

The application is for outline planning permission for the demolition of all existing buildings, former Seabridge Community Education Centre, and the erection of circa 55 dwellings with associated infrastructure, landscaping and open space. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and internal access details) reserved for subsequent approval.

The application site lies within the Urban Area of Newcastle as defined on the Local Development Framework Proposals Map. The site area is approximately 1.9 hectares.

The 13 week period for the determination of this application expires on the 27th September 2019.

RECOMMENDATION

- A) Subject to the applicant (providing they first agree in writing, by noon on 27th September, to extend the statutory determination period to the 25th October) entering into a Section 106 obligation by 18th October 2019 securing the following:**
- i. A management agreement for the long-term maintenance of the open space on the site**
 - ii. A contribution of £144,815.00 (on the basis that the development as built is for the full 55 units and of the type indicated) or such other sum as determined by the Head of Planning as appropriate on the basis of policy), towards the provision of education places at Seabridge Primary School**
 - iii. In perpetuity, provision of 25% of the dwellings on-site as affordable units**

PERMIT subject to conditions concerning the following matters:

- 1. Standard time limits for submission of applications for approval of reserved matters and commencement of development**
 - 2. Reserved matters submissions**
 - 3. Approved plans**
 - 4. Construction hours**
 - 5. Construction environmental management plan**
 - 6. Design measures, supported by a noise assessment, to ensure appropriate noise levels**
 - 7. Electric vehicle charging**
 - 8. Waste storage and collection arrangements**
 - 9. Contaminated land**
 - 10. Tree protection**
 - 11. Reserved matters submission relating to layout and landscaping to include details of all trees to be retained, to be shown on the layout plan, and details of replacement planting**
 - 12. Full details of footway/cycleway link to Roe Lane**
 - 13. Layout of site including disposition of buildings and provision of adequate parking, turning and servicing within the curtilage**
 - 14. Foul and surface water drainage scheme**
 - 15. Any reserved matters application to comply with the Design and Access Statement**
- B) Should the matters referred to in (i), (ii) and (iii) above not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure the provision of adequately maintained public open space, appropriate provision for required education facilities and an appropriate level of affordable housing; or, if he considers it appropriate, to extend the period of time within which such obligations can be secured.**

Reason for Recommendation

The site is in sustainable location where the broad principle of new and replacement housing is acceptable. The adverse impacts of the development do not outweigh the key benefits of this sustainable development. Accordingly permission should be granted, provided the contributions and affordable housing indicated in the recommendation are secured.

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

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

Key Issues

The application is for outline planning permission for the demolition of all existing buildings and the erection of circa 55 dwellings with associated infrastructure, landscaping and open space. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and internal access details) reserved for subsequent approval.

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

Concerns have been raised by some residents regarding waterlogging or flooding of gardens to the south of the site. The application is accompanied by a Flood Risk & Drainage Assessment which makes a number of recommendations to ensure flood resilience within the development. Severn Trent Water has raised no objections subject to the imposition of conditions and the comments of Staffs County Council as the Lead Local Flood Authority have been sought and will be reported once received.

The main issues for consideration in the determination of this application are:-

1. Is the principle of the development acceptable both in terms of the loss of the current use and the location for residential development?
2. Is the design and appearance of the development acceptable?
3. Would the proposed development have any material adverse impact upon highway safety?
4. Would there be any material adverse impact on residential amenity?
5. Would there be any adverse impact on trees?
6. What planning obligations are considered necessary and lawful?

1. Is the principle of the development acceptable both in terms of the loss of the current use and the location for residential development?

The site is occupied by the former Seabridge Community Education Centre which has been disused for some time. Policy C22 of the Local Plan states that in considering applications for development that would involve the loss of an important community facility, the need for the facility and the likelihood of its being able to be replaced will be a material consideration. The various community groups which formerly used the community centre have all re-located to various alternative locations (comprising of various local village and church halls and other facilities). The applicant has stated that the site is redundant with no likely prospect of re-use for its permitted purpose. On this basis it is not considered that this is an important community facility and as such an objection could not be sustained on the grounds of loss of the community facility.

Policy H1 supports new housing in the urban area of Newcastle and Kidsgrove with Policy ASP5 of the Core Spatial Strategy (CSS) setting a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026.

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.

The NPPF 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.

The Council is able to demonstrate a five year supply of specific deliverable housing sites, with the appropriate buffer, with a supply of 5.45 years as at the 1st April 2018. Given this, it is appropriate to consider the proposal in the context of the policies contained within the approved development plan. Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. This site is located in the urban area and it is considered to represent a sustainable location for housing development by virtue of its close proximity to services, amenities and employment opportunities.

The principle of the proposed development complies with local and national planning policy guidance.

2. Is the design and appearance of the development acceptable?

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. Paragraph 130 of the Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

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.

Policy R3 of the Urban Design Supplementary Planning Document (SPD) states that new housing must relate well to its surroundings, it should not ignore the existing environment but should respond to and enhance it, exploiting site characteristics. Policy R5 goes on to state that "buildings must define the street space with a coherent building line that relates to existing building lines where they form a positive characteristic of the area [and] infill development should generally follow the existing building line". R12 states that residential development should be designed to contribute towards improving the character and quality of the area. 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.

The only matter for approval as part of this application is access. Therefore, layout, scale and appearance are all matters reserved for subsequent approval. An illustrative masterplan has been submitted along with a Design and Access Statement which describes the design rationale and evolution.

Up to 55 dwellings are proposed which would equate to a density of approximately 29 dwellings per hectare. Representations have been received stating that the proposal would be overdevelopment of the site and that the density would not be in keeping with the local area. Immediately adjacent to the site there are relatively large detached houses on Ash Way to the south and on Harrowby Drive to the west, detached bungalows on Roe Lane to the east and a development of flats to the south-west. In the wider area there are smaller semi-detached and terraced houses to the south of Seabridge Lane. There is a mix of dwelling size

and style in the area and therefore it is considered that the number of dwellings indicated could be accommodated within the site satisfactorily and subject to details, would not have any significant adverse impact upon the character and appearance of the area.

The Planning Statement indicates that the properties would comprise a mix of two, three and four-bedroomed, detached, semi-detached and terraced homes, predominantly of two storeys but also incorporating some bungalows. The Indicative layout Plan shows two bungalows to the east of the site adjacent to the bungalows on Roe Lane.

The main principles of the proposed design and layout of the site are outlined in the Design and Access Statement. The content of that document is considered appropriate as a basis for the reserved matters submission and therefore should planning permission be granted, a condition is recommended requiring any subsequent reserved matters applications to be in accordance with the principles of the Design and Access Statement.

3. Would the proposed development have any material adverse impact upon highway safety?

Vehicular access to the proposed development would be via Ash Way. A footway/cycleway link is also proposed to the north-east of the site connecting to Roe Lane. The link would be capable of accommodating an emergency vehicle and would be controlled through the use of bollards. Off-street car parking for the dwellings would be provided in accordance with the Parking Standards in the Local Plan.

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. Such a policy is, however, of limited weight as it is not in fully consistent with the Framework given it reference to maximum parking levels. Objections have been received from residents stating that Ash Way is unsuitable as an access to the site.

The application is accompanied by a Transport Assessment which considers the transport impacts associated with the proposed development. Compared with the extant use of the site, the development is predicted to result in minimal increases in trip generation during peak hour periods and a significant reduction in daily trip generation. An assessment of the junction of Ash Way with Seabridge Lane has also been carried out and it is concluded that the junction will continue to operate well within capacity following the addition of development traffic. The Assessment states that the site is well located in terms of access to walking and cycling facilities, with a continuous pedestrian route from the site to the wider pedestrian network, with a further pedestrian/cycle only access proposed at the north-eastern corner of the site, connecting to Roe Lane. There are a number of bus stops within walking distance of the site, with the Seabridge Lane stops providing access to bus routes which operate on a frequent basis throughout the day and provide access to a range of key destinations. It concludes that the Seabridge Centre site represents an appropriate location for residential development, sitting within an existing residential area, with the surrounding transport network being considered suitable to accommodate the proposed redevelopment.

The Highway Authority has no objections to the scheme subject to conditions. It is not considered that the proposal would have any significant adverse impact on highway safety

and it is considered that the proposal complies with Policy T16 of the Local Plan and the aims and objectives of the Framework.

Staffordshire Police's Crime Prevention Design Advisor makes a number of recommendations regarding the footway/cycleway link connecting the site to Roe Lane. The detailed design of the link can be dealt with at the reserved matters stage.

4. Is the impact to neighbouring living conditions acceptable?

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.

Supplementary Planning Guidance (SPG) Space about Dwellings provides advice on environmental considerations such as light, privacy and outlook.

With respect to the interrelationship of the proposed dwellings with the neighbouring properties, the outline nature of the application requires the decision-maker to anticipate the likely form of development. It is considered that subject to careful control over positioning of windows, sufficient distance can be achieved between dwellings to comply with the Council's Space Around Dwellings SPG.

The Environmental Health Division objects to the proposals stating that there is insufficient information on which to assess the application and its effects on amenity. Your Officer does not consider that the requested information, namely a Construction Environmental Management Plan, a Noise Assessment and information regarding electric vehicle charging, is necessary prior to determination of the application, and therefore subject to the imposition of conditions, it is not considered that an objection could be sustained on the grounds of impact on amenity.

5. Would there be any adverse impact on trees?

There are a number of trees within the site, some of which are well-established whilst others are of low quality. Outside the site there are trees within both adjacent residential gardens and within Seabridge Primary School to the north. The Landscape Development Section states that whilst the loss of some poorer quality trees on this site would be accepted, they would have concerns about the loss of all of the trees on the site.

This is an outline application and therefore the siting of the dwellings is yet to be considered. An Arboricultural Impact Assessment has been submitted based on the indicative layout and that concludes that the loss of some moderate quality trees from within the site is unavoidable. To mitigate for the necessary removals, an appropriate scheme of soft landscaping is recommended, making use of the significant areas of Public Open Space provided within the proposed layout.

Subject to the submission of detailed information at the reserved matters stage, it is not considered that an objection could be sustained on the grounds of impact on the trees.

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

Any developer contribution to be sought must be both lawful, having regard to the statutory tests set out in Regulation 122 and 123 of the CIL Regulations, and take into account guidance. It must be:-

- Necessary to make the development acceptable in planning terms
- Directly related to the development, and
- Fairly and reasonably related in scale and kind to the development.

The applicant has confirmed their willingness to agree to the provision of 25% affordable

housing and the making of a financial contribution towards education provision. Such obligations are considered to be lawful and to meet the above tests. Public open space is to be provided within the site and therefore no contribution to off-site provision is required. The open space should be maintained by a management company which can also be secured by a Section 106 Agreement.

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 N12	Development and the Protection of Trees
Policy T16	Development – General parking requirements
Policy T18	Development servicing requirements
Policy C4	Open Space in New Housing Areas
Policy C22	Protection of Community Facilities
Policy IM1	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations

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

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

[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)

[Affordable Housing SPD](#) (2009)

[Newcastle-under-Lyme Open Space Strategy](#) (March 2017)

[Waste Management and Recycling Planning Practice Guidance Note](#) (2011)

[Staffordshire County Council Education Planning Obligations Policy](#)

[Planning History](#)

None relevant

[Views of Consultees](#)

The **Environmental Health Division** objects on the grounds that there is insufficient information on which to assess the application and its effects on amenity. A Construction Environmental Management Plan, a Noise Assessment and information regarding electric vehicle charging is required. Contaminated land conditions are recommended.

The **Highway Authority** has no objections to the proposal subject to the imposition of conditions regarding submission of details of layout, parking, turning and servicing, surface water drainage and surfacing materials, submission of details of a footway/cycleway link to Roe Lane and submission of a Construction Management Plan.

The **Waste Management Section** is concerned about the nature of the road surface in the site entrance which must be adopted at highway standard. Swept path information for 26 tonne freighters is required. The loop-based design of the indicative layout designs out the need to reverse but there are concerns about the nature of the surfacing suggested for the central road. Each property will need to accommodate 3 wheelie bins and a 21ltr food caddy.

Staffordshire County Council as the **Mineral and Waste Planning Authority** has no comments to make.

Severn Trent Water has no objections subject to a condition requiring drainage plans for the disposal of foul and surface water flows.

The **Landscape Development Section** states that whilst the loss of some poorer quality trees would be accepted, there would be concern about the loss of all the trees. Under the terms of the Open Space Strategy a proposal for 55 dwellings would require a LAP (Local Area for Play), and a LEAP (Local Equipped Area for Play) facility and a contribution to a Multi-Use Game Area. There are some options for the developer concerning how this contribution can be met:

- The developer could provide a LAP and LEAP onsite.
- Due to the proximity of the existing LAP at Bluebell Drive, the Borough Council would consider that the developer could allow for improvements to this area (appropriate proportional sum to be agreed) instead of creating a new LAP. In which case the developer could provide a single new LEAP on site (and contribution to a MUGA for Roe Lane)
- Should the developer wish to provide a contribution for offsite facilities then would suggest that improvements to Roe Lane (improvement to surfacing floodlighting etc on playing pitches) and Rydal Way would be appropriate. Should the developer wish to provide such an offsite contribution, a S106 contribution by the developer is requested for capital development/improvement of off-site open space of £4,427 per dwelling in addition to £1,152 per dwelling for 60% of maintenance costs for 10 years. Total contribution: £5,579 per dwelling.

The **Education Authority** states that the development falls within the catchments of Seabridge Primary School and Clayton Hall Academy. 11 primary school places and 6 secondary places would be required. There are projected to be an insufficient number of school places to mitigate the impact of the development at the primary phase of education however there are projected to be a sufficient level of places at secondary level. A primary school education contribution of £144,815.00 is required (£13,165 x 11 places).

The **Crime Prevention Design Advisor** states that the use of the site for housing could be beneficial for the school by providing opportunities for social policing over the site outside of school hours thus reducing opportunities for criminal or anti-social behaviour. The illustrative layout plan seems reasonable with some positive crime prevention elements incorporated including natural surveillance. The layout is misleading in that the old school access gates/fencing off Roe Lane are shown rather than the new fencing/gating that now exists set further into the site. The proposed pedestrian link would meet the access road just outside the school gating. With the layout as it is there is potential for the security of the school perimeter to be compromised at the point between the pedestrian link and plot 34. It is recommended therefore that a suitable hedge is planted and maintained at 1.8m on the inside of the fence to provide a defensive buffer and deny access to the fence line. Although indicative, the open nature of the area where the pedestrian link meets the school access road could be abused by the likes of motorbikes. Consideration may wish to be given to narrowing the linkage incorporating some form of motorbike barrier coupled with some suitable planting to the side.

Care would be needed to ensure that any motorbike barrier did not provide an external stepping point to overcome the school fencing/gating. The central portion of the site where certain properties do not have any on-plot parking, could prove inconvenient for them and result in residents parking in front of their houses anyway, which could be rather problematic. The design of the layout should pay particular attention to crime prevention and community safety issues. In the light of this, any reserved matters application that subsequently comes forward should clearly explain within the Design and Access Statement and demonstrate in the site layout how crime prevention and community safety measures have been considered in the design of the proposal.

Representations

A petition of 65 signatories has been received along with 26 letters of representation including one from Paul Farrelly MP, objecting on the following grounds:

- The applicant has shown a neglectful, presumptive and blinkered approach that totally disregards the nature of the existing Seabridge Park (Ash Way and Bluebell Drive) development and the site.
- The agents have disregarded the majority of responses from the consultation event.
- The planning site notice is unclear and inadequately sited.
- When Seabridge Park was proposed, it was stipulated that if more than 50 houses were to be built then a major access road was necessary.
- Signage at the entrance to Ash Way specifies no access to Seabridge Primary School reinforcing the fact that Seabridge Park was never designed for traffic other than to service the educational buildings on the application site.
- Ash Way would have to serve an additional 55 homes and the development would also create a through route for traffic to drop off and use the walkway to the school.
- Ash Way is not suitable for Heavy Goods Vehicles and will cause unacceptable safety issues.
- The Council must be consistent in its approach and the developments off Gateway Avenue, Baldwin's Gate, and The Hawthorns, Keele, are referred to which both have restrictions on construction traffic. The Meadow Way, Baldwin's Gate development was refused and this site is unsuitable for similar reasons.
- Seabridge Park comprises a desirable 50 home executive development of 4 and 5 bedroom properties commanding premium house prices. Residents are entitled to enjoy their quality of home life without the unacceptable intrusion and other serious consequences caused by access, demolition, construction and the downgrading of the area through introduction of lesser property types and social housing.
- The proposal would have an adverse and substantial impact on the appearance of Seabridge Park.
- Loss of privacy and environment
- Trying to impose an inferior development which is totally unacceptable and out of keeping with Seabridge Park.
- Downgrading of the area
- Social housing is incompatible with the expectations the existing residents are entitled to
- At least 20% of the residences are home to doctors/consultants and surgeons who object to the proposal and it would not be acceptable to risk losing them to other areas.
- Overdevelopment. Density not in keeping with the local area.
- Insufficient parking
- Changing the nature of the site will alter the flow of water through and off the site. The natural flow is towards Ash Way.
- The proposed pond is an unacceptable safety hazard, will be susceptible to flooding and will attract vermin, disease, smells and anti-social behaviour.
- In 1996 as part of the proposals for Seabridge Park, a Tree Preservation Order was put on the trees. The trees on the application site are of the same age and quality. The proposed layout shows no evidence of retention of the trees and there are a

number of established mature trees in gardens bordering the site which could be damaged.

- The site is a habitat for foxes, bats and diverse species of birds. Felling the trees would erode habitat.
- Both local primary schools are oversubscribed
- Before closing this valuable community building, the County Council should have consulted with residents and users. If not to be retained as a community facility, then it should be restored to the purpose it was built for – education.
- Traffic related air pollution and noise
- Devaluation of properties

Applicant/agent's submission

These documents can be viewed on <https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00515/OUT>

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

27th August 2019