

The Application is for full planning permission for the erection of 31 self-contained units of sheltered accommodation designed specifically for the elderly. The scheme will comprise 18 one-bedroom and 13 two-bedroom apartments with communal facilities, car parking and landscaped areas.

The application site, of approximately 0.24 hectares, is within the urban area of Newcastle as indicated on the Local Development Framework Proposals Map.

The 13 week period for the determination of this application expires on 12th June 2015.

RECOMMENDATION

A. Subject to the applicant entering into a planning obligation, by no later than 12th June 2015, unless the applicant agrees to extend the statutory period to 26th June, in which case by that later date, to secure 8 affordable units and a financial contribution of £52,669 (£1,699 per dwelling) for the provision/maintenance of off-site Public Open Space

Permit, subject to conditions relating to the following: -

- 1. Standard Time limit for commencement of development**
- 2. Approved plans**
- 3. Development to be occupied by those aged 55 and over**
- 4. Materials**
- 5. Boundary treatments**
- 6. Contaminated land**
- 7. Construction management plan**
- 8. Internal noise levels**
- 9. Approval of recyclable materials and refuse storage**
- 10. Landscaping scheme**
- 11. Tree protection**
- 12. Highway matters**
- 13. Construction hours**

B. Failing completion by the date referred to in the above resolution, of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that without such matters being secured the development fails to provide an appropriate level of affordable housing which is required to provide a balanced and well-functioning housing market and fails to secure the provision/maintenance of off-site public open space; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Reason for Recommendation

The site is within the urban area of Newcastle and is a previously developed site which currently fails to contribute positively towards providing attractive townscape for the area. The benefits of the scheme include the provision of housing within an appropriate location and the enhancement of this part of Wolstanton and the area generally in a positive manner. Subject to the imposition of suitable conditions and the securing of planning obligations it is not considered that there are any adverse impacts of the development that would 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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

Key Issues

The Application is for full planning permission for the erection of 31 self-contained units of sheltered accommodation designed specifically for the elderly. The scheme will comprise 18 one-bedroom and 13 two-bedroom apartments with communal facilities, car parking and landscaped areas.

The site has an extant planning permission for 12 dwellings, granted in November 2014, which includes nine 3-storey properties fronting onto Knutton Road (Ref. 08/00795/EXTN2).

It is considered that the main issues for consideration in the determination of this application are:

- Is the principle of the development on this site acceptable?
- Would the proposed development have a significant adverse impact on the character and appearance of the area?
- Would there be any adverse impact on residential amenity?
- Would the proposed development have any adverse impact upon highway safety?
- Is affordable housing provision required and if so how should it be delivered?
- Will appropriate open space provision be made?
- 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 this site acceptable?

Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. This site is located within the Urban Area of Newcastle and constitutes previously developed land.

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 a target of at least 1000 dwellings within Newcastle Urban South and East (which includes Wolstanton).

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 is a previously developed site in a sustainable location within the urban area. The site is in close proximity to the shops and services of Wolstanton, and there are several bus services that run frequently close by the site to Hanley and Newcastle. It is considered that the site is in a sustainable location therefore.

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.

Would the proposed development have a significant adverse impact on the character and appearance of the area?

The site is located in a prominent location on the corner of Knutton Road and Silverdale Road overlooking the Wolstanton Marsh area. It was previously occupied by a car showroom which has been demolished and the site has been vacant for several years. The site is currently detrimental to the character and appearance of the area and a suitable development is needed to enhance what is otherwise an attractive predominantly residential area.

Bungalows are located adjoining the site on Knutton Road, modern semi-detached, 2-storey dwellings are located adjoining the site on Silverdale Road, with modern detached dwellings in an elevated position to the rear of the site on Clews Walk. The wider context of the site is the Marsh with the more substantial Victorian dwellings that front onto this area of open space. The urban fabric locally shows a clear hierarchy in the scale of dwellings with the side streets containing smaller dwellings building up to higher dwellings directly adjacent and visible from the Marsh.

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.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered that it is consistent with the NPPF. Section 7 of the SPD provides residential design guidance and R3 of that section states that new housing must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it. R12 states that residential development should be designed to contribute towards improving the character and quality of the area. Development in or on the edge of existing settlements should respond to the established urban or suburban character where this exists and has definite value.

The building would be predominantly 3-storeys to the frontage stepping down to 2½ storeys to either side adjacent to the existing residential properties. It would be sited close to the frontage of the site significantly further forward than its neighbours to either side. It is considered that the proposed building line and massing would create an appropriate frontage onto Knutton Road and Wolstanton Marsh responding appropriately to both the neighbouring properties and to the site's location on a prominent corner. It is considered that it would enhance the local area and would create a focal point that would reflect local distinctiveness. MADE Design Review Panel who considered a very similar scheme at the pre-application stage considered that the large scale of the building and the strong way that it addresses Knutton Road is wholly appropriate and they commended its strong presence on the street.

The frontage of the building is articulated with projecting gabled elements and Juliet balconies which help to break up the massing. MADE, it should be noted, expressed concerns that the projecting bays are too narrow and the windows are too small to command the frontage or reflect the character and proportions of traditional bays in the vicinity. Whilst the applicant has not increased the width of the bays, the 'framing' details on the gables have been omitted to visually widen these elements.

MADE also advised that the front of the building could benefit from a stronger emphasis being given to the entrance and that the stepping down of the building to either side along with the change of materials weakens the frontage. The applicant has responded to these comments by introducing a main entrance canopy and by proposing a consistent material palette throughout. Your Officer considers that stepping down the height of the building to either side is however necessary to achieve an appropriate relationship with the dwellings to either side – an issue which the Local Planning Authority must consider.

To the rear, the scale of the building eventually drops to a 2-storey element. Simple gables are proposed to create a smaller domestic scale whilst the use of the same materials would ensure continuity.

There is an extant consent on this site for 12 dwellings which includes nine 3-storey dwellings fronting onto Knutton Road. Whilst this development would be larger in terms of its bulk and massing (than this previous scheme), it is considered that the scale, massing and design of the proposed development would be appropriate in this location and would enhance what is currently a vacant site that has an adverse impact on the character and appearance of the surrounding area.

Would there be any adverse impact on residential amenity?

It is important to ensure that new development would not cause material loss of amenity to existing neighbouring residents in terms of loss of light and privacy. The Council's Supplementary Planning Guidance Space Around Dwellings provides guidance on achieving acceptable amenity standards.

Principal windows are proposed in the side facing elevations of both the 3-storey and 2-storey elements to the rear of the development. The proposed windows would not face any windows in the adjacent dwellings but would look towards the rear garden areas of those properties. The windows in the north-west facing elevation of the 3-storey and 2-storey elements would be approximately 15m and 12m respectively from the boundary of the property to the north and the 3-storey element would be angled away from the garden area of that dwelling. The windows in the south-east elevation of the 3-storey and 2-storey section of the building would be approximately 17m and 15m respectively from the boundary with the garden serving the bungalow to the south-east which has a detached outbuilding along the existing boundary. Close-boarded fences are proposed along the boundaries and it is considered that sufficient distance would be maintained to ensure that there would not be any significant adverse impact on the amenity of the residents of the adjacent properties.

The occupier of No. 29, Silverdale Road has expressed concern that the building is 2 ½ storey next to their property rather than 2 storey and that the kitchen windows facing their property are not frosted glass. No principal windows are proposed in the side elevation closest to No. 29 and there are no principal windows in the side elevation of No. 29. Given the orientation of the existing dwelling and the distance of that property to the proposed development it is not considered that there would be any significant adverse impact on the amenity of the occupiers of that property.

With regard to the proposed development, it is considered that an acceptable level of amenity would be achieved. Given the location of the site immediately adjacent to Wolstanton Marsh, it is considered that the limited amount of private amenity space within the scheme is sufficient.

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

Would the proposed development have any adverse impact upon highway safety?

Vehicular access is proposed off Knutton Road (which is a cul-de-sac and the lesser of the two roads) and the access arrangements are largely unaltered from the extant consent for 12 dwellings (Ref. 08/00795/EXTN2). 20 car parking spaces are proposed within the site.

Policy T16 of the Local Plan indicates that development will not be permitted to provide more parking than the maximum levels specified in the Local Plan Table 3.2 although development that provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on street parking or traffic problem. Paragraph 32 of the NPPF states that

development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

A maximum of 44 parking spaces would be required for Use Class C3 (residential dwellings) but a Transport Statement that accompanies the application uses the applicant's own independent research of their existing sites and suggests that 11 spaces would be required. The 20 spaces proposed is higher than the demand anticipated by the developer but lower than the maximum requirement of 44 spaces in the Local Plan. Given the more elderly nature of the residents, it is not considered that the development would generate the same vehicle trip rates as standard residential dwellings and given this and the sustainable location of the site, the level of parking provision is considered acceptable.

No comments have yet been received from the Highway Authority but your Officer's view is that the access and parking is acceptable and it is not anticipated that a refusal could be sustained on highway safety grounds.

Is affordable housing provision required and if so how should it be delivered?

Policy CSP6 of the CSS states that new residential development within the urban area, on sites or parts of sites proposed to, or capable of, accommodating 15 or more dwellings will be required to contribute towards affordable housing at a rate equivalent to a target of 25% of the total dwellings to be provided.

It is considered that whilst the proposed development is specifically for retirement dwellings, the proposal is for self-contained independently occupied accommodation and the only level of care is a House Manager based on site to carry out the maintenance and management of the development and its grounds. On this basis, the units are considered to comprise C3 dwellings and therefore it is considered appropriate to secure affordable housing provision within this development.

On the basis of the number of dwellings proposed, the affordable housing requirement for this site would be 8 units. It is considered that such a requirement would be lawful – it would comply with both Regulation 122 and Regulation 123 of the CIL Regulations and should be secured via a Section 106 agreement.

Will appropriate open space provision be made?

The proposal is above the threshold where Policy C4 of the Local Plan advises that where no open space is being provided as part of the development, the Local Planning Authority should seek a financial contribution towards the provision/enhancement of open space in the area. This should be secured through a section 106 obligation requirement. This is also in accordance with CSS Policy CSP5 and the Developer Contributions SPD.

This development would not include an area of public open space within the site. The Landscape Development Section therefore considers that a financial contribution is required to include a contribution for capital development/improvement of off-site green space (Wolstanton Marsh and Wolstanton Park) in addition to a contribution to maintenance costs for 10 years. As the proposal is for retirement dwellings they state that the play element of the sum for the capital development/improvement of offsite open space should be removed. They also state that the maintenance contribution should be reduced by the same proportion. Your Officer considers that this is an appropriate approach although it is considered that it is also appropriate to also waive the outdoor sports contribution on the basis that contributions must be "fairly and reasonably related in scale and kind to the development". On this basis there would be a total contribution requirement of £52,699 which could be secured through a planning obligation achieved by agreement. Such an obligation would be lawful – it would comply with Section 122 of the CIL Regulations. Furthermore it would appear that such an obligation would comply with Regulation 123 as well. Further information will be provided in this regard prior to the meeting.

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

In conclusion, subject to the imposition of suitable conditions and obligations, it is not considered that there are any adverse impacts of the development that would significantly and demonstrably outweigh

the benefits which comprise the contribution of additional housing and the redevelopment of what is currently a vacant and unsympathetic site within a primarily residential area 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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP5: Open Space/Sport/Recreation
Policy CSP6: Affordable Housing
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H13: Supported Housing
Policy N12: Development and the Protection of Trees
Policy N16: Protection of a Green Heritage Network
Policy T16: Development – General Parking Requirements
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance relating to the control of residential development

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

Affordable Housing SPD (2009)

Developer Contributions SPD (2007)

Relevant Planning History

08/00795/OUT	Residential development of 12 units	Approved
11/00629/REM	Approval of landscaping scheme for proposal for 12 no. residential units	Approved
08/00795/EXTN2	Application to extend the time limit for implementing planning permission 08/00795/OUT (residential development of 12 units)	Approved

Views of Consultees

The **Crime Prevention Design Advisor** states that the layout is encouraging in terms of crime prevention with good natural surveillance but reference is made to two issues where improvements could be made. The low level bollard lighting should be supplemented by more elevated directional LED lighting and the access arrangements adjacent to No. 29 Silverdale Road could be improved.

The **Housing Strategy Section** consider that although the accommodation will be for older people, the application does not stipulate that residents will have care needs and therefore they consider that the scheme constitutes residential dwellings (C3) and not a residential institution (C2). Given that it is C3, 25% affordable housing is required.

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

The **Environment Agency** has no objections subject to a condition regarding contamination.

The **Landscape Development Section** has no objections subject to a contribution of £75,493.68 (£2435.28 per dwelling) for off-site green space.

The comments of the **Highway Authority**, the **Waste Management Section** and the **East Newcastle Local Area Partnership** are awaited. If no comments are received by 1st May such bodies could be assumed to have no comments to make upon the proposals. Any comments received in time will be reported to Members in a supplementary report.

Representations

One letter of objection has been received from the occupier of No. 29, Silverdale Road. Concern is expressed that the building is 2 ½ storey next to their property rather than 2 storey and that the kitchen windows facing their property are not frosted glass.

Six letters of support have been received stating that this is a much needed type of accommodation that will be in keeping with the area. It will put derelict land to good use and will be of benefit to local businesses.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Planning Statement
- Noise Impact Assessment
- Statement of Community Involvement
- Tree Survey
- Site Investigation Report
- Phase 1 Habitat Survey
- Design and Access Statement
- Transport Statement
- MADE design review comments

All of these documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/1400968FUL

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

22nd April 2015