

**LAND OFF DEANS LANE AND MOSS GROVE, RED STREET
PERSIMMON HOMES (NORTH WEST)**

18/00854/REM

The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 50 dwellings.

This application for the approval of reserved matters follows the granting of an outline planning permission in December 2017 for a residential development of up to 50 dwellings (16/00902/DEEM4). Details of access from the highway network were approved as part of the outline consent.

The application site lies on the edge but within the major urban area of all as indicated on the Local Development Framework Proposals Map. The site extends to approximately 1.47 hectares.

The 13 week period for the determination of this application expires on the 11th February 2019.

RECOMMENDATIONS

Subject to the receipt and consideration of further Lead Local Flood Authority comments;

PERMIT subject to conditions relating to the following:

1. Link to outline planning permission and conditions
2. Approved plans
3. Facing and roofing materials
4. Boundary treatments
5. Soft landscaping scheme
6. Method Statement for protection, treatment and future management of hedgerows
7. Off site highway works – provision of accesses and to tie in the existing highway & footway on Moss Grove into the carriageway & footway to the development site
8. Provision of visibility splays
9. Surfacing of parking areas
10. Surface water drainage
11. Retention of garages for parking of motor vehicles and cycles
12. Footpath link completed
13. Trees shown as retained shall be retained and protected throughout construction
14. Approval does not constitute the LPA's approval pursuant subject of other conditions of the outline planning permission, these needing to be subject of separate application

Reason for Recommendation

Subject to drainage matters being adequately addressed, the proposed development would be suitable for the site and the character and amenity of the area in accordance with design principles set out in the Council's Urban Design Guidance SPD. The development for 50 dwellings also provides an acceptable level of off-street car parking, pedestrian connectivity and relationship with neighbouring properties and following the submission of amended/ additional information the design of the scheme is acceptable and meets the requirements of the National Planning Policy Framework.

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

Through negotiation with the applicants revised proposals have been received during the determination of the application which are considered satisfactory.

Key Issues

1.1 The Application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 50 dwellings.

The principle of the residential development of the site has been established by the granting of outline planning permission 16/00902/DEEM4 in December 2017, following the completion of Section 106 agreement which secured 25% Affordable Housing onsite, a financial contribution of £147,150 towards the improvement of the equipment on Red Street Open Space and/or Barbridge Road Play Area and £99,732 towards secondary education places at Chesterton Community Sports College. A separate Unilateral Undertaking secured the provision and maintenance of acceptable visibility splays on third party land at the junction of Moss Grove and Deans Lane. Details of the access from the highway network were approved as part of the outline consent.

1.2 Given that this is a reserved matters application the key issues for consideration now are limited to:-

- Is the proposal acceptable in terms of its design and impact on the form and character of the area, including loss of hedgerows?
- Would there be any material adverse impact on residential amenity?
- Are the proposed access arrangements, parking provision and pedestrian connectivity works acceptable in highway safety terms?
- Sustainable drainage considerations and electric vehicle charging, and
- Is the affordable housing layout acceptable?

2.0 Is the proposal acceptable in terms of its design and impact on the form and character of the area, including loss of hedgerows?

2.1 Paragraph 124 of the recently published revised National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 127 of the revised framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

2.2 Policy CSP1 of the Core Spatial Strategy (CSS) lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the revised NPPF.

2.3 Section 7 of the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) provides residential design guidance. R3 of Section 7 of that document states that new development must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it.

2.4 R14 states that developments must provide an appropriate balance of variety and consistency.

2.5 The application site is located on the edge of the urban area with the landscape to the north and west being fairly open.

2.6 The proposed development ensures that dwellings front both Deans Lane and Moss Grove. The dwellings that front Deans Lane would be at the expense of a hedgerow which is a change to the indicative layout that was presented during the outline planning application. The loss of part of this hedgerow was agreed and it is considered that dwellings that primarily front Deans Lane is an appropriate design solution that would help the development as a whole to enhance the appearance of the site and visual amenity of the area.

2.7 The proposed house types and mixture of dwellings are acceptable and corner plots would be dual frontage. Streetscene plans have been submitted to support the application which demonstrate that there would be active frontages to both Deans Lane and Moss Grove. The proposals would be enhanced by soft landscaping and a detailed landscaping plan has been submitted. The Landscape Development Section (LDS) have requested a number of further improvements to soften the appearance of the development. This has resulted in amended details being provided and whilst LDS have not made further comments to date, the principle of the amended landscaping scheme is considered acceptable and a condition can secure additional improvements also.

2.8 The dwellings would be constructed using facing brick and details have been submitted for approval. The proposal is to construct the dwellings using two types of facing brick throughout the development. Some of the dwellings would be constructed using a red brick and others will be constructed using a brindle or brownish brick. A greater variety and mixture of facing bricks to break up the appearance of the development would have been preferable but on balance the details are considered acceptable. A grey roof tile will be used for all of the dwellings

2.9 The proposed development offers an acceptable design that would not harm the character and appearance of the area in accordance with design principles set out in the Council's Urban Design Guidance SPD and the NPPF.

3.0 Would there be any material adverse impact on residential amenity?

3.1 Paragraph 127 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.

3.2 The Council's Supplementary Planning Guidance (SPG) - Space Around Dwelling provides more detailed guidance on privacy and daylight standards including separation distances between proposed dwellings and new development in relation to existing dwellings.

3.3 The proposed dwellings would all be two storeys in height and would be a mixture of 2, 3 & 4 bedroom dwellings. The separation distances and relationship of proposed dwellings with neighbouring dwellings accords with the SPG and is therefore acceptable. The plots would have acceptable rear garden sizes.

3.4 Separation distances and relationships between the proposed dwellings would be acceptable with the only shortfall in the separation distance being between plot 27 and plot 3 whereby ground floor principal windows of plot 27 face the two storey blank gable end of plot 3. The distance specified in the SPG is 13.5 metres to ensure that an overbearing impact is not caused. In this instance the distance is 12 metres but due to the relationship of the principal window with the gable end of plot 3 it is considered that the overbearing impact would not be significant. On this basis, it is not considered that a reason for refusal is justified because of this shortfall.

3.5 Overall, the proposal is considered to meet the guidance and requirements of the NPPF.

4.0 ,Are the proposed access arrangements, parking provision and pedestrian connectivity works acceptable in highway safety terms?

4.1 Details of the access to the site were approved when outline planning permission was granted. The development proposed a single point of access off Moss Grove via a continuation of that highway. Moss Grove is accessed via Deans Lane, a single lane carriageway subject to a speed limit of 30mph. However, the layout now proposed seeks access for seven properties off Deans Lane via a shared driveway (to serve three dwellings) or via individual driveways. Whilst this differs from the outline permission whereby all properties were to be served from Moss Grove the accesses that front Deans Lane would be taken directly off the highway with no adoptable highway road being proposed off Deans Lane. The majority of the properties and the new access roads within the site would be via Moss Grove which is broadly in line with the access details permitted in the outline planning permission. In terms of impact on safety on Deans Lane the only consideration can be the consequence if any of providing direct access from 7 plots onto Deans Lane. In granting the outline planning permission Moss Grove was agreed to be a suitable access onto Deans Lane for up to 50 dwellings and less are now proposed. There is no basis to reconsider the wider impact on say the junction of Deans Lane with Red Street.

4.2 The NPPF, at paragraph 109, advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. LPAs have also been encouraged not to set maximum limits on the amount of parking either and NLP policy T16 states that development

which provides significantly less parking than the maximum specified levels referred to in that policy will not be permitted if this would create or aggravate a local on-street parking or traffic problem.

4.3 The proposed dwellings are a mixture of 2, 3 and 4 bedroom properties and each dwelling would have a minimum of two off street car parking spaces. This is considered acceptable for this location.

4.4 The Highway Authority has raised no objections to the current proposal subject to a number of conditions that will secure acceptable access and parking arrangements that will also include acceptable visibility splays throughout the development. Highway and pedestrian connectivity works will also need to be completed prior to the occupation of the dwellings.

4.5 The Waste Management Section have agreed the submitted details and condition 13 of the outline permission requires full and precise details of the arrangements for recyclable materials and refuse storage, including designated areas to accommodate sufficient recyclable materials and refuse receptacles to be submitted for approval.

4.6 Condition 7 of the outline planning permission required a footpath link on the eastern boundary of the site to allow pedestrian access from the development to the existing public footpath (Newcastle 21). A footpath link is proposed which would provide easy connectivity from the public footpath to the proposed dwellings with an attractive appearance and natural surveillance also achieved.

4.7 Subject to the advised conditions the proposed development is considered unlikely to lead to significant highway safety and on street car parking implications within the development site or on neighbouring roads. The development would therefore meet the guidance and requirements of the NPPF.

5.0 Sustainable drainage considerations and electric vehicle charging

5.1 Policy CSP3 of the CSS indicates that development which positively addresses the impacts of climate change and delivers a sustainable approach will be encouraged.

5.2 Paragraph 148 of the revised NPPF also recognises that “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development”.

5.3 The outline permission required the submission of a detailed surface water drainage scheme as part of the reserved matters application. Whilst this reserved matters submission provides a surface water drainage scheme the LLFA still require further information to be submitted before they can be satisfied that the development would be acceptable. This has resulted in additional information being submitted and the further views of the LLFA are now being sought and their comments should be received prior to the committee meeting. Any comments received will be reported prior to the meeting.

5.4 Furthermore, it is considered necessary to attach a condition that the development should provide electric vehicle charging points for each plot which is encouraged by paragraph 110 of the NPPF.

6.0 Is the affordable housing layout acceptable?

6.1 A Section 106 planning obligation, entered into when outline planning permission was granted, requires the provision of affordable housing within this development. The proposal includes the provision of 13 affordable units, which is 25% of the total number of dwellings proposed and as such accords with policy. The 13 units comprise of 8 units which will be for social rent and 5 units which will be shared ownership. Three of the units will be two bedroom properties and 10 will be three bedroom properties.

6.2 The Housing Strategy Section has advised that the affordable housing proposals accord with the affordable housing SPD and that the proposed affordable housing is sufficiently “pepper potted”.

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 CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation
Policy CSP6: Affordable Housing

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

Policy T16: Development – General Parking Requirements
Policy N3 Development and Nature Conservation – Protection and Enhancement Measures
Policy N4 Development and Nature Conservation – Use of Local Species
Policy N12: Development and the Protection of Trees
Policy N17: Landscape Character – General Considerations
Policy C4: Open Space in New Housing Areas

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (July 2018)

[Planning Practice Guidance](#) (March 2014)

Supplementary Planning Guidance/Documents

[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)

Relevant Planning History

16/00902/DEEM4 Outline Planning Consent for the development of up to 50 dwellings
(Resubmission of 16/00634/DEEM4) Permitted

16/00634/DEEM4 Outline planning consent for the development of up to 50 dwellings Withdrawn

Views of Consultees

The **Highways Authority** raises no objections subject to conditions relating to surfacing of parking areas, visibility splays, cycle storage, surface water drainage, garages being retained for vehicle parking, off site highway works (access of Moss Grove) and pedestrian links provided.

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

Severn Trent Water (STW) have sought drainage information and further information has been submitted to them. No further comments have been received.

The **Landscape Development Section** have advised that the layout should be adjusted to ensure that the grass verge on Moss Grove is retained, fill in gaps in hedgerows, additional hedgerow planting to protect views from neighbouring developments and category B trees should be shown on the proposed layout. They also request pathway improvements to connect to the public footpath, a

Method Statement for protection, treatment and future management of hedgerows and new tree planting be positioned within planting beds

Waste Management Section raises no fundamental concerns with the proposals following the submission of amended/ additional information. However, they advise that care needs to be taken to ensure that bins are not left at collection points and that freighters will be able to access the location safely. They advise though that the narrow width of the road (demonstrated by the analysis outside plots 23-25) makes it clear that any cars parked on the highway may obstruct access for collection vehicles and prevent servicing, causing inconvenience to residents and incurring costs to the Council in arranging returns.

Crime Prevention Design Advisor are largely supportive of the proposed layout which they indicate possesses some sound crime prevention attributes. However, one negative aspect that they have highlighted before planning permission is granted relates to rear garden access - the plans do not show gating at the sides of the properties in place to prevent unauthorised access from the front of the properties to the private rear gardens.

Staffordshire County Council Flood Risk Team (LLFA) indicates that condition 6 of the outline planning consent (16/00902/DEEM4) states that any application for the approval of reserved matters shall include a detailed surface water drainage scheme for the site, and specifies a list of details required. They advise that the current reserved matters application does not meet this requirement and further information is sought.

Housing Strategy Section advises that 13 units are proposed to be provided as affordable homes. This is 25% of the total number of units on site. 8 of these units will be social rented and 5 units will be intermediate homes. For sake of clarity, it should be set out that these will be of a shared ownership tenure. The types of properties 3 x 2 bed houses and 10 x 3 bed houses. They advise that the above proposals accord with the Supplementary Planning Document and that the location of the proposed affordable housing is sufficiently pepper potted.

County Council Rights of Way Officer advises that existence of Public Footpath No. 21 Newcastle Parish, which lies to the south of the proposed development, should be brought to the attention of the developer. However, they raise no objections to the application.

Comments were also invited from **Staffordshire Wildlife Trust (SWT)** and in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by a Design and Access Statement

All of the application documents are available for inspection at the Guildhall and on <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/18/00854/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

16th January 2019