

The Application is for full planning permission for a residential development of six pairs of semi-detached houses providing 12 dwellings and parking.

The application site, of approximately 0.26 hectares, is within the urban area of Newcastle, as indicated on the Local Development Framework Proposals Map.

The site has a frontage both onto the unclassified Moreton Parade and Stratford Avenue at their junction with Jubilee Road and Oxford Road (C classified roads).

**The 13 week period for the determination of this application expires on 12<sup>th</sup> August 2015.**

### **RECOMMENDATION**

**A. Subject to the applicant entering into a planning obligation, by no later than 24<sup>th</sup> July 2015, to secure the following:**

- **A financial contribution of £35,316 for Wolstanton Park enhancement/improvements and maintenance**

**Permit, subject to conditions relating to the following: -**

- 1. Standard Time limit for commencement of development**
- 2. Approved plans**
- 3. Materials**
- 4. Boundary treatments**
- 5. Contaminated land**
- 6. Approval of recyclable materials and refuse storage**
- 7. Landscaping scheme**
- 8. Tree protection measures**
- 9. Arboricultural method statement**
- 10. Highway matters**
- 11. Construction hours**
- 12. Surface water drainage scheme**
- 13. Access to remain ungated**

**B. Failing completion by 24<sup>th</sup> July 2015 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 would be contrary to policy on the provision of open space within residential development, 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 located within the urban area of Newcastle and is in a sustainable location for new housing. An extant planning permission for 10 dwellings exists and it is not considered that this revised proposal raises any issues of principle, highway safety or impact on residential amenity. Although two additional dwellings are proposed, the development would retain an attractive frontage in views from Wolstanton Marsh and therefore it is not considered that there would be such significant adverse impact upon the character and appearance of the area to justify a refusal.

### **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**

Full planning permission was granted earlier this year for ten dwellings on this site (Ref. 14/00973/FUL) comprising six semi-detached and four detached dwellings (i.e. 10 dwellings in total). This application proposes to replace the four detached houses in the approved scheme with three further pairs of semi-detached dwellings to give a total of twelve properties (six pairs of semis).

The application site, of approximately 0.26 hectares, is within the urban area of Newcastle, as indicated on the Local Development Framework Proposals Map.

It is not considered that this revised proposal raises any issues of principle, highway safety or impact on residential amenity. Although an objection has been received from the County Council Flood Team on the grounds that further information regarding surface water runoff is required, it is considered, bearing in mind that no such information was sought by the Borough Council as recently as a couple of months ago, that such information should be required to be provided by condition in this case. The issues for consideration in the determination of this application therefore are whether the layout and design of the proposed development and its impact on the character and appearance of the area is acceptable and whether a contribution towards Public Open Space provision and maintenance would be lawful.

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 density of the proposed scheme would equate to 46 dwellings per hectare. Given the mix of dwelling size in the area it is considered that this density would appropriately reflect both the general policy of making efficient and effective use of land, and the character of the locality.

The 3 pairs of semi-detached dwellings along the site frontage shown in the approved scheme have been retained and it is considered that they would respect the siting of the properties to either side and, in the most prominent views from Wolstanton Marsh, would provide an attractive frontage.

The additional dwellings and the associated increase in the number of parking spaces would be to the rear of the frontage development. On the approach into the site, views would be channelled to an area of landscaping and to the dwellings behind and the areas of parking would be visible in views to either side obtained only when well within the scheme. Given the context of the site within a reasonably high density residential area comprising a high proportion of terraced and semi-detached properties, it is considered that the proposed layout would be appropriate. The Highway Authority have not raised an objection to the tandem parking arrangement, apparently on the basis that any reversing movements arising are confined within the site removed from any existing public highway. The Council's Waste Management Section has raised concerns regarding the proposed gated access and has suggested a collection point at the site entrance. Your Officer would have concerns regarding the visual impact of such a waste collection point and the applicant's agent has confirmed that the omission of the gate would be acceptable to his client. Waste Management have confirmed that the turning arrangement within the site is acceptable to them.

The properties would be relatively simple and traditional in their design and given the mix of dwelling styles in the area, it is not considered that they would be unsympathetic to the character of the surrounding area. It is considered that subject to the use of appropriate external facing materials the appearance of the proposed dwellings would be acceptable.

As concluded in relation to the previous scheme for this site, your Officer is satisfied that a financial contribution towards Public Open Space enhancement/improvement and maintenance would comply with Section 122 of the CIL Regulations. However, it is also necessary to consider whether it complies with Regulation 123 of the CIL Regulations, which came into force on 5<sup>th</sup> April 2015. Regulation 123 stipulates that a planning obligation may not constitute a reason for granting planning permission if it is in respect of a specific infrastructure project or a type of infrastructure and five or more obligations providing for the funding for that project or type of infrastructure have already been entered into since 6 April 2010. Whilst the comments of the Landscape Development Section are awaited, in relation to the previous scheme for this site they requested a contribution towards the improvement and enhancement of Wolstanton Marsh. However it appears that there have already been 4 obligations entered into since April 2010 securing open space contributions, subject to their related developments proceeding, for improvements to Wolstanton Marsh, and therefore such a further contribution would be unlawful. Wolstanton Park however, which comprises a bowling green, play area and tennis courts is also close to this site and only one planning obligation providing for a contribution towards its enhancement and maintenance has been entered into since April 2010. Clearly the proposed development would put further pressure upon Wolstanton Park and therefore it is considered that a financial contribution towards the development and maintenance of that facility, rather than Wolstanton Marsh, would comply with CIL Regulation 123.

**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 CSP4: Natural Assets  
Policy CSP5: Open Space/Sport/Recreation  
Policy CSP10: Planning Obligations

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 C4: Open Space in New Housing Areas  
Policy C22: Protection of Community Facilities

**Other Material Considerations include:**

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

Community Infrastructure Levy Regulations 2010, as amended

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (July 2004)

Developer Contributions Supplementary Planning Document (SPD) (September 2007)

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

### Relevant Planning History

10/00777/OUT	Residential development (10 dwellings)	Approved
11/00649/REM	Erection of 6 detached dwellings, 2 semi-detached dwellings (8 dwellings in total), 2 detached garages and formation of new accesses	Approved
14/00973/FUL	Erection of 3 pairs of semi-detached and 4 detached dwellings (10 dwellings in total)	Approved

### Views of Consultees

The **Environmental Health Division** has no objections to the proposal subject to conditions regarding construction hours and contaminated land.

The **Highway Authority** has no objections subject to conditions regarding completion of the access, details of surfacing materials for the private road and turning area, provision of a 2m wide footway on the Moreton Parade frontage of the site, provision of accesses, private road, parking and turning areas, surfacing of the drives for plots 4 and 6 in a bound material, erection of a sign at the junction of Stratford Avenue indicating a private road, gates to open inwards away from the public highway, surface water drainage interceptor, and submission of a Construction Method Statement.

The **Coal Authority** has referred to its Standing Advice.

The **Housing Strategy Section** states that the 12 dwellings do not meet the threshold set out in the Affordable Housing SPD and therefore no affordable housing is required.

The **Education Authority** states that the development falls within the catchments of May Bank Infants School, St Margaret's CE (VC) Junior School and Wolstanton High School. The development is scheduled to provide 12 dwellings which could add 1 infant school aged pupil, 1 junior school aged pupil and 2 high school aged pupils. May Bank Infants School and St Margaret's CE (VC) Junior School are projected to have limited vacancies and although the development will put additional pressure on school places, current pupil demographics indicate that the schools should be able to accommodate the likely demand from pupils generated by the development. Wolstanton High School is projected to have sufficient space to accommodate the likely demand from pupils generated by the development. No education contribution is accordingly sought.

**Staffordshire County Council Flood Risk Team** recommends refusal of the application in the absence of an acceptable Drainage Strategy. The submitted documents do not provide sufficient information to show how surface water runoff generated by the site will be managed.

The **Waste Management Section** notes that the development has a gated access and would wish to see a collection point for recycling and refuse collection at the entrance onto Moreton Parade.

The comments of the **Landscape Development Section** and the **East Newcastle Local Area Partnership** are awaited. Any comments received in time will be reported to Members in a supplementary report.

### Representations

None received at the time of writing the report but the last date for such comments to be made is 14<sup>th</sup> June 2015. Any representations received by the date of the committee's guillotine will be reported to Members in a supplementary report.

### Applicant's/Agent's submission

The application is accompanied by a Design & Access Statement and a Phase 1 Geo-Environmental Report. All of these documents are available for inspection at the Guildhall and on [www.newcastle-staffs.gov.uk/planning/1500421FUL](http://www.newcastle-staffs.gov.uk/planning/1500421FUL)

Background papers

Planning files referred to  
Planning Documents referred to

Date report prepared

11<sup>th</sup> June 2015