

CAR PARK, MEADOWS ROAD, KIDSGROVE
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

23/00638/DEEM3

Full planning permission is sought for the demolition of an existing commercial garage and vehicle repair shop, and the erection of community hub, a new garage and associated car parking provision.

The site lies within the settlement of Kidsgrove and is within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. The site also falls within a High Coal Mining Area. The application has been submitted by Newcastle under Lyme Borough Council.

The 13 week period for the determination of this application expires on 18th October.

RECOMMENDATION

Permit, subject to conditions relating to the following matters:-

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Material samples**
- 4. Provision of cycle parking facilities**
- 5. Submission and approval of a Demolition and Construction Environmental Management Plan**
- 6. Details of external lighting to be submitted**
- 7. Details of any external plant/equipment to be submitted**
- 8. Works to be completed in accordance with parking details**
- 9. Soft and Hard Landscaping Plan**
- 10. Construction hours**
- 11. Contaminated Land**
- 12. Submission of revised access details**

Reason for Recommendation

The redevelopment of this site is a sustainable form of development supported by the National Planning Policy Framework. The design, scale and appearance of the proposed development is considered appropriate and the proposal would not result in any adverse impact to residential amenity or highway safety matters. Subject to appropriate conditions the proposal is considered to be an acceptable form of development.

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

The proposal is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for the demolition of an existing garage and vehicle repair shop and the erection of community hub and garage with first floor mezzanine, along with alterations to the existing car parking provision within the site.

The site lies on the edge of Kidsgrove Town Centre and falls within the Urban Area of Borough as indicated on the Local Development Framework Proposals Map.

Subject to a condition as requested by the Coal Authority, there are no concerns relating to coal mining risk legacy, and therefore the key issues in the determination of the application are as follows:

- Is the principle of the proposed development on the site acceptable?
- Is the design and massing of the proposal acceptable?
- Impact on amenity,

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- Is the proposal acceptable in terms of highway safety? and
- Reducing Inequalities.

Is the principle of the proposed development on the site acceptable?

Paragraph 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Paragraph 93 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship).

Policy SP1 of the Core Spatial Strategy indicates that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. It also states that employment provision will be focused towards sites accessible to and within the North Staffordshire Regeneration Zone. Policy SP2 of the CSS also indicates that economic development should capitalise on North Staffordshire's potentially strong geographical position, its people and its productive asset base.

The proposal seeks permission for the erection of a community hub, which will provide a number of flexible offices and meeting rooms for the use of local groups. A new garage is also proposed along with additional car parking spaces within the site. The site lies adjacent to Kidsgrove Town centre, and is in close proximity to Kidsgrove Railway Station.

The site contains two existing buildings, one of which is used as a vehicle repair shop and the other functions as a garage. The rest of the site is currently used as a public parking area and the site is therefore classed as brownfield land. The location of the site in respect of its proximity to nearby services and public transport links, including Kidsgrove railway station, is considered to represent a sustainable location for the proposed development. As the proposal would provide a function which would benefit the local community in a sustainable location, the development is considered to be acceptable in principle, subject to other material planning considerations.

Is the design and massing of the proposal acceptable?

Paragraph 126 of the National Planning Policy 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 130 of the framework lists 6 criteria, 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. Paragraph 134 of the Framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Policy CSP1 of the adopted Newcastle under Lyme and Stoke on Trent Core Spatial Strategy (CSS) details that new development should be well designed to respect the character, identity and context of the area.

The proposed community hub would be positioned within the central part of the site. The associated car park would be positioned in the western part of the site along The Meadows while the new garage would be sited close to the eastern boundary.

The surrounding area is comprised of a mixture of different building types, including residential and commercial properties of various design styles, however the majority of nearby structures are two storey in height and are constructed of redbrick and white render. Two existing single storey structures which

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provide commercial functions would need to be removed from the site to accommodate the proposed development. Both structures have limited architectural quality and therefore it is not considered that their demolition would be in any way harmful to the character of the area.

The community hub would be of a contemporary design, featuring a flat roof at a two storey level with a number of large windows which would create a generous and attractive fenestration arrangement. The height of the proposals is considered proportionate to the surrounding buildings and the use of a flat roof is also considered acceptable given the variety in nearby building styles.

The proposed materials palette would comprise brick and composite cladding panels for the walls and solar panels are proposed to the roof to incorporate a level of sustainability into the design. The materials would result in some contrast to neighbouring buildings, but are not considered inappropriate given the mix of architectural styles nearby.

The proposed garage is to be a two storey structure measuring approximately 17m x 11m with an eaves height of 5m and a ridge height of 6.85m. The building has a relatively simple form and is based on functional requirements, however its construction in red brick will ensure it does not appear unusual or out of place when seen in context with its surroundings.

Subject to a condition requiring the submission of details of the proposed external materials, the overall design of the proposals and their impact on the surrounding area and street scene are considered to be acceptable. The proposal is therefore in compliance with policy CSP1 of the Core Spatial Strategy, and the relevant sections of the NPPF which support good design.

Impact on Amenity

Criterion (f) within paragraph 130 of the Framework states that planning decision 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; and where crime and disorder, and the fear of crime, for not undermine the quality of life or community cohesion and resilience.

The proposed community hub will be set in close proximity to the side and rear elevations of nos. 29-31 Liverpool Road, however the building will be a set back from the shared boundaries of the site by at least 2m at all points. It should also be noted that the hub would be set slightly further away from neighbouring properties than the current vehicle repair garage, and there are no properties in residential use immediately adjacent to the north or west boundaries of the site.

Consideration must also be given to potential noise nuisance that could arise from the development. While the proposal would likely result in less noise generation than the current vehicle repair shop, it is considered appropriate to require details of any external extraction and equipment and to request the submission of a Construction Management Plan as recommended by the Environmental Health Team.

There are no objections to the proposed garage on amenity grounds which, although larger than the existing garage, would be self-contained within a rear courtyard area and would not block or restrict light levels into any adjacent properties.

Subject to the conditions required by the Council's Environmental Health Team and given the scope and nature of the proposal, it is not considered that a refusal on amenity grounds could be sustained. On this basis the proposals comply with the guidance and requirements of the NPPF.

Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?

Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified 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 NPPF, at paragraph 111, states 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

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on the road network would be severe. In March 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. It went on to state that Local Planning Authorities should only impose local parking standards where there is clear and compelling justification that it is necessary to manage their local road network.

The proposed car park will provide 25 spaces and 2 additional disabled spaces. The existing car park on the site currently provides space for 18 cars and as such there would be an increase of spaces as a result of the development. Although the parking standards in the Local Plan do not provide specific guidance for this type of development, given that the site lies within a highly sustainable location and there are other car parking areas that can be utilised nearby, it is concluded that the parking provision on site is proportionate in this case.

The proposed car park will utilise a one way system which would result in a new access point being created along Station Road whilst the existing access point leading onto the Meadows will be used as an exit only. Vehicle access to the garage will be from The Meadows and will utilise what is already an existing access point, which is sited directly adjacent to the proposed exit for the car park. A pedestrian route from Liverpool Road will remain open for use, allowing easier access to the site for those not using a vehicle.

The Highway Authority have raised no objections to the proposal subject to a condition requiring revised details including for signage to be added to the proposed access and exit points. Subject to the imposition of such a condition, it is considered that there would be no adverse impact on highway safety and that the development would accord with the guidance of the NPPF.

Other Matters

Whilst the Canal and River Trust have recommended that the LPA consider the requirement of an ecological report to be submitted in support of the application, given that the proposal would only result in the removal of four small trees which have limited ecological value, it is not considered reasonable to request an ecological report in this instance. A condition will be used however to require a hard and soft landscaping scheme to be submitted in support of the application to ensure that replanting takes place to mitigate the loss of the trees from the site.

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:

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- 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.

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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 SP2:	Spatial Principles of Economic Development
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP5:	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (2023)

Planning Practice Guidance (2019 as updated)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

None relevant.

Views of Consultees

The **Highways Authority** raise no objections to the proposal subject to condition requiring that the following alterations be made to the proposal:

- The bus stop shall be omitted from the approved drawings
- The existing street lighting shall be omitted from the approved drawings
- A revised plan showing 'IN' signage proposed at the vehicular entrance off Station Road and similar 'NO ENTRY' signage on the exterior boundary on The Meadows with additional 'NO ENTRY' wording to be painted on the floor within the access off The Meadows just behind the public footway. Additional markings to be applied within the car park to clearly direct customers towards The Meadows when leaving the facility which includes the words 'NO EXIT' painted on the floor to make sure vehicles do not attempt to leave towards Station Road. The revised car park which includes a new access shall thereafter be provided in accordance with the approved details and shall be retained as such for the lifetime of the development.

The **Canal and River Trust** recommend that the LPA ensure that the submitted documentation agrees on whether the trees on site are to be removed or not, and therefore if mitigation planting is required. It also recommends that the LPA should give consideration to the need for an ecology report to show whether the demolition of the existing garage will affect any roosting bats or nesting birds in the buildings. Further to the above it is recommended that the LPA consider if surface water disposal and CEMP conditions are necessary for this proposal, and if they are found to be, that the protection of the canal is included within the reasoning.

The **Coal Authority** raises no objections to the proposal subject to conditions.

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The **Environmental Health Team** raise no objections to the proposal subject to conditions which require the submission of a Construction and Environmental Management Plan, details of external lighting and details of external plant/equipment.

The **County Archaeologist** raises no issues with the application.

No representations have yet been received from **Kidsgrove Town Council** or the **Landscape Development Section**. Any comments received will be brought to the attention of the Committee.

Representations

One representation has been received from a local resident who raises a number of queries regarding the use of the site and what level of disruption the development of the site might cause. This query has been responded to by the case officer.

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/22/00638/DEEM3>

Background papers

Planning files referred to

Planning Documents referred to

Date report prepared

26th September 2023

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