

The application seeks the approval of reserved matters relating to access, layout, scale, appearance and landscaping in respect of a residential development of 2 dwellings.

The application has been called-in to Planning Committee by two Councillors due to residents' concerns regarding access onto Emery Avenue, loss of trees and the size of the properties and their effect on the street scene.

The site lies within the Newcastle Urban South and East Area of Newcastle as indicated within the Local Development Framework Proposals Map.

The statutory 8 week determination period expired on 25th April however an extension has been agreed until 26th May 2018.

RECOMMENDATION

Approve subject to conditions relating to the following

- 1. Standard Time Limit**
- 2. Approved Plans**
- 3. Acoustic fence to be erected in accordance with the approved details prior to occupation of any of the dwellings.**
- 4. Retain garages for vehicles only**
- 5. Parking and Turning Areas on site prior to occupation**
- 6. Prior approval of Construction Method Statement**
- 7. Provision of a surface water drainage interceptor to rear of highway**
- 8. Gates 5m back into site**

Reason for recommendation

The principle of the use of the site for residential development has been established with the granting of the outline planning permission. The design and layout of the proposal is considered acceptable in accordance with the aims and objectives of the National Planning Policy Framework and the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD. There would be no material adverse impact upon highway safety or residential amenity as a consequence of the internal layout. Subject to confirmation that trees within the site that contribute positively to the street scene can be retained, the proposal is considered to be acceptable.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks permission for the reserved matters relating to access, layout, scale, appearance and landscaping in respect of a residential development for two detached dwellings.

The principle of the residential development on site was agreed under approved application 16/01108/DEEM4, and as such the key issues to consider in the assessment of the application are as follows;

- Design, and impact upon the character of the area and street scene
- Impact upon residential amenity
- Highway and parking implications

- Impact on trees

Design Impact upon Character of the Area and Streetscene

The current NPPF at paragraph 56 indicates that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 64 it 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. The draft NPPF, at section 12, also sets out policy which aims to achieve well-designed places.

The proposal includes two detached four bedroom dwellings of traditional design, including red brick elevations and tiled, pitched roofs and a large glazed entrance feature. Attached double garages are proposed to the front of the dwellings.

The dwellings are sited so that they face towards, and have access from, Emery Avenue. Whilst the proposed dwellings are large, five bed properties, their scale and design are appropriate for the size of this corner plot. Notwithstanding the objections received they would not be out of keeping with the character of the surrounding area and would not result in an incongruous addition within the street scene.

It is recommended that a condition is attached to the decision notice to ensure that suitable materials are used in order to ensure the use of high quality materials.

Impact upon Residential Amenity

The current NPPF states within paragraph 9 states that pursuing sustainable development involves seeking positive improvements in peoples quality of life, including improving the conditions in which people live, work, travel and take leisure. The impact upon the amenity of surrounding residents has to be taken into consideration. Paragraph 17 sets a core planning principle that planning should seek to secure a good stand of amenity for all existing and future occupants of land and buildings. Similar policy is set out in the draft NPPF

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

The proposed layout of the detached dwellings would ensure that sufficient space would be provided between the proposal and neighbouring dwellings in accordance with the guidance. The proposal would not result in any overbearing impact, loss of light or privacy.

During the course of the application details of an acoustic fencing, measuring 1.8m in height, have been provided to address noise arising from the adjoining tennis courts. The Environmental Health Division has confirmed that the fence as proposed is acceptable.

Highway Implications

The current NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. This is repeated in the draft NPPF at paragraph 109.

Policy T16 states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on street parking or traffic problem. Maximum parking standards are provided, within table 3.2 of Appendix 3, which sets the level of parking for community centre, which are Class D2 uses, at 1 space per 10m². The existing community centre floor area is 87.6sqm including a 4.4sqm kitchen area and to accord with Local Plan policy a maximum of 9 parking spaces are required.

The outline application dealt with the redesign of the carpark to the adjoining community centre provide 29 spaces in total, which whilst above maximum standards was accepted. The current application does not alter this element of the scheme at all, and whilst objections have been received

regarding parking to the community centre this element does not form part of the current application and has already been given planning permission.

The proposal provides parking for at least three vehicles and as such would comply with Local Plan policy. In addition it is considered that the provision of access onto Emery Avenue is acceptable, and is supported by the Highway Authority.

Overall the development is considered to be acceptable and would not result in any unacceptable highway safety concerns.

Impact on trees

The proposal involves the removal of a number of trees along the boundary of the site with Emery Avenue and Wedgewood Avenue. All the trees to be removed have been categorised in the Arboricultural Impact Assessment that has been submitted with the application as category C (of low quality) or U (of such a condition they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years). All other trees within the site, which have been categorised as B (of moderate quality) and C, are proposed to be retained. The views of the Landscape Development Section have been sought and their response including their comments on whether the trees can be retained as proposed will be reported.

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](#)

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP5: Open Space/Sport/Recreation

[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 N2: Development and nature conservation – site surveys
Policy N12: Development and the Protection of Trees

Other material considerations include:

[National Planning Policy](#)

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Draft revised National Planning Policy Framework](#)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

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

[Relevant Planning History](#)

16/01108/DEEM4	Outline planning permission for two detached dwellings	Approved April 2017
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[Views of Consultees](#)

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

- Provision of access and parking before occupation,
- Provision of a surface water drainage interceptor immediately to the rear of the highway,
- Gates set back a minimum of 5 metres, garages retained for vehicle parking
- prior approval and implementation of a construction method statement.

The **Landscape Development Section** requested the submission of an arboricultural impact assessment. This has now been provided and comments are awaited.

The **Environmental Health Division** has no objections and state that details of the acoustic treatment to the boundary as submitted is acceptable.

[Representations](#)

Three letters of representation were received during the course of the application raising the following concerns

- Issues regarding access given the narrow width of Emery Avenue which is used by large volumes of traffic.
- The improved front car park to the community centre is not sufficient for its purposes.
- Discharge of water onto the road caused by the proposed driveways
- Concerns about the scale of the proposed dwellings – site too small to accommodate two detached dwellings
- Issues with parking overspill from the community centre

Applicant/agent's submission

The application is supported by a Planning Application, Plans, Phase 1 Geo Assessment and forestry information.

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/18/00167/REM>

Background Papers

Planning File
Development Plan

Date report prepared

27th April 2018