

The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 128 dwellings.

This application for the approval of reserved matters follows the granting at appeal of an outline planning permission in 2017 for up to 128 dwellings on this site (Ref. 15/00015/OUT). Details of the access from the highway network were approved as part of the outline consent.

The application site lies outside the village envelope of Loggerheads and within the open countryside and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map. The site area is approximately 5.83 hectares.

The 13 week period for the determination of this application expired on 15th June 2020 but the applicant has agreed an extension to the statutory period until 5th 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 internal roads, private drives and parking areas**
- 4. Retention of garages for parking**
- 5. Provision of visibility splays**
- 6. Details of surfacing materials and surface water drainage for private drives and parking areas**
- 7. Details of bin collection areas**
- 8. Private drives to have a minimum length of 6m and a gradient not exceeding 1:10**
- 9. Garages to be retained for parking**
- 10. Details of materials**

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 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 as a consequence of the internal layout and 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 planning application

Additional information has been sought from the applicant where necessary and obtained and the proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 128 dwellings. The principle of the residential development of the site was established by the granting of outline planning permission 15/00015/OUT at appeal in 2017 and details of the access from the highway network were approved as part of that outline consent.

The application site lies outside the village envelope of Loggerheads and within the open countryside and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map.

The outline consent for the site was granted subject to a condition that required any reserved matters applications for the site to accord with the principles set out in the Design and Access Statement and Landscape and Design Character Study. Your Officer has considered the application against those principles and is satisfied that it accords with that condition of the outline consent.

There is a Grade II Listed milepost on Eccleshall Road to the south-west corner of the site but it was concluded in relation to the outline application, that the development would not adversely affect its setting. The issues for consideration now 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 internal road layout and parking provision acceptable in highway safety terms?
- Is the proposed landscaping and open space within the site acceptable?
- Is the affordable housing layout acceptable?

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

Section 12 of the NPPF sets out policy which aims to achieve well-designed places. Paragraph 124 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. 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.

Policy CSP1 of the CSS lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the NPPF.

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 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.

Section 10.1 of the SPD 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*

RE5 states that new development in the rural area should amongst other things respond to the typical forms of buildings in the village or locality and that new buildings should respond to the materials, details and colours that may be distinctive to a locality.

R13 states that the assessment of an appropriate site density must be design-led and should consider massing, height and bulk as well as density. R14 states that developments must provide an appropriate balance of variety and consistency.

Policy LNPG2 of the Loggerheads Neighbourhood Plan states that to be supported, proposals for ten or more houses must include a mix of types of accommodation to meet requirements identified in the latest assessment of local housing needs including accommodation suitable for first time buyers and the elderly. At least a third of new homes, unless it can be demonstrated there is not a need for this

level of provision must comprise a combination of one or two bedroomed properties and one or two bedroomed properties suitable to provide independent living for the elderly.

Policy LNPP1 states that to be supported, new development must demonstrate high standards of design. A number of requirements are listed, the most relevant of which are as follows:

- Complementing the established character of the surrounding context in terms of scale, density, massing, height and degree of set-back from streets and spaces.
- Creating attractive, safe and convenient environments for pedestrians.
- Providing a mix of overlooked parking provision, as an integral part of layout, so that parking does not dominate streets and space.
- Include high quality materials, to complement those used in the surrounding context.
- Designing residential garages so that they do not obscure or dominate frontages and are in or behind the building line.

A mix of 2, 3, 4 and 5-bed dwellings are proposed with a mix of detached, semi-detached and townhouses. The dwellings would be a maximum of 2-storeys in height including a number of bungalows and dormer bungalows. Given the variety of dwelling size, density and style currently in Loggerheads, it is considered that the layout proposed would respect local character.

Loggerheads Parish Council has stated that the proposed number of 1 and 2 bedroom dwellings does not comply with Policy LNPG2 of Loggerheads Neighbourhood Plan regarding housing mix. There are 32 no. 1 & 2-bed properties which equates to 25% of the total number of dwellings. A further 7no. 3 bedroom bungalows/dormer bungalows would be provided which could be suitable for the elderly, increasing the total provision of smaller properties and bungalows to 30.5%. Although this is marginally below the recommended proportion of one third of the dwellings referred to in the Neighbourhood Plan, it is considered sufficient in providing a mix of accommodation types to create a mixed and balanced community.

The materials would comprise a limited palette of red brick and plain tiles to ensure a consistency of style but with rendered elements to add variety to the street scene and provide legibility across the development. Detailing would be simple and unfussy with gable features, bay windows, brick soldier courses and canopies. Double-frontage dwellings are proposed at prominent locations, providing focal points and features to enhance legibility through the development.

Properties would be set back from the pavement to allow for limited frontage landscaping. Parking would be provided in front of or to the side of dwellings, with some dwellings also provided with a garage.

Your Officer's view is that the design of the dwellings and the materials palette proposed would provide a consistency throughout the site and would also provide sufficient articulation and focal points to create variety and interest in the streetscene. The layout and density of the proposed scheme and the proposed house types reflect local character and it is considered that the proposal would be 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?

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.

The distance between the proposed dwellings would comply with the recommendations of the Council's Space Around Dwellings SPG. A number of the proposed dwellings would have a garden length of less than the recommended 10.7m and a small number would have a garden area marginally less than the recommended 65 square metres. 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.

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

The means of access to the site was determined at the outline stage and therefore although an objection has been received regarding increased traffic and highway safety concerns, the site benefits from outline consent, and an objection to the principle of the development in terms of its impact upon the highway network could not now be sustained. The Highway Authority has no objections to the detail of the proposal subject to conditions.

One of the recommended conditions requires the submission of details of the provision of bin collection areas sited adjacent to the highway for the private driveways. A small number of dwellings are accessed via short private drives and therefore the refuse vehicle would be unable to access the front of those properties. This would result in occupiers of 15 dwellings having to move their bins for collection a distance of between 10 and 15m. This distance is not considered unreasonable and subject to the provision of appropriately sited bin collection areas, such an arrangement is considered acceptable.

The proposal is considered acceptable in terms of impact on highway safety.

Is the proposed landscaping and open space within the site acceptable?

Regarding the scheme as originally submitted, the Landscape Development Section (LDS) raised concerns regarding the location of the play area and regarding the impact of the proposals on trees. Amended plans and additional information were received and the LDS now raises no objections to the proposed play area, to the impact on trees or to the proposed landscaping.

The proposed landscaping and open space within the site is therefore considered acceptable.

Is the affordable housing layout acceptable?

In accordance with the outline consent, 25% of the dwellings, a mix of 1, 2 and 3-bed units, would be affordable. The Housing Strategy Section is satisfied that the number and mix of affordable housing units are compliant with policy and that the units have been sufficiently distributed across the site. Your Officer agrees that the layout achieves an acceptable level of integration and is satisfactory with regard to affordable housing.

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 CSP2	Historic Environment
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 B5	Control of Development Affecting the Setting of a Listed Building
Policy N3	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4	Development and Nature Conservation – Use of Local Species
Policy N17	Landscape Character – General Considerations
Policy N19	Landscape Maintenance Areas
Policy T16	Development – General Parking Requirements
Policy C4	Open Space in New Housing Areas

[Loggerheads Neighbourhood Plan \(LNP\) 2013-2033](#)

Policy LNPG2:	Housing Mix
Policy LNPP1:	Urban Design and Environment
Policy LNPP2:	Local Character & Heritage
Policy LNPT1:	Sustainable Transport

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

15/00015/OUT	Outline planning application for the erection of up to 128 dwellings (including details of access) – Allowed at appeal
16/00202/OUT	Outline planning application for the erection of up to 128 dwellings (including details of access) – Refused

Views of Consultees

The **Environmental Health Division** states that further information is required to approve the details required by the contamination conditions of the outline consent.

The **Highway Authority** has no objections subject to conditions regarding the provision of the internal roads, private drives and parking areas, provision of visibility splays, details of surfacing materials and surface water drainage for the private drives and parking areas, details of bin collection areas, gradient and length of private drives, garages to be retained for the parking of motor vehicles and cycles and submission of Construction Environmental Management Plan.

The **Conservation Officer** has no objections providing the plans do not have any impact on the listed milepost.

The **Crime Prevention Design Advisor** states that in general, the layout possesses a number of positive attributes. Outward-facing blocks down the centre of the site will result in rear gardens backing onto one another to provide a high degree of mutual security. There should be very good natural surveillance throughout the site with properties addressing the road network, and overlooking the pond, public open space, main site entrance, pedestrian link to Rock Lane and vast majority of the parking. Dual aspect corner plots assist in this regard. The provision of gating (presumably lockable) to all rear access paths, consideration of windows in the side elevations in plots 110 and 111 and additional hedges in certain gardens adjacent to Rock Lane or to block up perceived gaps, is welcomed. The LAP/LEAP will be in a good position, well overlooked on two sides by housing to provide a safer environment for children's play. Recommendations are made for the physical security of the properties.

The **Landscape Development Section** has no objections.

The **Education Authority** states that a Section 106 Agreement was signed when the outline application was granted. The number of dwellings remain the same so the education contribution amount will remain in line with this.

Staffordshire County Council Flood Risk Team has no objections.

Severn Trent Water has no objections.

The **Environment Agency** has no objections.

The **Waste Management Section** has concerns that plots 1-2, 11-12, 47-48, 116-121 and 126-128 are accessed over unadopted accesses. No bin collection points are shown. The vehicle weight is not given in the swept path analysis and it will need to show that it has been completed for a 26 tonne freighter.

The **Housing Strategy Section** states that the number and mix of affordable housing units are compliant with policy and is satisfied that the units are sufficiently pepper-potted across the development.

Loggerheads Parish Council objects on the following grounds:

- The proposed number of 1 and 2 bedroom dwellings does not comply with Policy LNPG2 of Loggerheads Neighbourhood Plan regarding housing mix.
- The application does not give any detail on play equipment.
- The proposed Remediation Strategy is not sufficient and the Parish Council understands that these conditions will require a separate application and wishes to be consulted on them.
- The proposed internal road access relies on shared access and unadopted access which does not comply with Policy LNPT1 of the Loggerheads Neighbourhood Plan, in particular the last two bullets.

Representations

One letter of representation has been received raising objections on the following grounds:

- Large numbers of houses have already been built.
- Loggerheads has no employment or facilities and there is minimal public transport meaning that occupants of the proposed houses will have to be dependent on private motor vehicles, which is not what environmental policy is supposed to sanction.
- The proposed housing development is on a B road, a country road and traffic is already increasing because of other development.
- This proposal does not fit in with the local plan.
- This proposal is environmentally damaging.
- This proposal is going to strain the few local facilities that currently exist in Loggerheads.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Arboricultural Impact Assessment
- Arboricultural Method Statement
- Drainage Strategy
- Phase II Geo-environmental Site Assessment
- Remediation Strategy

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/20/00201/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

19th January 2021