

The Application is for full planning permission for the erection of 2 detached dwellings and garages.

The application site lies within the open countryside and an Area of Active Landscape Conservation, as indicated on the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expired on 10th April 2015.

RECOMMENDATION

Permit, subject to conditions relating to the following:

- **Commencement of development**
- **Plans referred to in consent**
- **Prior approval of materials, boundary treatments and surfacing materials**
- **Contaminated land**
- **Noise levels**
- **Provision of access, parking and turning before occupation and subsequent retention**
- **Closure of redundant accesses**
- **Retention of visibility splays free of obstruction.**
- **Retention of garages for parking of vehicles and cycles.**
- **Construction Method Statement**
- **Surface water drainage**

Reason for Recommendation

It is considered that the proposal would not represent sustainable development due to its location outside of a rural service centre away from services, facilities and sustainable transport modes. Whilst such a factor that weighs against the development it results in the modest contribution of 2 units of additional housing to the supply and would result in the redevelopment of what is currently a vacant and unsympathetic site within a primarily residential area. Both of these points are benefits which must be attributed weight. In the absence of any other matters that could not suitably be addressed through conditions, it is considered that the adverse impacts arising it is not considered that the adverse impacts of allowing the proposed development significantly and demonstrably outweigh the benefits and 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

No amendments were considered necessary during the course of the application.

Key Issues

This application is for full planning permission for the erection of 2 detached dwellings and garages. The application site lies within the open countryside and an Area of Active Landscape Conservation, as indicated on the Local Development Framework Proposals Map. The main issues in the consideration of the application are:

- Is the principle of residential development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the area?
- Would there be any adverse impact on residential amenity?
- Is the proposal acceptable in terms of highway safety?
- Would there be any adverse impact on trees?
- 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?

Is the principle of residential development on the site acceptable?

The application site lies approximately 230m from the village envelope of Ashley (measured along the public highway) and is within the open countryside. The site comprises previously developed land.

CSS Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. Ashley is not one of the targeted areas. It goes on to say 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.

CSS Policy ASP6 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.

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.

Ashley is not identified in the CSS as one of the Rural Service Centres. It is identified as a village and the CSS indicates that no further growth is planned for the villages and efforts will be made to ensure existing services and activities within the villages are protected.

In terms of open market housing, the development plan indicates that unless there are overriding reasons, residential development in villages other than the Rural Service Centres is to be resisted according to CSS Policy ASP6. The adopted strategy is to allow only enough growth to support the provision of essential services in the Rural Service Centres.

As indicated above this site is not within one of the identified Rural Service Centres nor is it within a village envelope, and the proposed dwellings would not serve an identified local need and as such is not supported by policies of the Development Plan.

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 latest housing land supply figure is 3.12 years.

The NPPF advises in 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 to up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

As a consequence, policies such as NLP H1 with its reference to the village envelope and CSS ASP6 with its reference to 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.

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 this means that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted 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 the Framework indicate development should be restricted.

The village of Ashley is lacking in services and facilities which are limited to public houses, a church and a doctor's surgery. The village of Loggerheads, which has a greater range of shops and services

and is therefore recognised as a Rural Service Centre, is approximately 2.3km away. The village is served by an hourly bus service to Newcastle, Hanley and Market Drayton, but given the distance to shops and services, including a primary school, post office/newsagents or general store, it is considered very likely that the occupiers of the dwellings would use a car for the vast majority of trips. The proposal is not considered to represent a sustainable form of development therefore.

It is still incumbent upon the Local Planning Authority to demonstrate that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This issue is addressed at the conclusion of this report, after an assessment of other issues.

Would the proposed development have a significant adverse impact on the character and appearance 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. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The site is currently occupied by the former Ashley Fire Station. It comprises a traditional fire station building located in the south-east part of the site and a brick built garage and a single storey office area to the south. There is a small brick storage building to the rear of the main fire station building and a four storey brick training tower to the north of the site.

The Urban Design Supplementary Planning Document, at R12, indicates that residential development should be designed to contribute towards improving the character and quality of the area. Where in or on the edge of existing settlements developments should respond to the established character where this exists already and has definite value. Where there is no established character the development should demonstrate that it is creating a new character that is appropriate to the area. At RE7 it indicates that new development in the rural areas should respond to the typical forms of buildings in the village or locality; RE6 states that elevations of new buildings must be well composed, well-proportioned and well detailed: and RE7 says new buildings should respond to the materials, details and colours that may be distinctive to a locality.

The proposal is for two large detached dwellings, each with an integral double garage. The area is generally characterised by relatively large residential properties set within spacious plots and therefore at the scale proposed the dwellings would be in keeping with the character of the area. There are a variety of styles of dwellings in the area and it is considered that the design of the dwellings now proposed would be acceptable in this location.

The appearance of the site as existing is out of keeping with the largely residential character of the village. The fire station has relocated and therefore the site is unoccupied and unless redeveloped, it will remain unsightly. It is considered that the proposed development would result in an improvement to the character and appearance of the locality.

Would there be any adverse impact on residential amenity?

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

With respect to the interrelationship of the proposed dwellings with the neighbouring properties, sufficient distances are proposed between existing and proposed dwellings in compliance with the Council's SAD SPG.

With regard the proposed dwellings, it is considered that an acceptable level of amenity would be achieved.

In conclusion, it is not considered that a refusal could be sustained on the grounds of impact on residential amenity.

Is the proposal acceptable in terms of highway safety?

The site is currently served by two accesses. A centrally located double width access is proposed to serve both dwellings and each property would have a turning area and sufficient parking spaces.

The Highway Authority has no objection to the proposals subject to a number of conditions.

Subject to conditions therefore, it is not considered that the proposal would raise any issues in terms of highway safety.

Would there be any adverse impact on trees?

There are a number of trees both within and on the boundaries of the site and the application is accompanied by an Arboricultural Report. The proposal would result in the loss of 8 roadside trees and although the trees are not of significant arboricultural merit, they make an attractive contribution to the streetscene. Subject to the imposition of conditions including the submission of a landscaping scheme to include replacement trees, the Landscape Development Section has no objections. It is not considered that a refusal could be sustained on the grounds of impact on the trees.

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?

For the reasons detailed above it is considered that the proposal would not represent sustainable development and this is a factor that weighs against the development. The proposal would however result in the modest contribution of 2 units of additional housing and would result in the redevelopment of what is currently a vacant and unsympathetic site within a primarily residential area. Both of these points are benefits which must be attributed weight.

In this particular case, it is not considered that the adverse impacts of allowing the proposed development significantly and demonstrably outweigh the benefits and accordingly permission should be granted.

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 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 CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets
Policy CSP5:	Open Space/Sport/Recreation

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy N12:	Development and the Protection of Trees
Policy N13:	Felling and Pruning of Trees
Policy N17:	Landscape Character – General Consideration
Policy N19:	Area of Active Landscape Conservation

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (SAD) (July 2004)

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

Views of Consultees

The **Highway Authority** has no objections to the proposal subject to conditions relating to the provision of access, parking and turning areas, closure of the existing accesses, protection of visibility, retention of garages for parking, submission of Construction Method Statement and provision of surface water drainage interceptor.

The **Environmental Health Division** has no objections subject to conditions relating to dwelling noise levels and contaminated land.

The **Landscape Development Section** has no objections subject to conditions requiring a landscaping scheme and tree protection.

Loggerheads Parish Council has no objections to the application.

Representations

None

Applicant's/Agent's submission

The application is accompanied by a Sustainability Report, a Geo-Environmental Investigation Report and an Arboricultural Report. All of these documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/1500017FUL

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

8 April 2015