

The application is for outline planning permission for a residential development of up to 8 dwellings on a former garage site. All matters of detail (appearance, landscaping, layout, scale and access) are reserved for subsequent approval

The site lies within the urban area of Kidsgrove as specified on the Local Development Framework Proposals Map.

The site has an irregular shape and is approximately 0.3 hectares in size.

The 8 week period for the determination of this application expires on the 17th February 2015

RECOMMENDATION

Permit subject to the following conditions;

- 1. Standard time limits for submission of applications for approval of reserved matters and commencement of development;**
- 2. Approval of plans/ documents – site location plan and supporting information;**
- 3. Construction hours;**
- 4. Design measures for internal noise levels;**
- 5. Waste storage and collection arrangements;**
- 6. Contaminated land;**
- 7. Tree report recommendations;**
- 8. Any reserved matters application that involves landscaping shall include details of replacement trees**

Reason for Recommendation

The site is located within a sustainable location and whilst only indicative details have been provided it has been demonstrated that a suitable housing development could be progressed on the site. The development is therefore in accordance with the guidance and requirements of the National Planning Policy Framework 2012.

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 were undertaken and it is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework. Therefore no amendments were required in this instance.

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)

Strategic Aim 16:	To eliminate poor quality development;
Policy SP1:	Spatial Principles of Targeted Regeneration
Policy ASP5:	Newcastle and Kidsgrove Urban Neighbourhood Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011 (NLP)

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

Other Material Considerations

Relevant National Policy Guidance:

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

Supplementary Planning Guidance

Space Around Dwellings (July 2004)

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

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

Relevant Planning History

Nil

Views of Consultees

The **Environmental Health Division** raises no objections subject to conditions for contaminated land, construction hours, internal noise levels, waste storage and collection arrangements.

The **Highways Authority** raises no objections subject to conditions for the submission and approval of details for;

- Means of access;
- Layout of site including disposition of buildings and provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage for areas to remain in private ownership;
- Surfacing materials for the access road, parking and turning areas

The **Landscape and Development Section** detail that it is disappointing that it has not been possible to retain the existing ash tree T9, however it is considered that it would not be possible to find an alternative layout to accommodate the tree. A landscaping scheme and replacement tree planting to mitigate tree should be conditioned. The proposed dwellings that front Gloucester Road should be pushed back to allow more meaningful tree planting. All the recommendations of the Arboricultural Report and AIA by Tree Heritage should be followed.

Kidsgrove Town Council has been consulted and as the period for comments has expired (19.01.2015), it must be assumed that they have no observations to make upon the proposal.

The **Education Authority** detail that the development is scheduled to provide 8 dwellings and a development of this size could add 2 Primary School aged pupils and 1 High School aged pupil. However, they conclude that the local primary and secondary schools should have sufficient space to accommodate the likely demand from pupils generated by the development.

Representations

The occupiers of 11 neighbouring properties have been notified with no letters of representation being received.

Applicant/agent's submission

An indicative layout plan and floor plans have been submitted to support the application along with a Phase 1 Geo-Environmental Assessment, topographical Survey, Arboricultural Report and Arboricultural Impact Assessment have also been submitted

These documents are available for inspection at the Guildhall and via the following link:

www.newcastle-staffs.gov.uk/planning/1400890/DEEM3

Key Issues

The application is for outline planning permission for eight semi-detached dwellings on a former garage site located off Gloucester Road in Kidsgrove which is on the edge but within the urban area of Kidsgrove, as indicated on the Local Development Framework Proposals Map.

No matters of detail are being sought at this stage and therefore all matters reserved for subsequent approval. Therefore the main issues for consideration in this application are;

- The principle of the development
- The effect of the development on the form and character of the area
- Access and Highways implications
- Compliance with SPG 'Space Around Dwellings'
- Impact of trees
- 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.

The principle of the development

The site was a former garage site and the garages (owned by Aspire) have now been demolished. There is still some evidence of the previous garages (concrete pads and tarmac) and whilst the site is overgrown it is not considered that the hard surfacing has blended into the landscape and as such it is considered that the site falls within the definition of previously developed land (PDL).

Local Plan policy H4 seeks to protect garages sites from development for housing. However, the garages have been demolished and whilst no indication has been given as to when and why the garages were demolished it is assumed that there was insufficient demand to justify their retention as is the case for many of these types of garages. Therefore policy H4 is no longer considered relevant in the determination of this application.

Policy ASP5 of the Core Spatial Strategy (CSS) – the most up-to-date and relevant part of the development plan - sets a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026 and details that 600 of these should be 600 within the Kidsgrove area.

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 provides access to services and service centres by foot, public transport and cycling. The Core Strategy 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 to and impacts positively on the growth of the locality.

This previously developed site is located within the urban area of Kidsgrove and is considered to represent a sustainable location for housing development and due to the Council being unable to demonstrate a five year supply of housing the presumption should be in favour of

residential development unless any adverse impacts of the development significantly and demonstrably outweigh the benefits of the proposal (as required by para 14 and 49).

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also states that relevant policies for the supply of housing cannot be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites. At paragraph 14, the Framework also states that unless material considerations indicate otherwise 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 Council is currently unable to demonstrate a five-year supply of housing land and the starting point therefore must be one of a presumption in favour of residential development. In this particular context as has already been stated the development is in a location which is close to services and facilities and promotes choice by reason of its proximity to modes of travel other than the private motor car.

On the basis of all of the above, it is considered that the principle of residential development in this location should be supported unless there are any adverse impacts which would significantly and demonstrably outweigh the benefits.

The effect of the development on the form and character of the area

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.

All matters of detail are reserved for subsequent approval but an indicative layout plan has been submitted to support the application. The indicative layout shows that the site could accommodate two pairs of semi-detached dwellings fronting onto Gloucester Road which would have an acceptable building line to the existing dwellings in the street scene. A further two pairs of semi-detached dwellings would be located towards the rear of the site in the northwest corner. In the context of the character and form of the area it is considered that this arrangement is acceptable. Your officer is satisfied that an acceptable layout and appearance could be achieved that would provide sufficient private amenity space and landscaping for the site which would meet the requirements of the NPPF and development plan policies.

Access and Highways implications

The site has an existing vehicle access off Gloucester Road and the indicative layout plan shows that this will be repositioned.

The Highway Authority has raised no objections subject to conditions that require further information being submitted. Access is a matter for subsequent approval and the conditions requested are details that would be required as part of the reserved matters application and so such conditions do not need to be included at this stage.

The indicative plan shows that each two bed dwelling would have two off street car parking spaces plus three unallocated spaces. Two off street car parking spaces are considered acceptable and there is no requirement for the three communal spaces that are shown on the indicative layout in this case.

Impact upon residential amenity

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on privacy, daylight standards and environmental considerations. Adequate separation distance can be provided between the dwellings envisaged and existing properties – in line with the advice contained within the SPG. The anticipated level of private amenity space is considered generous and would provide an acceptable standard of living conditions for future occupiers.

The impact on trees

As discussed the site has become overgrown and whilst there are trees located on the site they are not considered to represent visually significant trees that require specific retention. However, the grade B trees should be retained where possible. Landscaping is a matter reserved for subsequent approval with the onus on replacement and additional tree planting to mitigate tree loss and to ensure a good quality development. The conditions advised by the Councils Landscape Development Section are considered acceptable.

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?

The benefits of the development include the provision of housing within the Borough where there is a proven need within a sustainable location. There are no negative factors of sufficient weight which outweigh the benefits of the development applied for.

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

21st January 2015