

The application is for full planning permission for a two storey side extension.

The site is located within the Urban Area, as identified within the Local Development Framework Proposals Map.

The application has been called in to Committee by two Councillors due to resident's concerns about the size of the proposed property that is not in keeping with the area, increase in parking and concerns about harm to a significant tree.

The 8 week period for the determination of this application expired on the 25th March but the applicant has agreed to an extension of time until the 5th April 2021.

RECOMMENDATION

Subject to the Landscape Development Section not raising any concerns that cannot be addressed through the use of appropriate conditions, PERMIT subject to conditions relating to the following matters:-

- 1. Time limit condition**
- 2. Approved Plans**
- 3. Materials**

Reason for Recommendation

The proposed extension is considered to be subordinate to the main dwelling and the streetscene in line with Policy H18 of the Local Plan and would not have a negative impact on surrounding dwellings in terms of neighbouring amenity. The proposal would not have any adverse impact on highway safety. Additional information has been requested regarding impact on trees.

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 requested during the consideration of the application and the applicant has submitted details to satisfy any concerns. The development is now considered to be a sustainable form of development in accordance with the National Planning Policy Framework.

Key Issues

The application is for full planning permission for a two storey side extension at 1 Beresford Crescent. The site is located within the Urban Area, as identified within the Local Development Framework Proposals Map.

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

- The design of the proposal;
- The impact on residential amenity;
- The impact on parking and highways;
- The impact on trees; and
- Other matters.

1. The design of the proposal

Paragraph 124 of the National Planning Policy Framework (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.

Paragraph 127 of the Framework lists six 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.

Policy CSP1 of the Council's Core Spatial Strategy 2006-2026 requires that the design of the development is respectful to the character of the area.

Policy H18 of the Local Plan is concerned with the design of residential extensions, and states that the form, size and location of extensions should be subordinate to the original dwelling, and that extensions should not detract from the character and appearance of the original dwelling, or from the character of the wider street scene.

The property is located on a corner plot at the junction of Beresford Crescent and Pilkington Avenue. The application initially proposed no set-back from the front elevation of the main dwelling but due to concerns of your Officer regarding the scale and design of the extension, amended plans have been received. The revised scheme now includes a set-back of 300mm from the front elevation and a corresponding step down in the ridge height below that of the main house. The proposed materials would match the existing dwelling.

Objections have been received from neighbours regarding the design of the scheme, specifically the scale of the extension, suggesting that the proposals would be incongruous, overbearing and out of character with the dwelling and the surrounding area. Concerns have also been raised on the grounds that the extension projects past the existing building line.

The proposed extension is similar in scale to other extensions in the vicinity and is not considered to be out of keeping with the character of the area. Furthermore, with regard to the concerns that the extension would exceed the existing building line, other corner plots on Beresford Crescent have similar sized extensions which extend beyond the building line, so it is not considered that this element is out of character with the built form of the surrounding area.

It is considered that the proposed extension would be of a form, scale and location that is subordinate to, and in keeping with, the design of the original dwelling and the character and appearance of the streetscene. Overall the proposal accords with the policies of the Development Plan and the guidance and requirements of the Framework.

2. The impact on residential amenity

Supplementary Planning Guidance (Space Around Dwellings) provides guidance on privacy, daylight standards and environmental considerations.

Given the property's location on a corner plot, and its relationship with No. 3 Beresford Crescent, the proposed extension would not give rise to any unacceptable impacts on the amenity of the occupiers of that dwelling. In addition, given the subordinate design of the extension, it is not considered that it would be overbearing to the occupiers of properties on Pilkington Avenue.

Whilst concerns have been raised regarding an increase in noise, disturbance and anti-social behaviour from use as a House in Multiple Occupation (HMO), the application is for an extension to a residential dwelling, and has to be considered on that basis. The increase in levels of noise and disturbance would not be so significant to justify a refusal.

Concerns have also been raised regarding an increase in waste and refuse due to an increase in the number of occupiers of the property. It is not considered that the increase in waste would be so significant to adversely affect the surrounding neighbours and additionally, if the development was used as an HMO in the future, refuse storage and disposal would be considered under the relevant license application.

The proposed development accords with the guidance set out in the SPG and the NPPF and would not be harmful to neighbouring residential amenity levels.

3. The impact on parking and highways

The most up to date position with respect to highway safety matters (contained within paragraph 109 of the Framework) indicates that development should only be prevented or refused on highway 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 parking 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. The car parking standards set out in the Appendix to the Local Plan state that for dwellings with 4 or more bedrooms, a maximum of 3 off road parking spaces should be provided.

Objections have been received from residents regarding parking and pedestrian safety. The Highway Authority recommends refusal of the application on the grounds that the submitted plans do not demonstrate that 3 car parking spaces can be provided within the site.

3 is the maximum number of parking spaces which should be provided and the applicant has provided an amended block plan which demonstrates that 2 parking spaces can be provided on site. Given that the application also provides a number of cycle parking spaces in the garage, it is not considered that the reduction of 1 parking space from the maximum would cause an unacceptable impact on highway safety, or that any residual cumulative impacts on the road network would be severe.

Overall the proposal accords with Policy T16 of the Newcastle-under-Lyme Local Plan and the NPPF.

4. The impact on trees

Policy N12 of the Local Plan is concerned with the development and the protection of trees. It sets out that the Council will resist development that would involve the removal of any visually significant trees. It also sets out that where appropriate, developers will be expected to set out what measures will be taken during the development to protect trees from damage.

Representations have been received raising concerns regarding the potential impact to some of the street trees outside of the site boundary. The Landscape Development Section (LDS) has requested an Arboricultural Impact Assessment (AIA) to enable them to make an assessment as to whether the trees would be impacted by the development. It is anticipated that the AIA will be received shortly and therefore the comments of the LDS will be reported in a supplementary report prior to the meeting of the Planning Committee.

5. Other Matters

Representations have been received regarding a number of other matters. Some of the issues raised, for example, historic covenants, the need for an HMO license, fire safety, impact on house prices, party wall matters, and building control issues, are not material planning matters and are either civil matters or are covered by other legislation.

Concerns have been raised regarding the use of the property as an HMO. The current use of the property is a dwellinghouse that falls within Use Class C3(a) of the Use Classes Order. The application submitted is a householder application for an extension only and there is no reference to the proposed use being an HMO. That said, a number of objections have made reference to online adverts, advertising the property as student accommodation. Whilst the applicant may be considering renting the property as student accommodation with 6 bedrooms, this would fall within Use Class C3(c) (small HMO up to 6 people) and would not require planning permission.

Concerns regarding flooding have been raised due to speculation that the front garden is intended to be removed and replaced with tarmac / paving to provide additional parking. This does not form part of the proposals and it is not considered that the proposed extension would cause any material flooding impact flooding.

Questions have been raised regarding the validity of the planning application, and whether the correct application form has been submitted. The applicant has submitted a Householder Application form which is correct. Concerns have also been raised questioning where the site notice was displayed. The application was advertised in line with the Council's Statement of Community Involvement which for this type of application requires letters to be sent rather than the posting of a site notice.

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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

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

Policy H18: The Design of Residential Extensions, Where Subject to Planning Control
Policy N12: Development and the Protection of Trees
Policy N13: Felling and Pruning of Trees
Policy T16: Development – General Parking Requirements

Other Material Considerations include:

National Planning Policy

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

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

Supplementary Planning Guidance/Documents

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

[Space around Dwellings Supplementary Planning Document \(2004\)](#)

Relevant Planning History

None

Views of Consultees

The **Highway Authority** recommends refusal on the grounds that the application fails to demonstrate that adequate off-road parking can be provided.

The **Housing Strategy Section** provides information regarding HMO requirements.

The **Landscape Development Section** states that there are existing trees growing in the highway to the front of the property that are likely to be affected by the proposed development and therefore an Arboricultural Impact Assessment is requested.

Representations

Eighty-eight letters of representation have been received, seventy eight raising objections, ten supporting the application.

A summary of the objections raised is as follows:

- Concerns regarding the scale, design, internal configuration and that it's out of character for the area
- Adequacy of parking and concerns front garden would be used as parking
- Access, highway safety and traffic generation
- Concern with HMO use and noise and disturbance relative to HMO use
- Local, strategic, national and regional planning policies
- Landscape

- Environmental issues/hazards
- Waste / refuse
- Residential area largely occupied by families
- Size of garden
- Increase in anti-social behaviour
- Flood Risk / Surface Water / Drainage
- Development would set a precedent for further student accommodation type development in the area
- Residential amenity impact to surrounding neighbours
- Already student accommodation in Newcastle
- Potential fire hazard
- Proposed use of the garage
- Concerns that the property will be extended over the building line of the street
- No licence for this has been submitted for a large HMO at this address
- This area is not suitable for student lets
- Decrease in property value
- Property already advertised as student let, and concerns regarding the instruction given to estate agents
- Concern regarding future residents
- Applicant using Beresford Crescent as their address.
- Historic covenant restricting business activity
- Site notice not displayed
- Concern regarding the type of application submitted.
- Impact on trees and nature conservation – tree survey submitted
- Disabled access
- Design does not comply with HMO Licencing requirements
- Location the architect is based
- Concerns relating to the party wall
- Other development carried out on site in recent years
- Concerns regarding the future use of the site if planning permission is granted.
- Noting that objections still stand following amended plans

A summary of the letters of support is as follows:

- The creation of bedrooms on the ground floor with bathroom facilities would suit the older members of family
- No issues with the design and scale of the proposals
- Many objections are mostly irrelevant in terms of planning
- The proposed double storey extension is sympathetic in design to the existing locality, the detailing within the plan shows this. It is not greater in size than the existing property.
- The plans put forward will create a suitable family home, ideal for large families.
- Multigenerational living is not a new concept. Ground floor accommodation, with accessible wash facilities for octogenarian or the elderly and infirm or frailer members of the family would be served by these rooms.
- The objections relating to fire hazards are covered under scope of building regulations.
- The property occupies a generous corner plot
- Properties within this area have been allowed extensions of varying sizes, design and scale, therefore the proposal does not result in detrimental harm to the character of original dwelling or the integrity of the street scene.
- See no reason why this planning application is any different to similar applications made by local residents.

Applicant's/Agent's submission

The submitted plans for the development can be viewed on the Council's website using the following link: <https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/00054/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

12th March 2021