

The Application is for full planning permission for the erection of a terrace of 3 two storey dwellings consisting of 2 x 2-bed houses and 1 x 3-bed house.

The site lies within the Urban Area as specified on the Local Development Framework Proposals Map. Access to six parking spaces is off The Rookery and May Street.

The application has been called-in to Committee for a decision at the request of two Councillors.

**The 8 week period for the determination of this application expired on 8<sup>th</sup> October 2015.**

### **RECOMMENDATION**

**Permit subject to conditions concerning the following matters:**

- 1. Standard time limits**
- 2. Approved plans**
- 3. Hard and soft materials including surfacing**
- 4. Boundary treatments**
- 5. Approval of recyclable materials and refuse storage**
- 6. Tree protection**
- 7. Landscaping proposals**
- 8. Construction Method Statement**
- 9. Construction hours**
- 10. Noise assessment/Internal noise levels**
- 11. Contaminated land**
- 12. Surface water drainage details**

### **Reason for Recommendation**

There is an existing outline planning approval (Ref 15/00081/OUT), granted 7th April 2015, for the redevelopment of this sustainable site with a pair of semi-detached houses so the principle of the redevelopment of the site has been established. As the density of development in this proposal is increased when compared to the approved scheme, there have been a number of concerns expressed, including parking provision, landscaping and access, which have all been satisfactorily addressed by means of an amended layout. Subject to the imposition of suitable conditions it is considered that there would not be any adverse impacts caused by 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**

An amended layout was considered necessary to address the key issues of concern. This application 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 three terraced detached dwellings. 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?

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.

Policy H1 of the Local Plan seeks to support housing within the urban area of Newcastle or Kidsgrove or one of the village envelopes. The site lies within the Urban Area as specified on the Local Development Framework Proposals Map.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 14 of the NPPF states, the test that has to be applied is whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

The proposal involves the use of previously developed land, which amounts to a brownfield site, within walking distance of access to public transport and the full complement of services within Silverdale and Newcastle town centre. This is considered to be a sustainable location for residential development. The redevelopment of the site for residential development has already been established through the grant of outline planning permission in April this year. In this instance it is considered that the principle of residential development on the site is acceptable.

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

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 and the settlement pattern created by the hierarchy of centres. It states that new development should 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 and therefore, can be given weight.

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 58 of the NPPF states that decisions should aim to ensure that developments optimise the potential of the site to accommodate development and to respond to local character and reflect the identity of local surroundings.

The Urban Design SPD states that new development should respond to the typical forms of buildings in the locality. It states that in doing so, designers should respond to the pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety.

The block plan submitted with the application showed three terraced dwellings with front gardens, driveways and rear gardens facing The Rookery. The character of the area is mixed, with bungalows, semi-detached and terraced properties; therefore the principle of terraced dwellings would be in keeping with the area. The amended layout has adjusted the position of the new houses to (i) pull them away from the corner where The Rookery joins May Street, (ii) improve parking provision, (iii)

include reference to tree planting and (iv) safeguard the root area of the Sycamore tree that lies on the boundary of the site with Number 7, The Rookery.

As the scheme is for a terraced style of housing that predominates in this locality it is considered that the number of dwellings indicated could be accommodated within the site satisfactorily and would not have any significant adverse impact upon the character and appearance of the locality.

Would there be any adverse impact on residential amenity?

The Framework states within paragraph 9 states that pursuing sustainable development involves seeking positive improvements in peoples quality of life, including improving the conditions in which people live, work, travel and take leisure.

The impact upon the amenity of surrounding residents has to be taken into consideration. Paragraph 17 sets a core planning principle that planning should seek to secure a good stand of amenity for all existing and future occupants of land and buildings.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

The re-development of this corner site is to be laid out to roughly align the new housing units with the existing dwellings along The Rookery and to have sufficient separation from the existing dwellings fronting May Sreet to the south, that there will not be any overlooking or loss of privacy. The new properties will be in close proximity to the Pentecostal Church on the northern side of The Rookery. To safeguard against noise problems, within the new dwelling units, a noise assessment is recommended by the Environmental Protection Team and advice about the control of dust will be forwarded to the applicants. It is considered that the proposed dwellings will comply with the spacing standards within the council's SPD.

Overall it is considered that the proposed development would have an acceptable impact upon amenity.

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

The Highway Authority (HA) has objected to the original layout because of insufficient parking provision (which could lead to parking occurring on the highway) and the lack of visibility splays from the proposed accesses along May Street and The Rookery.

The NPPF indicates (paragraph 32) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The site formerly served as a car park with private garages. Indeed two of the garages remain and front onto The Rookery. There is a space between the garages and number 7 The Rookery which appears to be used for informal off street parking. In response to the highway concerns an amended layout plan has been submitted which shows an increase in on-site parking provision so that all three units will have two parking spaces each. This complies with the prevailing parking standards for this type and scale of housing development.

Noting that the parking provision on The Rookery will occupy existing parking spaces and the additional parking at May Street will be alongside the cul de sac head, your Officer's view is that the necessity for visibility splays to be provided is minimal so, subject to the imposition of conditions, the impact of the proposed development on highway safety grounds would not be severe and therefore an objection on such grounds could not be sustained.

Would there be any adverse impact on trees?

The existing site is devoid of any significant tree growth with evidence of trees having been removed at an earlier date. There is a Sycamore on the boundary which appears to be owned by the neighbouring resident. Whilst this tree offers little by way of a natural or environmental asset it would still be good practice to safeguard it in the development as it is likely that its root system extends into

the development site. The amended layout will provide sufficient space between its canopy and root area to ensure that excavations on site will not harm it.

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?

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework, therefore no amendments/ improvements have been sought from the applicant.

**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

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1	Residential development: Sustainable Location and Protection of the Countryside
Policy H4	Housing Development and Retention of Parking Facilities
Policy T16:	Development – General Parking Requirements
Policy N12	Development and the Protection of Trees

**Other Material Considerations include:**

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (2014)

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (SAD) (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

Relevant Planning History

15/00081/OUT	Erection of one pair of semi-detached houses	Approved
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Views of Consultees

**Silverdale Parish Council** raises concerns about the level of parking available in a busy area.

The **Environmental Health Division** has no objections subject to conditions regarding internal dwelling noise levels, site investigation works in respect of land contamination; contamination remediation scheme, unexpected contamination measures; importation of soil/materials.

The **Landscape Development Section** advise that permission should be subject to the submission of a landscaping plan which should include tree planting to mitigate the loss of the trees removed to clear the site and subject to tree protection to BS5837:2012 for the existing tree within the rear garden of 7 The Rookery.

The **Highway Authority** recommends refusal because the submitted application fails to provide sufficient parking facilities for each individual unit resulting in an increase in the likelihood of highway danger due to the likelihood of vehicles being parked on the public highway; the submitted application does not provide any visibility splays from the proposed accesses onto either May Street or The Rookery.

#### Representations

No letters of representation have been received as a result of the publicity undertaken on this application.

#### Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design & Access Statement

The documents is available for inspection at the Guildhall and searching under the application reference number 15/00702/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

29<sup>th</sup> September 2015