

The application is for full planning permission for the erection of a detached dwellinghouse with a double garage and access.

The site lies within the open countryside on land designated as an Area of Landscape Maintenance, as indicated on the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expires on the 30th November 2015

RECOMMENDATION

Refuse for the following reason;

- 1. The design of the proposed dwelling, by virtue of its scale, would have a harmful impact on the character of the area and quality of the landscape, contrary to policies N17 and N19 of the local plan, policy CSP 1 of the CSS and the guidance and requirements of the NPPF, along with the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD.**

Reason for Recommendation

The principle of residential development in this location was considered acceptable when granting outline planning permission in April 2015 (ref 15/00039/OUT) subject to an occupancy restriction condition being imposed on the adjoining. However, the design, in particular the scale of the proposed dwelling, is not in keeping with the character of the area which would be harmful to the quality of the landscape.

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

Officers have endeavoured to seek amendments during the consideration of the application but no further plans have been submitted to address the significant concerns raised and the application is considered to be contrary to national and local planning policy.

Key Issues

The application is for full planning permission for the erection of a detached dwelling within the side garden of a detached property located off Haddon Lane in Chapel Chorlton. The application site is located within the open countryside on land designated as an Area of Landscape Maintenance, as indicated on the Local Development Framework Proposals Map.

Outline planning permission was granted by at the Planning Committee meeting of 3rd March 2015 in principle with the conditions then agreed at the following meeting of 31st March. The reasons for the decision was that the site was within an existing ribbon development of residential dwellings and so would represent infill development and would allow an elderly relative to be cared for by the occupiers of 'Redgates' which would outweigh the harm caused by the unsustainable location. One of the conditions imposed restricted the occupation of the existing dwelling 'Redgates' to Mrs Snaith (the applicants mother). This would then allow the applicant to occupy the approved dwelling which is now the subject of this application.

The outline permission is still extant and so the principle has been established and the key considerations of this application are;

- The design of the development and the impact on the character and quality of the landscape,

- The impact on a trees protected by a Tree Preservation Order,
- The impact on highways safety, and
- The impact on the residential amenity of neighbouring properties

The design of the development and the impact on the character and quality of the landscape

The area is designated as an area of landscape maintenance (policy N19) which seeks to maintain the high quality and characteristics of landscapes and development can be permitted if it contributes to this aim.

Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the areas character and identity.

Paragraph 64 of the NPPF 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 NPPF also seeks to protect valued landscapes.

The proposed dwelling would be a large 4/5 bedroom dwelling in the side garden of 'Redgates' which is a bungalow. The neighbouring property is a modest two storey semi-detached dwelling in a row of semi-detached properties. A detached double garage is also proposed at the front of the proposed dwelling.

The applicant has submitted a proposed street scene view in an attempt to show that despite the large scale of the dwelling it would have a similar ridge height to the neighbouring modest two storey building due to it being set at a lower ground level. Whilst this is the case the proposed dwelling would have a much greater footprint and would be out of keeping with the bungalow and the modest two storey dwellings adjoining. It would therefore not maintain the high quality landscape and would be out of character with the immediate locality.

The building has also been significantly set back so that the front building line is close to matching the rear building line of the existing dwelling and the neighbouring dwelling which would add to the concerns about the design of the proposal. .

A smaller and less dominant proposal would be more appropriate for this location given the scale and height of the adjoining dwellings. For this reason the proposal would be contrary to policies N17 and N19 of the local plan, policy CSP 1 of the CSS and the guidance and requirements of the NPPF.

The impact on a trees protected by a Tree Preservation Order

A visually significant beech tree is located close to the side boundary which is covered by a tree preservation order.

Policy N12 of the Local Plan states that the council will resist development that would involve the removal of any visually significant tree unless the need for development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting and design. It also details that where trees are to be lost through development then replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

As discussed the proposed dwelling has been set significantly back from the front boundary which ensures that the dwelling and the detached garage are sited to the rear of the tree. The submitted a Tree Survey and Arboricultural Implications Assessment demonstrate that the tree will not be adversely affected by the development. The landscape section has raised no objections subject to conditions that protect the tree during construction and the submission of a landscaping scheme.

The impact on highways safety

The application site has an existing access point. The proposal is to close this access point and reposition it close to the side boundary with 'Redgates'

The Highways Authority has raised no objections subject to conditions that the access, parking and turning areas are provided prior to occupation, visibility splays being provided and kept free from obstruction, the redundant access being permanently closed and the garage being retained for the parking of vehicles. All these conditions are considered acceptable.

The impact on residential amenity levels of neighbouring properties

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 dwelling 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.

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)

Strategic Aim 11: To focus development within the settlements of Loggerheads, Madeley and Audley Parish to support their function as Rural Service Centres

Strategic Aim 15 – To protect and improve the countryside and the diversity of wildlife and habitats throughout the plan area

Policy SP1: Spatial Principles of Targeted Regeneration

Policy ASP6: Rural Area Spatial Policy

Policy CSP3: Sustainability and Climate Change

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 N12: Development and the Protection of Trees

Policy N13: Felling and Pruning of Trees

Policy N17: Landscape Character – General Consideration

Policy N19: Area of Landscape Maintenance

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (NPPF) (March 2012)

Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Space Around Dwellings (July 2004)

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

Planning for Landscape Change – Supplementary Planning Guidance to the Staffordshire and Stoke on Trent Structure Plan

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

Relevant Planning History

N15694 (1986)	Erection of a bungalow.	Refused
96/00641/OUT dismissed.	Detached dwelling on land adjacent	Refused and subsequent appeal
02/00168/OUT	Erection of dwelling	Refused
04/00173/OUT dismissed.	Erection of one detached bungalow	Refused and subsequent appeal
07/00180/OUT	Detached dwelling	Refused
13/00907/OUT	Outline application for erection of a detached property	Refused
15/00039/OUT	Erection of detached dwelling	Permitted

Views of Consultees

The **Environmental Health Division** raises no objections.

The **Highways Authority** and the **Landscape and Development Section** raise no objections subject to conditions

Chapel and Hill Chorlton Parish Council have been consulted; any comments received will be reported.

Representations

No letters of representation have been received as a result of the publicity undertaken on this application, but note the letters and petition in support referred to below.

Applicant/agent's submission

The requisite plans have been submitted along with a tree survey, Arboricultural Implications Assessment, tree constraints plan and a tree protection plan have been submitted.

These documents are available for inspection at the Guildhall and via the following link:

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

23rd October 2015