

The application is for outline planning permission for the erection of a two storey detached dwelling with a detached garage. Approval is sought for means of access and landscaping of the development at this stage with appearance, layout, and scale all reserved matters for subsequent approval. Access is proposed off Pinewood Road.

The application site forms part of the side garden to the dwelling, the Crofts, and would be an infill development. It lies within the rural area outside of the village envelope of Loggerheads as defined on the Local Development Framework Proposals Map. The site area is approximately 0.15 hectares.

The 8 week period for the determination of this application expires on 06 May 2014.

RECOMMENDATION

PERMIT subject to conditions relating to the following:-

- **Standard time limit.**
- **Reserved matters submissions.**
- **Approved Plans.**
- **Proposed ground and floor levels**
- **Access, surfacing, parking, turning and visibility provision to be detailed on any reserved matter application that includes layout.**
- **Gate location and opening arrangements**
- **Tree and hedgerow protection measures.**
- **Landscaping to be carried out in accordance with the submitted scheme subject to amendments that include replacement trees and hedgerow along the front boundary 2m from the edge of the carriageway that shall be been approved beforehand.**
- **Submission of hardstanding materials**
- **Submission and approval of any external lighting**

Reason for Recommendation

In the context of the Council's inability to demonstrate an up to date 5 year plus 20% supply of deliverable housing sites, and acknowledging the proximity to existing local services it is not appropriate to resist the development on the grounds that the site is within the rural area outside of a recognised rural service centre. The impacts of the development – principally the site being Greenfield land outside of a rural service centre or village envelope and the loss of some greenery to accommodate the dwelling within the locality do not significantly and demonstrably outweigh the benefits of the development which relate to boosting housing land supply. Accordingly permission should be granted.

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 no amendments have been considered necessary.

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

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1	Residential Development: Sustainable Location and Protection of the Countryside
Policy N4	Development and Nature Conservation – Use of Local Species
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

Other Material Considerations

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

Supplementary Planning Guidance/Documents

Space Around Dwellings (July 2004)

Newcastle under Lyme and Stoke on Trent Urban Design Supplementary Planning Document (2010)

Planning for Landscape Change – SPG to the former Staffordshire and Stoke on Trent Structure Plan

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

Planning History

NNR4082 (1967) Erection of Dwellings Permit

Views of Consultees

Highway Authority raise no objections subject to conditions that the access is completed before occupation; the access is surfaced in a bound material a minimum of 5 metres from the back of the highway; no boundary exceeding 600mm in height within 2m of Pinewood Road; gates to open away from the highway; and the submission of details of parking and turning and means of surface water drainage of the access.

Loggerheads Parish Council objects to the application due to it;

- Representing overdevelopment of the Heath area,
- Access from the property is inadequate, and
- The application would require a septic tank (referred to as foul drainage facility), which would lead to environmental and ecological issues in the area which already has an excess of such tanks.

Severn Trent Water raises no objections subject to a condition that drainage plans for the disposal surface water and foul sewage are submitted and approved by the LPA.

The Landscape and Development Section raises no objections subject to the recommendations of the tree report being adhered to and the birch tree being replaced if it cannot be retained.

The Environmental Health Division raises no objections subject to conditions regarding construction hours and external lighting.

Staffordshire Wildlife Trust has not responded to their consultation and as the period for comments has expired, it must be assumed that they have no observations to make upon the proposal.

Representations

No letters of representation have been received.

Applicants/ Agents submission

A location plan, block plan and topographical survey has been submitted along with a, tree survey, ecology statement, foul drainage assessment and flood drainage assessment.

In addition a planning statement has been submitted, the main points of which are summarised as follows:-

- The application seeks outline planning permission for the erection of a detached two storey dwelling.
- The landowners wish to develop an easier to manage and more eco-friendly dwelling in their existing garden.
- Loggerheads has a strong identity as an established residential area and benefits from the services in the village centre of Loggerheads and Ashley (comprising supermarket, post office, chemist, beauty salon, restaurants, public houses, churches, village hall, fire station, primary school and surgery) and a regular bus service.
- The Crofts has its own established vehicular access with a second full width access into the development plot.
- All infrastructure services are, or can be easily made available to the site.
- The planning application site appears to comprise the one remaining developable plot of land which would offer a suitable density and which would form an infill plot within what is otherwise a built up frontage.
- The proposed development complies with the requirements of the supplementary planning guidance in respect of the separation distances that can be achieved between the proposed and existing dwellings.
- The illustrative layout shows that a dwelling and garage can be located within the open area of the site without harm being caused to either trees or hedgerows, protection measures for which are detailed on the plans accompanying the tree report.
- The development will achieve its economic role in that it makes a contribution towards ensuring that land of the right type is available in the right places.

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

Key Issues

The application is for outline planning permission for the erection of two storey detached dwelling in the side garden of a large detached dwelling located on Pinewood Road. Access and landscaping are sought for approval with appearance, layout and scale reserved for subsequent approval. The site represents an infill development in an attractive area of low density residential development built mainly in the 1960's and 1970's within a woodland setting located within the rural area as defined by the Local Development Framework Proposals Map.

Paragraphs 214 and 215 of the NPPF state that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In other cases and following this

12-month period (post 29th March 2013), due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The main issues in the consideration of the application are:

- The acceptability of residential development in this location in consideration of current housing policy and guidance on sustainability
- The landscape impact of the proposals
- The access arrangements and any highway safety implications
- The impact on trees

The acceptability of residential development in this location in consideration of current housing policy and guidance on sustainability

The Core Spatial Strategy and in particular policy SP1 sets out the Council's vision for targeted regeneration which includes new housing, amongst other things. A number of targeted areas are identified with previously developed land also being favoured.

Policy ASP6 is more specific towards housing in rural areas and states that there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing. This is to allow only enough growth to support the provision of essential services in the Rural Service Centres.

Furthermore, policy H1 of the Local Plan seeks to support housing within the urban area of Newcastle or Kidsgrove or one of the village envelopes. It also supports the conversion of a rural building, affordable housing and residential accommodation essential for the proper functioning of a viable enterprise of agriculture or forestry.

The application site forms part of the residential garden of the 'The Crofts' and so does not meet the definition of previously developed land.

The application site is located close to but outside of the village envelope of Loggerheads with the edge of the development boundary being approximately 0.3km (measured along the public highway). Pinewood Road has no footpath or street lighting but there is a public footpath (Loggerheads 17) to the south of the site which links Pinewood Road to the A53 Newcastle Road.

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 (the LPA) 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 Local Planning Authority (the LPA), by reason of the NPPF, is however required to identify a supply of specific deliverable sites sufficient to provide 5 years worth of housing against its policy requirements (in the Borough's case as set out within the CSS) with an additional buffer of 5% to ensure choice and competition in the market for land. Where, as in the Borough, there has been a record of persistent under delivery of housing, the LPA is required to increase the buffer to 20%. The Borough is currently unable to demonstrate a five year supply of deliverable housing sites. The most recently calculated shortfall in the number of deliverable housing sites (including a 20% buffer) is 949 dwellings and the latest housing

land supply figure is 3.27 years. This position has been reported to and noted by the Planning Committee (4th June 2013). A more up to date figure to reflect the position as at 31st March 2014 will be calculated in due course (the process involves site by site visits to check completions, decisions on the inclusion of sites in the supply and the making of an assumption about windfall sites, and the taking into account of the national planning practice guidance issued on the 6th March 2014). Until this process is completed the Authority has to rely upon the currently published figure, which your officers are satisfied is robust, as there are no substantive grounds at present to consider that the picture will be materially different – i.e. the Borough will continue to be unable to demonstrate a 5 year supply allowing for an appropriate buffer as required by the NPPF. The applicant is entitled to a timely decision upon his application. If an update can be given it will be.

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

Paragraph 55 of the NPPF focuses on housing in rural areas and indicates that to promote sustainable development housing should be located where it will enhance or maintain the vitality of rural communities. An example given is where there are groups of smaller settlements, development in one village may support services in a village nearby.

In this particular case the site is not located within the village envelope of Loggerheads, an identified Rural Service Centre. It is however within the settlement of Ashley Heath which adjoins the village envelope where existing properties benefit from services and amenities such as bin collections and utilities.

The site represents an infill development amongst other large residential properties and is not isolated from other dwellings. More importantly it is located within walking distance of the centre of Loggerheads, primarily situated off Eccleshall Road, and has a regular bus service that runs in close proximity to the site with a bus stop being less than 100 metres away which between Hanley Bus Station to Market Drayton with a stop in Loggerheads (service centre). Therefore the site can be classed as being in a sustainable location amongst existing residential properties, within walking distance of the village envelope and having public transport opportunities in close proximity.

As paragraph 14 of the NPPF states, the test that has to be applied is whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The other key elements of the proposal are now considered below.

What is the impact upon the character of the area and wider landscape, and is the impact 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 Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. The Councils Urban Design SPD provides further specific detailed design guidance in complement to this provision.

The site does not have a specific landscape character designation within the Development Plan. The area is characterised by low density residential development with a variety of housing styles within large plots with landscaped gardens that contribute significantly to the prevailing character of the area.

The proposed development would result in the loss of the large side garden which would make the residential curtilage of the Crofts smaller. The resultant plot size for the Crofts and

the proposed dwelling would be similar to other dwellings along Pinewood Road. Furthermore, the submitted indicative layout plan demonstrates that a dwelling could be easily assimilated into the area whilst maintaining the character and form of the area.

Notwithstanding the above, the layout, scale and appearance are reserved for subsequent approval and due to the varying styles, design and size of properties within the area it is considered that a dwelling can be proposed that would maintain and possibly enhance the character and form of the area.

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 guidance on the assessment of proposals on matters such as light, privacy and outlook.

As discussed the application site forms the side residential garden of the Crofts. Whilst layout, scale and appearance are matters all reserved for subsequent approval, an indicative layout has been provided which demonstrates that a dwelling can be easily positioned within the site to avoid any significant adverse harm on the residential amenity of the existing property.

The neighbouring property, Hunters Lea, is separated from the application site by the long access drive to Christleton which is located beyond the rear boundary. Hunters Lea does have a rear outlook towards the application site due to its orientation within its plot. Notwithstanding this it is considered that a dwelling could be positioned within the site that would achieve or exceed the guidance set out in the SPG.

Is the impact to highway safety acceptable?

Access to the site is proposed from Pinewood Road by means of a separate existing access. The Highways Authority has raised no objections subject to conditions. They have advised that nothing shall be placed or allowed to remain on the site frontage within 2 metres of the Pinewood Road carriageway edge which exceeds 600mm in height above the level of the adjacent carriageway for the life of the development. This would result in much of the natural attractive frontage which includes, trees, hedgerows and shrubbery being lost which is not considered acceptable. However, a new hedgerow and boundary treatment could be secured via condition. The applicant has detailed that a new replacement hedgerow (comprising naturalised mixed species such as Holly, Hawthorn) would be acceptable.

Is the impact to surrounding trees acceptable?

The application site is not covered by a tree preservation order and a tree survey has been submitted to support the application.

Landscaping is a matter for approval as part of this application with the front boundary having a natural hedgerow with trees and shrubbery also. The tree survey details that a birch tree in poor condition would be lost at the access point. All other trees on the front and side boundary will be managed through pruning and tree protection measures to avoid their loss and minimise the impact on the living conditions of the occupiers of the proposed dwelling.

The application seeks to maintain the existing landscaping of the site which represents an attractive garden and whilst some hardstandings are likely to be required it is considered that the use of materials and layout can maintain the character of the area. These will need to form part of a reserved matters application.

Accordingly subject to planning conditions the requirements of policy N12 and N13 can be satisfied.

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 consideration of the above points, the development would result in some local impact on the character and appearance of the area in that a portion of open greenery would be lost to accommodate a dwelling. However, a dwelling on this plot would not significantly harm the character and form of the area and the proposal would represent sustainable development which would make a contribution towards addressing the undersupply of housing in the Borough. It is therefore considered that the proposal accords with the requirements of paragraph 14 of the NPPF as well as the overarching aims and objectives of the NPPF. On this basis planning permission should be granted.

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

08 April 2014