

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 200 dwellings.

This application follows the granting at appeal of outline planning permission for up to 200 dwellings on this site (Ref. 21/01041/OUT). Details of the main access from the A53 were approved as part of the outline consent.

The site, which comprises Baldwin's Gate Farm and associated agricultural land, 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 expired on 25<sup>th</sup> July 2024 but an extension of time has been agreed to 11<sup>th</sup> October.**

### **RECOMMENDATION**

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

- 1. Link to outline planning permission and conditions**
- 2. Approved plans**
- 3. Facing materials**
- 4. Boundary treatments**
- 5. Hard surfacing materials**
- 6. Revised highway details**
- 7. Detailed highway design information**
- 8. Gradient of footway and cycle links**
- 9. Implementation of residential access arrangement**
- 10. Provision of pedestrian visibility splays**
- 11. Details of parking and turning**
- 12. Provision of cycle storage**
- 13. Landscaping scheme**
- 14. Tree protection**
- 15. Refuse strategy**

### **Reason for Recommendation**

The principle of the use of the site for residential development and the use of the main access from the A53 was established through the granting of the outline planning permission. The design and layout of the proposal is considered acceptable and 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 and amended plans have been sought and provided and the scheme is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

### **Key Issues**

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The site, which comprises Baldwin's Gate Farm and associated agricultural land, lies within the open countryside and an Area of Landscape Restoration 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 approved Parameters Plan and the principles set out in the Design and Access Statement. Your Officer has considered the application against the plan and against those principles and is satisfied that it accords with the condition of the outline consent.

The majority of objections received from local residents relate to the impact of a housing scheme of this size upon the surrounding highway network, local amenities and the capacity of the sewerage system. These are matters that were considered and accepted as not grounds for refusing the outline planning permission and therefore, cannot be revisited now.

The key planning matters in the determination of the application are:

- Character and appearance of the development,
- Residential amenity,
- Highway safety and parking implications,
- Trees, hedgerows and public open space,
- Flood risk and drainage,
- Affordable housing

#### Character and appearance of the development

Paragraph 131 of the National Planning Policy Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, will function well and add to the overall quality of the area; 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.

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.

Policy NE1 of the CHCMAW Neighbourhood Plan states that new development will be supported that complements the landscape setting and character of the area, preserves or enhances and does not cause significant harm or degradation to the intrinsic rural character and ecological and environmental features of the area. Policy DC2 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.

RE5 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) 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.

R12 of that same document states that residential development should be designed to contribute towards improving the character and quality of the area. Proposals will be required to demonstrate the appropriateness of their approach in each case. Development in or on the edge of existing settlements should respond to the established urban or suburban character where this exists already and has a definite value. Where there is no established urban or suburban character, new development should demonstrate that it is creating a new urban character that is appropriate to the area. 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.

LNP Policy HG2 requires a balanced mix of dwelling types to meet requirements identified in the latest assessment of local housing needs. This includes dwellings suitable for those wishing to downsize, young families and first-time buyers and specialist accommodation suitable for the elderly, vulnerable or disabled persons. The proportions of different dwelling types and sizes must be based on evidence of local housing need and this should be demonstrated as part of any planning application.

Given the variety of dwelling size, density and style currently in the village, it is considered that the layout proposed would respect local character. A mix of 2, 3, 4 and 5 bed dwellings are proposed with a mix of detached, semi-detached and mews style terraces to provide an acceptable range, type and size of dwellings. The dwellings would all be 2 storey in height and would be constructed from brick and tile.

The character of the development would vary across the site, in terms of housing typology and density and road hierarchy. Higher density development would be situated centrally within the site. Dwellings along the main spine road within the western site area would follow a linear, uniform building line, which broadly follows the road alignment while edge of development and dwellings to the northern part of the site would be more informal in nature.

Detailing within the house types would be simple and unfussy with traditional architectural features such as pitched and gabled roofs (a mixture of render and brick), window cills and heads, soldier courses and limited use of bay windows and chimneys. Corner dwellings would be dual aspect to provide active frontages on both sides and to avoid blank elevations. The house types are attractive in appearance and raise no concerns in terms of visual amenity.

It is considered 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 street scene.

The position, type and design of boundary treatments would be acceptable and these details can be secured through an appropriately worded condition.

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.

#### Residential amenity

The NPPF states at paragraph 135 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 internal separation distances between the dwellings proposed would all accord with the recommendations of the Space Around Dwellings SPG. The proposed dwellings would generally provide amenity areas which comply with the lengths/areas recommended in the SPG and therefore the level of private amenity space would be sufficient for the family dwellings proposed.

Suitable separation distances are achieved between the proposed properties and the existing residential development on Sandyfields and Roebuck Drive to the east and Madeley Road to the south-west. Therefore, there would be no loss of privacy, outlook or light to those properties.

With regards to waste collection, the majority of the internal roads within the site are to be constructed to adoptable standards and therefore will be serviced by a Local Authority waste refuse service. However, there are a number of plots located off the turning heads of some of the junctions that would not be accessed via an adoptable road. The applicant has therefore provided suitably sized and positioned bin storage/collection areas for these plots. A total of 35 dwellings would use a bin collection point.

There is nothing within the adopted Development Plan or the NPPF that stipulates that residential dwellings must be served by a bin collection service on an adoptable road and it is considered that the distances of the dwellings from the proposed collection points would be acceptable.

It is therefore considered that the development would not raise any adverse implications for residential amenity and would accord with the principles of the NPPF.

### Highway Safety

CSS Policy SP3 addresses the need to secure more choice of, and create better access to, sustainable modes of transport whilst discouraging less sustainable modes. CSP1 expects new development to be accessible to all users and to be safe, uncluttered, varied, and attractive.

NP Policy DC3 expects the form and layout of development to provide ease of movement for pedestrians and cyclists, cater for a people with a range of mobility requirements and avoid severe adverse impacts on the capacity of the highway network

NPPF Paragraph 114 notes that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The suitability of the main point of access from the A53 was considered to be acceptable in the determination of application 21/01041/OUT at appeal. Therefore, this report will focus on the suitability of the internal road layout and provision of parking.

Access to the site was approved under the outline consent at appeal. The approved primary means of access would be via a new four-arm roundabout junction with arms formed from the site access, the A53 and Woodside. A secondary access point is proposed to the east of the main access to serve 5 properties. Off-site mitigation works including the A51/A53 Blackbrook Junction signalisation scheme and provision of a Puffin crossing on the A53 were secured at outline stage.

A clear road hierarchy is provided within the proposed layout. One main road leads up through the development from the access point creating loop road arrangements to the west of the site with a series of interconnecting secondary streets, cul-de-sacs and private drives. To the east and on the western boundary of the site, a more informal approach is proposed.

Sufficient off-street parking has been demonstrated for the dwellings proposed. Parking would be provided close to properties, generally to the side of dwellings, with garages offered to a large number of houses. There would be some frontage parking in the central area of the site but the areas would be broken up with front gardens and tree planting.

Initial comments from the Highway Authority (HA) resulted in the submission of additional and amended information. The HA no longer raises any objections to the development subject to conditions. On this basis, the proposal is considered acceptable in terms of impact on highway safety.

### Landscaping and open space

A number of areas of open space are included within the site. A large swathe of open space would run the whole length of the site between the narrower eastern portion and wider western portion. It would comprise attenuation basins at either end with a central area containing the children's play area. A linear area of open space is proposed along the north-western boundary of the site along with allotments for local use. A further area of open space is proposed around the retained veteran oak tree to the west of the retained farm buildings.

It is considered that the large open spaces at the entrance to the site and in the centre would help to give the site an attractive, open feel. Officers are satisfied that the amount of open space proposed is acceptable and that the location and design of the play area accords with Fields in Trust guidance. Dwellings front the open space on all sides, offering natural surveillance.

Existing trees would be retained where possible. Further landscape enhancement is proposed in the form of enhanced green landscape buffers, and street tree planting is proposed where possible to create a healthy and attractive public realm. New areas of meadow grassland alongside areas of native shrub planting and spring and autumn bulbs would also be provided.

The Council's Landscape Development Team has no objections to the landscaping scheme subject to the implementation of the tree protection and ground protection. Additional information on the detailed landscaping was sought along with details of landscaping in the vicinity of the veteran oak tree. That information has been provided, and no objections are raised.

Subject to the imposition of appropriately worded conditions, the proposed open space and landscaping is considered to accord with development plan policy and the guidance set out within the NPPF.

### Flood Risk and Drainage

NPPF Paragraph 167 outlines that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

The outline application was accompanied by a Flood Risk and Drainage Assessment which concluded that with appropriate mitigation, the development of the site would not create any flood risk issues for the wider area. The site lies in Flood Zone 1 which is land/property with the lowest risk of flooding.

The Environment Agency, Staffordshire County Council as the Lead Local Flood Authority, United Utilities and Severn Trent Water all raised no objections to the outline application subject to suitably worded conditions securing the detailed drainage design and foul and surface water flows.

In allowing the appeal, the Inspector was satisfied that there would be no undue additional risk of flooding subject to conditions 19 and 20 of the outline consent which require the submission of a scheme for drainage for the disposal of foul and surface water flows and require the development to be carried out in full accordance with the approved Flood Risk Assessment. A separate condition discharge application has been submitted providing details of a drainage scheme. These details must be approved before any development can commence.

Subject to compliance with the relevant conditions of the outline consent, it is not considered that the proposed development would create any additional risk of flooding.

### Affordable Housing

Policy CSP6 of the Core Spatial Strategy states that new residential development within the urban area capable of accommodating 15 or more dwellings will be required to contribute towards affordable housing at a rate of 25% of the total dwellings to be approved.

The provision of 25% affordable housing was secured through the Section 106 Agreement associated with the approved outline planning permission and this should comprise a tenure split of 60% social rented units and 40% shared ownership units.

The submitted layout demonstrates that these levels would be secured with the provision of 31 units as social rented and 19 as shared ownership. It is proposed that 30 of the affordable units would be 2 bed and 20 would be 3 bed.

The Council's Housing Strategy Officer is satisfied with the proposed house types and considers that the units are sufficiently pepper potted across the development.

Overall therefore, it is considered that the proposal would comply with the recommendations of the Council's Affordable Housing SPD both in terms of location, tenure and type of housing.

### 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

The development 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 CSP1: Design Quality  
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 N3: Development and Nature Conservation – Protection and Enhancement Measures  
Policy N4: Development and Nature Conservation – Use of Local Species  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character – General Considerations  
Policy N21: Areas of Landscape Restoration  
Policy T16: Development – General Parking Requirements  
Policy C4: Open Space in New Housing Areas

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

Policy HG2: Housing Mix  
Policy HG3: Local Play, Sports and Recreational Facilities  
Policy NE1: Natural Environment  
Policy DC1: Local Heritage  
Policy DC2: Sustainable Design  
Policy DC3: Public Realm and Car Parking  
Policy DC4: Connectivity and Spaces  
Policy DC6: Housing Standards

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

#### [National Planning Policy Framework \(2023\)](#)

#### [Planning Practice Guidance \(2019 as updated\)](#)

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

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

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

#### [Relevant Planning History](#)

21/01041/OUT Construction of up to 200 dwellings set within a community parkland – Refused but allowed at appeal

24/00270/DEM - Demolition of buildings identified as pink as shown within the demolition layout – Approved

#### [Views of Consultees](#)

The **Lead Local Flood Authority** raise no objections to the reserved matters application having reviewed the Flood Risk and Drainage Assessment, however Condition 14 of the appeal notice remains to be discharged and officers go on to detail the level of information that will need to be provided in order to satisfy the requirements of that condition.



The **Highway Authority** raises no objections subject to conditions regarding additional/revised design details, gradient of pedestrian/cycle links, implementation of A53 permanent residential access arrangement, details of pedestrian visibility splays, surfacing materials, surface water drainage, allocation/delineation of parking spaces in shared parking areas, and provision of cycle storage for each plot without garaging.

The **Landscape Development Section** has no objections subject to the implementation of the tree protection and ground protection and the principles of the landscaping scheme. Information on the detailed landscaping and play areas is required along with details of landscaping in the vicinity of the veteran oak tree. Confirmation is sought that the open space and play provision meets the minimum requirements of 8,000 sq.m and a minimum 400sq.m and 100sq.m for the LEAP and LAP are being provided on the site.

The **Staffordshire Police Designing out Crime Officer** is generally supportive of the development layout with the exception of the following elements:

- Improve opportunities for overlooking of parking spaces.
- Lighting within the development should create a safe place for pedestrians and vehicles, facilitate natural surveillance, and deters criminal and anti-social behaviour.
- Unauthorised access from the front of dwellings to the private rear gardens should be denied by fencing and gating positioned as close to the front of the building line as is practical.
- Where 1m high metal estate railings are proposed to meet a rear garden boundary they would provide a perfect climbing aid to enter a rear garden.
- 0.9m high timber post and 3 rail fencing is considered ill-advised, and it is recommended that conventional boundary treatments are provided instead.
- The dwellings within this development should satisfy the minimum physical security requirements contained within the police Secured by Design Homes Guide 2024.

The **County Council Mineral and Waste Planning Authority** has no comments to make on the application.

**United Utilities** confirms that the proposals are acceptable in principle.

**Cadent Gas** has no objection to this proposal.

The **Environmental Health Division** raises no objections and refers to the conditions on the outline consent.

**Staffordshire County Council Archaeology** does not wish to raise any archaeological/historic environment issues.

**Active Travel England** refers to Standing Advice.

**Natural England** has no comments to make.

**Whitmore Parish Council** sees no need for further comment.

Chapel and Hill Chorlton Parish Council makes the following comments:

- The great majority of the proposed dwellings are not suitably oriented for rooftop solar energy generation.
- The Design and Access Statement makes no reference to the implementation of any types of renewable energy on the development, whether solar PV or air source or ground source heat.
- No provision is indicated to enable charging of electric vehicles.
- No details have been provided regarding disposal of foul drainage.

**Maer & Aston Parish Council** make the following comments:

- The applicants should be reminded that there are a number of conditions which need to be complied with.
- It is hoped that the A51/A53 junction improvements would deal with the increase in traffic in this area.
- The houses on Madeley Road are not shown on the plans and need to be taken into consideration.
- It is queried why there is no footpath along Madeley Road.
- Drainage concerns are raised.

The **Housing Strategy Officer** is satisfied with the tenure split and the distribution of the units across the development.

No comments have been received from the **Council's Waste Services Department, Conservation Officer, Staffordshire Wildlife Trust, the Environment Agency or Severn Trent Water** by the given deadline and as such it is assumed that they have no comments to make.

### Representations

25 representations have been received raising the following concerns: -

- Traffic impact
- Inadequate services and facilities to cope with additional dwellings
- The village is already overdeveloped
- Further agricultural land will be lost
- Greenfield site outside village envelope
- Housing stock has improved since the original application
- Should be swift bricks installed
- Contrary to policies of the Neighbourhood Plan
- Closure of a working farm
- Loss of green space
- Impact on already strained sewerage system
- The scheme should be reviewed following unprecedented rainfall over the last year
- Layout changed from original plan and all the smaller houses are grouped together in the middle
- No bungalows
- Poor public transport
- Conditions of outline approval need to be complied with
- Detail required of noise impact of pump station
- Density of housing adjacent to farmhouse isn't in keeping with housing on edge of the village
- The green area seems smaller than in original application
- Proposed tree species unsuitable
- Estate style railings not in keeping with the village
- Lack of pavement to the allotments
- The pavement along Madeley Rd should be extended to the existing houses
- Provision of public facilities required
- A roundabout at the Madeley Rd junction instead of Sandy Lane would be an enormous improvement
- The developer should be required to form a liaison committee with residents
- Impact on boundary trees no been assessed
- Properties on Madeley Road are not shown on the plans

### Applicant's/Agent's submission

The submitted documents and plans are available for inspection on the Council's website via the following link: -

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00313/REM>

**Background papers**

Planning files referred to  
Planning Documents referred to

**Date report prepared**

26 September 2024