

The application is for full planning permission for a residential development comprising 6 houses.

The application site, of approximately 0.18 hectares, is within the village envelope of Bignall End, as indicated on the Local Development Framework Proposals Map.

The application has been called in to Committee by two Councillors due to resident's concerns.

The item was deferred at the meeting held on the 24th May to enable the Committee to visit the site. This report has been revised principally to take into account new material received since the previous report was prepared.

The 8 week period for the determination of this application expired on the 30th May 2016 but an extension of time has been agreed with the applicant until the 22nd July 2016.

RECOMMENDATION

Permit, subject to conditions relating to;

- 1. Standard time limit;**
- 2. Approved plans;**
- 3. Prior approval of external facing materials;**
- 4. Prior approval landscaping scheme;**
- 5. Access, parking, servicing and turning areas being provided prior to occupation;**
- 6. Additional 14 no. car parking bays being provided for existing residents before the existing parking area is removed;**
- 7. Prior approval of a Construction Management Plan**
- 8. Prior approval of a written scheme of archaeological investigation;**
- 9. Finished floor level shall be 150mm above ground level**
- 10. Affordable housing provision.**
- 11. Full land contamination conditions;**
- 12. Submission and approval of noise assessment/ mitigation measures;**
- 13. Construction and demolition hours;**
- 14. Foul and surface water drained on separate systems;**
- 15. Prior approval of drainage scheme**
- 16. Archaeological watching brief**

Reason for Recommendation

The site is located within the village envelope of Bignall End which is accepted as a sustainable location for new housing. The benefits of the scheme include the provision of affordable housing within an appropriate location. Whilst concerns have been expressed about parking and highways safety it is considered that the applicant has now addressed these matters and the development provides an acceptable level of off street car parking for existing and future occupiers. Overall the development is considered to represent a sustainable form of development in this rural area and any harm is clearly outweighed by the benefits of the scheme which include the provision of six affordable housing units. The proposed development therefore accords with the guidance and requirements of the National Planning Policy Framework 2012.

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

Following the withdrawal of the previous application the applicant has successfully addressed concerns of the LPA and no further amendments are considered necessary. Supporting information has been submitted in a prompt manner during the planning application. 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

Full planning permission is sought for 6 dwellings (three pairs of semi-detached dwellings) on land to the rear of the existing Aspire Housing site, off Ravens Close, part of which is presently set aside as the main car parking area for the existing development. The site is located within the village envelope of Bignall End, adjacent to, but not within, the Green Belt as identified on the Local Development Framework Proposals Map.

Amended plans have been received since the committee meeting of the 24th May which extends the red edge application site to allow 6 additional parking spaces to be provided over and above what was included in the plans initially submitted. The revised scheme now proposes to replace the 26 existing car parking spaces with a total of 36 car parking spaces, including 12 dedicated spaces for the proposed dwellings and 24 spaces for existing residents.

The main issues in the consideration of the application are:

- Is the principle of the development on this site acceptable?
- 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?
- Highway safety and loss of parking facilities
- Affordable Housing
- 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 the development on this site acceptable?

The site lies in the rural area within the village envelope of Bignall End.

CSS Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods within 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 ASP6 is more specific towards housing in rural areas and 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. This is to allow only enough growth to support the provision of essential services in the Rural Service Centres.

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.

The site is partly open space and part existing car parking area. Being located in the village boundary (one of the Audley Parishes) and close to a range of services and facilities it is considered to represent a sustainable rural location.

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). 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 below.

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

Paragraph 56 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people. The section of the NPPF on “Requiring Good Design” discusses the importance of the design of the built environment, and to plan positively for the achievement of high quality and inclusive design for all developments.

The development site is to the rear of the existing apartment development off Ravens Close, on an area of land that is at a lower level than the surrounding dwellings. The existing accommodation is set within large rectangular buildings of two storey height running parallel with the main road, Old Road. Across the main road the houses are a mixture of semi-detached, detached and terraced dwellings. Therefore the development of 3 pairs of semi-detached units would fit in with the prevailing character of this part of the village.

The proposed dwellings would be two storeys in height. The submitted plans show that in order to level off the development site there would need to be some filling of the site. This would slightly raise existing ground levels but the finished floor levels of the new houses would still be some 2.27m below the existing level of Ravens Close and more than 1.56m below the floor levels of the existing apartment buildings.

The height of the dwellings would be unlikely to materially harm the prevailing character of the surrounding area. The massing and scale of the dwellings is considered acceptable.

Parking facilities are proposed to the front of the proposed dwellings. These show an allocation of 2 car parking spaces per new dwelling with two additional spaces. The layout is interspersed with informal planting areas and a retaining wall is to be constructed to retain the excavated parking area. Each dwelling would have a private garden space to the rear, accessed via a small raised patio and steps.

A section plan has been submitted to show the works required for the additional car parking area. These works are considered minor and would not raise any significant concerns from a visual impact due to its location and the limited works. Planting could be proposed to minimise any visual impact.

Overall, the proposed development is considered to have an acceptable impact on the character and form of the area, and complies with Policy CSP 1 of the Core Spatial Strategy and the aims of the NPPF.

Would there be any adverse impact on residential amenity?

Paragraph 17 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The proposed houses would be at right angles to the north facing, rear elevations of the existing apartments and at a lower site level. The principal windows in the new dwellings would be located in the front and rear elevations facing east/west. The side elevation of the new units nearest to the existing apartment building would be separated by a distance of 13.5 metres, which meets the minimum separation distance requirements.

Objections have been expressed about the loss of amenity space. This space is under the applicants control and is not public amenity space. Only a proportion of amenity space would be lost to the development with a significant section of usable amenity space being maintained.

Therefore the proposed development would not lead to the significant loss of residential amenity to neighbouring properties and the development would comply with the requirements and guidance of the NPPF.

Highway safety and loss of parking facilities

The National Planning Policy Framework states that a safe and suitable access to the site should be achievable for all people and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

Policy H4 of the local plan indicates that planning permission will not be given for additional dwellings on garage forecourts unless the car parking facilities serve no local need, alternative parking with equivalent or better capacity and accessibility is proposed, and the car parking facilities that would remain would be satisfactory for the identified demand.

The existing residential properties at Ravens Close have access to a parking area for 16 vehicles and a further eight parking spaces which are located at right angles and directly accessed off Ravens Close. The parking area would be lost as a result of the development and the eight spaces retained.

To address the requirements of Policy H4 the application has been supported by a transport assessment which considers matters such as the loss of car parking; accessibility of the proposed residential development; and car parking provision for the proposed residential development. The report recognises that the proposed development will displace parking from an existing Ravens Close parking court as indicated above, however, the surveys carried out (which include additional surveys to consider shift work patterns following previous criticism) conclude that there is a maximum demand of 18 vehicles associated with the existing residential units at Ravens Close.

Policy T16 of the Local Plan indicates that for two bedroom dwellings (as proposed) a maximum of two parking spaces per dwelling is required. As such, taking into consideration the maximum level of parking required for the existing properties as demonstrated by the surveys, up to 30 spaces are required (up to 12 for the proposed and 18 for the existing).

As discussed a revised car parking scheme has been proposed with a total of 36 car parking spaces now proposed. This is a further 6 spaces to address concerns of objections.

It is acknowledged that at certain times of the day on street car parking demand is high but it is considered that the proposed development would provide sufficient off street car parking for proposed and existing occupiers in this sustainable rural area. It is therefore considered that the application demonstrates the car parking facilities that would remain would be satisfactory for the identified demand from existing residents and the proposal provides adequate parking for the proposed.

The Highways Authority has raised no objections on access and parking grounds subject to conditions. They have, however, indicated that the number of spaces would represent over provision. The development provides the maximum level of parking as set out in policy for the proposed dwellings as well as meeting the demand for parking from existing dwellings. In such circumstances, taking into account the Secretary of State's statement referred to above, it is not considered appropriate to seek amendments to reduce the level of parking from that proposed.

The proposal therefore accords with policies H4 and T16 of the local plan and the guidance and requirements of the NPPF which seeks to promote sustainable methods of transport.

Affordable Housing

Policy CSP6 of the CSS states that for new residential development within rural areas, on sites or parts of sites proposed to, or capable of, accommodating 5 or more dwellings will be required to contribute towards affordable housing at a rate equivalent to a target of 25% of the total dwellings to be provided.

In this case, irrespective of the planning policy requirements outlined above Aspire as a Registered Social Landlord (RSL) have applied for development where all of the 6 units proposed are to be affordable. As such the policy requirements would be met.

Affordable Housing is usually secured by a S106 agreement but in the past applications by Aspire (where all units are to be affordable) a condition has been considered acceptable due to the low level of risk of the development being sold on the open market following the grant of permission – Aspire being a key partner of the Borough Council in the delivery of local housing strategy. It is considered appropriate that a condition is imposed in this case.

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 which include the provision of six affordable housing units and accordingly permission should be granted.

APPENDIX

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 (adopted 2009)

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 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 H4: Housing Development and Retention of Parking Facilities
Policy T16: Development – General Parking Requirements

Other Material Considerations

National Planning Policy

National Planning Policy Framework (2012)
Planning Practice Guidance (March 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

16/00020/FUL	Erection of 6 dwellings	Withdrawn
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Views of Consultees

Audley Parish Council objected to the original scheme on the grounds of insufficient parking and the car parking survey is inaccurate. They also maintain their objection following the increase in parking provision provided on the submitted amended plans as they consider that there is still an overall net loss of 4 car parking spaces. The green space is also a valuable amenity for the residents of the flats (with no gardens) and their children and also the neighbouring area as it serves as an overlooked village green, with no other open space easily accessible for the children without having to cross a very busy road. There are no disabled bays for parking allocated, especially as the residents of the flats are elderly or infirm.

The **Environmental Health Division** raises no objections subject to full contaminated land conditions, constructions hours and prevention of annoyance (Noise).

The **Highway Authority** raises no objections subject to conditions regarding the access, parking, servicing and turning areas have been provided; the additional 6 parking bays on the east side of Ravens Close and 2 formally marked out in the redundant turning head as shown on the approved plan 003-(PL)-7898 have been provided; and the submission and approval of a Construction Management Plan. They raise no objections to the revised plans also.

The **Landscape Section** has not responded by the due date of the 29th April 2016 and it is therefore assumed that they have no comments to make on the development proposal.

United Utilities raises no objections subject to foul water and surface water conditions.

Staffordshire County Council as the **Lead Local Flood Authority** indicates that the site is not within the updated Flood Map for Surface Water 1 in 100 year outline so the risk of surface water flooding is low. They have recommended that finished floor levels are set 150mm above surrounding ground levels in line with good building practice.

Staffordshire County Council Archaeology have indicated that the proposed development has the potential to impact upon significant archaeological remains including Old Road, the original road along which Audley developed during the medieval period; the potential for back plot activity associated with Medieval street front buildings; the water course (with the attendant potential for late prehistoric exploitation of this resource) and a motte and bailey castle; a scheduled monument. Should permission be granted, a staged archaeological evaluation should be undertaken so recommends a condition accordingly.

Representations

31 objections were received for the original application on the grounds of loss of existing residents parking.

The objections indicate that the beat surveys provided in the transport assessment do not truly reflect the residents parking needs. There is no viable reason why the existing 26 spaces cannot be retained. The proposal would be contrary to Policy H4 of the local plan

Objections regarding boundary treatments and the impact on neighbouring flats have also been made.

A further 59 objections have been received raising concerns about the loss of car parking, highway danger implications, the height of retaining walls for the additional parking area, loss of valuable green space and the development causing an overbearing impact to the neighbouring flats. Supporting photographs have also been submitted.

Objections are also raised regarding insurance premiums being increased and anti-social behaviour.

An objection has also been received from **Paul Farrelly MP** raising concerns about the number of parking spaces proposed which he considers is insufficient and will encourage more traffic around the Close and the neighbouring school and increase highway safety. In addition the proposal will result in the loss of public amenity space which is well used and enjoyed by local residents..

Applicant/agent's submission

A Design and Access Statement, Transport Assessment, Geo-Environmental Assessment Report along with the requisite plans have been submitted to support the application. These documents are available for inspection at the Guildhall or via this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00273/FUL>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

30 June 2016