

The application is for full planning permission for the erection of a detached dormer bungalow, attached garage and new access onto Pinewood Drive.

The application site lies outside of Loggerheads village envelope as indicated on the Local Development Framework Proposals Map. The site contains a number of trees that are protected by Tree Preservation Order no. 9 and public footpath Loggerheads 17 runs adjacent to the site.

The 8 week period for the determination of this application expired on 11th August 2015.

RECOMMENDATION

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. Landscaping proposals to include hedgerow planting**
- 6. Provision of access, parking and turning areas prior to occupation**
- 7. Visibility splays as shown and kept free from obstruction**
- 8. Surfacing being of a bound material**
- 9. Garages to be retained for parking**
- 10. Gates to be 5m rear of the carriageway edge**
- 11. Design measures to ensure noise levels**

Reason for Recommendation

Whilst the site is not located within a Rural Service Centre it is considered that it is in a sustainable location in close proximity to existing local services and in the context of your Council's position that a robust 5 year supply of deliverable housing sites cannot be demonstrated there is a presumption in favour of the development. The negative impacts of the development – principally the loss of garden area do not significantly and demonstrably outweigh the benefits of the development which relate to boosting housing land supply.

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

Discussions with the applicant have been ongoing during the application and further supporting information has been provided. This is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

This application is for full planning permission for the erection of a detached dormer bungalow with an attached garage in the rear garden of the existing property, St. Georges. 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 within the Rural Area of the Borough, outside of the village envelope of Loggerheads.

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. 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 Kids Grove or one of the village envelopes.

As indicated above this site is not 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.

Outline permission was granted within the side garden of the neighbouring property known as The Crofts in May 2014. It was acknowledged in the determination of that application that the site is located close to but outside of the village envelope of Loggerheads with the edge of the village development boundary being approximately 0.3km (measured along the public highway). It was also acknowledged that Pinewood Road has no footpath or street lighting but there is a public footpath (Loggerheads 17) to the south of the site which links Pinewood Road to the A53 Newcastle Road.

This application has identical merits to the neighbouring plot at The Crofts. It represents a further infill development amongst other large residential properties and is not isolated from other dwellings. More importantly it is located within walking distance of the centre of Loggerheads, primarily situated off Eccleshall Road, and has a regular bus service that runs in close proximity to the site with a bus stop being less than 100 metres away which between Hanley Bus Station to Market Drayton with a stop in Loggerheads (service centre). Therefore the site can be classed as being in a sustainable location amongst existing residential properties, within walking distance of the village envelope and having public transport opportunities in close proximity.

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 Local Planning Authority is currently unable to robustly demonstrate a five year supply of specific, deliverable housing sites (plus an additional buffer of 20%) as required by paragraph 47 of the Planning Policy Framework (NPPF) given that it does not have a full objective assessment of need. The starting point therefore must be one of a presumption in favour of residential development. As has already been stated the development is considered to represent sustainable development and the issue of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits will be considered at the end of the Key Issues section of this report.

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

The site comprises a greenfield, garden site surrounded by residential development.

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 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 the construction of a large three bedroom detached dormer bungalow at the rear of the existing property which includes an attached double garage with music room above.

The surrounding area is characterised by medium to large residential properties set within plots of varying sizes but which are generally larger than the plots that would be created by the subdivision of the existing garden as proposed.

Loggerheads Parish Council have objected to the application on a number of grounds including that the proposed dwelling would set a precedent for the construction of dwellings in large gardens and would have a detrimental effect on the character and appearance of the area. It is acknowledged that a number of applications have been permitted in the Ashley Heath area for the subdivision of plots and the construction of houses. Therefore, whilst this proposal involves the subdivision of the existing garden and the construction of a large detached dwelling it is not considered that it would result in a significant adverse impact upon the character and appearance of the area and that refusal is justified on this ground.

The existing dwelling of St. Georges is a large bungalow with a large two storey outbuilding and there is a large two storey dwelling (Christleton) located beyond the northern boundary. A large detached single storey/ two storey dwelling (White Oaks) is also adjacent to the application site.

There are a variety of styles of dwellings in the area and it is considered that the design of the dwelling proposed would be acceptable in this location.

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.

Sufficient private amenity space would remain for the existing dwelling and an ample amount of private amenity space is proposed for the proposed dwelling.

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?

Amended plans have been received during the application to address concerns raised by the Highways Authority. A traffic survey has also been conducted along Pinewood Road and this along with the amended plans has resulted in HA raising no objections subject to conditions.

The proposal would therefore provide adequate off road parking and turning area within the site curtilage and subject to conditions would conform with local and national planning policy.

Would there be any adverse impact on trees?

The applicant has advised that to accommodate the revised access arrangements some hedgerow removal would be necessary. Officers are of the view that it is not a visually important hedgerow and it is noted that the Landscape and Development Section has raised no objections.

Proposed landscaping details have not been submitted and it is considered that a scheme should be submitted for approval which can be secured via a condition.

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 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

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

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)

Relevant Planning History

None relevant

Views of Consultees

The **Environmental Health Division** no objections subject to a condition regarding design measures to achieve internal and external noise levels.

The **Landscape Development Section** raises no objections.

The **Highway Authority** raises no objections subject to conditions that secure the access, parking and turning prior to occupation, the provision of acceptable visibility splays, appropriate surfacing, the garages being retaining for the parking of vehicles and cycles, and any gates being located 5m rear of the carriageway boundary.

Loggerheads Parish Council objects to the proposal on the following grounds:

- Development of a garden/green field site is contrary to national policy.
- The site is open countryside outside of the village envelope.
- Planning policies in place direct development to urban areas on brownfield sites.
- The Council has a five year housing supply and as such Development Plan policies can be taken into consideration.
- In dismissing the appeal against the refusal of 14/00053/OUT was that the development would set a precedent for the construction of dwellings within large gardens that would have a detrimental effect on the character and appearance of the area.
- The proposal has the dimensions of a two storey dwelling rather than a dormer bungalow as described.
- The regular bus route is once an hour on weekdays, reduced service on Saturdays, no service on Sundays from September.
- The proposed septic tank drainage line runs down the site close to the existing garage.
- When granting permission for a dwelling on the neighbouring site 'the Owl House' the vote was close and given the above this should not equate to automatic granting of permission at this site.
- More similar applications for housing development at Ashley Heath can be expected. Yet another precedent here will lead to the transformation of the area into an area where speculation comes first and the wellbeing of the existing residents and their environment comes second.

Representations

No letters of representation have been received.

Applicant's/Agent's submission

The applicant has submitted a design and access statement, foul drainage assessment, traffic survey and the requisite plans and application forms to support the application. These documents are available for inspection at the Guildhall and searching under the application reference number 15/00506/FUL on the website page that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

29th September 2015