

The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of the erection of a replacement farmhouse and 11 bungalows at Croft Farm.

This application for the approval of reserved matters follows the granting of an outline planning permission in August 2019 (18/00507/OUT). Details of the access from the highway network were approved as part of the outline consent and a subsequent non-material amendment to the access was granted last year (18/00507/NMA).

The application site, which measures 0.9 hectares, lies within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

**The 13 week period for the determination of this application expires on 21<sup>st</sup> April but the applicant has agreed to extend the statutory period until 29<sup>th</sup> April 2022.**

### **RECOMMENDATION**

**PERMIT subject to conditions relating to the following:**

- **Link to outline planning permission and conditions**
- **Approved plans**
- **Tree protection plan**
- **Arboricultural method statement**
- **Schedule of works for retained trees**
- **Provision of access, parking and turning areas**
- **Details of materials**
- **Details of boundary treatments**

### **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 subject to conditions, the proposed landscaping 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 and amended 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 the erection of a replacement farmhouse and 11 bungalows at Croft Farm. The principle of the residential development was established by the granting of outline planning permission 18/00507/OUT in August 2019 and details of the access from the highway network were approved as part of that outline consent. A subsequent non-material amendment to the access was granted last year (18/00507/NMA).

The application site lies within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The principle of residential development and the details of the access to the site from the highway have already been concluded to be acceptable. It is not considered that the application raises any issue of impact on trees and the Landscape Development Section raises no objections to the proposed landscaping. Although they request a financial contribution towards Public Open Space, this was dealt with in consideration of the outline application and cannot be sought at this stage.

Therefore, the main issues for consideration in the determination of this 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 internal road layout and parking provision acceptable in highway safety terms?
- Other matters

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 126 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 130 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.

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.

Policy DC2 of the CHCMAW Neighbourhood Plan details a number of criteria that new development should meet if it is to be supported. This includes, amongst other things, that the development reflects local character, maintains and enhances the character and appearance of the landscape and responds sensitively to local topography.

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.

CSS Policy CSP4 indicates that the location, scale, and nature of all development should avoid and mitigate adverse impacts (on) the area's distinctive natural assets and landscape character. This

policy is considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The site is within an Area of Landscape Restoration and Policy N21 of the Local Plan states that within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

The development would comprise a 2-storey dwelling and 11 bungalows laid out around a central area of open space. The density of the development would be approximately 12 dwellings per hectare. In allowing the appeal for the outline scheme, the Inspector acknowledged that the density would be low and concluded that it would reflect the surrounding development and sympathise with its rural setting. Although the development would not follow the general surrounding linear pattern of development, in allowing the appeal, the Inspector stated as follows:

*“..given that there are only a small number of neighbouring properties within the immediate vicinity, I do not consider that this is a strong defining character of the area. Due to the lower site levels and the likely lower profiles of the proposed dwellings compared to the surrounding two-storey properties, in addition to the screening effect of hedgerows, the proposal would only be readily visible from localised views. The linearity of the surrounding development is only discernible when traveling along the A51, from which the site would only be visible through glimpsed views.”*

Bungalows tend to have a greater footprint than 2-storey dwellings and in this case, the applicant states that the dwellings have been designed to be future-proofed in their energy requirements, with, for example, 200mm cavities (almost double the requirement) which increases the size of each bungalow. However, the distance between the properties varies considerably and with the addition of the substantial central area of open space, it is considered that the development would be sufficiently spacious and would be appropriate in this rural location.

The dwellings would provide a mix of traditional cottage styles, with timber porches and red brick, along with more modern aspects. Selected features (such as Staffordshire blue roof tiles) have been used to reflect those in the local area, while at the same time including new detailing (such as glazed gables) to give the development its own identity. The details are replicated throughout to provide a cohesive development but with individual dwelling design. The ‘farmhouse’ is a traditional design, which uses materials to tie in with both the local vernacular and the rest of the site.

Some of the dwellings would have a garage and parking would generally be to the side of the properties to avoid parking to the front.

In the plans as originally submitted, the height of the bungalows varied between 5.8m and 6.2m. Although in allowing the appeal, the Inspector did not consider it necessary to impose a condition limiting the height of the bungalows, the applicant has made reference to the Residents’ Group’s comments on the outline application, in which they stated that, if development is permitted, the ridge height of the bungalows should be no more than 6 metres. In response to this, the heights of all of the bungalows have been reduced to be below 6m.

The Parish Council refers to the development having a greater landscape impact than the outline scheme due to an increase in the height of the dwellings. However, given that scale was reserved for subsequent approval, any details in the outline proposal were only illustrative.

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.

### *Existing occupiers' amenity*

Given the orientation of the existing dwellings, the limited height of the proposed bungalows and the existence of landscaping along the site boundary, it is considered that there would be no significant adverse impact on the amenity of the occupiers of the existing 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 and an acceptable level of outdoor space would be available for each property for drying washing, sitting out and gardening. It is considered that the level of private amenity space would be sufficient for the bungalows and the farmhouse, providing an appropriate level of amenity for future occupiers.

### 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. Therefore, although objections have been received from both residents and the Parish Council on the grounds of highway safety impact, in particular that the access is unsafe and that its design is flawed, such objections could not now be sustained.

The Highway Authority has no objections to the detail of the proposal and the proposal is considered acceptable in terms of impact on highway safety.

### Other matters

Concerns have been raised by both the Parish Council and residents regarding the drainage of the site. In allowing the appeal for the outline scheme, the Inspector concluded that there was no substantive evidence that the proposal would have any significantly harmful effect on flooding and he imposed conditions requiring the submission of a detailed surface water drainage design along with drainage plans for the disposal of foul and surface water flows. The conditions require the submission and approval of details prior to commencement of development and are considered sufficient to ensure satisfactory drainage facilities will be provided.

### Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

## 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 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 N21:	Areas of Landscape Restoration
Policy T16:	Development – General Parking Requirements

#### [Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan \(CHCMAWNDP\) 2019](#)

Policy NE1:	Natural Environment
Policy NE2:	Sustainable Drainage
Policy DC2:	Sustainable Design
Policy DC3:	Public Realm and Car Parking
Policy DC5:	Impact of Lighting
Policy DC6:	Housing Standards
Policy DC7:	Renewable Energy
Policy HG2:	Housing Mix

### **Other Material Considerations include:**

#### [National Planning Policy Framework \(NPPF\) \(2021\)](#)

#### [Planning Practice Guidance \(PPG\) \(2018\)](#)

#### [Supplementary Planning Guidance/Documents](#)

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

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

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

#### Relevant Planning History

17/00630/FUL	Extensions and alterations	Approved
17/00776/FUL	Erection of a replacement dwelling	Approved
18/00507/OUT	Outline planning for the demolition of existing buildings, 1 replacement farmhouse, erection of 11 bungalows, access, parking and amenity space	Approved
18/00507/NMA	Minor amendment to re-position the access road approximately 4.1m eastwards, whilst keeping the access road width and all other details the same	Approved

### Views of Consultees

The **Highway Authority** has no objections subject to a condition requiring the development to be carried out in accordance with the approved details.

The **Landscape Development Section** has no objections subject to conditions regarding tree protection, an arboricultural method statement and a schedule of works for retained trees. A financial contribution of £5,579 per dwelling is sought towards off-site open space.

The **Crime Prevention Design Advisor** states that the development should be a very attractive one within a good setting designed to foster a strong sense of community amongst residents. A number of security recommendations are made.

**Chapel and Hill Chorlton Parish Council** is strongly opposed to the application on the following grounds:

- The development is contrary to Policy HG1 of the Neighbourhood Plan (NP).
- The development would have a greater landscape impact than the outline scheme due to an increase in the height of the dwellings.
- The surface water run-off would be substantially greater than what was calculated at the outline stage.
- Part of the boundary hedge has been felled impacting upon wildlife and the local landscape.
- Concerns regarding drainage and the capacity of the pond to avert flooding. A new SUDs report must be submitted and reviewed prior to determination of this application.
- The design and layout fails to complement the local character by introducing a cul-de-sac development beyond the existing linear development.
- The ridge heights are excessive and unacceptable.
- The boundaries should be replanted with native mixed species.
- More tree planting is required.
- Covenants should be added on all properties restricting residents from removing hedges or erecting fencing.
- No details of exterior lighting have been submitted.
- There should be no street lighting.
- There is no reference to internet connectivity.
- The access is unsafe and the design is flawed.
- Impact on neighbouring properties.
- Waste Management should be consulted.
- Impact on pedestrians.
- A Management Company should be set up to maintain the open space and pond.
- There is a safety issue of future residents living directly under these power lines.

No comments have been received from the **Environmental Health Division** and given that the consultation period has ended, it must be assumed that they have no observations to make.

### Representations

Three letters of representation have been received. Objection is made on the following grounds:

- Impact on view
- The plans have deviated vastly from the original plans
- Contravenes the Neighbourhood Plan
- Highway safety
- Poor drainage

### Applicant's/Agent's submission

The application is accompanied by a Design & Access Statement and a Tree Report.

All of the application documents can be viewed on the Council's website using the following link:  
<https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/22/00046/REM>

Background papers

Planning files referred to  
Planning Documents referred to

Date report prepared

12<sup>th</sup> April 2022