

The Application is for the approval of reserved matters relating to access, appearance, landscaping, layout and scale following outline planning permission which was granted in May 2013 for a detached dwelling (Ref. 13/00226/OUT) with all matters of detail reserved for subsequent consideration.

The site is located within a residential area of Newcastle which has no specific land use designations, as defined on the Local Development Framework Proposals Map.

The application is before the committee following a request from members when resolving to permit the outline planning application at its meeting of the 7th May 2013

The 8 week period for the determination of this application expires on 29th January 2014

RECOMMENDATION

A) Subject to satisfactory amended plans being submitted, as discussed in the main report below, PERMIT with conditions relating to the following;

- **Link to outline planning permission and conditions**
- **external facing and roofing materials**
- **existing and proposed ground levels and proposed floor levels**
- **boundary treatments**
- **hard and soft landscaping scheme**
- **surfacing and drainage details**
- **access, parking and turning areas being completed**
- **first floor side facing windows to be obscure glazed with top light opening only.**

B) If satisfactory amended plans are not received REFUSE for the following reason;

- **The proposed development by reason of its design, size and imposing scale would detract materially from the character and form of the area due to its location within the street scene which would be harmful to the character of the area in general, contrary to the guidance and requirements of the National Planning Policy Framework, Policy CSP 1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the advice found in the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010).**

Reason for Recommendation

The principle of a residential dwelling was accepted by the granting of outline planning permission and the proposed development, subject to conditions and the requested amendments being submitted, would represent a sustainable development that would not significantly harm the character and form of the area. The proposed development would therefore meet the guidance and requirements of the National Planning Policy Framework and the provisions of the development plan indicated below and there are no material considerations which would justify a refusal of the reserved matters submission.

The proposed dwelling as initially submitted would detract materially from the character and form of the area due to its location within the street scene which would be harmful to the character of the area in general contrary to policy and guidance. As such if satisfactory amended plans are not received it is considered that the application should be refused.

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

Amendments are being sought from the applicant and subject to these being acceptable it is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

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)

Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011

Policy N12: Development and the Protection of Trees
Policy T16: Development – General Parking Requirements

Other material considerations include:

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance/Documents

Space Around Dwellings (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

13/00228/OUT Detached Dwelling Permit

Views of Consultees

The **Highways Authority** raises no objections subject to conditions that the access, parking and turning areas are provided in accordance with the approved plans and the garage being retained for the parking of motor vehicles and cycles.

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

The **Landscape Development Section** have detailed that contrary to Condition 4 of the outline permission some existing trees on the site have been felled. Therefore, before they can comment an Arboricultural Impact Assessment and Tree Protection Plan, both to BS5837:2012, are to be submitted for the remaining trees, along with any special measures necessary to accommodate them. A landscaping scheme for the front of the property should also be submitted. This should provide continuity with the existing street scene. It should also include tree planting to mitigate the loss of existing trees.

Representations

Six letters of representation have been received, one in support and five objecting to the proposal.

The letter of support makes the following comments;

- The proposal would bring a derelict and overgrown site back into positive use which would benefit the area.

- The removal of the existing building and boundary wall/ fence would improve the visual appearance of the area.
- The proposed dwelling has been designed to blend in with a 1930's Westlands style house.

The letters of objections raise the following concerns;

- The size of the proposal would have a detrimental impact on the residential amenities of neighbouring properties in terms of a loss of privacy to principal windows.
- The proposal should only be two storeys in height and should have tall boundary structures to minimise any loss of privacy to neighbours.
- The height of the proposal is unacceptable and the roof should be hipped.
- The proposal would be overbearing on neighbouring properties.
- The proposal would be out of keeping with the existing 1930's design of the street scene.
- It would devalue house prices.
- The proposal is poorly designed, out of character and ill placed.
- The existing building line of Chester Crescent would be breached significantly
- The proposal would have very little garden space for future occupiers
- Trees have been removed illegally
- The building should be scaled down
- It would lead to a loss of light to windows of a neighbouring property
- The layout would be in keeping if it was to the right of the site. This would result in the property being centrally placed.
- A revised layout would result in vehicles not driving close to a sewer

Applicant/agent's submission

A design and access statement has been submitted to support the application and a summary of this is as follows;

- This is an area of reasonably large private homes, of a style redolent of the period from the early 1930's to the late 1950's.
- Chester Crescent is built on a hill with successive houses set above the neighbouring property.
- The newly proposed second floor is created wholly in the roof space and adds nothing to the bulk of what would otherwise be a two storey building.
- The overall width is 11.3 metres, height to eaves 5.2 metres and the ridge is at 9.75 metres.
- The overall bulk of the property matches that of either the detached dwellings on The Plaisance and Edward Avenue, or the semi-detached pairs on Chester Crescent.
- Proposed materials are red/multi facing brick walls with blue brick plinth and quoins, and dark grey clay roof tiles.
- The front will be symmetrical with gabled, tile hung, bays.
- Hard surfaces on the site will either be permeable or will drain to permeable gravel margins.
- Subject to a successful percolation test in consultation with building control the roof water drainage will be taken to two newly formed soakaways in the front and rear garden.

The application plans and documents can be viewed by following this link www.newcastle-staffs.gov.uk/planning/ChesterCrescent

KEY ISSUES

This application seeks approval of all the reserved matters following outline planning permission which was granted in May 2013 for a detached dwelling (Ref. 13/00228/OUT).

The application site forms part of the residential curtilage of no. 17 Edward Avenue. The site is located within a residential area of Newcastle which has no specific land use designations, as defined on the Local Development Framework Proposals Map.

The key issues in the determination of the development are:

- Design and the impact on the character and appearance of the area
- Impact on residential amenity on neighbouring properties
- Highway safety
- Impact on trees
- Other matters

Design and the 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.

The Urban Design SPD indicates in R14 that “Developments must provide an appropriate balance of variety and consistency, for example by relating groups of buildings to common themes, such as building and/ or eaves lines, rhythms, materials, or any combination of them.”

The existing street scene is of semi-detached dwellings of a similar size but varying front facades. These are set within modest plots with front gardens and a number have been extended previously.

The layout plan and elevation submitted for the outline planning application were for indicative purposes only and as such in granting outline planning permission approval was not given to those plans. The proposed dwelling is much larger in scale than the indicative plans envisaged and it is considered that a dwelling of the scale proposed would have an adverse impact on the street scene contrary to policy. Amendments have been sought seeking reductions to the ridge height and footprint whilst also seeking the introduction of a hipped roof which is characteristic of the area. These amendments would reduce the dominance of the proposal within the street scene and represent a more acceptable design that would be more in keeping with other neighbouring properties.

The principle of living accommodation in the roof space is not objected to, on a matter of principal, and is a common scenario in many residential areas, thus resulting in a two and a half storey dwelling. However, the overall high ridge height, gable roof and steep roof pitch needs to be addressed.

The principle of a detached dwelling was accepted during the outline application and whilst there would be a contrast with the prominent semi-detached character of the street scene the design of the front façade seeks to be similar to the existing properties. A hipped roof and reduction in the ridge height would also improve the appearance of the dwelling within the street scene and amendments have been sought from the applicant,

A reduction in the footprint of the property has also been sought to result in a greater set back to ensure that the siting reflects the building line within Chester Crescent.

A number of representations have been received regarding the design, layout and scale of the property and the impact that this would have on the character of the street scene. It is considered that if the amendments sought are achieved then it would address these concerns and not result in a dominant development that would adversely harm the character or integrity of the street scene.

Subject to satisfactory plans being submitted that include the amendments sought being submitted and them addressing the concerns of officers it is considered that the layout, scale and appearance of the proposed dwelling would not be harmful to the character of the street

scene and it would comply with policy CSP 1 of the CSS, the urban design SPD and the guidance and requirements of the NPPF which is considered acceptable.

Impact on the residential amenity on neighbouring properties

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.

A number of representations have been received raising concerns about the scale of the proposal and the impact that windows in the rear roof slope would have on the amenity of neighbouring properties. The windows would not be classed as principal windows and they would not directly face towards neighbouring principal windows and as such the roof lights as proposed would not be in conflict with guidance in the Council's space about dwellings SPG.

Furthermore the ground floor and first floor windows on the rear elevation would not directly face neighbouring principal windows and so comply with the Council's SPG, as do windows in the front elevation. There are windows proposed in both side elevations but these serve none principal windows and the first floor windows can be restricted to be obscure glazed with restricted opening to further minimise the impact.

The siting of the proposed dwelling has a close relationship with no.1 Chester Crescent and would be elevated above it. An amendment is being sought to reduce the footprint which would result in the front elevation being set back a further 1.5 metres. This would minimise the impact on a first floor window of no.1. The reduction in the ridge height and a hipped roof would also minimise the impact on the neighbouring window which is unlikely to be a principal window to the property.

The proposals, due to the separation achieved, would not result in a significant adverse impact to the occupiers of no. 17 Edward Avenue but the amendments being sought would further minimise any impact.

The layout shows a rear garden area of over 110 square metres with an additional front garden also. This is considered adequate for the scale of property once the amendments have been made.

The proposals would not result in a significant and adverse impact to the residential amenity of neighbouring properties in terms of loss of privacy light or any overbearing impact to principal windows. It is therefore in accordance with the Council's SPG and the requirements and guidance of the NPPF.

Highway safety

The access to the proposal would be achieved off Chester Crescent and the Highways Authority has raised no objections subject to conditions that the access, parking and turning areas have been provided in accordance with the approved plans and the garage being retained for the parking of motor vehicles and cycles. The driveway would provide an adequate level of off street car parking for the size of dwelling in this location. Therefore a condition retaining the garage for the parking of vehicles is not considered necessary and the proposal complies with policy T16 of the local without the need for this restriction.

The impact on trees

A condition of the outline planning permission indicates that no development should commence until an Arboricultural Impact Assessment and Strategic Landscape Design to BS5837:2012 has been submitted. Since that permission some trees and vegetation within the site have been felled and cleared, however as they were not subject to a Tree Preservation Order and as there was no condition of the outline planning permission requiring their retention this was not in breach of any controls. In light of this and given that the

information specified in the condition is not yet required there is no breach of condition and it would still need to be satisfied.

Given the limited landscaping information that has been included within the application it is necessary for a condition to be imposed requiring a detailed landscaping scheme for the front of the site to further improve the appearance of the development proposal within the street scene.

Other matters

An objection has been received detailing that the proposal would have an impact on neighbouring property values. The issue of property values is a matter that cannot be taken into consideration because it is not a material planning consideration.

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

14th January 2014