

The application is for outline planning permission for the erection of up to 32 dwellings on land off New Road, Madeley. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and other internal access details) reserved for subsequent approval.

The application site lies on the western side of New Road which is a C classified road, outside the village envelope of Madeley and within the open countryside and on land designated as an Area of Landscape Enhancement as indicated on the Local Development Framework Proposals Map. The site however does not lie within the North Staffordshire Green Belt. The site area is approximately 1.1 hectares.

Trees bordering the site are the subject of Tree Preservation Order no.3.

**The 13 week period for the determination of this application expires on the 23<sup>rd</sup> February 2015.**

## **RECOMMENDATIONS**

**A. Subject to the applicant first entering into Section 106 obligations by agreement by 22<sup>nd</sup> February 2015, unless the applicant agrees to extend the statutory period to 17<sup>th</sup> March in which case by that date, such agreement to require:-**

- 1) A contribution of £66,488 (on the basis that the development as built is for the full 32 dwellings and of the type indicated) or such other sum as appropriate on the basis of policy, towards school spaces at Madeley High School in the first instance;**
- 2) Tenure Blind on site Affordable Housing provision; and**
- 3) A contribution of £2,943 per dwelling towards Open space improvement/ enhancement/ maintenance of the College Gardens Play Area**

**Permit the application, subject to conditions concerning the following matters:**

- **Condition to reflect outline nature of application**
- **Time limit for submission of any approval of reserved matters and for commencement**
- **Approved plans and documents**
- **Reserved matters to follow the principles set out within the submitted Design and Access Statement**
- **Reserved matters application to include a Tree Survey (to BS5837:2012), Arboricultural Impact Assessment (to BS5837:2012), Root Protection Areas (RPAs) of retained trees shown on the proposed layout (to BS5837:2012), details of all special engineering within the RPAs and other relevant 'no dig' construction details, details of proposed boundary treatment, and full landscaping proposals including detail of hedgerow replacement behind the new sightline**
- **Recyclable materials and refuse storage details**
- **Reserved matters application to include existing and proposed ground levels, as well as slab levels**
- **Construction hours Internal noise levels in dwellings**
- **Construction management plan**
- **Dust mitigation during construction**
- **Protection from mud and debris on the highway**
- **Full details of the proposed site access construction including safety audit**
- **Visibility splays**
- **Off-site highway works**
- **Upgrading of two existing bus stop platforms**
- **Details of parking, turning, servicing & surface water drainage**
- **Construction Method Statement**
- **Recommendations of the ecological report should be adhered to**
- **Any reserved matter application should include biodiversity improvements**
- **Submission and approval of proposed surface water run-off flows, soakaway calculations, or attenuation design**
- **A scheme demonstrating that in vulnerable areas surface water flooding will not occur**
- **Submission and approval of a proposed maintenance regime for any sustainable drainage system**

**B. Failing completion of the above planning obligation by the date referred to in the above recommendation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of such obligations the proposal fails to make an appropriate contribution to provide an appropriate level of affordable housing which is required to provide a balanced and well-functioning housing market, the improvement, enhancement and maintenance of offsite open space provision, and an appropriate contribution towards school places provision to reflect the infrastructure needs of the development; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.**

### **Reason for Recommendations**

In the context of the Council's inability to demonstrate an up to date 5 year plus 20% supply of deliverable housing sites, it is not appropriate to resist the development on the grounds that the site is within the rural area beyond the village envelope of Madeley. The adverse impacts of the development - principally arising from the extension of the village into the countryside – do not significantly and demonstrably outweigh the benefits of the development, which is sustainable being on the edge of the village of Madeley with its facilities (a recognised Rural Service Centre), and accordingly permission should be granted, provided the financial contributions and affordable housing indicated in the recommendation are secured.

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

No amendments were considered necessary during the course of the application. Officers have had appropriate meetings/conversations with the applicant's representatives where necessary to progress the determination of the application.

### **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)**

The CSS's strategic aims include the following:-

Strategic Aim 1 (SA1) – to halt net outward migration from Stoke-on-Trent and retain and attract population to the conurbation

Strategic Aim 3 (SA3) - To reduce the need to travel, improve accessibility and increase the opportunities for development of sustainable and innovative modes of travel to support the regeneration of the plan area by securing improvements to public transport infrastructure; and the progressive provision of park and ride and facilities to promote walking and cycling

Strategic Aim 4 (SA4) - To balance the supply and demand for quality housing; removing surplus and unfit/obsolescent accommodation; providing a better choice of homes in sustainable locations and to ensure that a sufficient number of new homes are affordable

Strategic Aim 11 (SA11) - To focus development within the communities of Loggerheads, Madeley and Audley Parish to support their function as rural service centres which meet the requirements of local people

Strategic Aim 15 (SA15) – To protect and improve the countryside and the diversity of wildlife and habitats throughout the plan area

|              |   |
|--------------|---|
| Policy SP1   | Spatial Principles of Targeted Regeneration |
| Policy SP3   | Spatial Principles of Movement and Access   |
| Policy ASP6  | Rural 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 CSP6  | Affordable Housing                          |
| Policy CSP10 | Planning Obligations                        |

#### **Newcastle-under-Lyme Local Plan 2011 (NLP)**

|           |   |
|-----------|---|
| Policy H1 | Residential Development: Sustainable Location and Protection of the Countryside |
|-----------|---|

|            |   |
|------------|---|
| Policy N3  | Development and Nature Conservation – Protection and Enhancement Measures |
| Policy N4  | Development and Nature Conservation – Use of Local Species                |
| Policy N12 | Development and the Protection of Trees                                   |
| Policy N17 | Landscape Character – General Considerations                              |
| Policy N20 | Area of Landscape Enhancement   |
| Policy T16 | Development – General Parking Requirements                                |
| Policy C4  | Open Space in New Housing Areas   |
| Policy IM1 | Provision of Essential Supporting Infrastructure and Community Facilities |

**Other material considerations include:**

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

Madeley Village Design Statement SPG (1998)  
 Developer Contributions SPD (September 2007)  
 Affordable Housing SPD (2009)  
 Space around Dwellings (SAD) SPG (July 2004)  
 Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance 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)

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

**Relevant Planning History**

None relevant

**Views of Consultees**

The **Highways Authority** raises no objections subject to conditions which seek the submission and approval of full details of the following;

- the site access including a Stage 2 Road Safety Audit (RSA), details of construction, surface water drainage, street lighting, signage, road markings;
- details, including a Stage 2 RSA, of the construction of a uncontrolled pedestrian crossing and a 2m wide footway from the site access linking Woodside;
- internal access layout and surface water drainage details; and
- Construction Method Statement;

and conditions securing

- the visibility splay
- improvements to the two existing bus stops

The **Environmental Health Division** raises no objections subject to conditions regarding contaminated land, construction hours, a construction management plan, protection of the highway from mud and debris, dust mitigation measures, internal dwelling noise levels, waste and recycling storage and collection arrangements and odour assessment.

The **Housing Strategy Officer** states that they agree with the applicants' submission that there should be 25% affordable housing (8 units - 5 social rented and 3 shared ownership). The affordable housing should not be clustered together on the development and should be sufficiently spread across the development. The design and the standard of construction of the affordable housing

should as a minimum be the same as the open market dwellings to be constructed on the development.

The **Environment Agency** provide a number of recommendations and guidance regarding drainage and surface water run-off. They recommend consultation with the Local Lead Flood Authority (LLFA) and/or Local Land Drainage section. They also recommend SUDS to be explored by the developer and the maintenance could be secured via a legal agreement. If disposal into the public sewer system is proposed the utilities company should confirm that there is adequate spare capacity. In principle, a well-designed surface water drainage system should ensure that there is little or no residual risk of property flooding occurring during events well in excess of the return-period for which the sewer system itself is designed. Volumes of run-off should also be reduced wherever possible using infiltration and attenuation techniques. EA would require that the applicant attempt to discharge as much surface water runoff via a gravity system as possible.

**United Utilities (UU)** detail that in accordance with the NPPF and Building Regulations, the site should be drained on a separate system with foul draining to the public sewer and surface water draining in the most sustainable way. Permeable paving on all driveways and other hard standing areas including footpaths and parking areas would be appropriate. UU do not supply water to this development area.

UU have no objections subject to conditions that no surface water being discharged into the sewer network and the site must be drained into a separate system with only foul drainage connected into the foul sewer.

The **Landscape Development Section** indicates that the site is affected by Tree Preservation Order 3. The transport statement details that no significant TPO'd trees should be affected but a new footpath may be constructed within the root protection area of a tree on the frontage. Full details of a 'no dig' proposal would need to be explored at reserved matters stage. Subject to an agreement of further tree information and an appropriate final layout it is considered that many of the category A and B trees could be accommodated as part of the proposed development. A 30 metre stretch of hedgerow is likely to be lost to accommodate the access and visibility splay. Replacement hedgerow planting should be protected for a period of 5 years. A tree survey, arboricultural impact assessment, RPA's of retained trees shown on the proposed layout, details of special engineering within the RPA's, details of proposed boundary treatments and full landscaping proposals including replacement hedgerows should be submitted as part of the reserved matters application.

An appropriate developer contribution for off-site Public Open Space is required of £94,176 (32 dwellings at £2,943 per dwelling). The Public Open space contribution is required for the nearby College Gardens Play Area.

**Waste Management Section** are generally happy but there are concerns about the length of road way which a waste collection vehicle will have to reverse down or up.

The **Education Authority** states that the development falls within the catchments of Sir John Offley CE (VC) Primary School, The Meadows Primary School and Madeley High School. Excluding the suggested 5 Registered Social Landlord (RSL) dwellings from the secondary calculation only, a development of 32 houses including 5 RSL dwellings could add 7 Primary School aged pupils, 4 High School aged pupils and 1 Sixth Form aged pupil. The Local Authority is currently in discussions with local schools to agree how and where additional capacity will be provided to accommodate children currently living in the area. The Meadows Primary is projected to be full for the foreseeable future however, Sir John Offley CE(VC) Primary School is projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no request is made towards Primary School provision. Madeley High School is projected to have insufficient places available to accommodate the likely demand from pupils generated by the development so an education contribution is sought for 4 secondary school places (4 x £16,622 = £66,488).

**Natural England (NE)** advises that the proposal is unlikely to affect any statutorily protected sites or landscapes. They detail that they have not assessed the impact on protected species because Standing Advice is available for LPA's to assess the impact on protected species that should be applied. Biodiversity Enhancements should be explored in accordance with the NPPF.

The **Police Architectural Liaison Officer** raises no objection to this outline application in terms of the potential impact upon crime and disorder. Crime prevention has been clearly considered during the drafting of the proposals. A number of positive design elements are referred to and the applicant is encouraged to seek Secured by Design accreditation for this development. Staffordshire Police would welcome the opportunity to discuss this and the more concrete layout proposals with those representing the applicant prior to the submission of any subsequent reserved matters application.

**Madeley Parish Council (MPC)** object to the application due to the impact on highway safety, insufficient infrastructure within the village and the further loss of Green Space.

#### Highway Safety

New Road and Heighley Castle Way are major "rat runs" and the additional traffic generated would add to the volume on a narrow road system. There will be an additional junction which has poor visibility due to the brow of a hill. The traffic survey does not show speed results for peak times. Even off peak there were 64 vehicles traveling in excess of 34mph. This needs to be addressed by the developer as the proposal could make the situation worse. The encouragement for people to use alternative modes of transport to access local services i.e. walking, buses, cycling, etc., is welcomed. However, people are more likely to use their vehicles even for short journeys.

#### Insufficient Infrastructure

Services are already stretched within the village. Access to the local surgery, dentist and chemist (with associated car parking issues) are already difficult. There is a lack of facilities for the young and Staffordshire County Council Youth Service in Madeley ceases on 31st December 2014 and it is currently proposed to close the Children's Centre (at the Madeley Centre).

#### Further loss of Green Space

MPC cannot support the further loss of green space immediately adjacent to the village envelope when there are other sites within the village more suitable for smaller dwelling developments that the village could sustain.

**Staffordshire County Council Flood Risk Team (LLFA)** raises no objections to the principle of the Drainage Strategy that is proposed by the developer, subject to conditions which seek the submission and approval of percolation test results and calculations for surface water run-off, a scheme demonstrating that exceedance flows up to the 1 in 100 years plus climate change have been considered, and confirmation of the proposed maintenance regime for any sustainable drainage system proposed.

#### Representations

9 letters of objection have been received including one from Madeley Conservation Group. -

**Madeley Conservation Group** specifically raises the following concerns;

- The development does not accord with the development plan due to it being outside of the village envelope,
- This 'white land' and the other two sites so identified in the Local Plan should be retained for *proven needed* expansion until the new Local Plan is operative,
- Planning guidance (the NLP) opposes building inside the village envelope except for proven need and outside the VE only in exceptional circumstances. Prevention of building which would harm the open countryside and views out to the Green Belt and Open Countryside,
- The development will seriously harm the privacy and amenities of existing properties on Woodside (because of the difference in levels) and existing planning guidance (SAD) is not adequate for this situation,
- The proposals to enhance the boundary (to Woodside) with trees and shrubs would take years to mature,
- The development is not sustainable and schools are currently at capacity and funding would not address the issue,
- The development will result in additional commuters and transport contributions would not improve the situation,

- The submission overlooks the appearance of the development from within the village. The development on the hillside would drastically alter the appearance of the landscape,
- There is a 2m drop between the existing site ground level and New Road which would need to be made up by earthworks which could result in unacceptable ground levels and dwelling heights which would cause an adverse impact to properties on Woodside, and
- If a proposal does not accord with the Development Plan is not sustainable, is not needed and would harm residents enjoyment, it should not be even considered for permission.

Other **representations** received raise the following objections;

- The elevated landscape and sloping site would result in the development having an adverse impact on the character of the countryside,
- The location of the proposed development and access point onto a busy road would significantly increase highway safety issues,
- There would be a significant loss of privacy to the properties along Woodside from overlooking, increased traffic, noise and light pollution,
- The development would be contrary to the Core Spatial Strategy which seeks to halt outward migration and retain and attract population to the conurbation to reduce travel,
- In line with government advice the residents of Madeley have made it clear that they do not wish to see any more developments especially those outside the village envelope,
- There is little employment in the village and commuting causes serious traffic problems during peak hours,
- Despite the submitted transport assessment there have been a number of dangerous incidents and accidents on this section of New Road,
- In terms of services within the village they can no longer support additional housing, i.e. schools and doctors surgery,
- Applications with most of the matters reserved for subsequent approval should not be allowed,
- Previous S106 agreements have failed to provide facilities in the village previously,
- The development would cover a large proportion of the land and would reduce the facility for natural drainage of surface water and could cause an increased risk of flooding,
- From the perspective of the residents of Woodside, the field slopes up steeply from the existing properties and any development would be very overpowering which would result in a loss of a view, light and would adversely impact on quality of life,
- Considerable landscaping would be required to raise the level of the site to facilitate the access road. Any such landscaping would increase the impact on the existing properties,
- The site is high grade agricultural land generating several crops per annum and should be retained for agricultural purposes,
- The development would generate an additional 50 vehicle movements causing additional congestion,
- The development should be designed to improve highways safety (at the junction of New Road with Heighley Castle Lane) this being an accident blackspot,
- The enlargement of the village would take away its identity and rural character,
- There would be an adverse impact and potential loss to wildlife,
- There is no strong justification for the development,

### **Applicant/agent's submission**

The application is accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- A Statement of Community Engagement
- Urban Design Appraisal
- Tree Survey Report
- Transport Statement
- Landscape and Visual Appraisal
- Flood Risk Assessment

- Drainage Strategy
- Phase 1 Geo-Environmental Site Assessment
- Ecological Scoping Survey Report
- Agricultural Land Classification Report

All of these documents are available for inspection on the planning application file at the Guildhall and on the Council website [www.newcastle-staffs.gov.uk/planning/1400930OUT](http://www.newcastle-staffs.gov.uk/planning/1400930OUT)

## **KEY ISSUES**

1.1 Outline planning permission is sought for residential development of up to 32 dwellings. Access from the highway network (but not the internal access within the development itself) is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and other access details) reserved for subsequent approval. Notwithstanding this, an indicative layout has been submitted together with a Planning Statement and a Design and Access Statement. The layout plans are for illustrative purposes only and such details would be for consideration at the reserved matters stage if outline permission were granted.

1.2 The application site, of approximately 1.1 hectares in extent, is within an Area of Landscape Enhancement as indicated on the Local Development Framework Proposals Map, in the open countryside outside the village envelope of Madeley. The site does not lie within the Green Belt (as suggested by some objectors).

1.3 The application site has an existing agricultural use and the application is supported by an agricultural land classification report which concludes that the land classification falls within sub-grade 3b due to climatic factors, soil characteristics and site factors. The best and most versatile land is defined as Grades 1, 2 and 3a. The site is only 1.1 hectares in size and is classed as grade 3b (moderate to low value) and because it is not classified as being the best and most versatile land it is not considered further within this report.

1.4 The application is supported by a draft 'heads of terms' document signalling the applicant's willingness to provide 25% affordable housing and to make financial contributions towards education and open space. The comments of the relevant consultees identify these requirements and these are considered to meet the tests identified in paragraph 204 of the NPPF, are compliant with Section 122 of the Community Infrastructure Levy Regulations (and thus lawful) and could and should at present be secured via a Section 106 agreement.

1.5 The main issues for consideration in the determination of this application are accordingly:-

- Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?
- Would the proposed development either have a significant adverse impact on the character and appearance of the village or the wider landscape, or provide any benefits in this respect?
- Would the proposed development have any material adverse impact upon highway safety, or provide any benefits in this respect?
- Would the development impinge unduly upon levels of residential amenity within adjoining properties and does the proposal also provide appropriate standards of residential amenity for the occupiers of the proposed dwellings themselves?
- Would there be any issue of flood risk or impact on sewage capacity?
- 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?
- Other matters

## **2. Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?**

2.1 The site lies outside of the village envelope of Madeley, in the open countryside.



2.2 Saved Policy NLP H1 indicates that planning permission will only be given in certain circumstances – one of which is that the site is in one of the village envelopes. The site is not within one of the envelopes, and none of the other circumstances apply in this case.

2.3 Policies SP1 and ASP6 of the CSS seek primarily to target new housing within identified areas in the urban and rural area. The application site is within the rural area and so does not meet the requirements of policy SP1. Policy ASP6 states that there is a requirement for 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.

2.4 The application site is greenfield and outside of the village envelope of Madeley and so it does not accord with the requirements of Policy ASP6 of the CSS.

2.5 The principle of residential development on the site must however be assessed against paragraph 49 of the NPPF which states 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 to be up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*" As a consequence despite the clear conflict that there is in this case with development plan policies, policies such as NLP H1 with its reference to the village envelope and CSS ASP6 with its reference to housing being on land within the village envelopes of the key Rural Service Centres, all have to be considered to be out of date, at least until there is once again a five year housing supply.

2.6 Paragraph 14 of the NPPF details that at the heart of the Framework is a presumption in favour of sustainable development, and for decision taking (i.e. the determination of planning applications and appeals) this means, unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:-
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

2.7 The examples given of specific policies in the footnote to paragraph 14 indicate that this is a reference to area specific designations such as Green Belts, Areas of Outstanding Natural Beauty and similar. The application site is not subject to such a designation.

2.8 On appeal, proposals for land adjacent to Gateway Avenue, Baldwins Gate for 113 dwellings within the open countryside, immediately outside that village's village envelope have been allowed recently. A copy of that decision has been provided to all members of the Committee. It is to be noted that in allowing the appeal, the Inspector concluded, having heard evidence from a number of parties, that "*the Council is not in a position to demonstrate a 5 year supply of housing and, therefore, the relevant policies for the supply of housing (LP Policy H1 and CSS Policies SP1 and ASP6) should not be considered up-to-date. Therefore the weight given to them, and to the defined village envelope, should therefore be significantly reduced*" (paragraph 18).

2.9 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

2.10 In terms of this application the development would create associated construction jobs and the construction of housing in the rural area in a district that does not have a five year supply of housing. The development would introduce new residents into the village which would help to support local services and contribute to the vitality of the rural community. New residents would also contribute to the labour market within the district. Furthermore, a section 106 obligation would secure the provision of 25% affordable housing. Contributions towards open space would improve a play facility which would be able to be used by the wider population as well, but fundamentally the education and open space contributions should be seen as providing the appropriate required mitigation for the development rather than as benefits per se.

2.11 Although the site is outside of the village development boundary it is immediately adjacent to it. Madeley is identified within the CSS as being one of the three largest rural service centres which are detailed as providing the most comprehensive provision of essential local services. Madeley has a primary school (Sir John Offley School) and a secondary school (Madeley High School, a specialist technology academy), with another primary school (the Meadows) in Madeley Heath, a village community centre (the Madeley Centre), public house, doctor's surgery, and a number of shops. It also has good road links to the conurbation, whilst also having links to cross border centres such as Crewe for employment and high level rail services.

2.12 The site is approximately 500 metres from the village centre of Madeley and it is on a bus route into the village centre with the nearest bus stop being within 100 metres. Bus stops within the village centre offer good public transport links to Newcastle town centre, Hanley city centre, Crewe, Keele University and other rural locations. The national recommended distance for a suitable walking distance from a property to a bus stop is 400m. The catchment for a play facility is considered to extend to at least 400m and it is generally recognised in village locations that play facilities may have to be at greater distances (an approach taken in the albeit yet to be adopted Rural Green Space Strategy). The College Gardens play area is approximately 500 metres, by foot from the centre of the site, via an attractive and safe route. This relationship is an acceptable one.

2.13 The Planning Committee on the 22 April 2014 with respect to a residential development of up to 42 dwellings on land adjacent to Rowley House (application reference. 13/00990/OUT) viewed such proposals favourably - that site as here being greenfield and located just outside the village envelope of Madeley. The key conclusion was that Madeley represented a sustainable location. .

2.15 The issue of the environmental impact (one of the three dimensions of sustainable development) of the scheme will be considered fully below.

2.16 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.

3. Would the proposed development either have a significant adverse impact on the character and appearance of the village or the wider landscape, or provide any benefits in this respect?

3.1 The application site is located on the edge of the village and slopes from north to south. The site has an agricultural use and appearance and is bordered by some mature trees and hedgerows.

3.2 The site has an 'edge of village' character with existing housing being built up to the development boundary to the south and open hedgerow bounded agricultural land to the north and west of it. On the opposite (eastern) side of New Road, bounded by Heighley Castle Way to the north and the backs of the houses that front onto Thornhill Drive and Lynam Way, is a small copse (within the village envelope but the subject of a Tree Preservation Order) and then beyond that a ribbon of development along Heighley Castle Way. .

3.3 CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

3.4 Concerns have been expressed regarding the impact of the development on the character and appearance of the landscape due to the "hillside location" and the views out from parts of Madeley to the open countryside and Green Belt.

3.5 The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered to be consistent with the NPPF and therefore,

can be given weight. Section 10.1 of the SPD indicates that the aims for development within, or to extend, existing rural settlements are

- a. To respond to the unique character and setting of each
- b. Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location
- c. Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character

It goes on to state that new development in the rural area should respond to the typical forms of buildings in the village or locality.

3.6 Supplementary Planning Guidance on Planning for Landscape Change to the former Staffordshire and Stoke-on-Trent Structure Plan, which was adopted in 2001, identifies the site as lying between Areas of built character and the Ancient Clay Farmlands landscape character type. Characteristics within this designation (that are particularly relevant to the locality of the application site) are of 'a gently rolling landform with stronger slopes in places and mature hedgerow oaks and strong hedgerow patterns'. The SPG was used in the NLP to set policies for landscape consideration. This site is within an Area of Landscape Enhancement and NLP Policy N20 states that the Council will support proposals that will enhance the character and quality of the landscape.

3.7 The village of Madeley is referred to a number of times within the Urban Design SPD (section 10) and the SPD details that the village has been extended over the years in response to industrial activity and changing demands. The proposal for 32 dwellings which would extend the village would be in response to the Council's inability to demonstrate a 5 year supply of housing. In your Officer's view the development of the site can be seen as a continuation of a pattern of modest incremental development.

3.8 Views of the site from the wider landscape are limited due to the undulated topography and the presence of mature hedgerows and trees. Existing residential properties restrict views from within the wider village. This has resulted in the applicants' representatives concluding that the magnitude of visual change would be medium. The ecological appraisal concludes that the site offers little impact in terms of biodiversity and there is potential for improvement and enhancement of trees and hedgerows.

3.9 An indicative layout has been submitted to show how the site is likely to be developed and whilst layout, scale and appearance are all matters reserved for subsequent approval the layout is probably likely to be similar to the final proposed development that would be progressed for this site, given the access constraints and slope. Up to 32 dwellings are proposed comprising, in the illustrative scheme 5 different house types, which would be limited to 2-storey in height.

3.10 The Urban Vision Design Review Panel offered a number of recommendations at the pre-application stage but generally considered that the development offers a great opportunity to create a highly attractive development (of quality) on the edge of Madeley village. The applicants have responded to these comments by amending the design prior to the application being submitted and further design matters can be achieved during a reserved matters application.

3.11 The only matter for approval is the point of access onto New Road. The proposal is for a new access point into the site towards the southeast corner of the frontage of the site onto New Road. Therefore the existing access that is located in a more central position would be closed off for vehicles. The point of access is approximately 50 metres from the Woodside junction and approximately 82m from the Heighley Castle Way junction. The front (east) boundary has a mature hedgerow that will need to be removed insofar as to accommodate the vehicular access and its required visibility splays, but the three mature trees (covered by the TPO) fall outside of the identified visibility splays and so these should be able to remain. Tree protection measures advised by the Landscape Development Section will be important to ensure these trees are not damaged during construction. The applicant has also indicated that the proposed development offers opportunities to improve the site frontage through replacement hedgerow and tree planting. This would need to be secured in any reserved matters application.

3.12 Paragraph 58 of the NPPF states that decisions should aim to ensure that developments optimise the potential of the site to accommodate development and respond to local character and reflect the identity of local surroundings.

3.13 Section 10.5 of the Urban Design SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality. It states that in doing so, designers should respond to the pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety.

3.14 The houses on the neighbouring residential development of Woodside, Greenmeadows and the small cul-de-sacs are of predominantly non-traditional two storey detached and linked detached 1960/70's properties with yellow / buff facing bricks. This development has a density of approximately 28 dwellings per hectare. The opposite side of New Road has more individually designed properties set within spacious plots with a prominence of open spaces and mature wooded areas. This has a lesser housing density.

3.15 The density of the proposed scheme would be approximately 32 dwellings per hectare with the indicative layout having a similar form to the layout of the Greenmeadows development. The proposed scheme would have properties that front New Road and these are indicated set back in a similar manner to the existing properties on the Greenmeadows development.

3.16 The applicant has submitted an Urban Design Appraisal, Design and Access Statement and Landscape and Visual Appraisal which seeks to demonstrate that the proposed development would not harm the character of the area. They consider that the proposed development and the topography of the land would provide an opportunity to maximise views within the landscape. They also consider that the proposal would enable the enhancement of the existing boundaries in order to form strong vegetative buffers to protect the amenity of existing properties and establish an attractive and more sensitive new settlement edge (than that which currently exists).

3.17 Officers agree that the proposed development, due to the location of the site, the form and character of the area and the indicative details submitted, could be designed to improve the visual entrance into Madeley from the north which would integrate well into the existing landscape. The housing density proposed would be consistent with the adjacent residential developments and landscape enhancements could be achieved around the boundary edge and within the development. Indeed these are all environmental matters that support the proposed development. That said the current village edge is not that prominent in the views of drivers approaching the village from the north, because it is in the dip. The northern edge of the new development would inevitably be more elevated.

3.18 In conclusion, subject to conditions regarding proposed landscaping, it is not considered that the development, whilst it would encroach into the surrounding countryside, would have such an adverse impact on the character or quality of the wider landscape to justify a refusal. Indeed it is reasonable to consider some benefit, albeit a limited one, could be achieved in achieving a new and softer edge to the village, and this needs to be taken into account.

#### 4.0 Would the proposed development have any adverse impact upon highway safety, and provide any benefits in this respect?

4.1 As detailed, the main point of access would utilise the existing access point towards the southeast corner of the site onto New Road. New Road is a 'C' classified road and the subject of a mandatory 30mph speed limit.

4.2 Objections have been received regarding the access arrangements and the increased volume of traffic onto the highway network that the third parties concerned consider would cause highway danger. They also consider that the development is not sustainable due to future occupiers of the development having to commute to day to day services and jobs.

4.3 The application is accompanied by a Transport Statement which states that the development is relatively small and according to guidance there is no requirement for any formal assessment of the transport impacts. However, the report substantiates the proposed means of access, and details the

anticipated impact on the highway network and the accessibility of the site in relation to local facilities by foot, cycle and public transport.

4.4 A speed survey during the off peak period has been carried out and is included within the report. Objectors have raised concerns about this approach detailing that the survey should have been carried out in a peak period. However, during an off peak period cars are actually likely to travel faster because there is less traffic on the road compared to the peak period and so this approach is considered appropriate to obtain a robust view on the speed of traffic passing the entrance. The report also concludes that the site is well located and offers a realistic range of travel modes other than the private car and enhancements would be provided including raised kerbs at the nearby bus stops.

4.5 The proposed development would undoubtedly increase the volume of traffic onto the highway but the applicant has demonstrated that this would not be a significant increase and is unlikely to cause a significant highway danger. In this regard the Highways Authority has raised no objection subject to conditions that will ensure that the access is constructed appropriately and improvements made to increase safety and access to the village.

4.6 A further concern about the topography of the land and a drop in land levels between the road level and the site level has been raised by objectors. The gradient of any internal road will need to be agreed with the HA prior to development commencing but the HA have not raised it as a concern. Clarification from the HA on this point will however be sought prior to the committee meeting.

4.7 As discussed the site is well connected to the village centre with its good level of services, transport links and schools which would reduce the requirement for residents to use their car and will help to ensure a sustainable development.

5.0 Would the development impinge unduly upon levels of residential amenity within adjoining properties and does the proposal also provide appropriate standards of residential amenity for the occupiers of the proposed dwellings themselves?

5.1 The layout for the site is a reserved matter but an indicative layout has been submitted to support the application.

5.2 One of the main concerns of objectors is the topography of the site and the potential relationship of the proposed dwellings with existing properties on Woodside, in particular those properties that have a rear outlook to the application site. The site does slope up in a northerly direction from the rear boundaries of properties on Woodside and a pair of sections have been submitted to show the likely relationship that would be created. These sections suggest that some degree of fill is expected towards this boundary. Whilst this aspect needs to be carefully considered, it would be difficult to say that no scheme for a 32 dwelling development on this land, that presented an acceptable relationship to the Woodside properties, could come forward. A condition requiring ground and slab level details to be submitted with the reserved matters application would be appropriate along with landscaping details..

6.0 Would there be any issue of flood risk or impact on sewage capacity

6.1 The site is located within Flood Zone 1 which is categorized as a low risk area. The applicant has submitted a Flood Risk Assessment (FRA) and the Environment Agency, United Utilities and the County Council Flood Risk Team have been consulted.

6.2 The FRA concludes that the site is considered to have a very low risk of fluvial flooding. However, the main concern is with regards to surface water drainage. The FRA confirms that the existing site is 100% permeable and the proposed development is likely to result in a 54% impermeable area and will therefore generate an increase in the surface water run-off and decrease infiltration volume compared to the site currently. Surface water run-off produced by the site is recommended to be disposed of via the existing surface water public sewer located along the southern boundary of the site and this proposal is the principle behind the submitted Drainage Strategy which envisages a range of measures such as 'hydrobrake' chambers and cellular surface water storage tanks.

6.3 The applicant has been in consultation with UU and the LLFA during the application and an agreed drainage method has been achieved subject to conditions which seek further information for approval which would minimise flood risk. On this basis the proposed development is considered to be in accordance with the NPPF.

7.0 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?

7.1 Your Officer is of the view that the development would result in a limited impact on the area (principally the encroachment of development into the open countryside) and that the benefits of the proposed development would clearly outweigh any harm with the main benefits being the sustainable form of development and the not insignificant contribution it would make towards addressing the undersupply of housing in the Borough. In the context of recent changes to National Planning Practice Guidance which will make it more difficult to achieve affordable housing in rural areas – the introduction of a higher threshold than was previously the case – the contribution that the development makes in terms of affordable housing is a further significant benefit. 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 provided the required contributions are obtained to address infrastructure requirements and appropriate conditions are used, as recommended.

8.0 Other matters

8.1 There are a number of matters that need to be addressed that your officers consider not to be key issues but do require some consideration in the determination of the application.

8.2 The ecological scoping survey has been submitted to support the application which concludes that the site is of low ecological value. Staffordshire Wildlife Trust also did a review of the site to assist the Council in its preparation of the Site Allocations SPD. This also concluded that the site is of little ecological value but the main features are the boundary hedgerows and trees and these should be protected where possible. It is considered that no significant harm would be caused to protected species or key habitat features but conditions to safeguard existing trees and hedgerows would be appropriate. NE has recommended that biodiversity enhancements should be included where possible.

8.3 The EHD has recommended a suite of conditions to minimise the impact of the proposal on neighbouring amenity levels and these are considered acceptable. However although part of the development is 125m from a working dairy farm (Windy Arbour Farm), the EHD's suggestion that a condition requiring the submission of an odour assessment, after planning permission has been granted, appears to be of no specific utility given a) no substantive evidence appears to exist that there is likely to be a significant problem and b) the limited steps could be taken were a problem of this nature identified. Similarly there is in your officer's view doubt as to the appropriateness of including the standard contaminated land conditions in this case, given the conclusions of the Geo-Environmental Assessment that has been undertaken to date. This is being taken up with the EHD and will be the subject of a supplementary report to the Committee.

Background Papers

Planning file  
Planning documents referred to

Date report prepared

16<sup>th</sup> January 2015