

The application is for the demolition of existing workshop buildings and the construction of a 5 unit apartment block, achieved through the conversion and extension of number 9 Russell Street.

A mixture of 3, 2 bedroom apartments and 2, 1 bedroom apartments are proposed.

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

The development has been called to the Planning Committee for determination due to resident's concerns relating to the development not being in keeping with the area and insufficient car parking space for the proposed flats.

The 8 week period for the determination of this application expires on the 4th July 2019.

RECOMMENDATION

PERMIT subject to the following conditions relating to:-

- 1. Time limit.**
- 2. Plans.**
- 3. Prior approval of external facing materials (including windows, doors and rainwater goods)**
- 4. Prior approval of soft and hard landscaping.**
- 5. Restrictions on hours of construction.**
- 6. Approval of external lighting.**
- 7. Provision of an electric vehicle charging point.**
- 8. The development shall not be brought into use until the existing Wellington Street access, within the limits of the public highway, has been revised in accordance with the approved plans and completed as a vehicular dropped crossing.**
- 9. The development shall not be brought into use until the existing Russell Street has been increased in width by a minimum 1.8m.**
- 10. The development shall not to be brought into use until any length of existing Wellington Street made redundant as a consequence of the development hereby permitted is permanently closed and reinstated as footway in accordance with details to be approved.**
- 11. The development shall not be brought into use until the parking areas have been provided which shall thereafter be retained at all times for their designated purpose.**
- 12. The development shall not be brought into use until secure weatherproof cycle parking facility has been provided in accordance with details to be approved, such facility thereafter retained.**

Reason for Recommendation

The site is in a sustainable location where the broad principle of new housing can be accepted. There are also benefits to allowing additional new housing on the site— namely boosting local housing supply as well as the related economic advantages new housing brings to the area. Moreover the scale, design, appearance of the development would not be visually harmful to the immediate locality it would be viewed within and would provide acceptable residential amenity levels, subject to conditions. It is considered that highway safety, parking and waste collection concerns can be appropriately addressed through the

provision of on-site parking and bin collection details as per the submitted plans and appropriately worded conditions.

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 application follows a withdrawn and refused scheme where problems in securing permission have been subject to ongoing negotiation. The current proposal addresses previous concerns to the proposal.

Key Issues

Full planning permission is sought for the demolition of existing workshop buildings and the construction of a 5 unit apartment block, achieved through the conversion and extension of number 9 Russell Street. 3, 2 bedroom apartments and 2, 1 bedroom apartments are proposed. The extension proposed measures approximately 8 metres by 6 metres in footprint by around 8.5 metres in overall roof ridge height.

The application follows the refusal of a previous scheme under application 19/00029/FUL for the same number of units which was refused on the grounds that there is insufficient space within the site to accommodate an appropriate level of offsite car parking for the number of units proposed in addition to providing appropriate pedestrian access, bin storage and access for collection. As a result the development would negatively impact upon local on street car parking problems and create further highway safety. The application has been made to further examine this reason for refusal against the layout now proposed which allows additional space to provide parking and bin storage.

There has been no material change in circumstances that would justify reconsideration of other issues that were considered when application 19/00029/FUL was determined and were found not to be of concern.

The key issue to consider therefore is :-

1. What is the impact to highway safety and is it acceptable?

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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.

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 2 or 3 bedroom properties should provide a maximum of 2 off road parking spaces. 1 bedroom properties are advised to provide one parking space plus 1 additional visitor space for every three units erected.

A total of 5 off road parking spaces are shown on plan to serve the development along with cycle storage and room for bin storage.

The site is in a very sustainable urban location and consequently the Highway Authority in dealing with previous applications to this site consider that the provision of 5 adequately sized

off road car parking spaces will not result in on street parking problems in the surrounding area.

The layout drawings show that 5 appropriately sized parking bays for vehicles (measuring 2.4 metres by 4.8 metres in dimensions as the minimum advised standard where bays shown on the submitted plans are slightly larger) are to serve the development along with cycle parking and bin storage area. Russell Street is a location where owing to the number of terraced properties, there is heavy reliance upon on-street parking and a shortfall of any less than 5 workable parking spaces would lead to a detrimental impact to highway and road user safety as would, accepting proposals with deficient bin collection access provision to serve the development. However all of these aspects can be provided on site following further measurement undertaken following the decision previous application which has demonstrated that there is more space available on the site than was known at the time that the decision was reached on that application.

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 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

Other Material Considerations

National Planning Policy Framework (March 2012)

[National Planning Policy Framework](#) (July 2019)
[Planning Practice Guidance](#) (PPG) (March 2019)

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)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Planning History

19/00029/FUL	Demolition of existing workshops to 9 Russell Street and the construction of a new apartment block.	Refused	2019
18/00459/FUL	Demolition of an existing residential property and the construction of 7 no of 2 bedroom apartments.	Withdrawn	2008
N8337	Shop extension and formation of storage area	Permitted	1980
NNB10425	Alterations and extensions to form double garage, W.Cs, kitchen, dining room and bathroom	Permitted	1973
NNB03938	Alterations to shop premises, as described in your application dated 26th April, 1958.	Permitted	1973

Views of Consultees

The **Highway Authority** has no objections subject to conditions relating to the following:

1. The development shall not be brought into use until the existing Wellington Street access, within the limits of the public highway, has been revised in accordance with the approved plans and completed as a vehicular dropped crossing.

2. The development shall not be brought into use until the existing Russell Street has been increased in width by a minimum 1.8m.
3. The development shall not to be brought into use until any length of existing Wellington Street made redundant as a consequence of the development hereby permitted is permanently closed and reinstated as footway in accordance with details to be approved.
4. The development shall not be brought into use until the parking areas have been provided which shall thereafter be retained at all times for their designated purpose.
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Waste Management indicates, as in their comments on the previous application, that the provision of a path linking the pavement to the storage area has been achieved by simply narrowing the car park spaces. It is unclear how this would translate on the ground into a wider path that would be guaranteed to provide a clear access on collection day. No path width measurement is provided. There would also need to be a drop kerb in order to get bins from pavement height to road height for emptying.

The **Environmental Health Division** has no objections subject to conditions requiring:-

1. The construction and demolition phases of the development no machinery shall be operated, no process shall be carried out and no construction traffic shall enter or leave the site between the hours of 18.00 hours and 07.00 hours Monday to Friday, and not at any time on Sundays, Bank Holidays or after 13.00 hours on any Saturday.
2. Approval of external lighting.
3. Provision of electric vehicle charging points.

Landscape Development Section has no objection subject to detailed landscaping proposals.

Representations

2 letters of representation have been received raising the following concerns:-

- There is insufficient detail to confirm if land contamination is a problem.
- No bat survey has been provided and bats are suspected to be in the buildings.
- No public open space has been provided or landscape proposals.
- No air quality assessment has been provided.
- The site is within a Coal Mining Referral Area.
- It is unclear how foul water will be dealt with.
- Off road car parking is inadequate. The development will aggravate parking issues in the area.
- No proposals have been forwarded for waste collection.
- The character of the area will be eroded by the development.
- The development has the potential to reduce the privacy of neighbouring occupiers for habitable rooms.

Applicant/agent's submission

Application forms and indicative plans have been submitted. The application documents are available for inspection at the Guildhall and via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00352/FUL>

Background Papers

Planning File.
Planning Documents referred to.

Date Report Prepared

5th June 2019.