

The application is for a new vehicular access. The dropped kerb to be installed would measure 3.6m in width.

The application site is located within an established residential area in the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expires on the 9<sup>th</sup> October.**

### **RECOMMENDATION**

Subject to the consideration of the comments of the Highway Authority and the Landscape Development Section, PERMIT subject to conditions relating to the following matters:

1. Time limit relating to the commencement of development
2. Approved Plans
3. Provision of access/parking areas in a bound and porous material prior to first use.
4. Tree protection measures
5. Appropriate methods of construction to protect the tree.

### **Reason for Recommendation**

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework. As such no amendments were considered necessary to the application.

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

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework. As such, no amendments were considered necessary to the application.

### **Key Issues:**

The application is for full planning permission for a new dropped kerb to allow access off St Michaels Road, Newcastle under Lyme which is a C Classified Road. The site is located within the urban area of Newcastle-under-Lyme as identified within the Local Development Framework Proposals Map.

The key issues to consider are;

- The impact of the works on the visual amenity of the area, including impact on trees
- Parking and impact on highway safety

### **The impact of the works on the visual amenity of the area including impact on trees**

The property is at the end of a terrace which currently benefits from a large gravel front garden with pedestrian access only. This part of St Michaels Road is lined on either side with grass verges interspersed by trees. One of these highway trees is located to the west of the proposed vehicular access. It is noted that a number of properties within the immediate vicinity have implemented new access points off St Michaels Road in a manner similar to that sought by the applicant.

Whilst the proposal would result in the loss of an area of grassed verge it is not considered that this would have a detrimental impact on the character or appearance of the surrounding area.

The mature tree located to the west of the proposed dropped kerb is likely to be in the ownership of Staffordshire County Highway Authority. Given the proximity of the development site to this tree, it is considered that the development may have some impact on its longevity.

Policy N12 of the Local Plan details that the council will resist development that would involve the removal of any visually significant tree unless the need for the development is sufficient to warrant the loss and the loss cannot be avoided by appropriate siting and design. This policy also details that where trees are to be lost through development then replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

The Landscape Development Section has been consulted on the application with their comments anticipated to be received prior to the application going before the committee.

The tree is located approximately 3.5m to the west of the dropped kerb area, and whilst it is noted that this would result in increasing numbers of vehicles passing within close proximity to the tree and its associated roots, it is not considered that this would result in severe implications that would warrant the refusal of the application. It is assumed at this time that they will not object and that any impact on the tree can be addressed through tree protection measures and suitable construction methods.

#### **Parking and the impact on Highway Safety:**

Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The property currently has no off-road parking spaces within the curtilage of the dwelling. The proposed dropped kerb together with an area of appropriate hardstanding would allow vehicles to be parked off the highway.

The Highway Authority has been consulted on the proposal with their comments anticipated to be received prior to the application going before the committee.

It is noted that there are a large number of vehicles parking on the highway in this particular area given the lack of vehicular access and parking areas within the curtilage of the surrounding residential dwellings. The development would increase the provision of off street parking in the area and reduce the amount of on-street parking.

Having considered recent applications for similar development along this part of St Michael's Road, it is not considered that the development would result in severe impacts on the surrounding road network as detailed above would offer an improvement. Permission should therefore be subject to conditions to secure the associated parking areas prior to the first use of the development and ensure the drive would be surfaced in a bound and porous material.

The development is therefore considered acceptable and would not raise any severe implications with regards to parking or highway safety and so accords with the provisions of the National Planning Policy Framework.

## **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 CSP1: Design Quality

Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy N12: Development and the Protection of Trees

Policy T16: Development - General Parking Requirements

### **Other Material Considerations**

National Planning Policy

[National Planning Policy Framework \(NPPF\) \(2018\)](#)

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

Other Guidance

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

Relevant Planning History

None

Views of Consultees

The views of the **Highway Authority** and **Landscape Development Section** are awaited and will be reported.

Representations

No representations have been received to date at the time of writing this report. The deadline for comments is the 10<sup>th</sup> of September.

Applicant/agent's submission

The requisite plans and application forms submitted can be viewed on the Councils website; <https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00657/FUL>

Background Papers

Planning File  
Development Plan

Date report prepared

29<sup>th</sup> August 2018