

**LAND TO THE REAR OF RANGLES GARAGE, HIGHERLAND**  
**MR P.WADE (RANGLES (GARAGES) LTD)**

**16/00405/REM**

The proposal is an application for the approval of the details of the appearance, the internal access arrangement, the layout and scale of the development granted outline planning permission 15/00077/OUT for the erection of up to 12 dwellings, and the landscaping of the site.

The scheme comprises of two, three storey blocks measuring 16 metres by 11 metres, and 16 metres by 13 metres in maximum width and length respectively.

The approved access to the development is off Seabridge Road already determined at outline.

The site measures 0.21 hectares in area and is located within the Urban Neighbourhood of Newcastle as defined by the Local Development Framework Proposals Map.

**A decision on the application was deferred at the Planning Committee on 16<sup>th</sup> August to enable further arboricultural information to be provided and if necessary revised plans submitted.**

**The 13 week period for the determination of this application expired on the 15<sup>th</sup> August 2016. The applicant has agreed to extend the statutory determination period to the 15<sup>th</sup> September 2016.**

**RECOMMENDATION**

**REFUSE for the following reason:-**

- 1. It has not been demonstrated that the development will not adversely impact the health of visually significant trees to the detriment of the appearance of the area.**

**Reason for Recommendation**

The approval of outline application 15/00077/OUT already grants the principle of up to twelve units being erected on the site along with access off Seabridge Road. The design of the scheme submitted is not considered to be harmful to the appearance of the area subject to conditions in relation to landscaping and the external materials to be used. The impact on neighbouring living conditions, taking into account level information and also the removal of some balcony areas from the scheme, is considered acceptable. Tree impact issues have not been addressed to date and the application will have been with the Council for some 17 weeks by the 13<sup>th</sup> September. Further Officer advice will be given with respect to these issues, should further information be received.

**Key Issues**

The proposal is an application for the approval of the details of appearance, the internal access arrangement, the layout and scale of the development and the landscaping of the site relating to the development of up to 12 dwellings with details of access of Seabridge Road that has outline planning permission (15/00077/OUT).

The scheme comprises of two, three storey blocks measuring 16 metres by 11 metres, and 16 metres by 13 metres in maximum width and length respectively. 3 two bedroom units and

3 one bedroom units are proposed in each of the blocks. The key issues to consider in the determination of the application are:

1. Is the impact of the development on the form and character of the area acceptable?
2. Would the resultant living conditions of neighbouring residents and the living conditions of future occupants of the development be adequate?
3. Would the impact on trees be acceptable?
4. Is the internal road layout and car parking provision acceptable?

#### 1. Is the design and appearance of the development acceptable?

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.

Policy CSP1 of the Core Strategy sets out the design criteria to which development will be assessed against which include that development positively contributes to an area's identity in terms of scale, density, layout, use of appropriate material for buildings surfaces and accesses. The Council's Urban Design Supplementary Planning Document gives further detail of how the development should be assessed above the broad guidance contained within Policy CSP1.

The form and character of the immediate area comprises semi-detached dwellings to the north on the opposite side of Higherland, terraced and semi-detached housing on Seabridge Road to the east, single storey backland development to the south, and the sheltered housing flats of Beaumaris Court to the west. The style and variety of housing in this location is broad but it is predominantly two storeys in height except for the backland development behind Seabridge Road. However the properties along Seabridge Road are tall Victorian dwellings. Beaumaris Court is a large residential building comprising of around 38 apartments. Its north, east and south elevations are two storeys although its western elevation is three storeys in height due to the sloping nature of the land which falls downwards toward the cul-de-sac known as Hillside off Higherland. The former Randles Garage building which is immediately to the north fronts onto Higherland and has been converted to a Tesco convenience store. The application site in relation to Higherland is significantly elevated, although it is set back by at least 30 metres from that road. It is from this public vantage point that the development would be the most prominent. There being quite extensive tree cover between Beaumaris Court and Higherland views approaching from the west are curtailed as a result.

The development applied for comprises two separate three storey buildings featuring a mono-pitched roof slope design. Whilst the style of architecture of the development is not similar in appearance to surrounding buildings, and the three storey building proposed is also in an elevated position relative to Higherland, it would not appear incongruous in the context of surrounding buildings and landscaping. Subject to additional information relating to the prior approval of materials to be used for the scheme and further upgraded landscaping details, both of which can be conditioned, the appearance of the development would be acceptable.

#### 2. Is the impact on trees acceptable?

Saved Local Plan Policy N12 states that the Council will resist development that will involve the removal of any visually significant tree, shrub, or hedge, whether mature or not, unless the need for the development is sufficient to warrant tree loss and the loss cannot be avoided by appropriate siting or design.

The impact on trees in the vicinity cannot be properly gauged without a tree survey and further level information. Some information has been provided. The Landscape Development Section have assessed that information and have advised that the trees adjacent to Beaumaris Court (some of which are subject to a Tree Preservation Order) also need to be included in the information submitted – the Root Protection Areas and canopies of all trees that overhang the development, in order to make an assessment as to whether the

development can be constructed without causing damage to trees. It would be inappropriate to seek to deal with this by condition. The Section also raises concerns in relation to overshadowing of the development from trees.

Given that a number of trees within the Beaumaris Court development including at least one that is the subject of a TPO and others of apparently positive amenity, overhang by up to 4 metres the application site, within which quite significant works of excavation are proposed close to the boundary, there is concern that the development may cause damage to these trees. Since the deferral of a decision by the Committee at the August meeting the applicant has yet to provide the required information to enable a proper assessment of the issue to be undertaken. It is likely that some form of amendment to the siting of at least one of the blocks may well be required to achieve a satisfactory relationship. At present refusal is considered the appropriate recommendation in the circumstances.

3. Would the impact of the development on the living conditions for neighbouring residents and the living conditions of future occupants of the development be adequate?

Supplementary Planning Guidance (SPG) Space about Dwellings provides advice on environmental considerations such as light, privacy and outlook.

The relationship of the development with existing residential properties along Seabridge Road is the critical consideration. Some of these properties have rear facing principal windows, as defined in the SPG, facing towards the development. The Beaumaris development on the opposite side of the site also includes a first floor window on its side gable which appears to be a principal window.

The development complies with the minimum separation distances advised in the SPG. Some balcony areas originally proposed on the building closest to Seabridge Road have been removed from the scheme to reduce overlooking concerns. Level information has also been provided by the applicant showing an acceptable relationship against these existing residential dwellings can be created.

4. Is the internal road layout and parking provision acceptable in highway safety terms?

A total of 20 off road car parking spaces are incorporated into the layout of the scheme. The Highway Authority has assessed the layout along with associated vehicle circulation areas and has no objections. Subject to the conditions recommended by the Highway Authority the impact on highway safety would be acceptable.

## **APPENDIX**

### **Policies and Proposals in the Approved Development Plan relevant to the decision:-**

#### Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP3: Spatial Principles of Movement and Access  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy N12: Development and the Protection of Trees  
Policy N13: Felling and Pruning of Trees  
Policy N17: Landscape Character – General Considerations  
Policy T16: Development – General Parking Requirements  
Policy T18: Development – Servicing Requirements

### **Other Material Considerations**

#### National Planning Policy

National Planning Policy Framework (March 2012) as amended  
National Planning Practice Guidance (March 2014) as amended  
Community Infrastructure Levy Regulations (2010) as amended

#### Supplementary Planning Guidance/Documents

Space around Dwellings SPG (July 2004)

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

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

Technical housing standards – nationally described space standard, March 2015

#### Planning History of this site

15/00077/OUT Erection of up to 12 dwellings. Permitted 2015.

14/00163/OUT Outline application for the erection of 12 dwellings Refused 2014.

#### Planning History of the other part of the former Randles site

12/00701/FUL Change of use of ground floor to A1 retail (convenience goods), installation of a replacement shopfront, associated external alterations and works including the recladding of the building and formation of a car park and amended site access – Permitted 2013.

13/00463/FUL Variation of condition 6 of planning permission 12/00701/FUL to allow the convenience goods store to open to members of the public between the hours of 07:00 and 23:00 on any day – Permitted 2013.

#### Views of Consultees

The **Highway Authority** have no objections to the proposal subject to conditions securing:

1. Prior approval of revised access details.
2. Car parking and turning areas have been provided in accordance with the approved plans.

3. Prior approval of surfacing materials, drainage for access road parking and turning areas along with delineation of parking bays and visitor spaces.
4. The vehicle access to the site shall remain ungated.
5. Approval and implementation of a Construction Method Statement.

**Landscape Development Section** require tree impact assessment information and landscaping proposals in order to comment, and have expressed concerns regarding the information received to date, as detailed above.

**Police Architectural Liaison Officer** has no objections comments that the apartment blocks provide good natural surveillance over the parking provision and site entrance. Robust boundary treatments should be secured.

**Education Authority** comment that no financial contributions are required for one or two bedroom apartments.

**Environment Agency** has no objections.

**Environmental Health Division** have no objections, but they draw attention to certain conditions on the outline planning permission.

**Severn Trent Water** have not commented on the current proposal by the due date but when consulted at outline stage had no objections to the proposal subject to the prior approval and implementation of drainage plans for the disposal of surface water and foul sewage.

**Waste Management** have not commented by the due date so it is assumed there are no objections.

The **Greater Town Centre Locality Action Partnership** have not commented by the due date so it must be assumed that they have no objections.

### **Representations**

7 letters of representation have been received including letters from the **Thistleberry Residents Association** objecting to the development on the following grounds:

- The development, by reason of its height and style is incongruous, and isn't in keeping with the character of the area and fails to improve its appearance.
- The landscaping details associated to the proposal are deficient.
- The proposed balconies on the development are intrusive to neighbouring privacy.
- Future occupants of the development have no gardens.
- The proximity of the development in relation to 19 and 22 Seabridge Road and other properties along the road is too close resulting in an overbearing impact. In addition the level difference also exacerbates this concern and also in relation to how excavation will be undertaken if permission is granted.
- The access and egress is dangerous and Seabridge Road will be used as a rat run by vehicles. It's questionable as to if emergency vehicles can access the site.
- The development will exacerbate on-street car parking problems in Seabridge Road which are already impacted upon by the Tesco Express in operation fronting Higherland.
- Work has already commenced on site via the erection of fencing and excavation.
- One bedroom studio apartments are not needed in the area.
- The internal space of the units considered appears inappropriate they are too small.
- The materials specified for the development which include a metal clad roof are not compatible with the character of the area and there is also concern about the level of design detail submitted within the planning application.
- There is a nearby stream which causes flooding locally and earthworks need to be carefully handled due to that.
- Heavy goods vehicles and construction vehicles will find it very difficult to enter the site which is likely to result in highway safety problems and disruption for residents.

- The development will result in parking problems for residents due to overspill from future occupants of the development.

### **Applicants/ Agents submission**

The application documents are available at the Guildhall and on the Council's website via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00405/REM>

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

Removal of some balcony structures, additional level and tree impact assessment information has been sought from the applicant with the aim to address material planning concerns to the scheme. The Authority has also deferred its decision once to enable additional arboricultural information to be submitted.

### **Background Papers**

Planning File

Planning Documents referred to

### **Date Report Prepared**

25<sup>th</sup> August 2016.