

ASHFIELDS GRANGE, HALL STREET, NEWCASTLE
ASPIRE HOUSING

20/00609/FUL

The application seeks a variation of condition 2 of planning permission 19/00614/FUL to substitute approved plans with revised plans to show a proposed substation, generator and bin store.

The planning permission was granted in January for the demolition of all existing buildings, containing 72 flats, and the development of a building containing 89 supported living apartments (C3 use class), along with communal facilities, car parking, landscaping and amenity space.

The site lies within the Urban area of Newcastle as designated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as adjoining the Northern Gateway. The site area is approximately 0.96 hectares.

The 13 week period for the determination of this application expires on the 27th October 2020.

RECOMMENDATION

PERMIT the variation of Condition 2 of 19/00614/FUL to substitute approved plans with revised plans to show a proposed substation, generator and bin store,

and subject to the imposition of all other conditions attached to planning permission 19/00614/FUL that remain relevant at this time amended as necessary.

Reason for Recommendation

The revised details show that the proposed substation, generator and bin store to the front of the proposed building is acceptable, subject to conditions. The proposed development is still considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

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

Officers have requested further information to be submitted to address concerns and information has been submitted for consideration and approval. The development is still considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

The application seeks a variation of condition 2 of planning permission 19/00614/FUL to substitute the approved plans with revised plans that show a proposed substation, generator and bin store.

The planning permission, reference 19/00614/FUL, was granted in January for the demolition of all existing buildings, containing 72 flats, and the development of a building containing 89 supported living apartments (C3 use class), along with communal facilities, car parking, landscaping and amenity space.

The effect of a grant of permission upon an application to vary a condition is to create a new planning permission. Accordingly, unless there have been other material changes, such a permission should also make reference to the other conditions of the original planning permission where they remain relevant.

Given the above, the main issues for consideration in the determination of this application are:-

1. The design and impact on the visual amenity of the proposed changes,

2. The impact on the amenity of the area, including noise and air quality of the proposed changes, and
3. The impact on highway safety of the proposed changes

1. The design and impact on the visual amenity of the proposed changes

1.1 The NPPF sets out at paragraphs 124 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. At paragraph 130 it 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.

1.2 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. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

1.3 The proposal is to substitute approved plans with revised plans to show a proposed substation, generator and bin store.

1.4 The approved scheme had a bin store to the front of the proposed building which would be directly accessed off Hall Street. The proposed substation and generator would sit to the side of the bin store and are to be set behind a timber enclosure (fencing). The substation building would extend above the enclosure but would primarily be screened from view by the fencing.

1.5 The proposed bin store and timber enclosure, which would screen the substation and generator, will have a functional appearance at the front of the building and would be visible from Knutton Lane and the A34. Therefore, it would result in some harm to the appearance of the development and the streetscene. However, soft planting is proposed on the site frontages and the planning permission secured a tree and landscape management plan, which requires full and precise details of a fully detailed soft landscaping scheme for the site, to be submitted for approval. Therefore, soft landscaping can be proposed that would minimise views of the proposed substation, generator and bin store.

1.6 The application is also supported by photomontages/ visuals and whilst the applicant accepts that these are only indicative they are confident that high levels of screening can be provided (of the proposals) from soft landscaping.

1.7 Subject to the conditions of the original permission being proposed, in particular the submission and approval of a tree and landscape management plan it is accepted that the proposed substation, generator and bin store would not result in an adverse impact on the visual amenity of the area and the proposal would not be contrary to policy CSP1 of the CSS or the guidance and requirements of the NPPF.

2. The impact on the amenity of the area, including noise and air quality of the proposed changes

2.1 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.

2.2 As discussed, the proposed substation, generator and bin store would sit to the front of the approved building, adjacent to the busy A34.

2.3 The planning permission secured a series of conditions, recommended by the Environmental Health Division (EHD), for noise and air quality for the associated plant and machinery of the building. The conditions required information to be submitted for approval prior to above slab level construction of the approved building being commenced.

2.4 EHD have raised objections to this application on the grounds of insufficient information submitted with the application. However, following the submission of additional information they have

suggested that their concerns could be addressed through conditions. Their formal comments are awaited, however.

2.5 Subject to the conditions of the original permission being proposed, along with any additional conditions recommended by EHD, it is accepted that the amenity of the area can be protected in accordance with the guidance and requirements of the NPPF.

3. The impact on highways safety of the proposed changes

3.1 Paragraph 108 of the NPPF states that safe and suitable access to a site shall be achieved for all users and paragraph 109 states 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 of development would be severe.

3.2 The approved scheme had a bin store to the front of the proposed building which would be directly accessed off Hall Street and condition 6 of the original permission required details of the bin store to be submitted for approval.

3.3 The Highways Authority has raised no objections to the proposals but the Waste Management Section (WMS) requested further technical details to be submitted. These details have now been received and the WMS are content with them.

3.4 Subject to the conditions of the original permission, it is accepted that the impact on highways safety would be acceptable in accordance with the guidance and requirements of the NPPF. However, condition 6 can be amended to ensure the bin store arrangements are completed in accordance with the approved details submitted with this 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 CSP2:	Historic Environment
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 N12	Development and the Protection of Trees
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas
Policy C4	Open Space in New Housing Areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

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

[Planning Practice Guidance](#) (2018 as updated)

[Supplementary Planning Guidance/Documents](#)

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

[Supplementary Planning Guidance/Documents](#)

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

[Newcastle-under-Lyme Town Centre SPD](#) (2009)

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

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

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

[Relevant Planning History](#)

The site has been used for Sheltered Housing for a number of years and planning permission was granted in January 2020 for demolition of all existing buildings and the development of 89 supported living apartments (C3 use class), along with communal facilities, car parking, landscaping and amenity space reference 19/00614/FUL.

[Views of Consultees](#)

The **Highways Authority** raises no objections.

The **Environmental Health Division (EHD)** initially raised concerns regarding the level of information submitted to support the application. Their comments on additional information that has been submitted are awaited.

The **Landscape Development Section (LDS)** raises no objections subject to the incorporation into the landscaping scheme for the development.

The **Waste Management Section** are content with the details following the submission of additional information.

The **Staffordshire Police Crime Prevention Design Advisor (SPCPDA)** advises that they have no adverse comment to make in relation to this variation of condition application.

Comments were also invited from the **Newcastle South Locality Action Partnership** but 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

No letters of representation have been received.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link: <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/20/00609/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

29th September 2020