

This application is for the approval of reserved matters for the erection of a detached dwelling following the granting of outline planning permission with all matters reserved except access (Ref. 20/00223/OUT).

The dwelling is located within the rural area of the Borough, as identified by the Local Development Proposal Framework Map. The application was deferred from the planning committee on 05/01/2021, to seek the comments of the Council's Conservation Officer on the submitted amended plans.

The 8 week determination of this application expires on the 4th February 2021

RECOMMENDATION

Permit, subject to conditions relating to the following: -

- 1. Link to outline planning permission and conditions**
- 2. Approved plans**
- 3. Provision of access and parking prior to occupation**
- 4. Approved Materials**
- 5. Construction Hours**
- 6. Construction vehicles to access the site via Crewe Road only**
- 7. Approved Noise mitigation details**

Reason for Recommendation

The principle of the use of the site for residential development has been established with the granting of the outline planning permission. The design and layout of the proposal is now considered acceptable and to be in accordance with the aims and objectives of the National Planning Policy Framework and the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD. There would be no material adverse impact upon highway safety or residential amenity subject to conditions, the proposed landscaping and open space within the site is considered acceptable. There are no other material considerations which would justify a refusal of this reserved matters submission.

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

The applicant has submitted amended plans during the application process and the development is now considered to be a sustainable form of development in accordance with the National Planning Policy Framework.

Key Issues

This application is for the approval of reserved matters for the erection of a detached dwelling following the granting of outline planning permission with all matters reserved except access (Ref. 20/00223/OUT).

The key issues to be considered in the determination of the application are;

- Is the proposal acceptable in terms of its design and impact on the form and character of the area?
- Would there be any adverse impact on residential amenity?
- Is the layout and parking provision acceptable in highway safety terms?

Is the proposal acceptable in terms of its design and impact on the form and character of the area?

Paragraph 124 of the NPPF 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. Paragraph 130 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.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

The Urban Design Supplementary Planning Document, at R12, indicates that residential development should be designed to contribute towards improving the character and quality of the area. Where in or on the edge of existing settlements developments should respond to the established character where this exists already and has definite value. Where there is no established character the development should demonstrate that it is creating a new character that is appropriate to the area. At RE7 it indicates that new development in the rural areas should respond to the typical forms of buildings in the village or locality; RE6 states that elevations of new buildings must be well composed, well-proportioned and well detailed: and RE7 says new buildings should respond to the materials, details and colours that may be distinctive to a locality.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010) in 10.1 indicates that the aims for development within, or to extend, existing rural settlements are

- a. To respond to the unique character and setting of each
- b. Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location
- c. Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character

It goes on to state that new development in the rural area should respond to the typical forms of buildings in the village or locality. The elevations of new buildings must be well composed, well-proportioned and well detailed and new buildings should respond to the materials, details and colours that may be distinctive to a locality.

The proposed two storey dwelling would be sited centrally within the plot, and as an existing two storey garage is located within the residential plot to the west, the proposal would help to define this part of Madeley Heath by filling in an otherwise empty gap within the street scene. The siting is therefore considered appropriate.

It was considered that the design of the original proposal was not acceptable as the proposed dwelling would have had an unusual appearance within the street scene due to the proposed roof arrangement which was considered too large for a property of this size. Amended plans were therefore requested and subsequently received which resulted in a reduction in the dwellings height and the alteration of the roof design to a relatively simple pyramidal arrangement. Whilst this roof design was considered an improvement over the original proposal, the pitch of the roof still gave the proposal a top heavy appearance, and a further amendment was sought which has now resulted in the dwelling having a roof which is approximately 1.3m lower in height than the first amended drawing, and the roof pitch of has been lowered to a more traditional angle 35°.

The amended design is considered to be acceptable and better reflects the character of the surrounding area, in addition the overall visual impact of the proposal when seen from the highway and nearby properties would also be improved as a result of these design changes. The Council's Conservation Officer has been re-consulted and has raised no objections to the latest submitted drawings.

Would there be any adverse impact on residential amenity?

This falls into 2 elements – the residential amenity of existing adjacent occupiers and the residential amenity of future residents of the development. The NPPF states at paragraph 127 that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Existing occupiers' amenity

There is an existing dwelling to the south of the application site on Newcastle Road, however there are no properties directly adjacent to the west or east of the application site. The distance between the existing dwellings and proposed property would not exceed the distances recommended in the Council's Space Around Dwellings SPG, and it is considered therefore that there would be no significant adverse impact on the amenity of the occupiers of the existing nearby dwellings.

Amenity of future occupiers of the development

The distance between the proposed dwellings would comply with the recommendations of the Council's Space Around Dwellings SPG. Whilst the dwelling would have a garden length of less than the recommended 10.7m, notwithstanding this, an acceptable level of outdoor space would be available for drying washing, sitting out and gardening and it is considered that the level of private amenity space would be sufficient for the proposed dwelling

A condition was attached to the permission of the outline application which required that the reserved matters application be accompanied by Noise Impact Assessment, and that the details of any mitigation measures should be incorporated into the construction of the development. A detailed Noise Assessment has been submitted in support of the application and the Council's Environmental Health team have been consulted on the proposal. No response from the Environmental Health team has yet been received, however it is considered that any additional requirements with regard to noise mitigation that have not been considered with the assessment can be controlled through the use of planning condition, if necessary.

Is the layout and parking provision acceptable in highway safety terms?

The means of access to the site was determined at the outline stage, however an objection has been raised by the Parish Council with regard to how construction vehicles will access the site. Following a site visit, it is considered that construction vehicles that may need to access the site should do so directly from Crewe Road, rather than from the narrow shared access road to the rear of the site, which is not deemed appropriate for use by larger construction vehicles. The agent of the application has agreed that the only realistic access to the site for construction vehicles would be from Crewe Road, and a condition will be applied to any permission granted, which will ensure that this access arrangement for construction vehicles is respected.

The Highway Authority has no objections to the detail of the proposal subject to a condition requiring that the parking area shown on The Proposed Site Plan (Drawing No. 1130 10 Rev. C) being installed prior to the first use of the dwelling.

Subject to the implementation of the above conditions, the proposal is considered acceptable in terms of impact on highway safety.

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 ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy N17 Landscape Character – General Considerations
Policy T16 Development – General Parking Requirements

Other Material Considerations include:

[National Planning Policy](#)

[National Planning Policy Framework](#) (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)

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

[Relevant Planning History](#)

20/00223/OUT - New dwelling in rear garden (Amended plans received 26.05.2020) - permitted

[Views of Consultees](#)

The **Environmental Health Division** initially objected to the application as it was not accompanied by an acoustic assessment as required by condition of the outline planning permission. Their further comments are awaited following receipt of a Noise Report.

The **Highway Authority** raises no objections subject to a condition requiring that the proposed parking area be installed prior to the first use of the property.

The **Landscape Development Section** raise no objection but request that landscaping proposals (including replacement tree planting) as covered in the application stage be provided.

Madeley Parish Council note the changes but believes the roof line to be too high and insufficient consideration given to how construction traffic access the site.

The **Conservation Officer** (following submission of amended plans) raises no objections to the amended roof design for the dwelling and notes that the use of clay tiles is appropriate to assimilating the building into the landscape.

Representations

None.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Noise Report

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/20/00969/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

20th January 2021