

The Application is for full planning permission for the erection of a new dwelling.

The site lies within the Open Countryside and an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map.

The 8 week period for the determination of this application expires on 13th November 2015.

RECOMMENDATION

Permit, subject to conditions relating to the following:

- **Commencement of development**
- **Plans referred to in consent**
- **Materials**
- **Dwelling noise levels**
- **Waste storage and collection arrangements**
- **Highway matters**

Reason for Recommendation

The fall-back position and the beneficial impact upon the character and appearance of the site are significant factors that outweigh the harm arising from the unsustainable location of the site. Further, there would be no adverse impact on residential amenity or the Area of Active Landscape Conservation.

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 is sought for the erection of a new dwelling to replace an existing agricultural building. The site lies within the Open Countryside and an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map. It is not considered that the scheme raises any issues in terms of highway safety, impact on trees or ecology that would justify its refusal and therefore the key issues in the determination of the application are as follows:

- Does the proposal comply with policies on the location of new housing?
- Would the proposed development have a significant adverse impact on the character and appearance of the area?
- Would there be any adverse impact on residential amenity?
- 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?

Does the proposal comply with policies on the location of new housing?

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.

Furthermore, Policy H1 of the Local Plan seeks to support housing within the urban area of Newcastle or Kidsgrove or one of the village envelopes.

This site, which does not comprise previously developed land, is not within a Rural Service Centre and it is not considered that the proposed dwelling would serve a wider local need nor would it support local services. As such, it is not supported by policies of the Development Plan.

The LPA, by reason of the NPPF, is however required to identify a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against its policy requirements (in the Borough's case as set out within the CSS) with an additional buffer of 5% to ensure choice and competition in the market for land. Where, as in the Borough, there has been a record of persistent under-delivery of housing, the LPA is required to increase the buffer to 20%. 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), because it does not have a full objective assessment of housing need, and its 5 year housing land supply statement is only based on household projections.

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 (as defined in paragraph 47). Paragraph 14 of the NPPF details that at the heart of the Framework is a presumption in favour of sustainable development and that this means, 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 as a whole, or specific policies in the Framework indicate development should be restricted. The examples given of 'specific policies' in the footnote to paragraph 14 indicate that this is a reference to area specific designations such as Green Belts, Areas of Outstanding Natural Beauty and similar. The application site is not subject to such a designation.

Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. LPAs should avoid new isolated homes in the countryside unless there are special circumstances such as where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

The proposed dwelling would be adjacent to an existing dwelling and vehicle repairs business. However it is a substantial distance from the services and facilities of Loggerheads and therefore would be isolated in the countryside in terms of its location in relation to nearby settlements. The future occupiers of the house would be likely to be reliant on the use of the private car therefore.

It is the case that consent has recently been granted for the conversion of the existing outbuilding at the site to a dwelling (Ref. 15/00613/COUNOT) and the house now proposed would replace that existing outbuilding. This is considered to represent a genuine fall-back position that is likely to be implemented if this planning application is not successful.

The existing site is rather untidy and whilst the approved conversion of the building to a dwelling would result in some enhancement to its appearance, limited alterations to the building are involved and therefore the improvement would be limited. The proposed new dwelling would however achieve a significant improvement to the current run down appearance of the site and would result in the removal of existing containers from the site.

Although the proposal comprises a new dwelling rather than the re-use of a building as referred to in Paragraph 55 of the NPPF, the proposed development and the tidying up of the site, along with the visual enhancements to the wider site would be an improvement in visual terms. This would contribute

positively to the attractiveness of the site. As such it is considered that weight can be given to the argument that the proposed new dwelling would be an improvement to the character and appearance of the site and in combination with the fall-back position referred to above, would provide the special circumstances necessary to justify isolated homes in the countryside.

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

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.

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 and therefore, can be given weight. Section 10.5 of the SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality.

The proposed dwelling would be a simple log cabin design measuring 15.5m x 10.4m in plan with a ridge height of 6.5m. The materials would comprise hardwood for the walls and red cedar shingles for the roof. It is considered that the proposed dwelling would have a mass and form which would be appropriate to its rural context.

The site falls within an Area of Active Landscape Conservation as defined by the Local Development Framework Proposal Map and Local Plan Policy N18 indicates that development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to the siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area.

The dwelling would replace an existing building and would not lead to the loss of any particular landscape features. It is not considered that the proposal would have any adverse impact on the quality and character of the landscape.

Would there be any adverse impact on residential amenity?

The proposed dwelling would have sufficient private amenity space in compliance with the advice Council's Space Around Dwellings Supplementary Planning Guidance.

Immediately to the north west of the application site is an existing car repair business and the noise from that business has the potential to impact upon the residential amenity of the future occupiers of the proposed dwelling. The Environmental Health Division (EHD) objects to the proposal on the grounds that a noise assessment is required to consider the road traffic noise from the A53 and the activities of the adjacent car repair business. However, given that consent was recently granted for conversion of the existing outbuilding at the site to a dwelling and in relation to that proposal such a requirement is not considered reasonable. Subject to the imposition of a condition requiring a noise assessment to inform what measures need to be incorporated into the design of the dwelling to ensure acceptable noise levels, it is not considered that there would be any significant adverse impact on residential amenity to justify a refusal.

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 conclusion, it is considered that the fall-back position and the beneficial impact upon the character and appearance of the site are significant factors that outweigh the harm arising from the unsustainable location of the site. 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
Policy CSP4: Natural Assets

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 N17: Landscape Character - General Considerations
Policy N18: Areas of Active Landscape Conservation

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance relating to the control of residential development

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

Relevant Planning History

94/00239/FUL Erection of building as a field shelter for lambing and rearing of sheep
Approved

15/00613/COUNOT Prior notification for conversion of existing agricultural building to residential
use Approved

Views of Consultees

The **Environmental Health Division** objects to this application on the grounds that a noise assessment is required before a final decision can be made on this application. The road traffic noise from the A53 and the activities of the adjacent car repair business need to be considered. If this objection can be overcome then conditions are recommended regarding hours of construction/demolition, dwelling noise levels and waste storage and collection arrangements.

The **Landscape Development Section** has no objections to the proposal.

The **Highway Authority** has no objections subject to conditions regarding provision of access and parking, surfacing of the access drive and location of gates.

No comments have been received from **Loggerheads Parish Council** and as the due date has passed it is assumed that they have no comments.

Representations

One letter of **objection** has been received, no reasons given.

Four letters of **support** have been received stating that the log cabin will fit in well in the countryside and will be a better building than the original barn. It should achieve all building regulations and will be eco-friendly.

Applicant's/Agent's submission

Application forms and plans have been submitted. These documents are available for inspection at the Guildhall and under the application reference number 15/00814/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

23rd October 2015