

WORKSHOP, MAY STREET
MR ALAN LYCETT

15/00249/OUT

The application is for outline planning permission for the erection of 4 dwellings – in two buildings - and associated car parking. Details of scale and access are applied for at this stage with all other matters of detail (layout, appearance and landscaping) reserved for subsequent approval.

The scale of the development applied for is 2 storey (8.4 metres in ridge height) with each building having a footprint of 11.5 metres by 8 metres in width and length.

Access is off May Street. Off road car parking is indicated to be provided to the front of the proposed dwellings with scope for two parking spaces for each dwelling – eight spaces in total.

The application site lies within the Urban Neighbourhood Area of Newcastle (which includes Silverdale) as specified on the Local Development Framework Proposals Map.

The site area measures approximately 1044 square metres.

The 8 week period for the determination of this application expires on 18th May 2015.

RECOMMENDATION

Subject to the receipt of no objections from the Highway Authority which cannot be addressed through amendments to the proposed access provision.

PERMIT subject to conditions relating to:

- **Standard time limit;**
- **Approved plans;**
- **Approval of reserved matters;**
- **Reserved matters landscape details shall include replacement tree planting through removal of existing trees on site;**
- **Tree protection measures;**
- **Contamination remediation;**
- **Highway matters.**

Reason for Recommendation

The site is located within a sustainable location for new housing under the current Development Plan. There were some form and character concerns in relation to a block of town houses erected on a backland plot, as originally proposed however the application has been amended to refer to four semi-detached dwellings, and there are no objections on form and character grounds. They can be accommodated within the confines of the site without significant detriment to neighbouring amenity levels or unacceptable living standards for future occupants. Satisfactory separation distances between the proposed dwellings and other existing properties can be achieved with garden provision in accordance with the Council's space around dwellings standards. The amenity space available for 22 and 23 May Street would be diminished (the application site include a remote garden/landscaped area (across a former parking area) but the reduction is not considered harmful given their use as student accommodation, and the limited contribution this garden area makes at present. The formal views of the Highway Authority are not yet known but it is anticipated that subject to potential layout amendments for vehicle circulation areas sufficient off road parking can be provided without detriment to the safety of road users and residents of May Street.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework. As a result of discussions with the case officer the scheme was amended.

Key Issues

The application is for outline planning permission for the erection of 4 dwellings with only scale and access applied for at this stage. All other matters (appearance, landscaping and layout) are reserved for subsequent approval. The scale of the development is two storeys with each building having a footprint of 11.5 metres by 8 metres in width and length. It is intended that the development will be let to students or to the wider market should the student market niche no longer prove to be realistic.

The majority of the site currently comprises of a tarmac hard standing area with a small part on its western side laid out as landscaping. Nos. 22 and 23 May Street (within the former ADC Ltd workshop building) immediately adjoining the site are currently used for student housing.

Since receipt of the application revised plans have also been submitted showing the potential for an alternative scheme for two pairs of semi's rather than 4 town houses. The layout however is indicative given that particular matter is reserved for subsequent consideration.

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

1. Is the principle of residential development in this location acceptable?
2. What is the impact upon the character of the area, and is the impact acceptable?
3. Is the impact to surrounding trees acceptable?
4. Would the impact of the development on the living conditions for neighbouring residents and the living conditions of future occupants of the development be adequate?
5. Is the use of the existing access for the dwelling acceptable in highway safety terms and is the loss of garages acceptable?

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

The site is located within the urban area of Silverdale close to a range of local services and regular public transport provision to the town centre and further afield. Development Plan policies support the broad principle of residential development in this location.

The National Planning Policy Framework (Framework) states at paragraph 49 that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered to up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Paragraph 14 of the Framework details a presumption in favour of sustainable development, and for decision taking this means, unless material considerations indicate otherwise granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

The Borough is currently unable to demonstrate a five year supply of deliverable housing sites. As such and in accordance with paragraph 14, there is a presumption in favour of this development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The merits of the scheme are now considered.

2. Is the impact on the form and character of the area acceptable?

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. The Urban Design SPD provides further specific detailed design guidance in complement to this provision.

Paragraph 56 of the Framework 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.

The site is surrounded by other residential properties. On one side of May Street there is a line of terraced properties, on the opposite side, there are detached and semi-detached dwellings with no particular uniform architectural style evident.

The scale of the development – two storey development in two building - is appropriate in this location. The height of the buildings proposed reflects that it is anticipated that accommodation would be formed within the roof space with rooflights. – hence the Parish Council reference to the development being of three storeys. . The view taken is that four dwellings in a semi-detached format could be accommodated on the site without harm to the form and character of the area.

3. Is the impact to surrounding trees acceptable?

Some tree loss of low amenity value is required to accommodate the development. Limited planting, once the required parking is taken into account, could be secured within any subsequent landscaping scheme at reserved matters stage. There is a protected Ash tree in the rear garden of 115 High Street but appropriate measures can be employed to ensure there is no harm to the tree.

4. Would the impact of the development on the living conditions for neighbouring residents and the living conditions of future occupants of the development be adequate?

Supplementary Planning Guidance (SPG) Space about Dwellings provides guidance on the assessment of proposals on matters such as light, privacy and outlook. In that layout is a reserved matter, but the scale is not, all the Authority can consider is whether there are grounds to consider that two buildings of the size applied for cannot be in any circumstances accommodated on the site without material detriment to residential amenity.A

Immediately to south of the site are 17 and 19 Park Road with fairly shallow rear gardens. To the north are 115, 113, 111, 109 and 107 High Street with much longer rear gardens and 21 May Street. Development of the site for this scale of development would inevitably result in a degree of overlooking. The SPG recommends a separation distance of 21 metres to be achieved between two storey properties containing what are termed principal windows . It also advises minimum garden area sizes should be around 11 metres long and at least 65 square metres in area. Minimum separation distances, or very close to those distances, are achieved in the indicative layout and therefore adequate privacy and light levels for existing surrounding occupiers should be able to be secured as well as sufficient garden space per dwelling.

22 and 23 May Street (formerly ADC House), immediately to the east of the site, are currently used for student housing. They are in the ownership of the applicant. The use of those properties has been previously investigated by the Planning Service and deemed to be lawful. Those properties would not have access to any sitting out or garden area should the application site be developed. It is only the land to the front of those existing properties which would be available and it primarily is used for parking access and circulation and across it would run the access to the new dwellings units proposed. However given that the properties are used for student accommodation rather than family occupation, that it is very unlikely that they would be attractive as family housing anyway (the buildings being virtually on the boundary) and given the poor relationship to the current garden area. it is not considered

that the loss of the garden as a consequence of the development, would be materially detrimental to the residential amenity of those occupiers.

Local residents have raised concerns in relation to the potential for antisocial behaviour to arise from future occupants of the development who may be students living together as a single household. Whilst issues of unneighbourly behaviour can arise, it is not reasonable to assume that they will and that they cannot be addressed through other legislation. The planning determination should concern itself the issue of the use, rather than the potential behaviour of individual occupiers. Objections to the proposal on this basis are therefore unjustified in a location where the broad principal of residential use is acceptable.

5. Is the use of the access and parking provision proposed acceptable in highway safety terms?

The access proposed is directly off May Street through that also used by 22 and 23 May Street. May Street is a small cul de sac. There is a small turning head half way along the road. Although there are some dwellings with off road parking provision there is considerable reliance upon on street car parking for the majority of residents in the road. The views of the Highway Authority have yet to be received. Their officer has expressed some initial concerns with respect to the amount of turning space available which may require revisions to the access and parking area indicated and even a reduction in the amount of development. A further supplementary report will be given once those views are known.

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)

Policy SP1	Spatial principles of Targeted Regeneration
Policy SP3	Spatial principles of Movement and Access
Policy CSP1	Design Quality
Policy CSP3	Sustainability and Climate Change
Policy ASP5	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy H1	Residential development: sustainable location and protection of the countryside
Policy T16	Development – General parking requirements
Policy T18	Development servicing requirements

Other Material Considerations

National Planning Policy Framework (March 2012)

Planning Practice Guidance (March 2014)

Supplementary Planning Documents/Guidance

Space Around Dwellings SPG (SAD) (July 2004)

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

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

Relevant Planning History of former ADC Ltd building

02/00527/COU Change of use of part from offices to use as a single dwelling – permitted 2002a single dwelling

Views of Consultees

Silverdale Parish Council very strongly object to the proposal on the ground that:-

- The development is not in keeping with the surrounding area.
- The height (3 storeys) will not fit in with the surrounding area.
- The entrance will not be adequate for the amount of cars that will need to enter and exit the site.
- There is already an issue with parking which is likely to be exacerbated.

The **Highway Authority** have not yet responded. Their comments are awaited.

Environmental Protection have no objections subject to conditions:-

1. Noise assessment and mitigation measures for internal and external noise levels of the dwellings.
2. Contaminated land remediation

The **Landscape Development Section** comment that:-

- Due to the removal of some trees and shrubs – a landscaping condition should be applied to help blend the development with its surroundings.
- There is a protected Ash tree in the rear garden of 115 High Street. Tree protection should therefore be a condition on any approval.

Representations

10 letters of representation plus a petition with 39 signatories have been received objecting to the proposal on the following grounds:-

- Residents haven't been consulted.
- On-street car parking (on May Street) is already a problem which would be exacerbated by the development.
- Turning in May Street very difficult due to parking problems making it unsafe for pedestrians and difficult for those who rely on emergency services.
- The proposal would overdevelop the site.
- S&S Bathroom and Kitchens have permission to use their showroom as a manufacturing unit which causes traffic problems on May Street. Church activities also increase traffic on the road.
- 22/23 May Street already operates as student accommodation.
- The rear of the development which is south facing will overlook 17 and 19 Park Road reducing privacy, light levels and result in an overbearing impact.
- Littering, noise and disturbance arising from students occupying the development.

Covenant matters relating to the site have also been referred to which are not a material planning consideration.

Applicant/agent's submission

Application forms and indicative plans have been submitted along with a Design and Access Statement. The application documents are available for inspection at the Guildhall and via the following link www.newcastle-staffs.gov.uk/planning/1500249OUT

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

29 April 2015.