

**STANTON CLOSE AND SITE OF FORMER FORGE INN PUBLIC
HOUSE, KNOTTON
ASPIRE HOUSING**

18/00932/FUL

The application is for full planning permission for the demolition of 11 existing bungalows and the construction of 30 affordable dwellings with associated external works. The new dwellings are to be “affordable rent” properties.

The application site measures approximately 0.65 ha.

The site lies within the Urban Area of Newcastle under Lyme as defined on the Local Development Framework Proposals Map.

The 13 week period for the determination of this application was the 20th February 2019. The applicant has extended, by agreement, the statutory determination period to the 26th April 2019.

RECOMMENDATION

PERMIT subject to conditions relating to:-

- 1. Time Limit.**
- 2. Approved Plans.**
- 3. External facing materials.**
- 4. Landscaping details provision, agreement, and implementation.**
- 5. Prior approval and implementation of tree retention and protection measures.**
- 6. Provision and retention of access, internal roads, private drives, parking and turning areas in accordance with the approved plans.**
- 7. The approval, provision and implementation of:**
 - surfacing materials for the private drives, parking and turning areas;**
 - means of surface water drainage for the private drives, parking and turning areas;**
 - delineation of the parking bays;**
 - details of the proposed electric buggy and cycle parking stores;**
 - EV charging points and infrastructure**
- 8. The two existing site accesses on Knutton Lane, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted, to be permanently closed and the access crossings reinstated as footway.**
- 9. No development shall take place, including any works of demolition, until a Construction Management Plan has been agreed in writing and thereafter fully implemented during construction.**
- 10. Prior approval and implementation of bin storage details.**
- 11. Prior approval and implementation of external lighting.**
- 12. Prior approval and implementation of a construction demolition and environmental management plan.**
- 13. Standard conditions relating to dealing with site contamination, remediation and importation of soil.**
- 14. Prior approval of an air quality assessment and mitigation for combustion appliances.**
- 15. Prior approval of coal mining risk hazard mitigation measures.**
- 16. Prior approval of a scheme for the provision of affordable rented housing units throughout the development. The scheme shall include the timing of the construction for the affordable housing, arrangements to ensure that such provision is affordable for both initial and subsequent occupiers and the occupancy criteria to be used for determining the identity of prospective and successive occupiers of such units and the means by which such occupancy will be enforced, but not requiring such provision to be "in perpetuity".**

Reason for Recommendation

The site is in a sustainable urban location where the broad principle of new and replacement housing is acceptable. There are also benefits to allowing additional new housing to occur on the site— namely boosting local affordable housing supply as well as the related economic and social benefits new and affordable housing brings to the area. The impact on the character and appearance of the location; tree retention and protection; residential living conditions and highway safety would all be acceptable subject to planning conditions. It is not advised a financial contribution of £144,839 towards public open space provision triggered by the development is sought. This is because Homes England grant funding and also match funding has been obtained from the Borough Council and in deciding to allocate match funding to this scheme account was taken of financial information provided and the rental values, costings and assumptions used within that appraisal were agreed to be reasonable and a net shortfall was accepted as existing by your Housing Strategy officers. The information provided, when combined with the knowledge that Homes England will also have assessed the viability of the scheme before deciding to award grant funding, is considered sufficient in this case to establish that the development could not afford, either in full or in part, what would be a policy compliant contribution towards public open space provision. The

significant benefits that this affordable rented scheme brings are such as to justify seeking no contribution. A appropriate condition requiring 100% affordable rented housing, as opposed to 25% affordable housing, to be provided would however be justified given the absence of tested evidence before the authority as to the viability of any other tenure mix.

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 Authority has requested additional information during the consideration of the planning application to address specific technical concerns arising in the application process.

Key Issues

1.1 The application is for the demolition of 11 existing bungalows and the construction of 30 affordable dwellings with associated external works. The site includes that of the already demolished former Forge Inn Public House. A range of affordable rent properties are proposed comprising of the following:-

- 20, one bedroom flats measuring 52.1 and 59m² in footprint.
- 8, two bedroom bungalows measuring 64m² in footprint.
- 4, two bedroom flats measuring 65.5 and 72.7m² in footprint.

1.2 The application site lies within the Urban Area of Knutton as defined on the Local Development Framework Proposals Map of the Local Plan.

1.3 The key issues to consider are:-

1. Is the principle of residential use acceptable in this location?
2. Is the design and appearance of the development acceptable?
3. What is the impact on trees and is it acceptable?
4. Is the impact to neighbouring living conditions acceptable?
5. What is the impact on highway safety and is it acceptable?
6. What financial contributions are appropriate (if any) in order to secure planning permission?

2.0 Is the principle of residential use acceptable in this location?

2.1 Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land where available.

2.2 Saved Newcastle Local Plan (NLP) policy H1 supports new housing in the urban area of Newcastle and Kildsgrove with policy ASP5 of the Core Spatial Strategy (CSS) – the most up-to-date and relevant part of the development plan - setting a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026.

2.3 Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The CSS goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

2.4 The National Planning Policy Framework seeks to support the Government's objective of significantly boosting the supply of homes. It also sets out that there is a presumption in favour of sustainable development.

2.5 Paragraph 117 of the National Planning Policy Framework 2018 (the Framework) states that Planning policies and decisions should promote an effective use of land in meeting the

need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

2.6 Paragraph 11 of the Framework states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.7 Paragraph 12 also highlights that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

2.8 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

2.9 The current position is that the Council considers that there is a supply of deliverable housing sites sufficient to provide a minimum of 5 years' worth of housing against its local housing need (the appropriate test given its adopted strategic policies are more than 5 years old, the Council having accepted that the Core Spatial Strategy requires updating). The Council's Housing Delivery Test figure is currently 100%, and is met.

2.10 The redevelopment of the site would entail the efficient re-use of previously developed land. The 11 bungalow properties to be demolished to make way for the proposal have been assessed by Aspire for modernisation works, as opposed to demolition, but that approach has been rejected by the applicant on the basis that the scheme proposed is a more cost effective option and a greater number of energy efficient affordable homes (following purchase of the Forge Inn site adjacent to the existing bungalows to be demolished). The site is within a highly sustainable urban location (highlighted as such by the Core Spatial Strategy) within a relatively short walking distance of abundant local service provision and access to regular public transportation to the Town Centre and beyond. Regard also has to be paid to the social and economic benefits new and affordable housing brings to the area, where there is an identified need for affordable dwellings which carries significant weight. There is therefore a presumption in favour of residential development on this site unless the adverse impact of granting permission outweighs other planning considerations. More detailed matters are now considered.

3.0 Is the design and appearance of the development acceptable?

3.1 Paragraph 124 of the 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 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.

3.2 Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary

Planning Document provides further detailed guidance on design matters in tandem with CSP1.

3.3 The site lies within an established residential area. To the north and to the south of the site is a former railway line which is now used as a public walkway/cycleway – the Greenway - and is heavily treed. Further afield from the existing bungalows to be demolished are two storey houses. The design of the proposed dwellings responds positively to the form and character of the area and a well thought out landscaping scheme, incorporating both private and communal gardens, has been included with the proposal. The development has a visual appearance which would improve the character of the area subject to conditions relating to securing appropriate external finishing materials and the implementation of agreed landscaping provision.

4.0 What is the impact to trees and is it acceptable?

4.1 Saved Local Plan policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Where appropriate developers will be expected to set out what measures will be taken during the development to protect trees from damage.

4.2 Some 13 trees are proposed to be removed within the application site boundary and 1 additional poplar tree which is slightly beyond the application site boundary. The trees are not protected and there are no objections to the removal of those particular trees shown to be removed on the submitted plan drawings.

4.3 There has been a concern with the accuracy of the boundary information shown on some of the submitted plans in relation to trees which run along the boundary dismantled railway line (now being used as a walkway/cycle way) immediately to the south of the development site. The neighbouring land along the southern boundary referred to is within the ownership of the Council and contains a dense collection of mature visually significant trees. The trees are an attractive component of the Newcastle Greenway cycle route and the advice received for the Landscape Development Section (LDS) is that only a few Poplar trees are warranted to be removed alongside an agreement for appropriate tree thinning works. The matter has been raised with the applicant's agent and amended plans have been received to revise the southern site boundary. The most recent advice received from LDS objects to the scheme on tree retention and protection grounds in relation to these particular boundary trees. In response, the applicant is maintaining that the issue can be positively addressed to meet the Councils requirements and no tree removal beyond the site boundary other than that shown on the submitted plans is proposed nor could be undertaken by Aspire without the prior agreement of the Council as landowner. Acknowledging LDS's objection, but also noting that the orientation of the new dwellings in the vicinity of this line of trees would not appear to put them at risk, the view of your Officer, is that tree retention and protection can be successfully managed through appropriately worded planning conditions without detriment to the Councils landownership position or potential loss of trees worthy of retention. The applicant is seeking to retain all trees other than those shown to be removed on the submitted plan drawings and separate agreement can be made with the Council in relation to any appropriate tree thinning works envisaged.

5.0 Are the living conditions to be provided acceptable?

5.1 Supplementary Planning Guidance (SPG) Space about Dwellings provides guidance on the assessment of proposals on matters such as light, privacy and outlook. An acceptable level of separation is achieved between other neighbouring properties in accordance with the SPG. The amount of garden space proposed within the scheme is also sufficient for the residents also accounting that there are publically available open space areas within a short walking distance.

6.0 What is the impact on highway safety and is it acceptable?

6.1 The most up to date planning policy (contained within the Framework) indicates 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. In 2015 the Secretary of State gave a statement on maximum parking standards indicating that the Government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

6.2 Saved policy T16 of the Newcastle-under-Lyme Local Plan (NLP) 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, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. The car parking standards set out in the Appendix to the Local Plan state that 1 bedroom properties should provide a maximum of one parking space per unit and an additional space every 3 units, and 2 or 3 bedroom properties should provide a maximum of 2 off road parking spaces.

6.3 A total of 43 car parking spaces are proposed. The Local Plan standard suggests a maximum of 46 spaces should be provided.

6.4 The Highway Authority following receipt of additional information during the application process no longer object to the scheme. Additional information received shows regard to a swept path analysis for a 11.9 metre waste collection vehicle to safely enter and egress from Knutton Lane and to turn within the internal site roads, as well as provisions for dropped pedestrian kerbs and tactile paving, adequate dimensions of footways and parking spaces. Moreover the provision of secure weatherproof cycle parking can also be secured in line with the Highway Authority's requirements.

6.5 Waste Management are concerned from an amenity perspective that collection containers will be stored at the front of each property between collections.. They request unrestricted access is maintained from the container storage locations to the access road – particularly where car parking spaces are provided at the front of the property. Your officer notes that appropriately located and screenable storage areas are provided and the view taken is that the concerns of Waste Management can be properly addressed by way of planning condition.

7.0. What financial contributions are appropriate (if any) in order to secure planning permission?

7.1 Paragraph 54 of the Framework states that planning obligations must only be sought where they meet all of the following tests, which are also set out in the CIL Regulations:

- a) necessary to make the development acceptable in planning terms ;
- b) directly related to the development; and
- c) fairly and reasonably related to scale and kind to the development.

7.2 Saved NLP policy C4 (part of the approved development plan) supports the seeking of a contribution for developments of 10 units or more or on sites of 0.4 ha or greater. Policy CSP5 of the more recent Core Spatial Strategy (also part of the development plan), indicates that developer contributions will be sought to provide a key funding source to meet the needs of new residents and for the delivery interalia of the Urban North Staffordshire Green Space Strategy and any approved revisions or replacement strategies. There is such a replacement strategy, the Open Space Strategy that was adopted by Cabinet at its meeting on the 22nd March 2017.

7.3 In this case LDS are not seeking open space on the site itself but instead are requesting a contribution of £5,579 per additional residential unit for the 18 two bedroom units and £4933 per dwelling for the 9 single bedroom units, discounting the 11 dwellings already on the site to be demolished. They propose that the contribution in this case would be applied to improvements to the Greenway which approximately 200 metres is away using the link

footpath off Knutton Lane (which could include lighting, seating, surfacing upgrades or further planting).

7.4 Both the NLP and the CSS form part of the approved development plan for the area. In this case the CSS is more up to date than the NLP. In addition the application of the Open Space Strategy in the determination of planning application is consistent with paragraph 96 of the Framework which indicates that policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

7.5 The Framework advises that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 1 of the Framework states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

7.6 The contribution being sought is considered to meet the statutory tests. It is necessary to make the development acceptable in planning terms and directly related to this residential development (it seeks to address the additional demands upon open space which residential development brings) and is fairly and reasonably related in its scale – the Open Space Strategy setting out a detailed methodology to demonstrate how the capital element of the sum (£4,427) is calculated whilst the maintenance element (£1,152) represents 60% of the costs of 10 years maintenance – a figure in line with that sought by other LPAs, according to the Strategy, per residential unit. The LDS section note that this amount should be sought for the 18, 2 bedroom dwellings and for the net increase of 9 single bedroom units, the play area element (£512) and a proportionate amount of maintenance contribution (£134) should be deducted from the total amounting to totalling £4933 per dwelling for those particular units. The total figure is £144,839.

7.7 The Education Authority do not consider the scheme should provide a contribution towards local school places provision.

7.8 In knowledge of a policy compliant financial contribution being requested the applicant has evidenced the particular funding streams supporting the scheme. These include Homes England grant funding (at the maximum level that is normally permitted) and also match funding obtained from the Borough Council. A total of £219,715 in match funding from the Borough Council has been agreed to be transferred to Aspire following Cabinet approval in March 2018 to a tendering process. In deciding to allocate the money to this project account was taken of financial information provided and the rental values, costings and assumptions used within that appraisal were agreed to be reasonable and a net shortfall was accepted as existing by your Housing Strategy officers.

7.8 The new NPPF marks a significant change in the approach to be adopted to viability in planning decisions. It indicates that where up-to-date policies have set out the contributions expected from the development, planning applications that comply with them should be assumed to be viable, and it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Policies about contributions and the level of affordable housing need however to be realistic and not undermine the deliverability of the Plan. In the Borough it is not presently the case that up-to-date development plan policies, which have been subject of a viability appraisal at plan-making stage, have set out the contributions expected from development, so the presumption against viability appraisals at application stage does not apply. That will not be the case until the Joint Local Plan is finalised.

7.9 The NPPG indicates that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including the transparency of assumptions behind evidence submitted as part of the viability assessment.

The information provided, when combined with the knowledge that Homes England will also have assessed the viability of the scheme before deciding to award grant funding, is considered sufficient in this case to establish that the development could not afford, either in full or in part, what would be a policy compliant contribution of £144,839 towards public open space provision. For the Council to seek that contribution would render the development unviable.

7.10 The scheme does provide benefits. The 11 bungalows currently on site are no longer fit for purpose and part of the vacant land on the existing site blights the surrounding area and is understood to attract anti-social behaviour. Furthermore, and more importantly, the scheme makes a material contribution to housing supply and by the provision of affordable housing addresses housing need in line with the Council's Housing Strategy. These are material considerations and in light of such considerations it is concluded that it would not be appropriate, if granting planning permission, to insist upon the payment of the public open space contribution.

7.11 When the Council has accepted, on the basis of an independent appraisal, that a scheme cannot and should not provide policy compliant contributions a section 106 agreement to secure a financial reappraisal of a development proposal, should it not commence within say 12 months of consent, and payment then of whatever contributions can be afforded at that time, can be warranted. The above approach would not be appropriate in this case, but consideration has been given to whether it would be appropriate to ask the applicant to enter into an agreement requiring that should the development upon first occupation not provide 100% affordable rented housing a financial appraisal be undertaken to determine the viability of the development with the policy compliant contribution, and in the event of this demonstrating that the development can support such contribution or part of it, such contribution then being made.

7.12 Where possible issues should be dealt with by conditions rather than by planning obligations. It has been suggested that the risk of the above scenario happening is very low and this should determine the approach. However regardless of the risk the fact remains that whilst the development is indeed stated to be for 100% affordable rented housing, in the absence of a condition or obligation such statements have no effect whatsoever in planning law. Upon the grant of planning permission the site could be sold on, or Aspire could reconsider the tenure of their development.

7.13 CSS Policy CSP6 states that residential development within the urban area, on sites of 15 dwellings or more, such as this, will be required to contribute towards affordable housing at a rate equivalent to a target of 25% of the total dwellings to be provided. Within the plan area the affordable housing mix will be negotiated on a site by site basis to reflect the nature of development and local needs.

7.14 In this case, irrespective of the planning policy requirements outlined above Aspire as a Registered Social Landlord have applied for development where all of the 30 units proposed are to be of affordable rented tenure. As such the policy requirements would be more than met if the scheme were delivered and the normal approach would be to include a condition requiring at least 25% of the units to be "affordable housing" – to require this by obligation would it is understood mean that the scheme would no longer be eligible for Homes England grant. Given that Homes England have advised that a funding condition of their grant is that developments must be eligible for Right to Acquire, a condition which sought to secure affordable housing in perpetuity would in effect make the scheme ineligible for Homes England grant, would almost certainly prevent the development proceeding, and should not therefore be included.

7.15 Bearing in mind the particular basis upon which the conclusion has been reached that a further independent appraisal is not required in this case it is considered that it would be appropriate to attach a condition requiring 100% of the housing to be of affordable rented tenure.

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
Policy CSP6	Affordable Housing
Policy CSP10	Planning Obligations

[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 T18	Development servicing requirements
Policy C4	Open Space in New Housing Areas
Policy N12	Development and the Protection of Trees
Policy N13	Felling and Pruning of Trees
Policy N17	Landscape Character – General Considerations
Policy IM1	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations

[National Planning Policy Framework \(NPPF\) \(2019\)](#)

[Planning Practice Guidance \(PPG\) \(March 2014, as amended\)](#)

[Community Infrastructure Levy Regulations \(2010\) as amended and related statutory guidance](#)

Supplementary Planning Documents/Guidance

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

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

[Developer contributions SPD \(September 2007\)](#)

[North Staffordshire Green Space Strategy](#)

[Affordable Housing SPD \(2009\)](#)

[Waste Management and Recycling Planning Practice Guidance Note](#) approved in 2003 and last updated in February 2016.

Planning History

None relevant.

Views of Consultees

Coal Authority have no objections subject to the condition that prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and migratory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the Framework.

The **Highway Authority** (following consideration of additional information submitted by the applicant) have no objections subject to conditions relating to:-

1. The development is not be occupied until the access, internal roads, private drives, parking and turning areas have been provided in accordance with the approved plans and thereafter retained for the life of the development.

2. The development not be brought into use until the following has been approved in writing:

- surfacing materials for the private drives, parking and turning areas;
- means of surface water drainage for the private drives, parking and turning areas;
- delineation of the parking bays;
- details of the proposed electric buggy and cycle parking stores.

The development shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation.

3. The shall not be occupied until the two existing site accesses on Knutton Lane, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossings reinstated as footway.

4. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by the Local Planning Authority. The Plan then fully implemented during the construction phase.

The **Education Authority** advise that no financial contributions are required for the development.

Waste Management comment that the access will need to be to adopted highway standard as a requirement. There are concerns regarding where each property will store collection containers between collections, due to the communal nature of the gardens. There appears to be no rear access to the properties, so it seems intended that collection containers will be stored at the front of each property between collections. This is less than ideal from an amenity perspective. The design needs to make clear that there is unrestricted and clear access from the container storage location to the access road – particularly where car parking spaces are provided at the front of the property.

The **Environmental Health Division** have no objections subject to conditions relating to:-

1. Agreement and implementation of a construction demolition and environmental management plan.

2. Prior approval of external lighting.

3. Prior approval of an Air Quality Assessment.

4. Standard conditions relating to dealing with site contamination, remediation and importation of soil.

Landscape Development Section comment that of the various plans that have been submitted there appear to be differing site boundaries. There is concern that some parts of the site shown to be developed, and where a significant number of trees are proposed to be removed, are in the ownership of Newcastle Borough Council. Loss of some of these trees would have a significant detrimental impact on the Newcastle Greenway cycle route and therefore LDS would object to their removal. It is requested that the correct boundary is identified and the drawings revised accordingly.

The Arboricultural Report does not include trees that would be within that largest site area defined, and trees adjacent to the site that could be affected by the proposals. It is requested that the report is updated to include these trees and to show which would be retained and which removed, and additional tree protection. Whilst loss of some Poplar Trees is acceptable as is tree thinning works, oak trees and ash trees are not favoured to be removed. The landscaping proposals should also be amended accordingly.

A contribution by the developer for capital development/improvement for offsite open space is required. This should be £4,427 per dwelling in addition to £1,152 per dwelling for 60% of maintenance costs for 10 years for the 18no. 2 bedroom dwellings, total contribution £5,579 per dwelling. For the net increase of 9 single bedroom units, the play area element (£512) and

a proportionate amount of the maintenance contribution (£134) should be deducted from the total, amounting to £3915 for capital and £1018 for maintenance totalling £4933 per dwelling. This will be used for improvements to The Greenway which is approximately 200m away using the link footpath off Knutton Lane.

Staffordshire Police Architectural Liaison Officer comments that the layout of the proposal is largely very satisfactory. The development should be self-contained with no through routes that might otherwise have justified the presence of anyone passing through. As such, the development should be perceived as very much 'belonging' to the tenants and under their control, which should go some way to discouraging negative interaction with it. The layout should enable very good levels of natural surveillance throughout including over the public space, parking and between properties.

The site boundary treatments appear excellent with the retention of the brick wall and addition of a 3.5m high acoustic fence along the southern boundary where it borders the external path providing privacy and a robust barrier. The steep embankment with vegetation outside the northern site boundary coupled with the 1.8m high wooden fence for the rear of the properties bordering it should also create a secure boundary. Plots 21-30 will be set back from but face Knutton Lane and provide good natural surveillance over the lane. The low railings at back of pavement will clearly demarcate public space from semi-private space.

Ample parking spaces are provided to cater for tenants and their visitors. A potentially minor conflict may arise should customers for the corner shop use the development and its parking when stopping to buy provisions. Residents and visitors only signage should lay down some ground rules.

The buggy stores will be covered and have doors it would seem, and presumably be lockable. The store adjacent to plots 21/22 is the most exposed of these and will need to have a robust door/lock to discourage any interference with it from outsiders.

It would be highly desirable for the properties to meet the minimum physical security standards contained within the Secured by Design Homes 2016 document (or latest iteration). This includes external door sets and ground floor/accessible windows which have been tested and importantly, have third party certification to recognised minimum manual attack-resistant standards. Doing so would be one further significant way in which the applicant could seek to design out criminal opportunity.

Knutton and Cross Heath Locality Action Partnership have not commented by the due date of the 4th January so it is assumed there are no objections to the scheme.

Cadent (National Grid) advises that searches have identified that there is apparatus in the vicinity of the site which may be affected by the activities specified. They therefore provide a number of advisory notes/ recommendations prior to works commencing on site.

Representations

No letters of representation have been received.

Applicant/agent's submission

Application forms and indicative plans have been submitted along with a Coal Report, Noise Impact Assessment, Phase I Desk Study, Drainage Strategy and Topographical Survey. The application documents are available for inspection at the Guildhall and via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00932/FUL>

Background Papers

Planning File.
Planning Documents referred to.

Date Report Prepared

4th April 2019.