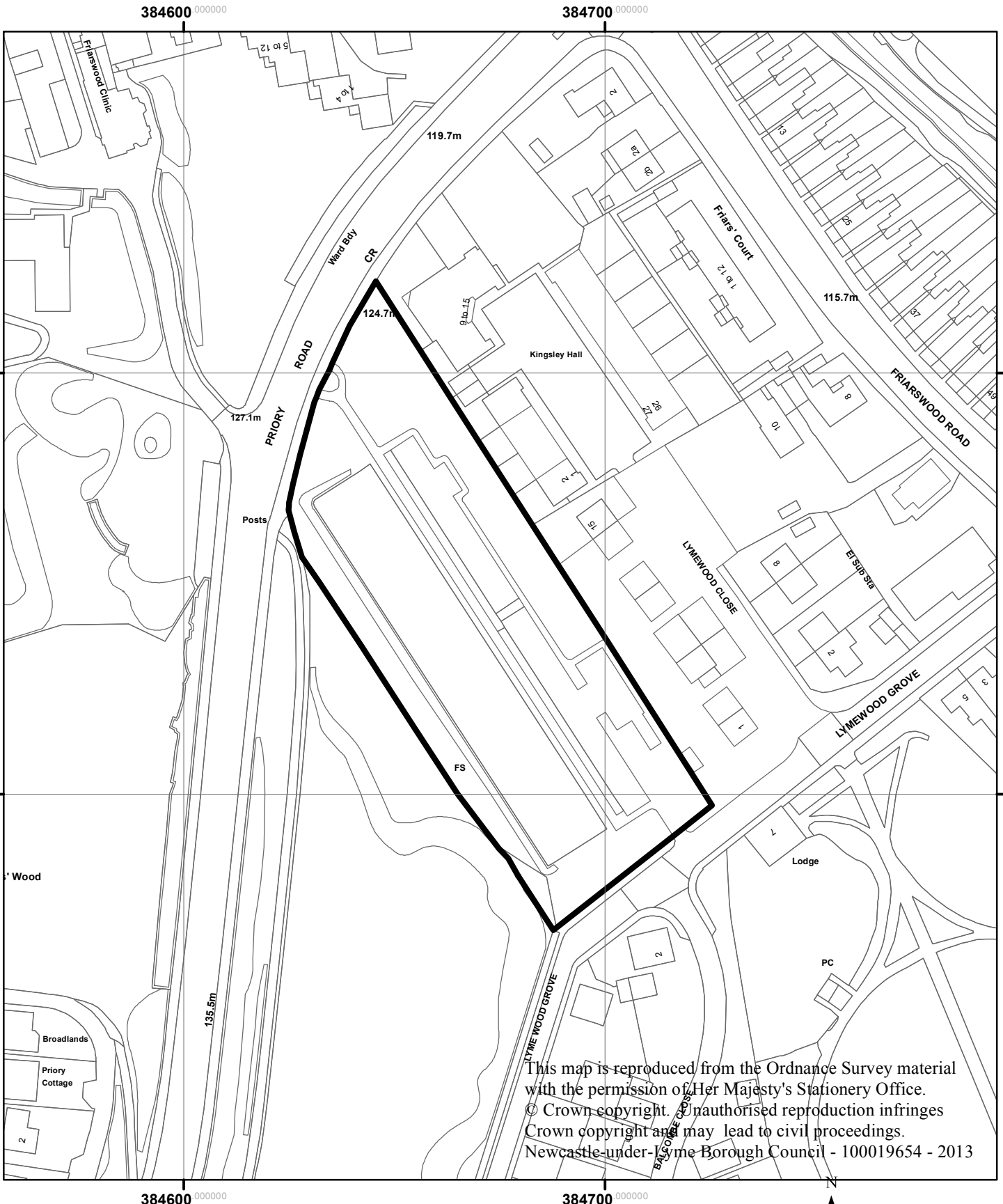
9 June 2014.

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Priory Day Care Centre Lymewood Grove



14/00284/FUL



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**CHATTERLEY GATEWAY NORTH, CHATTERLEY VALLEY
HARWORTH ESTATES AND THE TRUSTEES OF P R POWELL**

14/00331/REM

This application is for the approval of landscaping details, a reserved matter, for the Chatterley Gateway North site following the grant of outline planning permission for an employment area comprising Class B1 office and workspaces; Class B2 industrial units; Class B8 warehousing; Class C1 hotel including restaurant and café (Class A3), drinking establishment (Class A4) and leisure use (Class D2); leisure facilities, open space and associated footpaths and landscaping (reference 07/00995/EXTN).

The application site, known as Chatterley Gateway North is allocated on the Local Development Framework Proposals Map for employment development. Chatterley Gateway North lies adjacent to the northern and eastern arms of the roundabout at the western end of the Tunstall Western bypass next to the A500.

The 13 week period for this application expires on expires 8th August 2014.

RECOMMENDATION

PERMIT subject to conditions relating to the following:

- 1. Approved plans**
- 2. Importation of soil/material.**

Reason for Recommendation

The proposal forms part of a wider employment development which has been established through Local Plan policy and an existing outline planning permission relating to this site for which this application seeks approval of landscaping details for one of the plots. The proposed landscaping will provide an acceptable environment for the employment development to take place on Chatterley Gateway North and the proposed details of the scheme are acceptable.

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.

Policies and Proposals in the approved Development Plan relevant to this reserved matters decision:-

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

Strategic Aim 13 (SA16) – To eliminate poor quality development and establish a culture of excellence in built design by developing design skills and understanding, by requiring good, safe design as a universal baseline and distinctive design excellence in all development proposals, and by promoting procurement methods which facilitate the delivery of good design.

Policy CSP1 - Design Quality

Policy CSP3 - Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011 (NLP)

None

Other material considerations include:

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (March 2014)

Relevant Planning History

In 2007 outline planning permission was granted (04/00546/FUL) for an employment area comprising B1 offices and workspaces, B2 industrial units, B8 warehousing, C1 hotel including restaurant and cafe (A3) drinking establishment (A4) and leisure use (D2) , leisure facilities, open space and associated highways, footpaths and landscaping. In 2008 a further outline planning permission was effectively granted (07/00995/OUT) when an application for the variation of conditions of the original outline planning permission was approved. The conditions that were varied related to the master plan and the amount of floor space on the overall site.

In 2010 landscaping details for Chatterley Gateway North (Phase 2 Site 8) were approved under reference 10/00091/REM following from outline permission reference 07/0995/OUT.

The outline planning permission 07/00995/OUT was renewed in 2011 on application reference 07/00995/EXTN and the reserved matters application relates to that permission.

Views of Consultees

The views of **Landscape Development Section** have been sought and if received will be reported.

Applicant/agent's submission

A supporting letter has been submitted with the application which indicates that the on-plot landscaping complies with the requirements of the Landscape and Nature Conservation Plan and Addendum, the Landscape Framework Statement and Addendum, and the Urban Design Framework approved as part of the outline planning permission.

The letter is available to view both at the Guildhall and on the Council's website www.newcastle-staffs.gov.uk/planning/1400331REM

KEY ISSUES

The principle of employment development on this site was initially established in 2007 when outline planning permission was issued, reference 04/00546/FUL. The outline permission was subsequently varied when 07/00995/OUT was granted and that permission was renewed in 2011 (07/0995/EXTN). All matters of details, other the details of the means of access into each site, were reserved for subsequent approval.

The application being considered seeks approval of the landscaping details on one of the plots – Chatterley Gateway North - within the overall site, the only issue that the application raises is whether the submitted landscaping details are acceptable in appearance.

The submitted landscaping scheme shows the area to be landscaped and the landscape species and mix for a large area within the development plateau to be formed on the Chatterley Gateway North plot. Although details of layout have not been approved, nor have they been submitted for approval with this application, the submitted details show landscaping within a parking area which could be formed on the plot. If approval is granted it would be appropriate to confirm, by an informative, that the approval in no way implies or grants consent for the layout indicated.

The submitted landscaping details are considered appropriate for this location and will enhance the required structural landscaping of the overall employment site, the principles of which were approved and secured by condition. The submitted details are in accordance with the requirements of the Landscape and Nature Conservation Plan and Addendum, the Landscape Framework Statement and Addendum, and the Urban Design Framework approved as part of the outline planning permission.

Overall it is considered that the submitted details are acceptable in terms of their appearance.

Background Papers

Planning Files
Planning documents referred to

Date report prepared

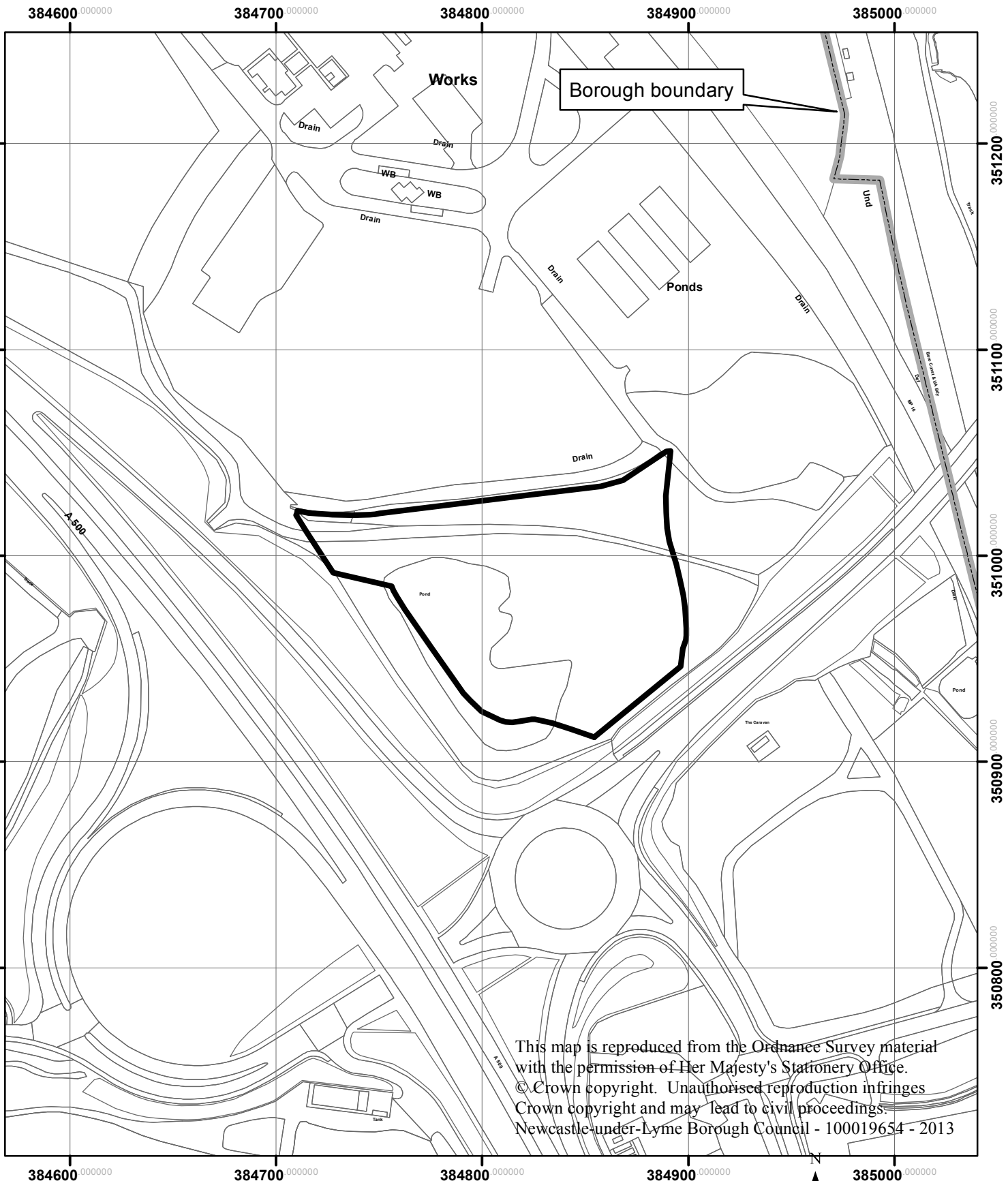
6th June 2014

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Chatterley Gateway North Phase 2, Site 8 – on plot landscaping



14/00331/REM



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LAND ADJACENT 86 BUCKMASTER AVENUE, NEWCASTLE
ASPIRE HOUSING

14/00293/FUL

The Application is for full planning permission for four semi-detached dwelling and one detached dwelling on the site of a group of garages and their forecourt within a residential area of Newcastle which has no specific land-use designations, as defined on the Local Development Framework Proposals Map. A provisional Tree Preservation Order is in place on a Lime Tree within the site.

The application has been called to Committee by two Councillors due to concerns about highway safety, visual amenity, flooding and inappropriate building line.

The 8 week period for the determination of this application expires on 2nd July 2014.

RECOMMENDATION

Refuse for the following reason:

- 1. The development will result in the loss of a protected tree which will have a significant impact on the character and appearance of the area contrary to Policy N12 of the Local Plan.**

Reason for Recommendation

The proposed development is considered to represent a sustainable form of development that would comply with the guidance and requirements of the NPPF, particularly in the context of the Council's inability to demonstrate an up to date 5 year plus 20% supply of deliverable housing sites. The design of the dwellings would not harm the character and form of the area or lead to any increased highway safety concerns. The development would also not lead to any significant harm to the residential amenity of neighbouring properties. The loss of a mature lime tree and the harm to the appearance of the area that arises, however, would outweigh the benefits of the development, and as such it is considered that there is not a presumption in favour of this development.

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

Pre application discussions prior to the application being submitted were undertaken and advice given however it is not possible to overcome the principle concern of this development.

Policies and Proposals in the approved Development Plan relevant to this decision:-

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

Strategic Aim 16: To eliminate poor quality development;

Policy SP1: Spatial Principles of Targeted Regeneration
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H4: Housing Development and Retention of Parking Facilities
Policy N12: Development and the Protection of Trees
Policy T16: Development – General Parking Requirements

Other material considerations include:

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (2014)

Supplementary Planning Guidance/Documents

Space Around Dwellings (July 2004)
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Planning History

Nil

Views of Consultees

The **Environmental Health Division** raises no objections subject to conditions regarding contaminated land and construction hours.

The **Landscape and Development Section** raises objections to the loss of a mature Lime Tree which is a visually prominent roadside tree. Accurate positions of trees should be provided on a plan which shows retained trees and RPAs on the proposed layout. No objection is raised to the loss of other trees on the site which are of a lower retention category (subject to appropriate replacement tree planting which could be secured by planning condition).

The **Highways Authority** raise no objections subject to conditions that a revised layout of the driveway gates of plot 1, the parking arrangements and accesses being completed before first occupation, surfacing being of a bound and porous material and the existing access to the site being permanently closed and access crossing reinstated as footway with full height kerbs.

Representations

Twelve letters of representation, including a letter from a ward councillor, have been received raising the following objections;

- The site suffers from flooding,
- The proposal would lead to increase traffic and subsequent highway danger,
- The detached house leads to a loss of light and privacy to no. 2 Tittensor Road,
- The proposal is out of keeping with the area and would harm the visual amenity of the area,
- Parking is a problem during football and rugby matches,
- A better design could be achieved through bungalows,
- The proposed design and materials are alien to the area.
- The development represents overdevelopment of the site,
- Object to the removal of the tree,
- The proposal would increase surface water and potential drainage problems,
- The narrowness of the road makes the section of road very dangerous
- Events at the land opposite result in lorries finding it hard to manoeuvre without mounting the kerb,
- Highway danger due to construction traffic,
- The location is an area of beauty and of local landscape character and this will be lost should the development go ahead.
- There is no bus stop opposite
- The existing garages may pose a risk to residents due to asbestos roofs being removed,
- A culvert runs through the site,
- It would result in a loss of views and a devaluation of property prices,

Applicant/agent's submission

A Design & Access Statement has been submitted to support the application which details the following;

- The site currently accommodates six domestic garages, with only a proportion being currently used.
- The site is located adjacent to the Aspire Housing existing stock and there is evidence to support the demand for additional housing within this area.
- People in the locality will not be adversely affected by this much needed development of affordable homes which will have a positive impact to the local area and community.
- The site is a brownfield site.
- A proportion of the properties will be offered for shared ownership and the remainder will stay in the ownership of the Society and will be for rent. It is possible that plot 5 will be for sale on the open market.
- The properties will have entrance hall, kitchen, lounge/dining room and wc at ground floor level and 2 or 3 bedrooms and bathroom at first floor level.
- The size and scale of the proposals shall be such that they are not imposing on the existing surrounding houses and the planning guidelines for space about dwellings have been considered.
- Two spaces shall be provided to each of the proposed units.

A traffic and transport review has also been submitted which details that the garages no longer provide facilities within the locality with 3 being let to people outside of the immediate area. The report demonstrates that the proposed development is accessible by all modes of travel, in particular public transport, cycling and walking by virtue of its sustainable location. Regular site observations have concluded that there are no highway network operational performance issues within the area. As this former garage site no longer provides parking for the local residents, the development of the proposal site will not displace parking.

These application details are available to view at the Guildhall or using the following link www.newcastle-staffs.gov.uk/planning/1400293FUL

KEY ISSUES

The application is for full planning permission for five new dwellings on a site of garages, their forecourt and a large grass verge/ open space on Buckmaster Avenue in a residential area that adjoins but is not within the North Staffordshire Green Belt. The site has no specific land use designations, as detailed on the Local Development Framework Proposals Map.

The main issues in the consideration of the application are:

- The principle of residential development on the site
- Design and the impact on the character and appearance of the area, including the impact on a protected tree
- Impact on residential amenity
- Highway safety and loss of parking facilities
- Flood risk
- Other matters

The principle of residential development on the site

Policy ASP5 of the CSS sets a requirement for 4,800 net additional dwellings in the urban area of Newcastle and Kidsgrove by 2026 and a target of 1000 dwellings within the Newcastle Urban South and East, of which Clayton forms part of. The CSS seeks to prioritise the use of previously developed land.

Policy H1 of the Local Plan indicates that permission for residential development will only be given where one of certain identified requirements are satisfied including that the site is within the urban

area of Newcastle or Kidsgrove. Policy H4 indicates that planning permission will not be granted for additional dwellings on garage courts unless the facilities serve no local need; alternative parking is proposed or the facilities that remain would be satisfactory for the identified demand.

The proposed site is partially occupied by private garages and is classed as previously developed land (PDL) and a large grassed verge which constitutes Greenfield land. The site is located on the edge but within the urban area with Green Belt land opposite. The area is well connected to existing public transport modes, schools, open spaces and amenities which would provide services for future occupiers of the dwellings. The application site is therefore considered to represent a sustainable location and whilst it is only partially considered to be previously developed land, there is local plan policy support for its development.

The National Planning Policy Framework (NPPF) advises, at paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. At paragraph 14, the Framework also states that where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF at a whole.; or specific policies in the NPPF indicate development should be restricted.

The Borough Council is currently unable to demonstrate a five year supply of deliverable housing sites which triggers the provisions of paragraph 49 of the Framework and, on that account, paragraph 14. There is a presumption in favour of this development, therefore, unless any adverse impacts of the development significantly and demonstrably outweigh the benefits of the development on the supply of housing land. Such impacts are addressed below.

Design and the impact on the character and appearance of the area, including the impact on a protected tree

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The Urban Design SPD indicates in R14 that “Developments must provide an appropriate balance of variety and consistency, for example by relating groups of buildings to common themes, such as building and/ or eaves lines, rhythms, materials, or any combination of them.”

As discussed the application site contains private garages but largely appears as a large grassed verge with a number of trees and vegetation. A large mature tree occupies a dominant position to the front of the site and overall the site has an attractive appearance. A further characteristic of the site is its undulation with a dip, centrally located.

The proposal is for two pairs of semi-detached dwellings and a detached dwelling that front Buckmaster Avenue. The site represents a gap in the street scene and is located on a bend in the highway. The proposed layout due to the disposition and footprint of the buildings is considered sympathetic to the existing building line in the street scene and the bend in the road. However, in order to achieve a further improvement it is considered that the detached dwelling should be moved back by 1.5 metres to be more sympathetic to the building line of no.2 Tittensor Road, this could be secured by condition.

The scale and appearance of the five properties are considered acceptable and sit comfortably on the plot. The parking arrangements are considered acceptable with only two properties having frontage parking and so the proposal would not be dominated by hard standings and parked cars.

There are trees and vegetation within the site that will be lost to accommodate the proposed development, most of the vegetation could be removed at any time by the owners without formal consent. However, since the application has been submitted a provisional Tree Preservation Order has been served on a large mature lime tree in a prominent position within the site and as such it cannot be removed with consent.

Policy N12 of the Local Plan details that the Council will resist development that would involve the removal of any visually significant tree unless the need for development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting and design. It also details that where trees are to be lost through development then replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

The loss of the large lime tree, which is considered to represent a visually significant tree within the street scene and has been protected as such, would be harmful to the area. Such a loss and harm to the character of the area that arises would significantly and demonstrably outweigh the benefits of the development to the supply of housing even if the tree was replaced, which could be secured through a condition.

Impact on residential amenity

Paragraph 17 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The application site has existing residential properties to both sides and to the rear. The separation distance between principal windows in the rear elevations of the proposed properties and the rear elevations of the properties beyond the rear boundary is substantial at over 30 metres which would exceed the separate distance guidance of the 'Space Around Dwellings' SPG. Acceptable amenity levels would be achieved even when the change in ground levels is taken into consideration. The properties to the north (side) of the site have an outlook towards the application site but the orientation of these properties would result in a limited impact to the residential amenity of the existing properties or the future occupiers of the proposed dwellings.

The proposed detached dwelling would be built close to the side boundary with no. 2 Tittensor Road and would be forward of the front building line of the existing property. In this location it would not have an unacceptable impact on the living conditions of the occupiers of that property, but as indicated above it is felt necessary to move the proposed dwelling back by 1.5 metres in the interests of design. This would improve the relationship and reduce the impact on the residential amenity of no. 2 and it would not result in a harmful impact that would be contrary to the SPG in terms of loss of privacy, light and overbearing impact to principal windows,

The layout shows that each of the five dwellings would have a rear garden. All the dwellings would be a two bedroom properties and the SPG does not offer guidance on the size of gardens for such properties. The amount of garden space that is achieved is acceptable in all cases. Furthermore the site is opposite a playground and public open space which would provide benefits for the development as a whole.

The proposed development therefore accords with the guidance of the Councils SPG and would not lead to the significant loss of residential amenity to neighbouring properties which would comply with the requirements and guidance of the NPPF.

Highway safety and loss of parking facilities

The proposed development would result in the loss of a private garage forecourt that provides parking provision for a number of vehicles (six garages).

The proposed development would front Buckmaster Avenue with access for each property being from this highway. Objections have been received raising concerns about the impact that five additional dwellings would have on highway safety. The application site is located on a bend in the road and residents have expressed concerns about vehicles reversing onto the highway and the existing on street car parking and highway safety concerns from neighbouring uses.

The applicant has detailed through the submission of a traffic review that the garages are no longer used by residents in the immediate area and their loss would not aggravate an on street parking problem or highway safety concern.

The proposed dwellings would be two bedroom dwellings and have two off street car parking spaces with access obtained from Buckmaster Avenue. This would meet the requirements of policy T16 of the local plan for this sustainable location. The Highways Authority has raised no objections subject to a number of conditions which would further minimise highway safety concerns. In particular a revised layout which repositions the gates to plot one would be required. Standard conditions regarding the parking arrangements and accesses being completed before first occupation, surfacing being of a bound and porous material and the existing access to the site being permanently closed and access crossing reinstated as footway with full height kerbs are advised.

It is noted that residents/ objectors are concerned about the existing highway safety concerns associated with neighbouring uses. However, as it cannot be demonstrated that the existing parking facilities are being used in a manner that would minimise such concerns the proposed development cannot be expected to address those issues.

Flood risk

Objections have been received regarding flooding of the site and in particular the adjacent highway. Flood risk maps detail that the site is not within any of the three flood risk zones. There is no evidence to suggest that the proposal would cause a flood risk problem but conditions could be imposed requiring prior approval of the drainage details and incorporation of porous materials for the driveways would ensure that surface water runoff from the site is not increased as a result of the development

Other matters

A number of other matters have been raised by objectors. The issue of the loss of a view and property values are matters that cannot be taken into consideration because they are not a material planning consideration.

The demolition of the garages and any hazardous materials are the owners responsibility and is again not a material planning consideration in the determination of this application.

The proposals would also result in natural surveillance for the playground and public open space opposite which would deter anti social behaviour.

Background Papers

Planning file
Planning documents referred to

Date report prepared

10th June 2014

Land Adjacent 86 Buckmaster Avenue,
Newcastle



14/00293/FUL



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MOUNT ROAD KIDSGROVE
VODAFONE LTD

14/00334/FUL

The application is for full planning permission for the siting and appearance of a replacement of the existing 14.4m high Vodafone column with a new 17.5m dual user installation and two additional ancillary equipment cabinets.

The site is within the Kidsgrove Urban Area as defined on the Local Development Framework Proposals Map.

RECOMMENDATION

PERMIT subject to conditions relating to:

1. Commencement within 3 years;
2. Development being carried out in accordance with the approved Plans;
3. Equipment cabinets to be finished in green.

Reason for Recommendation

In assessing its siting and design it is considered that the replacement structure and associated equipment cabinets would not materially harm the visual amenity of the area due to its acceptable height, design and location within the street scene. The proposal would also support the expansion of the communications network in this area. The proposal would therefore meet the guidance and requirements of the NPPF and it would also comply with policy T19 of the Newcastle under Lyme Local Plan as well as policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS).

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.

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

CSP1: Design Quality

CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

T19: Telecommunications Development – General Concerns

T20: Telecommunications Development – Required Information

Other Material Considerations include:

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014)

Relevant Planning History

05/00591/TDET PERMIT	Installation of 12m street works monopole with shrouded tri-sector antennas and 2 meter cabinets in fir green
08/00518/TDET PERMIT	Installation of a 12 m high telecommunications installation with shrouded antennas, and ancillary works to replace existing telecommunications equipment

Representations

No letters of representation have been received.

Consultations

Highways Authority

There are no objections on Highway grounds to the proposed development subject to a condition that the proposed telecommunications pole and associated cabinets shall be sited in accordance with the Site Plan Drawing no: 202 rev A and an informative on Highway Licences.

Kidsgrove Town Council

No objection to the replacement but object to the rise in height.

Applicant's submission

The agent has submitted a supporting statement in relation to the proposal. A summary of the key points are as follows;

- The overall height of 17.5 metres has been kept to a technical minimum to maintain existing coverage and capacity. The proposed height would also cater for the future 4G coverage roll out within the area. It would also result in existing masts no longer being required and decommissioned in the future once this is technically feasible.
- The proposed equipment cabinets will be located alongside the new monopole. It should be recognised that on their own merits they do not normally require a formal determination often being permitted development. They have a similar appearance to existing cabinets found in a street scene.
- The applicant has detailed that alternative sites have not been considered in this instance and are not generally required for upgrades/alterations to existing sites. Technological advances having enabled a mast share structure to be progressed that previously was not possible. Mast shares have in the past involved tall heights due to the separation needed between each operators set of antenna or large exposed antenna 'head frames'.

The key points of The Code of Best Practice on Mobile Network Development (July 2013) has been summarised along with the key points of the NPPF, in particular section 5.

The full document is available for full inspection at the Guildhall and on the Council's website www.newcastle-staffs.gov.uk/planning/1400334FUL

The applicant has declared that the proposal conforms to International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines.

Key Issues

This application is for full planning permission for a replacement monopole together with two new equipment cabinets. The existing pole is 12m high with a 2.4m shroud mounted on the top giving a total installation height of 14.4m. The proposed installation would have a total height of 17.5m. Like the existing installation the proposal would be on the highway verge. The existing mast and an equipment cabinet would be removed. The new installation would be shared by Vodafone and Telephonica UK Ltd.

The recently published National Planning Policy Framework (NPPF) at paragraph 42 details that:

“Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”

At paragraph 43 it goes on the state that LPAs should support the expansion of electronic communications networks, including telecommunications and high speed broadband.

As such there is national policy support in principle for telecommunications development and this must be taken into consideration as to whether planning approval should be granted.

Policy T19 of the Local Plan states that application for telecommunications equipment will be approved provide they do not unacceptably harm the visual quality and character of sensitive areas and locations such as the countryside and do not adversely affect the amenity of nearby properties. Such development is also supported provided that there are no other alternative suitable sites available. This is an upgrade of an existing installation so location is determined and the key issue is accordingly appearance.

Appearance

The proposed monopole is to be sited in a similar location as the existing, which is on the verge beside Mount Road in Whitehill, Kidsgrove. It is in a prominent roadside location, visible along Mount Road and from the recreation area on the far side thereof. The highway boundary on the same side as the proposal is a belt of mature trees which effectively form a high hedge hiding the development beyond.

The proposal would result in an additional height of 3.1 metres (overall height of 17.5 metres metres to the top) with a thicker monopole (the main stem being 324mm rather than the present 180mm approximate) being used.

The increased height would result in it being marginally more prominent in appearance but the design is considered the optimum solution that would have the least amount of impact on the visual amenity of the area due it being a mast share and it having a simple slim design. The applicants have specified a grey finish, this would minimise contrast with a sky background but would be more visible against the back-ground of the trees which are more than half its height. In light of this consideration has been given to whether the monopole should be finished in a green colour, however it is considered that the most appropriate colour would be grey in this case, which is the colour of the existing monopole.

The proposed replacement ground based equipment cabinets would be sited on the verge next to the monopole. The two, new equipment cabinets are taller than the one they replace but are to be located side by side, giving the appearance of a single cabinet. The green colour scheme proposed is similar in nature to the equipment cabinets to be retained.

The proposal, whilst it is higher than the existing is not considered to result in a significant and harmful impact to the visual amenity of the area and any harm would be outweighed by the benefits that arise from the improved network that the proposal would achieve. The proposal is therefore considered to comply with local and national telecommunications policies and that approval should be granted.

The proposal would also support the expansion of the two networks within this populated area, which is a key principle of the NPPF. The applicant has also detailed that the structure would provide future 4G network coverage and result in other structures likely to be decommissioned due to this replacement structure providing the necessary future network benefits.

Background Papers

Planning File referred to
Planning Documents referred to

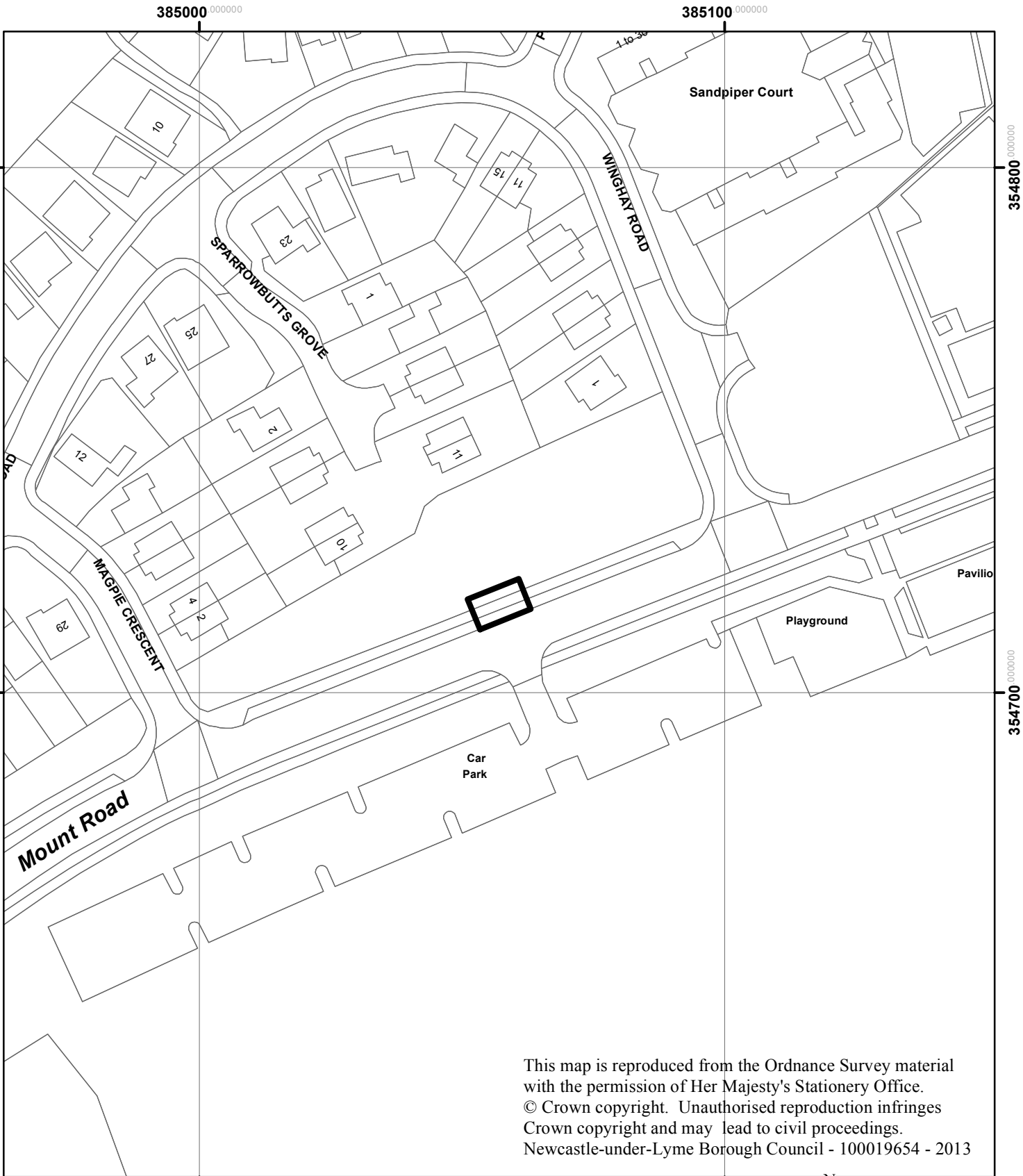
Date report prepared

6th June 2014

Telecommunications mast,
Mount Road, Kidsgrove



14/00334/FUL



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Newcastle-under-Lyme Borough Council - 100019654 - 2013

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KIDSGROVE CENTRAL RAILWAY STATION STATION ROAD
VODAFONE LTD

14/00359/FUL

The application is for full planning permission for the siting and appearance of a replacement of the existing 20 metre high monopole, by the installation of a new 20 metre high dual user monopole, accommodating 9.nos multi-band antennas and 6.nos remote Radiohead Units and new slimline cabinet.

The site is within the Kidsgrove Urban Area as defined on the Local Development Framework Proposals Map.

RECOMMENDATION

PERMIT subject to conditions relating to:

1. Commencement within 3 years;
2. Development being carried out in accordance with the approved plans;
3. Finished colour.

Reason for Recommendation

In assessing its siting and design it is considered that the replacement structure would not harm the visual amenity of the area due to its acceptable height, design and location within the street scene. The proposal would also support the expansion of the communications network in this area. The proposal would therefore meet the guidance and requirements of the NPPF and it would also comply with policy T19 of the Newcastle under Lyme Local Plan as well as policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS).

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.

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

T19: Telecommunications Development – General Concerns
T20: Telecommunications Development – Required Information

Other Material Considerations include:

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (March 2014)

Relevant Planning History

93/00284/TDET PERMIT	Determination on whether the erection of a free standing 12.m tall telecommunication mast and 2 antennae and 1 dish antennae and an equipment cabinet require prior approval
97/00747/FUL PERMIT	Upgrading of existing telecommunications cellular site inc. 20m high mast

Representations

No letters of representation have been received.

Consultations

Environmental Health

No response on information provided which does not go beyond the required declaration that the proposal conforms to International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines.

Kidsgrove Town Council

Consultation was made but no response received by the due date or since, it is therefore taken that the Town Council has no comment to make on the proposal.

Network Rail

No objection to the proposal, but advise that in addition to any planning consent the applicant will need to have gained all necessary clearance for works from Network Rail.

Applicant's submission

The agent has submitted a supporting statement in relation to the proposal. A summary of the key points are as follows;

- The proposed development is an upgrade which will offer improved services and capabilities to the local community and nationally.
- The proposed replacement structure will be 22.5m high and confined within the existing fenced compound.
- The new antennas and RRUs will be manufactured in a grey material, and the new structure and steelwork will be left galvanised.

The key points of The Code of Best Practice on Mobile Network Development (July 2013) has been summarised along with the key points of the NPPF.

The full document is available for full inspection at the Guildhall and on the Council's website www.newcastle-staffs.gov.uk/planning/MastKidsgroveStation

The applicant has declared that the proposal conforms to International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines.

Key Issues

This application is for full planning permission for a replacement monopole. The proposed installation will be approximately the same height as the existing one but will have a larger head frame carrying 9 remote Radiohead Units (RRUs) and 9 VF Antennas as opposed to the 3 VF Antennas presently carried directly above the pole. Like the existing installation the proposal would be contained within the compound surrounded by 1.8 m high palisade fence. The new equipment cabinet would be contained within the existing one so the external appearance would not change, and the existing mast and a cabinet is to be removed. The new installation would be shared by Vodaphone and Telephonica UK Ltd.

The recently published National Planning Policy Framework (NPPF) at paragraph 42 details that:

“Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”

At paragraph 43 it goes on the state that LPAs should support the expansion of electronic communications networks, including telecommunications and high speed broadband.

As such there is national policy support in principle for telecommunications development and this must be taken into consideration as to whether planning approval should be granted.

Policy T19 of the Local Plan states that application for telecommunications equipment will be approved provide they do not unacceptably harm the visual quality and character of sensitive areas and locations such as the countryside and do not adversely affect the amenity of nearby properties. Such development is also supported provided that there are no other alternative suitable sites available. This is an upgrade of an existing installation so location is determined, the key issue is accordingly appearance.

Appearance

The proposed monopole is to be sited in the same location as the existing, which is within the compound at the edge of Kidsgrove Railway Station Car park. Beyond the compound there is a small area of trees with a vacant area (probably former railway yard) to the rear of that. The station is rather remote from public view being off a back street although no more than 200m from the town centre.

The proposal would result in a thicker monopole (the main stem being 550 mm at mid height rather than the present 350 mm approximate) being used.

The proposal would also support the expansion of the two networks within this populated area, which is a key principle of the NPPF. The applicant has also detailed that the structure would provide future 4G network coverage and result in other structures likely to be decommissioned due to this replacement structure providing the necessary future network benefits.

The size of the headframe would result in the pole being marginally more prominent in appearance but the antennas and RRUs would be set symmetrically in a vertical cylinder at the top and the design of which is considered the optimum solution that would have the least amount of impact on the visual amenity of the area due it being a mast share and it having a simple slim design. The applicants have specified a galvanised and grey finish, this would minimise contrast with a sky background and is the finish of the existing pole and fencing so would be acceptable.

The proposal, whilst being larger than the existing is not considered to result in a significant and harmful impact to the visual amenity of the area and any harm would be outweighed by the benefits that arise from the improved network that the proposal would achieve. The proposal is therefore considered to comply with local and national telecommunications policies and approval should be granted.

Background Papers

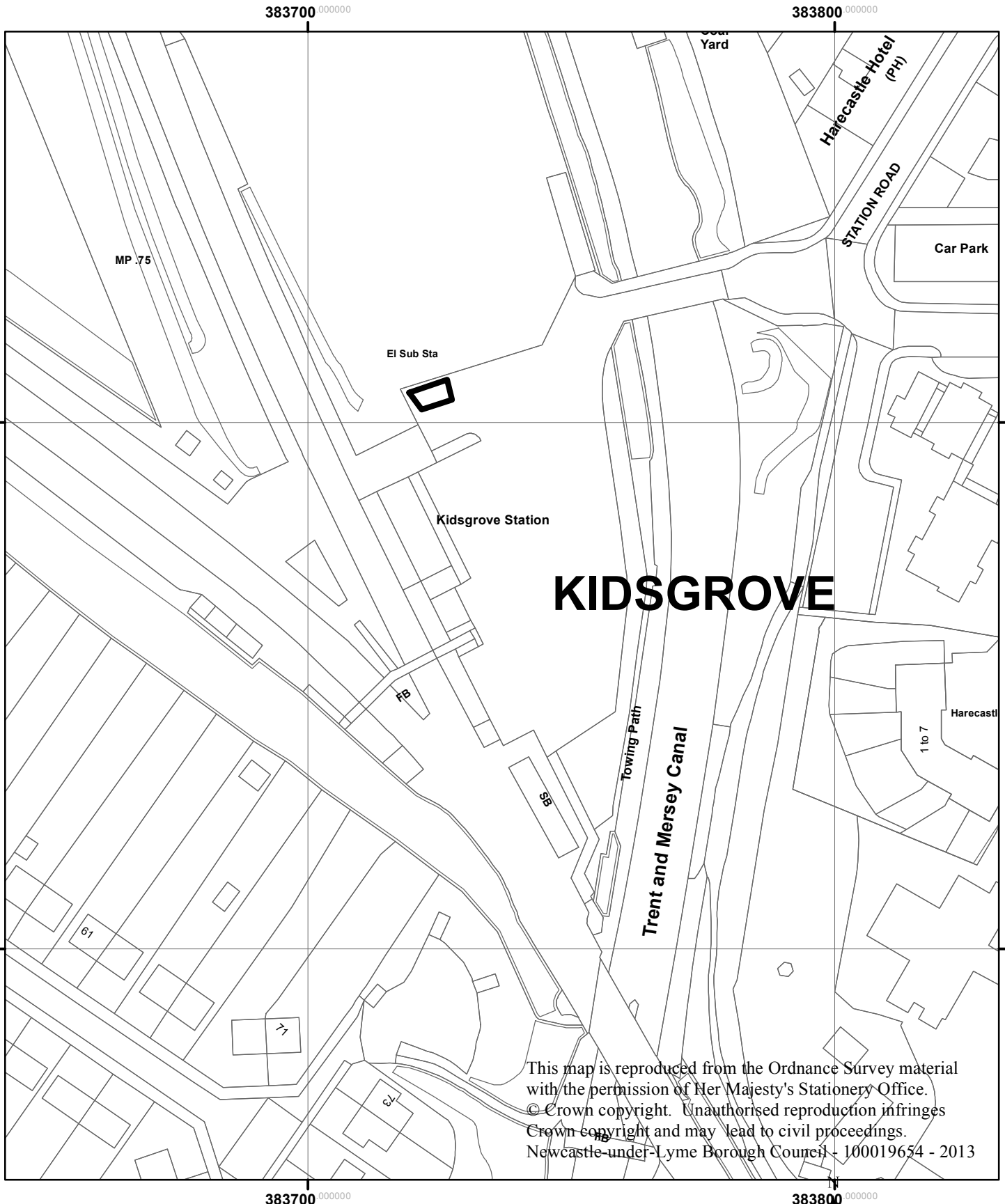
Planning File referred to
Planning Documents referred to

Date report prepared

6th June 2014

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14/00359/FUL



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CLAYTON SPORTS CENTRE, STAFFORD AVENUE, NEWCASTLE
NEWCASTLE & HARTSHILL CC

14/00212/COU

The application is for the retention of the change of use of an existing car park to a CBT motor cycle training area. No buildings or permanent facilities are proposed and the operating hours are detailed as "daytime only" at other times the car park is available for the parking of vehicles

The application site is located within the urban area of Clayton but this area is designated as being within The North Staffordshire Green Belt and a Landscape Maintenance area (Policy N19), as indicated on the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expired on the 22nd May 2014.

RECOMMENDATION

Permit subject to the following conditions;

- i) Hours of operation restricted to 8am to 6pm Monday to Friday, with no operation on Saturday, Sunday and Bank Holiday Monday.**

Reason for Recommendation

The change of use is considered to represent inappropriate development within the Green Belt because it does not fall within one of the exceptions detailed within the NPPF. The use does not harm the openness of the Green Belt and any minimal harm arising could be controlled through the use of conditions and would be outweighed by the sustainable nature of the dual use which is considered to represent the very special circumstances required. Subject to a restriction on the hours of operation there would be a minimal impact on highways safety and the amenity of the area.

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.

Policies and Proposals in the approved development plan relevant to this decision:-

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

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Newcastle Under Lyme Local Plan 2011(NLP)

Policy S3: Development in the Green Belt

Policy N17: Landscape character – general considerations

Policy N19: Area of Landscape Maintenance

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014)

Relevant Planning History

None relevant

Views of Consultees

The **Highways Authority** raises no objections subject to a condition that the use shall not operate during the times that a cricket match is being played at the site.

The **Environmental Health Division** raise no objections subject to a condition restricting the hours of use from 8am to 6pm on weekdays and no operation on weekends and bank holidays.

Representations

No letters of representation have been received.

Applicant/agent's submission

A location plan has been submitted with the application site red edged. The application details can be viewed at the Guild Hall or by using the following link www.newcastle-staffs.gov.uk/planning/1400212COU

KEY ISSUES

The application is for the retention of the change of use of an existing car park to a CBT motor cycle training area. No buildings or permanent facilities are proposed and the operating hours are detailed as "daytime only" with the car park being available for the parking of vehicles at other times. The application site is located within the urban area of Clayton but this area is designated as being within the North Staffordshire Green Belt and a landscape maintenance area, as indicated on the Local Development Framework Proposals Map.

The key issues in the determination of the application are:

- Is the proposal appropriate development within the Green Belt?
- Parking and the impact on highways safety,
- the impact on the amenity of the area, and
- if not appropriate do the required very special circumstances exist?

Appropriate development within the Green Belt?

Paragraph 79 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, at paragraphs 89 and 90, indicates that new buildings and other forms of development are classed as inappropriate development other than in a number of identified exceptions. The application is for the change of use of land only and no new buildings or permanent equipment is proposed. Changes of use of land do not fall within one of these exceptions and so the development has to be considered to represent inappropriate development within the Green Belt and should not be approved except in very special circumstances.

Parking and the impact on highways safety

The change of use has already taken place and the existing car park is being used as a CBT motorcycle training centre. The application site currently operates as a dual use as a car park and now the motorcycle training. The motorcycle training use operates outside the hours that the sports centre and cricket club operate with the applicant detailing that the motorcycle training use operates during the day time (excluding weekends) and the car park is used at evenings and weekends.

The Highways Authority has raised no objections subject to a condition that the motorcycle use does not operate during the times of a cricket match.

Therefore, subject to the control of the hours of operation the development would not lead to highway safety concerns.

The impact on the amenity of the area

The use of the car park for motorcycle training has the potential to cause increased noise disturbance to the amenity of the area. In this regard EHD has detailed that a complaint was made to the Environmental Health Department in 2009 regarding noise from the activity but do not highlight any since that time. They indicate that the residential premises upon Stafford Avenue and Lilleshall Avenue are screened from the car park by the sports centre however there is a direct line of site to residential premises upon Clayton Lane and Cambridge Court and as such noisy activity on the site could adversely affect the occupiers of such premises. They therefore, recommend a condition restricting the hours of operation to 8am to 6pm Monday to Friday with no operation at weekends (including bank holidays). In the circumstances this is considered reasonable and appropriate.

Do the required very special circumstances exist

The NPPF details that very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The use of the car park as a motor cycle training centre has no greater harm on the openness than the use of the car park for the sports centre and cricket club. The dual use would represent a more efficient and therefore sustainable form of development and this is deemed to represent the very special circumstances as it would outweigh the minimal harm arising from the use.

Background Papers

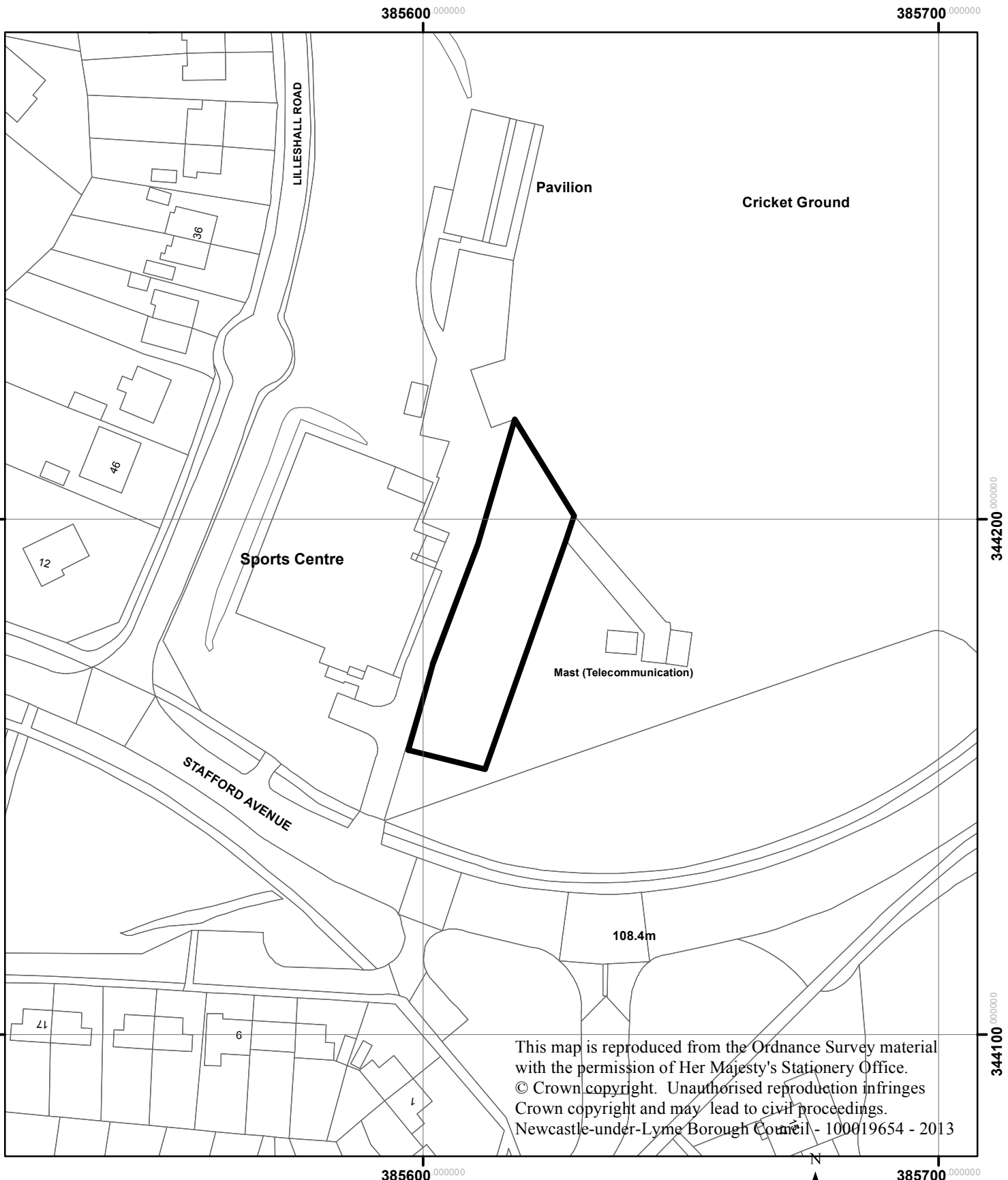
Planning File referred to
Planning Documents referred to

Date report prepared

5th June 2014

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14/00293/FUL



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REPORT TO THE PLANNING COMMITTEE 24TH JUNE 2014

ANNUAL REPORT ON PLANNING AND RELATED APPEALS APRIL 2013 – MARCH 2014

Introduction

1. Appeal decisions are reported regularly to the Planning Committee, as are decisions on the award of costs in appeal proceedings. In addition, an annual report on planning and related appeals is produced for consideration by Members, intended to identify general issues relating to the Local Planning Authority's appeal performance, and to encourage an approach that reflects upon and learns from such appeals.

Appeal Performance

2. Appeals can be made both against the refusal of permission, but also against conditions attached to permissions. There are many cases where following a refusal of an application, discussions are held with an applicant and as a result the applicant decides either to no longer pursue the proposal or to submit revised proposals. In this way difficulties can be more effectively, quickly and cheaply resolved. Your officers would always seek to encourage such discussions. As advised in the National Planning Practice Guidance (2014), appeals should only be made when all else has failed. Recent changes in the appeal system have resulted in the process becoming more frontloaded with the applicant being required to submit at the time of lodging of the appeal their full statement of case and other material.
3. An applicant has currently in most cases up to 6 months to lodge an appeal (from receipt of the decision notice), and given the time some appeals take to be determined, there is often a significant period of time between the LPA's original decision and the appeal decision. For householder applications, the time limit to appeal is 12 weeks and the time period for submitting an appeal where the same or substantially the same development is subject to an Enforcement Notice is just 28 days. Another recent change has been the introduction of an expedited procedure for what are termed 'minor commercial' (advertisement and shop front) appeals.
4. Appeals can also be made within a specified time against Enforcement Notices on various specific grounds. If an appeal is lodged the Notice does not come into effect until the appeal has been determined. If no appeal is lodged the Notice comes into effect.
5. During the 12-month period from April 2013 to March 2014, 23 appeals against decisions by the Borough Council as Local Planning Authority were determined. A list of the appeal decisions is attached as Appendix 1. This compares with 13 for the previous year 2012/13. By far the majority of these appeals were against decisions to refuse permission rather than against conditions subject to which permissions had been granted.
6. Although the Council monitors its performance in appeals, there is neither a national target nor a 'local' indicator for the percentage of appeals which have been allowed. However as the Committee has previously advised has introduced (in June 2013) a performance measure that is based on the extent to which decisions on applications for Major development are overturned on appeal (as an indicator of the quality of decisions made by Local Planning Authorities). This is one of the two criteria upon which the Government is basing designation of under-performing Local Planning Authorities, the other measure being based on the speed with which Major applications are dealt with.
7. The **appeal measure** being used is the average percentage of appeal decisions on applications for major development that have been overturned on appeal, once nine

months has elapsed following the end of the assessment period. The **assessment period** for this measure is the 2 year period up to and including the most recent quarter for which data of planning decisions is available at the time of designation, taking into account the nine month period referred to above. The **threshold** for designation is 20% of more of an authority's decisions on applications for major development made during the assessment period being overturned at appeal. No national figures have yet been released to enable the authority to judge where it sits in relation to this 20% figure but your officer is very confident that the authority performance over the last two years has been significantly below the appeal designation threshold. For the two year period ending on the 30th June 2013 your officer has calculated that the Council's performance with respect to this measure was 2.8% with only one appeal (that relating to Midland House) concerning Major development being allowed compared to some 35 decisions on applications for Major Development in that two year period. There are 2 appeals concerning Major development now in the pipeline Gateway Avenue and Hawthorns Keele, and a third (against the Council's decision with respect to development of Watermills Road) now expected to be lodged by October 2014.

8. In the period April 2013 to March 2014, of the 23 appeals that were determined, 65% were dismissed and 35% were allowed. If an appeal is allowed it is in effect "lost" by the Council. If an appeal is allowed, that is a judgement, normally by the Inspector appointed by the Secretary of State to determine the appeal, that the Council's case has been found wanting.
9. Over the most recent 12-month period, the Council has performed better than in recent years. For example in the previous year (2012-2013), although the number of appeal decisions was particularly low, 69% of appeals were allowed, and in the 12 months prior to that (2011-2012), 40% of appeals were allowed.
10. Table 1 below, looks at the different development types. All planning and related applications, and appeals, are categorised by development type. For dwellings, a Major development is where the number of dwellings to be constructed is 10 or more. Where the number of dwellings to be constructed is not known, any residential development with a site area of more than 0.5 hectares is categorised as a Major development. For all other uses a Major development is one where the floorspace to be built is 1000 square metres or more, or where the site area is 1 hectare or more. Applications for Minor development are those which are not for Major development although within the "Other" category are domestic extensions, changes of use, advertisements, listed building consent applications and similar. In addition, there are those appeals that relate to Enforcement Notices. These are not categorised by development type.

Table 1

Development Types	Number Allowed	% Allowed	Number Dismissed	% Dismissed
"Major" Appeals	1	100	0	0
"Minor" Appeals	4	44	5	56
"Other" Appeals	3	23	10	77
"Enforcement" Appeals	0	-	0	-
Total appeals	8	35	15	65

11. Table 1a identifies performance specifically for householder appeals and appeals relating to Minor dwellings proposals – these two groups combined making up 78% of the total number of appeals.

Table 1a

Development Types	Number Allowed	% Allowed	Number Dismissed	% Dismissed
Householder	3	27	8	73

Minor Dwellings	3	43	4	57
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12. The Council is performing better in some areas than in others. In particular, performance in relation to domestic extension appeals is very good with only 27% of appeals in this category being allowed. The majority of applications for domestic extensions reflected in the above Table were determined under delegated powers by the Senior Planning Officers, acting under the general guidance of the Development Management Team Manager. These figures are a positive indication that when applications are refused under this arrangement such refusals are generally being supported on appeal, and that the arrangement is in these terms functioning well.
13. Performance in relation to appeals concerning "Minor developments" (which include appeals relating to "Minor dwellings") is not quite as good, with 43% being allowed. Those appeals that have been allowed vary greatly in their nature and the reasons why they were allowed are very specific inevitably reflecting the circumstances of each individual case. In this sense it is therefore difficult to draw out general conclusions.
14. Table 2 below, indicates the percentage of appeals allowed and dismissed according to whether the application was determined under delegated powers or by the Planning Committee.

Table 2

Decision Type	Number allowed	% Allowed	Number dismissed	% Dismissed
Delegated	5	33	10	67
Committee	3	37	5	63
Total	8	35	15	65

15. During the period April 2013 to March 2014 there has been little difference in the success rate in respect of appeals on applications determined under delegated powers and those determined by Committee.
16. With respect to Committee decisions, Table 3 below provides information on the officer recommendation in these cases.

Table 3

Decision Type	Number allowed	% Allowed	Number dismissed	% Dismissed
Committee decisions contrary to Officer Recommendation	1	25	3	75
Committee decisions in line with Officer recommendation	2	50	2	50
Total	3	37	5	63

16. These eight decisions were;
- Land rear of 11A - 19 Moorland Rd, Mow Cop - recommended for refusal, refused and appeal allowed.
 - Midland House, London Road, Chesterton - recommended for refusal, refused and appeal allowed.
 - Barn at rear of Sandfield House, Bar Hill, Madeley - recommended for refusal, refused and appeal dismissed.

- Land at Netherset Hey Lane, Madeley – application to remove conditions recommended for refusal, refused and appeal dismissed.
- 21, Rathbone Ave, May Bank - recommended for approval, refused and appeal dismissed.
- 31, Kinnersley Ave, Kidsgrove - recommended for approval, refused and appeal dismissed.
- Exchange House, Liverpool Rd, Cross Heath – recommended for approval, refused and appeal dismissed.
- Alderhay Farm, 58 Harriseahead Lane, Harriseahead – recommended for approval, refused and appeal allowed.

The numbers in each category are so few it would be inappropriate to draw any wider conclusions.

Awards of Costs

17. Of particular importance in terms of the Local Planning Authority learning lessons from appeal performance, are those appeals that have resulted in an award of costs against the Council. In planning appeals the parties normally meet their own expenses and costs are only awarded when what is termed “unreasonable” behaviour is held to have occurred and the affected party has incurred additional costs in the appeal proceedings. The availability of costs awards is intended to bring a greater sense of discipline to all parties involved. During the period from April 2013 to March 2014, there has been just one claim for costs made against the Borough Council that has been decided and that claim was successful. This costs decision has already been reported to the Planning Committee (Exchange House).

Conclusions

18. The number of appeals determined in the period April 2013 to March 2014 is relatively low and such low numbers make it difficult and indeed inappropriate to draw any conclusions. Notwithstanding this it remains your Officer’s view that there are a number of steps which could be taken to further improve upon the existing situation and these are detailed below. The Committee has previously passed a number of resolutions when considering similar reports in previous years.

Recommendations: -

1. **That internal management procedures within the Service including the assessment of case officers’ recommendations by more senior officers continue to be applied;**
2. **That your Officer report to the Chair and Vice Chairman in six months time on appeal performance in the first half of the 2014/15, and on any further steps that have been taken in the light of that performance;**
3. **That the Committee reaffirms its previous resolution that Members draw to Case Officers’ attention any concerns that they have with an application coming to the Committee for determination as soon as possible having received notice of the application in the weekly list, so that potential solutions to the concerns are sought with the applicant in line with the requirements of the National Planning Policy Framework;**
4. **That the Committee reaffirms its previous resolution that full advantage be taken of the use of conditions in planning permissions to make developments acceptable;**
5. **That the Committee reaffirms its previous resolutions that Members proposing to move refusal of a proposal contrary to recommendation be urged to contact**

the Head of Planning Services no less than 24 hours before the Committee, with details of the reasons they are minded to give for such a refusal;

- 6. That the Committee reaffirms its previous resolution that when a proposal to refuse to grant planning permission is made at the Committee contrary to the officer's recommendation, advice be sought as to the most appropriate way to meet the requirement to work in a proactive and positive manner with applicants;**
- 7. That the Committee reaffirms its previous resolutions that the mover and seconder of a resolution of refusal contrary to officer recommendation be identified by the Chair and recorded and in the event of an appeal being lodged there be an expectation that those members will make themselves available as witnesses on behalf of the Council in the appeal proceedings should either the Head of Planning Service or the Head of Central Services deem that appropriate; and**
- 8. That the Committee reaffirm its previous resolutions that a proactive approach be taken by officers to appeal handling with early holding of case conferences where appropriate, the strength of the case being continually reassessed in the light of any new evidence received, and that in the case of matters being determined by means of public inquiries the Head of Central Services or his representative takes charge of the matter.**

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Appendix 1 – Appeal Decisions 1 April 2013 – 31 March 2014

Application No.	Address	Description	LPA decision date	Decision	Appeal Decision Date
12/00622/FUL	62, Station Road, Keele	First floor extension	29.11.12	Dismissed	18.4.13
12/00282/OUT	11A-19 Moorland Rd, Mow Cop	2 dwellings	5.10.12	Allowed	2.5.13
12/00778/FUL	31, Kinnersley Ave, Kidsgrove	Extensions	23.4.13	Dismissed	24.7.13
13/00002/FUL	28 Monmouth Place	Radio mast	6.3.13	Allowed	26.7.13
12/00820/FUL	Land adj. 1 Sunningdale Grove, Chesterton	Detached dwelling	14.2.13	Dismissed	14.8.13
12/00694/FUL	Barn rear of Sandfield House, Bar Hill, Madeley	Conversion to one dwelling	4.1.13	Dismissed	15.8.13
12/00534/FUL	Dales Green Farm	Meat processing unit	30.11.12	Dismissed	4.9.13
12/00118/OUT	Midland House, London Road, Chesterton	14 new dwellings and retail/commercial units	8.1.13	Allowed	10.9.13
13/00354/FUL	21, Rathbone Ave, Newcastle	Rear conservatory	18.6.13	Dismissed	17.9.13
13/00061/FUL	Greenhills, Whitmore Heath	Single storey extension	27.3.13	Dismissed	20.9.13
13/00376/FUL	19, Parkside Drive, Maybank	First floor extension	12.7.13	Dismissed	14.10.13
13/00063/FUL	Butterton Nurseries	Garage	18.7.13	Allowed	14.10.13
12/00788/FUL	Exchange House	Change of use to A5 pizza hut delivery store	6.2.13	Dismissed	4.11.13
13/00510/FUL	9, Ridgmont Rd, Seabridge	Two storey extension	8.8.13	Dismissed	28.11.13
12/00692/FUL	53, High St, Knutton	2 new dwellings	15.1.13	Dismissed	4.12.13
13/00203/FUL	15-17, Nantwich Rd, Audley	Convert 1 dwelling into 2	9.5.13	Allowed	11.12.13
13/00052/FUL	109, Chapel Lane, Knighton	Convert listed former chapel into a dwelling	21.3.13	Dismissed	11.12.13
13/00583/FUL	21, Eddisbury Drive, Newcastle	Detached garage	12.9.13	Dismissed	30.12.13
13/00129/FUL	6, Swedish House, Chapel Lane, Knighton	Extension	22.7.13	Dismissed	7.1.14
12/00185/COU	Land at Netherset Hay Lane, Madeley	Removal of condition	24.5.13	Dismissed	13.1.14
13/00232/FUL	Alderhay Lane Farm, 58 Harseahead Lane	Agricultural building	17.6.13	Allowed	16.1.14
13/00638/FUL	143 Whitehill Road, Kidsgrove	Formation of vehicular access and hard standing	15.10.13	Allowed	4.2.14
13/00190/FUL	Land adj. 20, The Avenue, Kidsgrove	Detached house	3.5.13	Allowed	5.3.14

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5 Year Housing Land Supply Assessment for the Borough of Newcastle-under-Lyme: 1st April 2014 to 31st March 2019

Purpose of the Report

To present the results of the 5 year supply assessment report for information purposes.

To provide guidance on the significance and impact of the 5 year supply position on the Development Management decision making process.

Recommendations

- 1) That members note the results of the 5 year supply report.**
- 2) That members note the significance of the 5 year supply in Development Management decision making.**

Reasons

To ensure the Council makes decisions in-line with up-to-date planning policy and the latest 5 year housing land supply position.

1.0 INTRODUCTION

- 1.1 This report briefly outlines the findings of the 5 year housing land supply assessment statement (2014-19) and provides guidance of the significance of these findings on the Development Management or decision making process.
- 1.2 The report draws from information on housing completions and the availability of sites in the monitoring year 1st April 2013 to 31st March 2014. It also projects this information forward to determine the extent to which the current supply of housing sites in the Borough contribute to a supply of deliverable housing sites over the next five years (1st April 2014 to 31st March 2019). Full details of how the 5 year supply has been calculated are included in the 5 year housing land supply assessment statement attached as an Appendix to this report and which will be made available in due course on the Council's website within the Planning Policy section.
- 1.3 Local Planning Authorities are required to assess whether they can meet the housing requirement for their area. The National Planning Policy Framework (NPPF) requires that Local Planning Authorities update their 5 year housing land supply assessment on a yearly basis. Whether the Council can demonstrate a 5 year supply of 'deliverable' housing is important as it affects how planning applications for new housing are determined.
- 1.4 The National Planning Policy Framework (NPPF) requires that local authorities apply additional housing land supply buffers on top of their housing requirement. A 5% buffer is applied to all authorities' housing requirements and an additional 20% buffer is applied where a local authority has a record of 'persistent under delivery' of housing (this is explained further in section 2.3 below)
- 1.5 Windfall sites (i.e. sites that have not been previously identified through the Local Plan process) can be included in the housing land supply where there is evidence to support this.

- 1.6 The assessment report calculates the 5 year housing land supply using the Borough's requirement of 5,700 net dwellings for the 'plan period' 2006-2026 (285 net dwellings per year), as set out in the adopted Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (October 2009). National Planning Practice Guidance (the NPPG) indicates that housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the 5 year supply, and that considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. The Core Spatial Strategy is, for the present, the appropriate basis upon which to base the assessment.
- 1.7 The NPPG now allows all student accommodation (including communal halls) and older person's housing (including residential institutions - Use Class C2) to be taken in account in within the local housing requirement. Currently this cannot be factored into the Borough's five year housing land supply calculations because the Core Spatial Strategy does not take these types of development into account in its housing requirement figure. The five year housing land supply calculation can however include proposals for self-contained student accommodation and any elderly persons accommodation classified as Use Class C3.

2.0 KEY FINDINGS

2.1 5 year supply trend in the plan period

The Borough's land supply for the next five years (excluding buffer) at 31st March 2014 provides the equivalent of 3.12 year's worth of deliverable housing development. Table A below compares this figure to the 5 year housing land supply figures from the previous 7 years of the plan period. This shows that the 5 year availability of land has been steadily decreasing since 2007/08, as sites that were previously available have undergone development and have not been replaced sufficiently with new ones. This year however the land supply has decreased at a markedly slower rate, as the completions over the past two years have exceeded the annual targets set by the Core Spatial Strategy. This has helped to reduce the backlog, or shortfall, of housing and therefore the amount additional housing required to be delivered for the next five year period.

Five year land supply period	Five year housing land supply in years	Difference from Previous Year
2007 - 2012	5.5	N/A
2008 - 2013	6.4	+0.9
2009 - 2014	5.7	-0.7
2010 - 2015	5.1	-0.6
2011 - 2016	4.74	-0.36
2012 - 2017	3.98	-0.76
2013 - 2018	3.27	-0.71
2014 - 2019	3.12	-0.15

TABLE A

2.2 Housing delivery in the plan period

Table B below shows that the Borough under delivered against the net annual housing requirement (285 dwellings per year) in each of the first six years of the plan period, however, as described above, delivery has increased in the past two years to exceed the annual target. The under delivery in the first six years has led to an overall shortfall

of 303 dwellings when compared to the requirement over the same period established within the Core Spatial Strategy, however this is lower than last year's shortfall of 313 dwellings.

Monitoring year	Delivery – net number of completions
2006-07	208
2007-08	142
2008-09	277
2009-10	207
2010-11	183
2011-12	251
2012-13	414
2013-14	295
Total Completions 2006-14	1,977
Average per year 2006-14	247
Total Completions 2009-14 (most recent five year period)	1,305
Average per year 2009-14	261

TABLE B

2.3 5% or 20% housing land supply buffer

Paragraph 47 of the National Planning Policy Framework (NPPF) requires local authorities to add an additional buffer to the five year housing requirement. Councils are required to:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”

- 2.4 Given that there has been an under delivery of the Borough's housing requirement in the first six years of the plan period and that there is a current shortfall of 303 dwellings arising from past underdelivery, it is considered that the Borough should continue to allow for a 20% buffer. However, as delivery has improved over the past two years and the number of completions has exceeded the annual requirement, then there may be the opportunity for the Council to consider removing this additional 20% buffer if this trend continues in future monitoring years, and instead apply the 5% buffer.

2.5 Managing shortfall in housing delivery

There is only general Government guidance on how any shortfall in housing delivery compared to the housing requirement should be dealt with. Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period (the Sedgefield approach), rather than spread out over the remainder of the plan period. The Sedgefield approach tends to be adopted by Planning Inspectors when making planning appeal decisions in respect of housing schemes. This approach has therefore been applied to the Borough's five year housing land supply calculations.

2.6 Housing land supply

The overall identified housing land supply for the next 5 year period is 1,079 dwellings. This includes an allowance of 80 dwellings to take account of anticipated windfall delivery in the final two years of the next five year period (i.e. 2017-19). This approach has been applied because the windfall allowance in the first three years is likely to already be covered by existing planning approvals.

2.7 5 year housing land supply excluding a buffer

This assessment identifies that the Borough currently has a 3.12 year housing land supply in the next 5 year period (2014-2019). This is the result of there being a current land supply of 1,079 dwellings, whereas the requirement over the next five years is for 1,728 new dwellings to be delivered.

2.8 Shortfall in housing land supply

When the 20% buffer is taken into account, the supply falls short of the requirement by 995 dwellings.

2.9 Updating the 5 year housing land supply

The 5 year housing land supply is updated annually. The data required to calculate the 5 year supply for the monitoring year 2013-14 has been provided in an appendix to the 5 year housing land supply statement

3.0 DEVELOPMENT MANAGEMENT IMPLICATIONS

- 3.1 Paragraph 49 of the NPPF states that housing applications should be “considered in the context of the presumption in favour of sustainable development” and that “relevant policies for the supply of housing should not be considered to be up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”. This is the position that the Borough Council is in.
- 3.2 The NPPF goes on to indicate, in paragraph 14, that, insofar as development management or decision-taking, is concerned, the presumption in favour of sustainable development, where the development plan is absent, silent or relevant planning policies are out of date, means, unless material considerations indicate otherwise, granting planning permission unless
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be permitted
- 3.3 The Framework in giving examples of the latter policies refers to policies relating to land designated as Green Belt, designated heritage assets and locations at risk of flooding. The NPPG, published in March 2014, notes that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt.
- 3.4 As the situation has developed there have been a series of responses of the planning authority to this situation, in development management terms. With the focus always being on achieving sustainable development, there has been an acceptance for some time that an objection of conflict with policies on housing land supply within the development plan cannot be raised to the development of greenfield sites within the urban area. There are numerous examples of this with probably the most significant

one being the recently considered proposal for the site known as Apedale South. A similar approach has been taken to greenfield sites in the Rural Service Centres (Madeley, Loggerheads and Audley Parish). Each of these locations has a village envelope or, in the case of Audley Parish, a series of village envelopes, the boundaries of which are set out in the Local Plan and on the Local Development Framework Proposals Map.

- 3.5 The same position has been adopted with respect to proposals within those village envelopes that are not within the Rural Service Centres and are not “washed over” by the Green Belt. This means Betley, Mow Cop, Madeley Heath, Baldwins Gate, Ashley and Whitmore. Even though Core Spatial Strategy Policy ASP6 seeks to direct residential development, within the rural areas, to the Rural Service Centres, this policy cannot be considered to be “up to date” and provided the development in question is a sustainable one such locations can be an acceptable location for development. An example of this approach was that taken with respect to the proposed development at the Sheet Anchor (reference 13/00145/OUT).
- 3.6 Over the last year there have been a series of applications relating to residential proposals on sites which whilst not within a village envelope are adjacent to it and are not within the Green Belt. Examples include the Gateway Avenue, Baldwins Gate proposals (13/00426/OUT) refused in February (and now the subject of an appeal), and those for the land to the rear of Rowley House, Moss Lane, Madeley (13/00990/OUT), approved in March (subject to the prior completion of a legal agreement).
- 3.7 The approach taken by your officers on such applications has reflected the position set out in paragraph 14 of the NPPF and will continue to do so given the continuing lack of a 5 year housing land supply as here being reported. It is expected that applications for residential development will continue to be received that will be neither within the urban area nor within the Rural Service Centres nor village envelopes indicated above. Developers have already made public announcements about their intention to submit planning applications for sites such as Tagedale Quarry and land off New Road, Madeley. Each will need to be considered on its own merits bearing in mind in particular the guidance set out within paragraph 14 of the National Planning Policy Framework, as set out in paragraph 3.2 above.
- 3.8 Similarly applications may be received on employment sites whose development for residential purposes may be considered to be contrary to Local Plan Policy E11 on proposals that would lead to the loss of good quality business and general industrial land. Again the same approach will need to be taken, as it was in reports on applications such as those for Linley Trading Estate (13/00625/OUT) approved in January (subject to the prior completion of a legal agreement) and Land off Watermills Road (13/ 00974/OUT) refused in April, upon which an appeal is expected.

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1. Background and National Requirement

Background

- 1.1 This is the second detailed statement of the five year housing land supply situation that Newcastle-Under-Lyme Borough Council has produced. This statement provides updated information on housing delivery and land availability from the period 1st April 2013 to 31st March 2014 and then projects the land supply situation over the next five year period from 2014 to 2019.
- 1.2 This year's statement includes a schedule of sites that make up the five year supply. This has been provided in order to provide as much transparency as possible over the calculation of the five year supply figures. This schedule of sites is shown in the appendix to this Statement.

Introduction

- 1.3 Local Planning Authorities are required to assess whether they can meet the housing requirement for their area. Paragraph 47 of the National Planning Policy Framework (NPPF) requires that Local Planning Authorities identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing. To be considered 'deliverable', sites should be available now, offer a suitable for location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.
- 1.4 Whether the Council can demonstrate a 5 year supply of 'deliverable' housing is important as it affects how planning applications for new housing are determined. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, and paragraph 14 states that where relevant policies are out-of-date then planning permission for should be granted unless material considerations indicate otherwise and the adverse impacts of development would significantly and demonstrably outweigh the benefits or specific policies in the NPPF would restrict development.
- 1.5 This statement demonstrates the extent to which current proposals in the Borough contribute to a five year supply of deliverable housing sites. Information on the Council's supply of housing land is updated once a year on 31st March to reflect the annual position. This year we have included an analysis of the housing completion figures over the past five years as well as over the plan period since 2006. This is considered a reasonable approach in order to determine whether or not the borough has

persistently under delivered against its housing targets and also to compare the previous five years delivery with the projected requirements for the next five years to 2019.

2. Current Housing Requirement and Past Delivery

Housing Requirement

- 2.1 The Borough's housing target is set by the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (adopted October 2009). 5,700 net new dwellings are to be delivered in the borough in the period 2006 to 2026, averaging 285 new dwellings per year.

Delivery against the Housing Requirement

- 2.2 The amount of completions over the past five years, and also over the plan period so far, is shown in Table 1 below. A schedule of sites with completed dwellings is shown in the appendix to this statement.

Table 1: Net number of completions 2006-14

Monitoring year	Delivery – net number of completions
2006-07	208
2007-08	142
2008-09	277
2009-10	207
2010-11	183
2011-12	251
2012-13	414
2013-14	295
Total Completions 2006-14	1,977
Average per year 2006-14	247
Total Completions 2009-14 (most recent five year period)	1,305
Average per year 2009-14	261

- 2.3 Over the first eight years of the plan period (2006-2014), 2,280 dwellings would need to have been delivered to ensure continued progress towards meeting the Core Spatial Strategy target. A total of 1,977 new dwellings have been delivered so far over this period, leaving a current shortfall of 303 dwellings. This is a decrease from last year's shortfall of 313 dwellings.

Managing Shortfall in Housing Delivery

- 2.4 In response to the policy direction of the National Planning Policy Framework (NPPF) and the Government's drive to promote house building, Planning Inspectors, through planning appeal decisions, have recommended the use of the 'Sedgefield approach' to managing shortfall in housing delivery. This requires any shortfall in housing delivery to be made up within the next 5 year period rather than spreading it over the remaining years of the plan period.
- 2.5 Following this approach, a total of 1,728 net new dwellings would need to be delivered in the next five years. This comprises of the plan target to deliver 285 dwellings per year (1,425 dwellings over five years) plus the shortfall the existing shortfall of 303 dwellings. This would indicate a revised annual target of just under 346 new dwellings per year – i.e. the target is now 1730 dwellings over the next 5 years.

3. Current Housing Land Supply

Housing Land Supply

- 3.1 The identified housing land supply for the next five year period is 999 dwellings. This comprises:-

Table 2: Site availability 2014-19

Sites currently under construction as of 31 st March 2014 or with unimplemented planning permissions	759
Sites without planning permission	240
Total	999

- 3.2 Two sites that currently have no valid planning permission have been included in the housing supply. Apedale Road South (13/00525/OUT) and Linley Trading Estate (13/00625/OUT) are both currently awaiting s106 agreements to be signed before approval can be issued. Ongoing negotiations on these schemes are aiming to incentivise early delivery of these housing sites. It is therefore considered that there is a realistic prospect of delivering 160 dwellings on the Apedale South site and 80 dwellings on the Linley Trading Estate site within the 5-year period.
- 3.3 A schedule of sites showing the current availability for housing development is shown in the appendix to this statement.

Windfall Allowance

- 3.4 Paragraph 48 of the NPPF suggests that local authorities should make an allowance for windfall development in their five year supply if there is compelling evidence that such sites have consistently become available in the area and will continue to provide a reliable source of supply. Windfall sites are defined as those which have not specifically been identified as available in the Local Plan process. A windfall allowance should take account of the Strategic Housing Land Availability Assessment (SHLAA), historic windfall delivery rates and expected future trends.
- 3.5 Table 4 shows the trend in delivery of windfall sites over the plan period since 2006. These typically comprise of changes of use and conversions and sites not already identified in the SHLAA.

Table 4: Windfall calculation

	2006 -07	2007 -08	2008 -09	2009 -10	2010 -11	2011 -12	2012 -13	2013 -14
Conversions and changes of use	28	22	18	39	3	16	25	18
Sites not identified in the SHLAA	45	19	30	8	18	11	6	15
Total	73	41	48	47	21	27	31	33
Average per year								40

- 3.6 There has been a consistent delivery of windfall development, ranging between 21 and 73 dwellings each year since 2006 and averaging 40 dwellings per year. This suggests that it is appropriate to continue applying a windfall allowance of 40 dwellings per year. This allowance is applied for the latter two of the upcoming five years (i.e. 2017-19), as this avoids duplicating or double counting windfall developments that currently benefit from planning approval.
- 3.7 Applying a windfall allowance of an additional 80 dwellings to the existing available land supply of 999 dwellings results in a total land availability figure of 1,079 dwellings.

4. Five Year Housing Land Supply

Five Year Housing Land Supply Excluding a Buffer

- 4.1 Section 5 sets out how the five year land supply figure is calculated. The five year deliverable housing land supply figure for the period 2014-2019 is 3.12 years. Table 3 below compares the previous five year housing supply figures from the first eight years of the plan period. The Table shows that the five year supply has been decreasing in recent years, although this year it has decreased at a slower rate than the preceding years. This is due to the shortfall of housing being reduced as a result of housing completion rates being above the plan target for the past two years. The amount of additional housing required to be delivered for the next five year period has therefore also decreased.

Table 3: Five year housing land supply

Five year land supply period	Five year housing land supply in years	Difference from Previous Year
2007 - 2012	5.5	N/A
2008 - 2013	6.4	+0.9
2009 - 2014	5.7	-0.7
2010 - 2015	5.1	-0.6
2011 - 2016	4.74	-0.36
2012 - 2017	3.98	-0.76
2013 - 2018	3.27	-0.71
2014 - 2019	3.12	-0.15

Five Year Housing Land Supply Buffer

- 4.2 The National Planning Policy Framework requires an additional buffer of 20% of the five year housing requirement, moved forward from later in the plan period, where the local authority has a record of persistent under delivery.
- 4.3 The NPPF does not specify how “persistent under delivery” of housing should be assessed, however as shown in Table 1 the borough under-delivered against the annual housing target of 285 dwellings per year in the first six years of the plan period.
- 4.4 Applying a 20% buffer this year increases the total requirement for the next five years from 1,728 to 2,074 dwellings. When this requirement is compared against the current identified availability of housing land over the next five years (1,079 dwellings), there is a need to find suitable sites for an additional 995 dwellings. This represents an increase of approximately 50 from the last monitoring year.

- 4.5 The most recent two years have seen the delivery of new housing exceed the annual housing target. If this trend continues in to future monitoring years then the Council will consider the potential to remove the additional 20% buffer for persistent under delivery of housing development and instead will apply a 5% buffer.

5. Calculation of the Five Year Housing Land Supply

Five year housing supply 2014-19	Calculation	Units
Core Strategy housing requirement 2006-26		5,700 dwellings
Total net housing completions as of 31 March 2014		1,977 dwellings
Remaining Core Strategy housing requirement (Core Strategy housing requirement minus net completions)	$5,700 - 1,977$	3,723 dwellings
Annual rate required to meet housing requirement (Core Strategy housing requirement divided by number of years in plan period)	$5,700 / 20$	285 dwellings
Shortfall over plan period so far (Total of annual rate minus actual net delivery)	$(285 \times 8) - 1,977$	303 dwellings
Five year housing supply target (annual target x 5) plus shortfall from plan period	$(285 \times 5) + 303$	1,728 dwellings
Average annual rate to meet target including shortfall	$1,728 / 5$	345.6 dwellings
Annual windfall allowance		40 dwellings per year
Annual windfall allowance for two years (2017-19, to avoid double counting existing planning approvals)	40×2	80 dwellings
Sites identified in the five year housing supply		999 dwellings
Five year housing land supply identified including windfall allowance	$999 + 80$	1,079
Five year housing supply (excluding buffer)	$1,079 / 345.6$	3.12 years
Five year housing supply target including shortfall plus 20% buffer	$1,728 \times 1.2$	2,074 dwellings
Percentage of land supply required including 20% buffer	$(1,079 / 2,074) \times 100$	52%
Shortfall in the capacity of deliverable housing sites identified including a 20% buffer	$2,074 - 1,079$	995

Appendix: Schedule of Sites Forming the Five Year Housing Land Supply Calculation (Completions and Availability)

Newcastle-under-Lyme

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
CN47	50 King Street, Newcastle	99/786/COU, 12/00219/FUL	Change of use from offices to residential house (multiple occupancy)	1	0	1
CN97	2A Poplar Avenue, Cross Heath	04/00664/FUL	Change of use and conversion of part of ground floor and whole of first floor to provide 3 flat units	3	0	3
CN251	9 Brunswick Street, Newcastle	06/00520/FUL 07/00370/FUL 09/00286/FUL 12/00559/FUL	Change of use of first and second floors to six residential units	6	0	6
CN297	31 Ironmarket, Newcastle	08/00070/LBC 08/00072/FUL 08/00072/EXTN	Conversion of first and second floors to six apartments	6	0	6
CN309	26A Watlands View, Porthill, Newcastle	08/00713/COU 11/00206/FUL	Change of Use from retail to residential use	1	1	0
CN382	Woodhouse Farm, Apedale Road, Wood Lane, Stoke On Trent	11/00336/COU	Change of use from detached dwelling into two semi-detached dwellings	1	1	0
CN385	Woodsman Cottage, Maer Estates Cottages, Maer	N/A – permitted development	Holiday let to a dwelling	1	1	0
CN386	137 London Road, Chesterton	11/00390/FUL	Change of use from Retail to Residential	1	1	0
CN394	Liverpool Road Surgery,	11/00633/COU	Change of use of former doctors	1	0	1

¹ This column shows completions in the monitoring year 2013-14 and does not show the total number of completions per site.

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
	128 Liverpool Road, Cross Heath		surgery to residential			
CN398	11A Milehouse Lane, Newcastle	11/00438/FUL	Formation of 3 no. dwellings from 1 no. existing dwelling	2	0	2
CN399	36 High Street, Newcastle	11/00674/FUL	Conversion of existing two bed apartment to 2 one bedroom apartments	1	1	0
CN402	120 King Street, Newcastle	12/00613/FUL	Alterations to existing building to provide 2 additional flats	2	2	0
CN404	36 High Street, Newcastle	11/00674/FUL	Conversion of existing two bed apartment to 2 one bedroom apartments	1	0	1
CN405	The Globe Inn, 53 High Street, Silverdale	13/00046/FUL	Change of use of first floor living accommodation to form 2 one bedroom flats	1	1	0
CN406	2 Sparrow Terrace, Porthill, Newcastle	13/00329/FUL	Change of use of existing former shop and retention of existing dwelling to form 2no. self contained flats	1	1	0
CN410	20 King Street, Newcastle	13/00224/FUL	Conversion of 1st floor showroom to 3 apartments	3	3	0
CN412	6 Silverdale Road, Newcastle	13/00671/COU	Change of use from hairdressers to a single residential dwelling	1	0	1
CN413	Garage, Cemetery Road, Knutton	13/00559/FUL	Increase of existing residential accommodation from one to two apartments	1	0	1
CN414	First & Second Floor Offices, Rectory Chambers, 40 Ironmarket, Newcastle	13/00901/COUNOT	change of use of first floor offices to 4 self contained apartments	4	0	4
CN415	52 King Street, Newcastle	N/A	Change of use of 2 nd floor office to C3 flat	1	1	0

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
CN416	56 King Street, Newcastle	N/A	Change of use of first and second floors to residential	1	1	0
CN417	Land Adj 7 Claydon Crescent, Clayton	10/00271/FUL	Extension of existing detached dwelling to form a pair of semi-detached dwellings	1	1	0
CN418	Richard Jacobs Pension & Trustee Services Ltd, 18 Water Street, Newcastle	14/00010/FUL	Change of use from offices (B1) to house of multiple occupation	1	0	1
N579	Junction of Peake St./Costwold Ave., Silverdale	12/00669/FUL	3no. residential townhouses	3	3	0
N623	Land Adjacent To Gaunts Hatch, Sandy Lane, Newcastle	98/00617/FUL 99/00788/FUL 04/00010/FUL 08/00711/FUL 10/00197/FUL 13/00364/FUL	Proposed dwelling house	1	0	1
N648A	Land off Keele Road, Newcastle	99/00341/OUT 03/00790/REM 07/00156/REM 07/00755/REM 07/00939/REM 08/00081/REM 08/00614/REM 09/00078/FUL 11/00430/FUL	Residential development; 280 houses and apartments (11/00430/FUL increased this by another 13 dwellings)	293	21	0
N663	Land Adjacent 261 Dimsdale Parade West, Wolstanton Newcastle	01/00108/OUT 04/01208/OUT 07/00421/FUL 12/00148/OUT 12/00225/OUT 13/00868/REM	Erection of two detached dwellings	2	0	2

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
		13/00847/REM				
N664	Former Wolstanton Colliery (South), Wolstanton, Newcastle	99/00918/FUL 01/00943/REM 04/01116/FUL 07/00517/FUL 09/00077/FUL 08/00462/FUL 08/00990/FUL 11/00129/FUL	Residential development; 237 dwellings	237	17	24
N695	Garden Of 4 Bradwell Lane, Porthill, Newcastle	03/00087/FUL 08/00205/FUL 08/00205EXTN	Pair of semi-detached dwellings	2	0	2
N732	17 Edward Avenue Newcastle	04/00984/OUT 13/00226/OUT 13/00934/REM	Detached dwelling	1	0	1
N747	Highland Nurseries Bungalow, Cross May Street, Newcastle	05/00880/OUT 08/00747/OUT 11/00526/REM	Proposed detached bungalow	1	0	1
N753	25 Newport Grove, Chesterton	06/00472/FUL 08/00543/FUL 13/00238/FUL	Erection of three dwellings	3	0	2
N761	C E Jones And Son, 7 Victoria Street, Newcastle	06/00749/FUL 07/01145/FUL 07/01145/EXTN	Construction of eight two storey, two bedroom houses	8	0	8
N766	Silverdale Colliery, Scot Hay Road, Silverdale	06/00337/OUT 07/00598/FUL 09/00136/OUT 09/00698/REM	Residential development for 300 no. dwellings	225	50	15
N766a	Silverdale Colliery, Scot Hay Road, Silverdale	06/00337/OUT 07/00598/FUL 09/00136/OUT 09/00698/REM	Residential development for 300 no. dwellings (affordable housing element)	75	15	7
N767	Land At Sutton Street,	06/01175/OUT	Proposed residential	4	0	4

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
	Chesterton	08/00532/FUL 08/00923/REM 09/00617/FUL 13/00020/FUL	development of 4 No. one bed apartments			
N769	Former GEC Site, Lower Milehouse Lane, Newcastle	07/00127/OUT 09/00600/OUT 11/00266/REM	Residential development; 160 dwellings; 130 dwellings; 127 dwellings	127	30	68
N773	Site Of Former Pumphouse, Adjacent 36 Daleview Drive, Newcastle	07/00796/OUT 12/00678/OUT	Demolition of former pumphouse and erection of one detached dwelling	1	0	1
N777	Land At Site Of 41 To 43 Wolstanton Road, Chesterton	07/1040/FUL 07/1040/EXTN	Erection of a pair of semi detached dwellings	2	0	2
N781	Former Builders Store, Adjacent 40 Lawson Terrace, Porthill, Newcastle	08/00065/OUT 11/00091/OUT	Erection of 2 storey dwelling house	1	0	1
N787	May Cottage, Brampton Road, May Bank, Newcastle	07/00673/OUT 09/00685/FUL 09/00685/EXTN	Erection of two, four bedroom detached dwellings	2	0	2
N789	Land between 21 & 23 Jason Street, Newcastle	08/00407/FUL 08/00407/EXTN 12/00572/FUL	New detached dwelling	1	1	0
N792	148 Crackley Bank, Newcastle	08/00145/FUL 11/00203/FUL	Erection of two semi detached dwellings	2	0	2
N796	8 Daly Crescent, Silverdale	08/00832/FUL	Construction of a pair of dwellings	2	2	0
N801	1 Poolfields Avenue, Newcastle	09/00097/OUT 09/00097/EXTN	Erection of dwelling	1	0	1
N812	Spice Avenue, Silverdale Road, Poolfields	10/00445/FUL 13/00181/FUL	Demolition of existing restaurant and construction of 5 houses for student accommodation	5	5	0

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
N814	Cherry Hill Farm, Cherry Hill Lane, Silverdale	10/00551/FUL	Dismantling of former farm outbuilding and erection of 3 residential units	3	0	3
N815	Corona Park, Sandford Street, Chesterton	10/00480/FUL	Erection of 16 terraced dwellings	16	4	12
N821	High View, Sandy Lane, Newcastle	11/00077/FUL	Replacement dwelling <i>(Note: demolition of existing property accounted for in previous monitoring years)</i>	1	1	0
N822	Woodhouse Farm, Apedale Road, Newcastle	11/00281/FUL	Erection of a dwelling	1	1	0
N824	The Hill, 18 Sandy Lane, Newcastle	11/00362/OUT 11/00640/REM	Erection of one detached dwelling	1	1	0
N825	Former Site Of Silverdale Station And Goods Shed, Station Road, Silverdale	11/00284/FUL	Erection of twenty three houses	23	0	23
N829	Land Adjacent 4 Whitfield Avenue, Newcastle	10/00562/OUT	Erection of detached house	1	0	1
N840	8a Apedale Road, Chesterton	11/00407/OUT 13/00219/FUL	Erection of two dwellings	2	0	2
N870	34 Beasley Place and 96 Beasley Avenue, Chesterton	12/00034/FUL 12/00227/FUL	Construction of 5 No. dwellings	5	0	5
N872	35 Apedale Road, Chesterton	12/00197/FUL	Construction of pair of semi detached dwellings	2	2	0
N873	5 Turnhill Grove, Wolstanton	12/00289/FUL	Proposed detached house	1	1	0
N874	34A Hillport Avenue, Bradwell, Newcastle	12/00360/FUL 13/00024/FUL	Demolition of hairdressing salon and erection of replacement	1	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
			residential accommodation			
N875	Land at Charter Road, Newcastle	12/00036/FUL	Construction of 117 new build dwellings	117	68	49
N876	Thistleberry House, Keele Road, Newcastle	12/00512/FUL	Demolition of existing Thistleberry House and erection of 37 dwellings	37	10	27
N877	126 Milehouse Lane, Newcastle	11/00309/FUL 12/00480/FUL	Erection of detached dwelling	1	0	1
N878	Land Adj 58 Dimsdale View East, Newcastle	12/00223/FUL	Proposed single dwelling	1	1	0
N879	The Orchard, Clayton Road, Newcastle	12/00832/OUT	Erection of detached dwelling	1	0	1
N880	Land At Harrison Street, Newcastle	12/00590/FUL	Erection of 3 terrace dwellings	3	0	3
N881	Land Off Church Walk, Chesterton	12/00793/FUL	Erection of 7 elderly person bungalows	7	1	6
N883	Land Adjacent To 51 Dimsdale View East, Newcastle	13/00037/FUL	Erection of 2 semi-detached dwellings	2	0	2
N884	Former Garages off Brick Kiln Lane, Chesterton	12/00611/FUL	Demolition of the existing garage buildings and erection of a detached dwelling	1	0	1
N885	Land Adjoining 9 Droitwich Close, Silverdale	13/00391/OUT	Proposed detached dwelling	1	0	1
N905	Rosendell Westlands Avenue Newcastle	13/00395/OUT	Erection of 2 semi-detached dwellings	2	0	2
N906	Land Off Brittain Avenue/Rear Of 93 London Road, Chesterton	13/00769/FUL	Proposed detached dwelling	1	0	1
N910	156 - 162 St Bernards	13/00796/FUL	Demolition of 4 dwellings and the	1	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ¹ :	Remaining Site Capacity at 01/04/2014:
(DN102)	Road, Knutton		erection of 5 two bedroom terraced dwellings			
N911	Land Adjacent 25 High Street, Silverdale	13/00863/FUL	Two storey dwelling	1	0	1
N912	Land Adjacent 41 Sneyd Terrace Silverdale	13/00228/FUL	Erection of a pair of semi-detached houses	2	0	2
N913	Midland House, London Road, Chesterton	12/00118/OUT	Proposed demolition of existing industrial building and erection of 14no. new dwellings and retail/commercial units	14	0	14
N914	Land at Church Lane/ Cherry Hill Lane, Knutton	13/00853/FUL 13/00988/FUL	Construction of 7 houses for student accommodation	7	0	7
N915	53 High Street, Knutton	14/00023/FUL	Demolish existing house and garage. Replace with two new two storey houses	1	0	1
N/A ²	Apedale South	13/00525/OUT	Residential development of up to 350 dwellings	350	0	160
TOTALS:				1,690	249	498

² Awaiting signing of s106 agreement. Assumed delivery of 40 dwellings per year from 2015 to 2019, remaining capacity identified beyond five year period.

Kidsgrove

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ³ :	Remaining Site Capacity at 01/04/2014:
CK85	Chapel Manor, 11 Station Road, Newchapel	13/00550/PLD	Certificate of lawful development for proposed change of use from dwellinghouse to a young person residential home	-1	-1	0
CK86	95 Liverpool Road East, Kidsgrove	13/00698/FUL	Two additional apartments	2	0	2
CK87	Former Police Station, Ravenscliffe Road, Kidsgrove	14/00008/FUL	Change of use of former Kidsgrove Police Station to 6 no. one bedroom apartments and 3 no. two bedroom apartments	9	0	9
K322 ⁴	Linley Trading Estate, Linley Road, Talke	13/00625/OUT	Erection of up to 139 dwellings	139	0	80
K380	80 - 82 Church Street Butt Lane Kidsgrove	99/00281/OUT 02/00356/OUT 05/00391/OUT 12/00636/OUT	Erection of a detached dwelling	1	0	1
K394	Former Talke Social Club, Coalpit Hill, Talke	00/00530/OUT 03/00828/REM 07/00996/FUL 07/01051/FUL 08/00014/FUL	Residential development	8	3	5
K448	Garages Congleton Road Butt Lane Kidsgrove	06/01119/OUT 07/00483/FUL 07/00483/EXTN	Erection of two detached dwellings	2	2	0
K453	Land At West Avenue, Kidsgrove	06/00777/OUT 10/00244/REM	Residential development comprising 87 dwellings	87	32	0

³ This column shows completions in the monitoring year 2013-14 and does not show the total number of completions per site.

⁴ Awaiting signing of s106 agreement. Assumed delivery of 20 dwellings per year from 2015 to 2019, remaining capacity identified beyond five year period.

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ³ :	Remaining Site Capacity at 01/04/2014:
		11/00237/OUT				
K458	16 And 18 Skellern Street, Butt Lane, Kidsgrove	08/00150/FUL 08/00150/EXTN	Erection of a pair of terraced dwellings	2	0	2
K459	17 St Saviours Street, Butt Lane	08/00715/OUT 08/00715/EXTN 13/00043/REM	Two dwellings	2	1	1
K465	Imperial Works, Coalpit Hill, Talke	09/00599/OUT 09/00599/EXTN	Residential development of 32 dwellings	32	0	32
K467	24 Sands Road, Harriseahead	10/00054/FUL	Detached bungalow	1	0	1
K468 (DK19)	30 High Street, Mow Cop	10/00184/FUL 10/00429/FUL 11/00227/FUL	Demolition of existing dwelling and erection of four bedroom detached dwelling	0	1	0
K471	Mill Heath, Mere Lake Road, Talke	10/00206/OUT 11/00493/FUL	Replacement dwelling	0	0	1
K472	Land Adj 4 High Street, The Rookery, Kidsgrove	10/00367/OUT 10/00705/FUL	Erection of detached bungalow	1	0	1
K473	Former Squires, Copper Mount Road, Kidsgrove	10/00278/OUT 10/00278/EXTN	12 dwellings	12	0	12
K475	20 Lincoln Road, Kidsgrove	11/00569/FUL	Erection of two storey detached dwelling	1	0	1
K476	Former Castle View Works High Street Harriseahead	11/00563/FUL	Erection of detached dwellinghouse	1	0	1
K477	Site Of The Galley, William Road, Kidsgrove	11/00494/FUL	Proposed development of 10 new town houses	10	0	10
K478	Methodist Church Chapel Street Butt Lane	11/00656/FUL	Erection of 2 two bedroom dwellings, one 4 bedroom detached dwelling and 6 one bedroom apartments	9	0	9

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ³ :	Remaining Site Capacity at 01/04/2014:
K479	Land Adjacent 119 Jamage Road, Talke Pits	11/00692/OUT	Erection of detached dwelling	1	0	1
K481	Land Adjacent 19 Grove Avenue, Kidsgrove	12/00169/DEEM4 13/00402/FUL	1 no. Pair of new semi detached properties	2	0	2
K483	The Club At Newchapel, Pennyfields Road, Newchapel	12/00271/FUL 13/00972/FUL	Demolition of existing club and erection of 9 dwellings	9	0	9
K484	St Saviours Church Church Street Rookery	12/00295/OUT	Demolition of a church and erection of detached dwelling	1	0	1
K485	Land South Of West Avenue, West Of Church Street And Congleton Road, And North Of Linley Road, Butt Lane, Kidsgrove	12/00127/OUT	Residential development of 172 dwellings	172	0	172
K486	Land Adjacent 18 Sands Road, Harriseahead	12/00490/DEEM4	Erection of a detached dwelling	1	0	1
K487	Land Adjacent 79 Ravenscliffe Road, Kidsgrove	12/00640/OUT	Erection of a single dwelling house	1	0	1
K488	Land At The Rear Of 66 Windmill Avenue Kidsgrove	12/00621/OUT	Erection of a dormer bungalow	1	0	1
K489	3 Freedom Drive, Kidsgrove	12/00805/FUL	Erection of detached dwelling	1	0	1
K490	95 Jamage Road Talke Pits	13/00477/OUT	Demolition of existing dwelling for a proposed residential development	9	0	9
K491	Former Childrens Home, 31A Westmoreland Avenue,	13/00367/FUL	Demolition of former care home and erection of 2 dwellings	2	0	2

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ³ :	Remaining Site Capacity at 01/04/2014:
	Kidsgrove					
K492	Land Rear Of 11A - 19 Moorland Road, Mow Cop	12/00282/OUT	Erection of two detached dwellings	2	0	2
K497	Land Between 8 And 10 Bank Street, Kidsgrove	13/00342/FUL	2 duplex apartments	2	0	2
K498	Land Site Of 5 And 7 Wright Street, Butt Lane	13/00495/FUL	New Detached Dormer Bungalow	1	0	1
K499	The Skylark, High Street, Talke	13/00103/FUL	Demolition of public house and erection of 14 dwellings	14	0	14
K500	33 - 33A Lower Ash Road, Kidsgrove	13/00171/FUL	Demolition of existing buildings and construction of 7no. houses and 2no. maisonettes	9	0	9
K501	Land Off Slacken Lane, Kidsgrove	13/00623/FUL	Erection of 4 dormer bungalows and 1 bungalow	5	0	5
K502	20 The Avenue Kidsgrove	13/00190/FUL	Erection of detached dwelling	1	0	1
TOTALS:				552	38	402

Rural

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ⁵ :	Remaining Site Capacity at 01/04/2014:
CR38	Woodlands Hall, Bignall End Road, Bignall End	97/00892/COU 12/00660/COU	Change of use from dwelling to residential institution	-1	0	-1
CR81	Upper Farm Shut Lane Head Whitmore	01/00059/FUL 05/00401/FUL	Redevelopment of redundant farm buildings to provide two residential units	2	0	1
CR91	Bougheys Mill, Waggon Road, Audley	00/00334/FUL 02/00162/FUL	Conversion of mill to dwelling	1	1	0
CR98	Elms Farm, Newcastle Road, Balterley	01/00348/FUL 05/00803/FUL	conversion of redundant farm buildings to two houses	2	1	0
CR150	Pear Tree Lake Farm, Balterley Green Road, Balterley	04/01154/FUL 06/00911/FUL	Conversion of barn/agricultural building to two dwellings	2	1	0
CR157	Land Adjacent The Bradburys Winnington	04/01283/COU 04/01283/EXTN	Change of use of redundant agricultural buildings to single residential unit	1	0	1
CR161	Shortfields Farm Nantwich Road Audley	05/00743/FUL	Conversion of farm buildings into residential unit	1	0	1
CR194	Hillside Farm Knowlbank Road Audley	08/00804/FUL 08/00804/EXTN	Conversion of two barns to form three dwellings	3	0	3
CR204	4 & 5 Rompers Row Chorlton Moss Lane Hill Chorlton	10/00067/FUL	Conversion of two cottages to single dwelling	-1	1	0
CR214	Old Hall, Poolside, Madeley	10/00416/FUL	Conversion and extension of outbuilding into living accommodation	1	0	1

⁵ This column shows completions in the monitoring year 2013-14 and does not show the total number of completions per site.

CR221	House 82 Keele University Whitmore Road Keele	11/00415/COU	Change of use from offices to residential use	1	0	1
CR228	Whitmore Riding School Shut Lane Head Whitmore	11/00504/FUL	Change of use of existing brick and tile barn into a single dwelling	1	1	0
CR229	Acton Methodist Church Acton	11/00198/FUL	Change of use of chapel to one dwelling	1	1	0
CR230	Wall Farm 99 Nantwich Road Audley	12/00189/FUL	Conversion of agricultural buildings to form five dwellings	5	0	5
CR232	Madeley Police Station, Newcastle Road, Madeley	11/00685/FUL	Change of use of Police Station to one single dwelling	1	1	0
CR235	Parkfields Farm Park Lane Audley	13/00469/FUL	Proposed conversion of barn to residential unit	1	0	1
CR237	Nags Head Farm Nantwich Road Blackbrook	13/00599/FUL	Conversion of 3 holiday lets into single dwelling	1	0	1
CR238	60 Chapel Street, Bignall End	13/00121/FUL	Change of use from residential dwelling to public house	-1	0	-1
CR240	Station Stores, Newcastle Road, Whitmore	13/00756/COU	Change of use from residential to hairdressing salon	-1	0	-1
CR241	Oakdene Farm, Great Oak Road, Bignall End	13/00627/FUL	Conversion of barn to dwelling	1	0	1
CR242	Barn South Of 12 Station Road Madeley	12/00209/FUL	Conversion of existing barn into 3 dwellings	3	0	3
CR243	15 -17 Nantwich Road Audley	13/00203/FUL	Conversion of existing dwelling into two dwellings	1	0	1
CR244	Pool Side Farm, Red Hall Lane, Halmerend	13/00938/FUL	Change of Use from 2no. holiday lets to form a single dwelling	1	0	1
CR245	Rye Hills Farm, Rye Hills	13/00540/FUL	Proposed barn conversion to residential	1	0	1
R454	Land Adjacent To 10 Boon Hill, Bignall End	98/00262/OUT 03/00464/FUL 06/00156/FUL	New detached dwelling	1	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ⁵ :	Remaining Site Capacity at 01/04/2014:
		07/00985/REM 09/00543/FUL 09/00543/EXTN				
R513	Plot 34 Eastwood Rise, Baldwins Gate	06/01088/FUL 06/01088/EXTN 12/00301/FUL	Detached dwelling	1	0	1
R515	Green Bungalow Newcastle Road Loggerheads	02/00625/FUL 05/00337/FUL 05/00337/EXTN	Demolition of existing bungalow and construction of two bungalows	1	0	1
R528	Wrinehill Garage, Main Road, Betley	03/00086/FUL 06/00984/FUL 08/00631/FUL	7 residential units	7	0	7
R559	The Croft, Newcastle Road, Loggerheads	05/00159/FUL 05/00159/EXTN 05/00159/EXTN2	Detached bungalow	1	0	1
R560	The Old Boars Head, 288 Heathcote Road, Halmerend	04/01333/OUT 08/00046/REM	Erection of four dwellings	4	0	4
R572	Butterton Nurseries, Park Road, Butterton	10/00621/FUL	Two detached bungalows	2	0	2
R579	Rose Cottage, 183 Holloway Lane, Aston	05/00813/DEEM4 07/01127/OUT 07/01127/EXTN 11/00666/FUL	Retention and refurbishment of existing dwelling and barn structures to form living accommodation	0	0	0
R580	Spring Bank, New Road, Bignall End	13/00394/FUL	Two detached dwellings	2	0	2
R592	Land Opposite 1 Church Villas, The Butts, Church Lane, Betley	04/01067/FUL 10/00435/FUL 12/00338/FUL	Erection of detached dwelling	1	0	1
R605	New Hall, Former M E Pierpoint And Son, New Road, Bignall End	07/00650/FUL 07/00650/EXTN 13/00877/FUL	Demolition of existing building and erection of detached two storey dwelling and detached	2	0	2

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ⁵ :	Remaining Site Capacity at 01/04/2014:
			bungalow			
R611	Land Adj To Westfields Farm, Pinewood Road, Ashley	04/01052/OUT 08/00959/REM	Erection of Agricultural workers bungalow	1	0	1
R614	Brook House (Former T K Phillips Workshop), Moss Lane, Madeley	07/01009/OUT 08/00635/OUT 11/00006/REM 12/00028/FUL	Erection of a pair of semi detached dwellings	3	1	2
R617	51 Ravens Lane, Stoke On Trent	08/00251/FUL 12/00297/FUL	Erection of detached dwelling	1	0	1
R620	Land Adjacent 118 Apedale Road, Wood Lane, Stoke On Trent	08/00686/OUT 08/00686/EXTN	Erection of two detached dwellings	2	0	2
R623	Land Rear Of 186 High Street, Off Podmore Lane, Halmerend	08/00623/FUL 12/00085/FUL	Erection of detached dwelling	1	0	1
R642	Land Adjacent 10 And 8A, Boon Hill, Bignall End	12/00168/FUL	Erection of two storey dwelling	1	0	1
R644	Land Rear Of Boars Head High Street Halmerend	12/00388/OUT	Erection of 8 dwellings	8	0	8
R646	Land Adjacent To 28 Newcastle Road Madeley	12/00785/FUL	Proposed three bedroom detached dwelling	1	0	1
R647	Land Adjacent 288 Heathcote Road, Miles Green	12/00659/FUL	Erection of a detached bungalow	1	0	1
R648	Land Rear Of 2 Newcastle Road, Madeley	12/00655/OUT	Erection of a detached dwelling	1	0	1
R650	19A Newcastle Road,	13/00295/FUL	Erection of a detached dwelling	1	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ⁵ :	Remaining Site Capacity at 01/04/2014:
	Loggerheads					
R651	Sherringham, Apedale Road, Wood Lane, Stoke On Trent	13/00344/OUT	Erection of detached dwelling	1	0	1
R652	Land Adjoining 28 Albert Street, Bignall End	13/00249/FUL	Erection of 3 town houses	3	0	3
R653	The Sheet Anchor, Newcastle Road, Whitmore	13/00145/OUT	Demolition of existing warehouse/playbarn and the erection of 4 dwellings	4	0	4
R654	Land Adjacent To 6 New Row Monument View Madeley Heath	13/00396/OUT	Erection of two semi detached cottages	2	0	2
R655	Land Adjacent To 2 Watlands Road Bignall End	13/00182/FUL	Proposed detached dormer bungalow	1	0	1
R656	Blue Bell Inn New Road Wrinehill	13/00065/FUL	Demolition of former public house. Erection of 5 No. Houses & 2 No. Apartments	7	0	7
R679	Land Adjacent To 189 Heathcote Road Miles Green	13/00474/OUT	Proposed Dwelling House	1	0	1
R680	Garages On Land Adjacent 59 Vernon Avenue Audley	13/00542/FUL	Erection of four 2 bedroom semi-detached dwellings	4	0	4
R683	1 Chapel Street Bignall End	13/00579/OUT	Demolition of a detached dwelling and new residential development	2	0	2
R684	Land Off Watering Close Newcastle Road Baldwins Gate	13/00551/OUT	4 residential dwellings	4	0	4
R685	Land Off Rowney	13/00816/FUL	Construction of 6 affordable new	6	0	6

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Net Dwellings Completed 2013-14 ⁵ :	Remaining Site Capacity at 01/04/2014:
	Close, Loggerheads		2 bed 4 person semi-detached dwellings			
R686	Former St Marys Church Wharf Terrace Newcastle	13/00978/FUL	Demolition of redundant chapel and provision of detached two storey dwelling	1	0	1
R688	Rowley House Moss Lane Madeley	14/00009/FUL	Single dwelling in the grounds of Rowley House	1	0	1
R689	Land South Of Netherley Former Allotment Gardens, Newcastle Road, Madeley	13/00822/OUT	Single dwelling	1	0	1
TOTALS:				108	8	99

The New Minerals Local Plan for Staffordshire 2015 -2030 Invitation to the Borough Council to comment upon a consultation draft

The Borough Council has been consulted by Staffordshire County Council on a draft new Minerals Local Plan and its Sustainability Appraisal.

For any comments that the Borough Council may have on the draft plan to be taken into account they have to be received by the County Council by no later than 4th July 2014

Recommendation

That officers in consultation with the Chairman submit a response to the County Council to the effect that the Borough Council has no particular observations to make upon the Consultation document

Reason for report

To give the Committee the opportunity to consider whether the Borough Council should submit any particular representations on the Draft Plan

Background

The Borough Council has been consulted by Staffordshire County Council on a draft new Minerals Local Plan and its sustainability appraisal. The new Minerals Local Plan for Staffordshire will provide policies to determine planning applications to develop the county's mineral resources during the period 2015 to 2030 and identify suitable land for mineral working. When it is eventually adopted, it will replace the 'saved policies' in the Staffordshire and Stoke-on-Trent Minerals Local Plan 1994 to 2006.

The draft new Plan is supported by other documents including a Sustainability Appraisal that assesses the sustainability impacts of the draft Plan and the alternatives that the County Council considered in its preparation. These documents can be viewed via the County Council's website: www.staffordshire.gov.uk/planning and using the link to their "Consultation Portal".

The Borough Council is being invited to respond to a series of questions relating to the draft Plan and the Sustainability Appraisal using the questionnaire available on the consultation portal. The comments received will be taken into account as they review and finalise the Plan.

Three audio - visual presentations are also available on the [consultation portal](#) which explain the background to the Plan and summarise its contents. The intention is to use the most relevant presentation at the Committee will explain in more detail the content and purpose of the document.

Your officers have not got the capacity to consider the consultation document in any depth, but appreciate that the Committee may nevertheless wish to make representations, hence the placing of this item on the agenda

The document includes the following

A list of Strategic Objectives as follows

Strategic Objective 1 – the sustainable economic development of minerals

Strategic Objective 2 – acceptable locations for minerals sites

Strategic Objective 3 – operating to high environmental standards
Strategic Objective 4 – restoration that enhances local amenity and the environment

It then goes onto a series of policies as follows

Policy 1 – Provision for sand and gravel

Policy 2 – Provision for industrial mineral used in the manufacture of cement

Policy 3 – Safeguarding Minerals of Local and National Importance and Important Infrastructure

Policy 4 – Minimising the impact of Mineral development

Policy 5 – Planning for hydrocarbon extraction

Policy 6 – Restoration of mineral sites

The Newcastle perspective

The Minerals Plan is not concerned with energy minerals such as coal although Great Oaks is identified as a site where opencast mining might occur because of the current planning application

There are no new mineral site proposals that relate to Newcastle. The main implications relate to sand and gravel. Additional reserves need to be permitted within the next 10 years. In Newcastle it is proposed to permit the extension of existing aggregate sites rather than to promote any new sites such as the Follywood site near Bloor Heath, between Loggerheads and Market Drayton, as had previously been promoted by the owner of that site. It is also proposed to safeguard sand and gravel reserves across large parts of the rural area .

With respect to the other 'Newcastle' issues given the extent of the reserves already with planning permission for extraction at Knutton and Madeley Heath quarries (granted in 2013 and 2012 respectively) there are no additional proposals within the Draft Plan in respect of brick clay.

With respect to the consideration of applications for exploratory drilling and production, most particularly for hydrocarbons, proposed policy 5 is of potential relevance to Newcastle bearing in mind the likely location of such minerals and it sets out by reference to Policy 4 an appropriate list of criteria or potential environmental impacts against which any such future proposals may be judged

Background documents

The new Minerals Local Plan

The new Minerals Local Plan – Appendices

Sustainability Appraisal/ Strategic Environmental Assessment – Interim Report – Testing Alternatives

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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