

**SITE OF FORMER OXFORD ARMS PUBLIC HOUSE, MORETON PARADE, MAY BANK
DEO PROPERTY DEVELOPMENTS 18/00334/FUL**

This application seeks to vary Condition 2 of planning permission 15/00421/FUL which granted planning permission for a residential development of six pairs of semi-detached houses providing 12 dwellings and parking. Condition 2 lists the approved drawings and the variation sought seeks to substitute amended plans to allow for alterations to the parking layout within the site and some minor changes to the landscaping.

The application site is within the Newcastle Urban Area as indicated on the Local Development Framework Proposals Map.

The 13 week period for the planning application expires on 31st July 2018.

RECOMMENDATION

PERMIT the variation of condition 2 to list the revised plans and subject to the imposition of all other conditions attached to planning permission 15/00421/FUL that remain relevant at this time.

Reason for Recommendation

The revised parking layout is acceptable and there would be no adverse impact on highway safety.

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

Amended plans have been requested and received and the proposal is now considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

This application seeks to vary Condition 2 of planning permission 15/00421/FUL which granted planning permission for a residential development of six pairs of semi-detached houses providing 12 dwellings and parking. Condition 2 lists the approved drawings and the variation sought seeks to substitute amended plans to allow for alterations to the parking layout within the site and some minor changes to the landscaping. The development is fully occupied.

In law the consequence of the granting of an application to vary a condition of a planning permission would be the creation of an entirely new planning permission rather than an amendment of the existing one. The previous permission was granted following the completion of a Section 106 agreement which required a financial contribution towards public open space improvement and maintenance. That financial contribution has been paid in full and therefore there is no requirement for a further Section 106 agreement now. The sole issues for consideration in the determination of this application are therefore whether the revised parking layout is acceptable in terms of highway safety and whether the revised landscaping is appropriate.

In the approved scheme, a turning head was proposed to the rear of the site with tandem parking spaces for four of the dwellings indicated to the south of the turning head. The development has been constructed without the turning head and it is now proposed to provide parking spaces in a single row to the front of the dwellings on Plots 7 to 12 to include two spaces for the dwelling on Plot 5 which is adjacent to the access to the site.

The Highway Authority has no objection to the revised parking layout. Two spaces would be provided for each dwelling, the spaces would be accessible and vehicles would be able to manoeuvre safely within the site. It is not considered therefore that there would be any adverse impact on highway safety.

The changes to the landscaping are very minor. Much of the planting remains as indicated on the approved landscaping scheme with some minor changes to accommodate the changes to the parking layout. No comments have been received from the Landscape Development Section, and it is not considered that any objection could be raised.

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 SP3: Spatial Principles of Movement and Access

Policy CSP1: Design Quality

Policy CSP3: Sustainability and Climate Change

[Newcastle-under-Lyme Local Plan \(NLP\)](#)

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

[National Planning Policy Framework \(NPPF\)](#) (2012) and Ministerial Statement on Parking (March 2015)

[Planning Practice Guidance \(NPPG\)](#)

[Draft revised National Planning Policy Framework](#)

Relevant Planning History

10/00777/OUT	Residential development (10 dwellings)	Approved
11/00649/REM	Erection of 6 detached dwellings, 2 semi-detached dwellings (8 dwellings in total), 2 detached garages and formation of new accesses	Approved
14/00973/FUL	Erection of 3 pairs of semi-detached and 4 detached dwellings (10 dwellings in total)	Approved
15/00421/FUL	Erection of six pairs of semi-detached houses providing 12 dwellings and parking	Approved

Views of Consultees

The **Highway Authority** has no objections subject to a condition requiring the parking and turning areas to be clearly delineated.

Regarding the plans as originally received, the Council's **Waste Management Section** was concerned that the spaces then proposed for Plot 5 would restrict their ability to manoeuvre collection vehicles within the site.

The **Environmental Health Division** makes no comments on the application.

No comments have been received from the **Landscape Development Section**. Given that the period for comment has now expired, it must be assumed that they have no comments to make.

Representations

None received

Applicant's/Agent's submission

The application forms and plans have been submitted. These documents are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00334/FUL>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

25th June 2018