

The application seeks full planning permission for the development of three two bedroom bungalows and one two bedroom dormer bungalow with associated access road on land to the rear of The Nurseries, 35 Alsager Road, Audley.

The site lies within the village envelope of Audley, and within the rural area, as indicated on the Local Development Framework Proposals Map.

The statutory 8 week determination period expires on the 7th November 2016.

RECOMMENDATION

PERMIT subject to the following conditions:

- 1. standard time limit**
- 2. approved plans**
- 3. provision of access road, parking and turning areas in accordance with plans prior to occupation**
- 4. provision of visibility splays prior to occupation of the development**
- 5. prior approval of surface water drainage for the access road, parking and turning areas**
- 6. the access road to remain ungated**
- 7. prior approval of a Construction Method Statement**
- 8. prior approval of details of design measures supported by a noise assessment to ensure satisfactory internal noise levels for the proposed dwellings**
- 9. full suite of contaminated land conditions**
- 10. Tree protection should be in accordance with the revised arboricultural report and drawing THL-0408 rev 5. Installation of special measures must take place before the start of works on site and be maintained in situ thereafter.**
- 11. Approval of finished floor levels prior to construction of the dwellings**
- 12. Approval of landscaping proposals, prior to construction of the dwellings**
- 13. Removal of permitted development rights on all plots for extensions and dormer extensions covered by Classes A. and B**
- 14. Prior approval of the design of the bin collection area prior to occupation of the dwellings.**

Reason for recommendation

The principle of residential development of this site has already been established through granting of outline planning permission in 2014 under reference 14/00731/OUT. The development would achieve a safe access, adequate off road car parking, and sufficiently sized private garden areas for the dwellings. The design and layout of the development would be acceptable in appearance and would not cause any material loss of amenity to neighbouring residents that would justify a refusal of the application.

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

Additional arboricultural information was requested and submitted, to address landscape concerns with the development. The proposed development is considered to represent a sustainable form of development that would comply with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks full planning permission for the development of three two bedroom bungalows and one two bedroom dormer bungalow within the rear garden area of an existing property retaining the existing property (35 Alsager Road).

The site lies entirely within the village envelope of Audley (and no part is within the Green Belt), and within the rural area of the Borough, as indicated on the Local Development Framework Proposals Map.

Subject to tree protection measures in accordance with those set out in the additional supporting information it is considered that the development would not have an adverse impact on trees. The main issues to consider in this proposal, therefore, are as follows;

- Is the principle of residential development in this location acceptable?
- Is the design and appearance of the development acceptable?
- Car parking and highway safety
- Impact on residential amenity

Is the principle of the residential development in this location acceptable?

Residential development on this site has already been accepted in outline under application reference 14/00731/OUT which involved the demolition of the existing bungalow and the erection of three bungalows and a pair of semi-detached dwellings. Whilst an application has not been received or approved for the details of that development the outline planning permission remains capable of being implemented. The current proposal seeks permission for 4 dwellings and the retention of the existing property and as such involves the same number of dwellings as that already permitted.

There has been no change in planning circumstances since the previous decision and as such there is no basis upon which to reconsider the principle of residential development at this time.

Is the design and appearance of the development acceptable?

The NPPF states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development and that good design should contribute positively to making places better for people.

The proposal would comprise four dwellings to the rear garden area of 35 Alsager Road. There is currently no backland development on this part of Alsager Road, however as indicated above outline planning permission has already been granted on this site and as such the principle of backland development is established.

The proposed layout incorporates an access road to the proposed bungalows and private car parking spaces for each of the dwellings. Although the density of the proposed development is higher than the surrounding residential properties, the density is considered acceptable given that there is sufficient access, garden sizes and car parking space for each dwelling.

The character of the area is comprised by a mixture of single and two storey semi-detached, detached and terraced properties, therefore the proposed bungalows are considered appropriate to the immediate context of the site.

The proposed dwellings would be largely unseen from views from within the street scene. The individual dwellings would have an acceptable design and appearance. Whilst there is little opportunity for landscaping of the site, there are some small front and side garden areas which could be landscaped to improve the general character and appearance of the development for residents.

A bin storage area is proposed at the frontage of the site. The design of this has not been confirmed, and as such a condition requiring prior approval of its design is necessary to ensure that it is appropriate for its location. It should have a permeable and bound surface, and should be well screened.

Overall, the layout of the development is considered acceptable, and the appearance of the dwellings would be in keeping with the character and appearance of the dwellings in the surrounding area. Therefore the development is considered to accord with policy CSP1 of the core spatial strategy and the aims and objectives of the National Planning Policy Framework.

Car parking and highway safety

Policy T16 of the Local Plan states that development will not be permitted to provide more than the maximum levels of car parking spaces specified in the local plan car parking levels appendix.

The four proposed dwellings would each have two car parking spaces, which complies with the maximum car parking standards as set out in the Local Plan Appendix. The existing dwelling to be retained would retain 2-3 car parking spaces, which is acceptable.

The access arrangements for the proposed development are similar to that which was approved in the outline planning permission and which was considered acceptable in highway safety terms.

Overall, it is considered that adequate off road car parking would be provided for the proposed dwellings, and a suitable and safe access to the site would be provided, therefore the proposal is considered to comply with Policy T16 of the Local Plan and with the aims and objectives of the National Planning Policy Framework.

Impact on residential amenity

It is important to assess the proposal in terms of its likely impact upon residential amenity standards. Supplementary Planning Guidance provides advice on achieving satisfactory amenity standards.

No amenity issues would arise from the development of plot 1, and whilst the proposed garden length is shorter than the specified length in the Space Around Dwellings SPG, the length requirement is aimed at ensuring acceptable amenity distances are maintained where there are dwellings to the rear, and as the proposed private garden area would be if a sufficient size this is considered acceptable.

Plot 2 would have an adequately sized rear garden area, however the length of the garden is below the minimum length, similar to plot 1.

Plot 3 achieves an acceptable size and length of rear garden area, and would not cause any loss of privacy or light issues to neighbouring dwellings. The side wall of plot 3 is close to the boundary of several residential properties on Alsager Road, however would not cause any loss of light issues to these properties given the distance that would be achieved. A bathroom window would face towards the rear of 39 Alsager Road, however this is not a principal window and therefore it is considered that this relationship is acceptable. The siting of the dwelling on plot 3 complies with guidance and would not result in an unacceptable loss of privacy or have an overbearing impact on the occupiers of the adjoining property.

Plot 4 would achieve acceptable separation distances to principal windows, and similar to plots 1 and 2, whilst the garden length is short, it achieves an acceptable sized private garden area.

Overall, the development would achieve an acceptable level of amenity for both future occupants and those existing residents living in surrounding properties. However, given the site is very tight, it is considered appropriate to remove permitted development right for extensions and dormer windows on all plots. This is because increasing the number of bedrooms would increase the need for off road car parking for which there is limited space within the development to provide for this.

APPENDIX

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)

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 CSP2:	Historic Environment
Policy CSP3	Sustainability and Climate Change
Policy CSP5	Open Space/Sport/Recreation
Policy CSP6	Affordable Housing

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

Other material considerations include:

National Planning Policy Framework (March 2012)

Planning Practice Guidance (2014)

Community Infrastructure Levy Regulations (2010) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

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

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

Relevant Planning History

14/00731/OUT	5 no.residential units on site of bungalow	Permitted in 2014
NNR6385	Erection of squash courts, badminton hall and ancillary rooms and tennis courts.	Refused in 1973
NNR5559	Residential Development	Refused in 1972
NNR4755	Residential Development	Refused in 1969
NNR2252	Site for private housing estate	Refused in 1961

Views of Consultees

United Utilities – The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The applicant should implement the scheme in accordance with the surface water drainage hierarchy as outlined in their comments.

Audley Rural Parish Council - Not supported, due to the large number of objections received, the negative impact on the surrounding green belt, overdevelopment of a back garden, the road is excessively busy on a tight corner which would be worsened as a result of increasing further dwellings on the site, there is concern that by allowing this development it will set a precedent for other similar sites within green belt to be built upon.

Highway Authority – No objections subject to conditions relating to completion of access road, parking, and turning areas prior to use of the development, provision of visibility splays, provision of surface water drainage details prior to commencement of the development, the access road to remain ungraded, and approval of a pre commencement construction method statement.

Environmental Health Division – No objections subject to conditions relating to contaminated land, the internal noise levels of the new dwellings and advisory notes concerning construction hours, details of acoustic consultants and importation of waste materials to facilitate construction

Landscape Development Section - No objections following receipt of updated information subject to a condition securing tree protection in accordance with the revised arboricultural report and drawings.

Waste Management – have not responded by the due date and as such it is assumed that they have no comments to make

Representations

Two letters of objection have been received which are summarised below:

- One of the dwellings is to be erected within 2 metres of the boundary of neighbouring property, resulting in a loss of privacy and amenity
- Any future occupant of this property would have minimal privacy
- The previous outline plans offered better spacing with greater privacy standards for existing and future residents
- Restricted access for emergency vehicles
- Does the fact that the existing properties on Alsager Road have large gardens mean the proposed dwellings can be sited closer to their rear boundaries

Applicant/agent's submission

The application is supported by a Phase 1 Desk study to identify potential ground engineering and contamination issues; and a revised Arboricultural Report. All of the application documents can be viewed at the Guildhall or using the following link.

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00747/FUL>

Background Papers

Planning File
Development Plan

Date report prepared

21st October 2016