

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

19/00375/FUL

The application seeks a variation of condition 2 of the reserved matters approval 18/00854/REM (residential development comprising 50 dwellings) in order to substitute the approved plans with revised plans, which change the proposed layout of plots 1 – 8.

The reserved matters approval. 18/00854/REM, approved details relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 50 dwellings which followed 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, but the reserved matters approval included accesses from certain plots directly onto Deans Lane.

The application site lies on the edge but within the Newcastle urban area 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 14th August 2019.

RECOMMENDATIONS

Subject to

(1) the receipt and consideration of further Highway Authority comments; and (2) the applicant's agreement being obtained to any of the following that are pre-commencement conditions, or failing that agreement further consideration :

PERMIT subject to conditions relating to the following:

1. Link to outline planning permission and its 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

The proposed reconfiguration of plots 1-8 would not result in a development that would raise any significant concerns given the scheme permitted under 18/00854/REM and it is still considered continues to accord with policies of the development plan and the guidance and requirements of the NPPF subject to conditions to reflect this new layout.

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

The applicant has submitted amended and additional information during the consideration of the application to address concerns and the proposed development is still considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

1.1 The application seeks a variation of condition 2 of the reserved matters approval, granted on the 29th January 2019. The changes sought are to the layout of plots 1-8 of the approved scheme due to coal mining legacy issues on the site and the location of mine shafts.

1.2 The reserved matters approval. 18/00854/REM, approved details relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 50 dwellings which followed 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 but the reserved matters approval included accesses from certain plots directly onto Deans Lane.

1.3 Whilst granting this application would create a new reserved matters approval Section 106 obligations secured at the time of the grant of the outline planning permission would still apply and the principle of the development of the site should not be revisited.

1.4 The changes to the scheme relate only to the disposition of plots 1-8 and in all other respects the scheme remains the same as the scheme granted earlier this year. The principal access to the development remains off Moss Grove. The other conditions of the reserved matters approval would need to be carried over to any new permission. On this basis the key issues for consideration are limited to:-

- Is the proposal still acceptable in terms of its design and impact on the form and character of the area?
- Would there be any material adverse impact on residential amenity? and
- Are the proposed access arrangements, parking provision and pedestrian connectivity works still acceptable in highway safety terms?

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 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 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 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.

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

2.4 The layout of the scheme remains fundamentally the same as was previously granted but the layout of plots 1-8, which are primarily on the Deans Lane frontage, have been revised. The revised layout in terms of its design and form is considered minor in the context of the wider scheme and the changes will still ensure an attractive active frontage onto Deans Lane. Therefore subject to the conditions which were secured on the previous reserved matters permission the revised scheme is still 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 change to the layout of plots 1-8 are primarily on the Deans Lane frontage and are minor in nature. They therefore maintain acceptable separation distances between proposed plots within the development. Plot 8 on the corner of Deans Lane and Moss Grove would be closer to the existing bungalows on Moss Grove, notably no. 4 & 5 Moss Grove. Notwithstanding this the properties would be separated by a road and the Council's SPG indicates that where principal windows front a highway the separation distances do not need to apply. On this basis no significant loss of residential amenity would be caused to existing occupiers and future occupiers of plot 8 would have a reasonable standard of privacy, and the scheme as a whole is still considered to be in accordance with 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 The revised layout of plots 1-8 will result in the shared access drive for plots 1-3, which would be accessed off Deans Lane, being closer to the western boundary. This part of the western boundary has a substation outside of the application site and the owner's control. The level of parking provision for these plots remains the same as it was before.

4.2 The Highways Authority (HA) have raised no objections to the revised scheme but your officers have sought a plan which shows the visibility splays from the appropriate set back for the shared access drive for plots 1-3. This has now been submitted and appears to suggest that broadly acceptable visibility splays within the highway limits or land within the applicant's control, particularly in the western direction, can be achieved. However, the further views of the HA have been sought and their comments if available will be reported prior to or at the Committee. They have also been asked to comment on the location of the bin collection area for plots 1-3 which is proposed to be on the Deans Lane frontage.

4.3 Subject to the HA raising no objections, along with the conditions secured on the previous reserved matters application, 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.

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](#) (February 2019)

[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](#)

18/00854/REM Reserved Matters application (appearance, landscaping, layout and scale) for residential development comprising 50 dwellings associated works pursuant to outline consent
16/00902/DEEM4 Permitted

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

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

The **Coal Authority** has no specific comments to make on this application.

Waste Management Section raise no specific objections but advise that the bin presentation area should not be used for regular storage and should be of an adequate size for the containers. They

also indicate that the Highways Authority will need to be certain that the location of the bin presentation bay does not impede access and visibility to plots 1, 2 and 3.

Comments were also invited from **Greater Chesterton LAP** 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/19/00375/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

3rd July 2019