

Outline planning permission is sought for new build 2.5 storey student accommodation, providing parking and communal areas and social lounges, and self contained individual units (all matters reserved)

The application site is located within the urban area of Wolstanton, as indicated on the Local Development Framework Proposals Map.

**The 8 week period for determination of the planning application expired on 5<sup>th</sup> February 2025 but the applicant has agreed to an extension of time to 28<sup>th</sup> March.**

### **RECOMMENDATION**

**PERMIT** the application subject to conditions relating to the following matters:-

1. **Submission of reserved matters**
2. **Time limit condition**
3. **Approved plans**
4. **Restriction on building height to no more than max 2.5 storeys**
5. **Building to be for student accommodation only**
6. **Construction Environmental Management Plan (CEMP)**
7. **Construction hours restriction**

### **Reason for Recommendations**

The principle of residential development in this sustainable location is considered acceptable. All matters are reserved however the indicative plans demonstrate that the site can accommodate student accommodation with adequate amenity and parking which will not result in significant harm to adjoining residential amenity or the character of the area.

### **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 and received and the proposal is now considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

### **Key Issues**

This proposal seeks outline planning permission with all matters reserved for the erection of a 2.5 storey building comprising accommodation for 16 students in en-suite bedrooms. The student accommodation would have bedrooms on each floor of the building, with communal area/ kitchen at ground floor. The indicative plans demonstrate a parking area for 8 vehicles, cycle storage and bin storage.

The site currently comprises a car repair business located within a main two-storey brick building fronting Pitgreen Lane, with single storey extensions to the sides and an adjacent area to the rear used for parking of vehicles and a further corrugated building, which would be demolished and replaced by the student accommodation building. There is a shared access between the two areas of land which serves properties in Keeling Street. Established residential development, predominantly terraced housing, surrounds the site, with Wolstanton Social Club further along Pitgreen Lane.

Whilst outline permission has previously been granted on the site, the reserved matters were not submitted within three years of the consent and therefore that consent has lapsed. The previous and current schemes both seek outline permission with all matters reserved initially for a 3-storey building, reduced to 2.5 storey building comprising 16 bedrooms as student accommodation. The indicative design of the building and the parking layout are different; however the 2019 consent established that

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a 2.5 storey building with accommodation for 16 students, associated amenity and parking was acceptable in principle in this sustainable location.

The main issues to consider are design and impact on the character of the area, the impact on residential amenity, parking and highway safety and planning obligations.

### Design and impact on the character of the area

Paragraph 131 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 135 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.

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.

The application is for outline planning permission with all matters reserved, therefore the submitted plans are indicative only.

The scheme that was approved in 2019 provided indicative plans only and was amended to demonstrate that a 2.5 storey building of an appropriate scale and design could be accommodated on the site.

In regard to the current application, officers raised concerns regarding the indicative plans that show a substantial 3-storey building and the agent of the application has subsequently agreed to change the description of the application so that it refers to a 2.5 storey building only, however, no further indicative plans have been submitted.

The site is a corner plot fronting Pitgreen Lane and George Street, and the building would be visible and prominent from the frontage, side and rear; therefore, the design at reserved matters will need to reflect this prominent position. It is considered that the 2.5 storey building design will need to be of a scale, massing and height that is in keeping with the character and appearance of the 2-storey mainly terraced housing adjacent to the site. A condition should be imposed that restricts the building to 2.5 storey height as a maximum.

The area on George Street proposed for car parking, cycles and bin storage is currently an incidental piece of land that is used for some informal parking and storage. Subject to an appropriate and workable layout for parking and bin storage being devised; this part of the site would be enhanced by a more formalised parking layout and could be further improved with the addition of landscaping.

Given that all matters including layout, scale and appearance are reserved for a further application, it is considered that an appropriate scheme could be designed which is of a scale and form that reflects the character of the area, thus complying with planning policy in the NPPF.

### Impact on adjoining residential amenity

Paragraph 135 (f) of the NPPF states that development should 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.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

It is considered the removal of the existing motor service business, which could be intensified, and its replacement with residential use would result in less noise and disturbance to adjoining residential properties. It is therefore considered that whilst the student accommodation may result in some limited

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noise to surrounding area, it is unlikely to be more significant than the noise levels which could currently occur on site under the existing lawful use of the land.

There are concerns that the scale and layout of the development could result in loss of light and outlook to adjoining properties and the windows on the rear elevation of the new building could result in overlooking and loss of privacy, due to the limited separation distance between the development and existing dwellings. However, all matters are reserved; therefore, it is considered that the impact on adjoining residential amenity could be minimised with careful design and limits on the scale and height of the building and the majority of principal windows to student bedrooms on the front elevation facing Pitgreen Lane and side elevation facing George Street.

It is noted that the room sizes for both the student bedrooms and the communal kitchen and living space on ground floor are relatively small; however, this would be a matter that would need consideration in the detailed design stage and under separate Building Regulations requirements. The 2019 scheme was considered acceptable in this regard, and the application has been submitted based on the previous outline approval.

Therefore, it is considered that the proposal would conform to the relevant criteria in the National Planning Policy Framework.

### Parking and Highway Safety

Paragraph 116 of the NPPF details 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.

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 or parking problem.

The indicative plan shows an area of car parking, cycle storage and bin storage accessed off George Street, Keeling Street and the access track to the rear of properties in Keeling Street and Pitgreen Lane. The parking provision would be 8 car parking spaces for 16 students - 1 space per 2 students – with additional cycle parking. The site is in a sustainable location with access to bus services and shops; therefore, the provision of 1 car space per 2 students is considered acceptable; although it is acknowledged that there is already on-street parking on adjoining streets, and the development must not exacerbate existing issues of highway safety.

The provision of some off-street car parking for the development addresses the neighbour objections to some degree regarding the distance from the universities and lack of direct public transport.

Whilst these are indicative plans only, the Highways Authority has raised concerns that the 3 parking spaces served from the rear access track would not be accessible due to a lack of manoeuvring space, and queries whether this number of spaces can be accommodated. The applicant has submitted additional information to demonstrate that a suitable solution for the access and parking can be provided and that issues of highway safety can be overcome.

Subject to the applicant demonstrating the proposal can provide adequate access and parking facilities to the satisfaction of the Highways Engineer, it is considered that the development would be acceptable in highway terms.

### Planning obligation considerations

The Council's Landscape Officer has requested a financial contribution of £4,427 per dwelling towards open space improvements in the vicinity. There was also a request for a larger amount (£5,579 per dwelling) by the Landscape Officer in 2019. In both cases, it is considered that the proposal is for student accommodation with shared facilities – kitchen and living space; therefore, this does not constitute 16 individual dwellings; rather 16 student bedrooms sharing communal facilities. On this basis, it is not considered that a request for this financial contribution could be justified.

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Other matters

A number of neighbour objections have been raised in relation to the suitability of the site for student accommodation and concern that the use of the building may alter in the future resulting in issues of antisocial behaviour. Officers propose a condition to restrict the use to student accommodation only.

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 SP1: Spatial Principles of Targeted Regeneration  
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 H1: Residential Development: Sustainable Location and Protection of the Countryside  
Policy T16: Development – General Parking Requirements

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

#### [National Planning Policy Framework \(NPPF\) \(2024\)](#)

#### [Planning Practice Guidance \(NPPG\) \(2023\)](#)

#### [Supplementary Planning Documents \(SPDs\)](#)

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

#### Relevant Planning History

19/00137/OUT New build 3-storey student accommodation – Permitted

18/00076/OUT The building of 2 properties to form 8 apartments and 4 student units - Refused

#### Views of Consultees

**The Highway Authority** has requested a Transport Assessment to enable a full assessment of the highway impacts of the scheme. The information has been received and the further comments of the Highway Authority will be reported to Members in a supplementary report.

The **Environmental Health Division** has confirmed that they do not wish to make any further comments and that the comments made in relation to the previous application, Ref. 19/00137/OUT, remain valid. Their original response required conditions to control hours of construction and submission of CEMP management plan.

The **Landscape Development Section** has raised no objection in principle subject to the applicant entering into a S106 agreement to pay £4,427 per dwelling towards open space improvements in the vicinity.

**NatureSpace Partnership** considers the development would be unlikely to have an impact on Great Crested Newts and therefore has no comment to make.

No comments have been received from the Council's **Waste Team**.

#### Representations

Eight letters of representation have been received. A summary of the objections and comments received is as follows:

- Existing parking problems would be exacerbated by the development
- Highway safety issues – danger to pedestrians

- 8 car parking spaces for 16 students is insufficient
- Land off George Street not large enough for proposed parking and bin storage
- 3-storey building out of keeping with area and constitutes overdevelopment
- Communal area too small for number of occupants
- Bedroom space very limited – won't accommodate desk/ wardrobe etc.
- Environmental standards – insulation and energy efficiency at minimum standards for Building Regulations
- Biodiversity Net Gain required
- Loss of light at existing properties
- Overlooking and loss of privacy from proposed windows
- Location not suitable for students – distance from universities and no direct public transport links
- Concern that building will ultimately not be occupied by students and associated antisocial behaviour
- Amount of noise and disruption in quiet residential area
- Previous refusal for development on the site
- Pressure on existing services, such as doctors
- Development would require retaining structures
- Opportunity for affordable housing on the land

**Background Papers**

Planning files referred to

Planning Documents referred to

**Date report prepared**

13<sup>th</sup> March 2025