

34A HILLPORT AVENUE BRADWELL  
MR. J. HORWELL. 12/00360/FUL

**The Application** is for full planning permission for the demolition of an existing single storey hairdressing salon and erection of residential property.

The site lies within the Urban Area of Newcastle under Lyme as identified on the Local Development Framework Proposal Map.

The application has been called to Committee by two Councillors for decision on the grounds that local residents are supporting the proposal and are concerned that if it is rebuilt as a hairdresser's they will have problems with parking again.

The 8 week statutory determination period expires on 21 August 2012.

### **RECOMMENDATION**

#### **Refuse**

- (i) The design of the proposal is out of keeping with the surrounding properties.**
- (ii) The proposal fails to provide adequate private outdoor space.**

### **Reason for Recommendation**

Whilst the principle of residential development on the site is considered acceptable the design of the submitted dwelling is not informed by the character or qualities of the surrounding area and would be detrimental to the wider street scene. The proposal provides limited private outdoor/garden space which is considered to be inadequate to provide reasonable living conditions for the future occupiers of the proposed development.

### **Policies and Proposals in the Approved Development Plan Relevant to This Decision:-**

#### **West Midlands Regional Spatial Strategy 2008 (WMRSS)**

- Policy QE1: Conserving and Enhancing the Environment
- Policy QE3: Creating a High Quality Built Environment for all
- Policy CF1: Housing Within the Major Urban Areas
- Policy CF3: Levels and Distribution of Housing Development
- Policy CF4: The Reuse of Land and Buildings for Housing
- Policy CF6: Managing Housing Land Provision

#### **Staffordshire and Stoke on Trent Structure Plan 1996 – 2011 (SSSP)**

- Policy D1: Sustainable Forms of Development
- Policy D2: The Design and Environmental Quality of Development
- Policy T1A: Sustainable Location
- Policy T13: Local Roads

#### **Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)**

- Policy SP1: Spatial Principles of Targeted Regeneration
- Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
- Policy CSP1: Design Quality

#### **Newcastle under Lyme Local Plan 2011 (LP)**

- Policy H1: Residential Development – Sustainable Location & Protection of the Countryside
- Policy T16: Development – General Parking Requirements
- Policy N12: Development and the Protection of Trees

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

National Planning Policy Framework (NPPF) (March 2012)

### **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)

Newcastle Urban Transport and Development Strategy (NTADS) – adopted December 2008

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

### **The Secretary of State's Announcement of His Intention to Abolish RSS**

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

### **Views of Consultees**

The **Highway Authority** has no objections subject to the access and parking area being completed prior to the occupation of the development.

The **Borough Council's Environmental Health Division** has no objections subject to the report of unexpected contamination and the control of the importation of soil/material.

### **Representations**

Three letters of support have been received advising of their support for the use of the site as residential as opposed to the existing hairdressing uses which as the potential to generate traffic and on street parking issues.

### **Applicant/Agent's Submission**

A Design and Access Statement has been submitted.

This document is available for inspection at the Guildhall and on [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

### **Key Issues**

Full planning permission is sought from the demolition of the existing single storey building on site and the erection of a single 2 bedroomed dwelling.

The original building was most recently used as a hairdressing business for a number of years, it is understood the building was historically used as a neighbourhood area housing office.

The main issues for consideration of the application are:

- Is the principle of residential development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the area?
- Would there be any adverse impact on residential amenity?
- Is the proposal acceptable in terms of highway safety ?

Is the principle of residential development on the site acceptable?

Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. The site is located within the Urban Area of Newcastle.

Policy ASP5 of the Core Spatial Strategy (CSS) – the most up-to-date and relevant part of the development plan - sets a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026

Policy SP1 of the Core Spatial Strategy (CSS) states 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. The Core Strategy goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

This is a previously developed site in a sustainable location within the urban area. The site is in easy walking distance of the shops and services of Bradwell and there are regular bus services into Hanley and Newcastle. It is considered that the site provides a sustainable location for additional residential development.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It states that relevant policies for the supply of housing cannot be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites.

The Council is currently unable to demonstrate a five-year supply of housing land and the starting point therefore must be one of a presumption in favour of residential development. In this particular context as has already been stated the development is in a location which is close to services and facilities, promotes choice by reason of its proximity to modes of travel other than the private motor car, and in terms of environmental sustainability.

On the basis of all of the above, it is considered that the principle of residential development in this location should be supported.

Is the proposal acceptable in terms of its impact on the form and character of the area?

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy D2 of Staffordshire and Stoke on Trent Structure Plan under the heading of 'The Design and Environmental Quality of Development' advises development should generally conserve and where possible, improve the quality of life and the environment and should ... be informed by, or sympathetic to, the character and qualities of its surroundings, in its location, scale and design ... be designed to relate to its surrounding context while not excluding innovative and creative design.

Policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy under the heading of 'Design Quality' advises new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape.

The adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document purpose is to provide a practical tool to help to:

- Promote good, sustainable, urban design
- Explain how spatial principles and design policies in the Core Spatial Strategy will be applied

- Provide guidance in relation to planning applications: to applicants when formulating proposals; to planning officers when assessing them; and to politicians when making decisions, on what constitutes good, sustainable urban design
- Provide guidance to public sector commissioning bodies on strategies and proposals.

Section 7 of the document specifically deals with residential development, specifically:

R21 advises *“New housing must be designed with care and with a coherent design approach that influences the whole building from its form, to the elevations and including the detailing (whatever the architectural style may be)”*.

There is a distinct rhythm to the massing design and spacing of the existing properties in the immediate area. The character of the area is dominated by traditional semi detached two storey properties with hipped roofs and parking of vehicles down the side or front of the properties.

The existing premises sits between two of these traditional semi detached properties, one square on to Hillport Avenue, the other adjacent property is set at an angle, turning the corner into Arnold Grove.

The existing is a single storey hipped roof building, which has the appearance of a small bungalow (maximum height of approximately 4.9 metres). The existing property has no off street parking provision.

The proposal is to replace this building on a similar footprint, with a taller building (to accommodate bedrooms in the roof space) (maximum height of 6.5 metres) with two dormer windows on the front elevation. The proposal would have a half hipped roof.

The proposed parking to the development would be accommodated on the forecourt in front of the proposal. Pedestrian access would be maintained to the rear of the proposal leading to the rear amenity/garden area.

It is considered whilst the principle of the reuse of this site for residential purposes is acceptable, its execution in terms of the submitted design conflicts with the above design policies and guidance. The main concern is the scale of the roof and the introduction of dormer windows to the street scene. Given the existing simple rhythm and consistency of the built form in the area these features would be out of keeping and are not informed by the character or qualities of the surrounding area. The proposal should be resisted on design grounds.

#### Would there be any adverse impact on residential amenity?

Policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy under the heading of Design Quality advises development should have public and private spaces that are safe, attractive, easily distinguished, accessible, complement the built form (point 6).

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

The adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides advice at R16 stating *Developments must provide some form of private or shared communal outdoor space, in the form of balconies, terraces and/or gardens for each dwelling. This space should be usable and should relate to the house type and occupiers.*

In this particular instance this subject should be considered from two aspects:

#### ***Amenity of existing occupiers adjacent to the development***

The proposal would not conflict with the guidance given the siting of the proposal, the position of existing and proposed principal windows, the orientation of the existing properties and the separation distances involved.

#### ***Amenity of Future occupiers of the development***

The proposal is for a two bedroomed dwelling, it would provide a small area of private garden/outside space with a maximum length of 4.1 metres shortening to a minimum distance of approximately 1.5 metres from the rear boundary. The area of useable outdoor private space equates to approximately 21.6 square metres.

The Supplementary Planning Guidance (SPG) relating to Space about Dwellings only advises on the size of gardens for dwellings of 3 or more bedrooms (this seeks a mean length of at least 10.7 metres and an area of at least 65 square metres), this current proposal the dwelling would be 2 bedroomed and as such would technically not conflict with the adopted SPG. Proposal R16 of the urban design guidance provides further assistance with this issue advising the outdoor space should be usable and should relate to the house type and occupiers. The document offers an example which is considered pertinent to this proposal stating a family sized 3 bedroom house is more likely to require a larger garden area than a small 2 bedroom house. The appropriate size of private external space to be provided for each dwelling should be determined in relation to the provision and location of local open spaces.

The nearest public open space area is to the north of the site off Arnold Grove which is approximately 120 metres walking distance away.

Whilst the urban design guidance indicates that a smaller area of outside space is required for 2 bedroom as opposed to 3 bedroom houses, it is considered the amount of private outdoor space proposed with this proposal falls short. Whilst the site is in close proximity to public open space this would not serve all the requirements of future occupiers of the development for example the storage of refuse and recycling bins, an area to dry washing, etc. Your officers consider the proposed outdoor space would feel oppressively enclosed, cluttered and uninviting place to sit out, hang washing and store bins and as such would be detrimental to the living condition of future residents of the development and should be resisted.

Is the proposal acceptable in terms of highway safety?

The existing premises has no off street parking provision and as such when the hairdressers was in use customer had to park on the highway. This proposal would provide a parking area on the frontage of the premises and as such this can be seen as a highway gain over the existing situation. The Highway Authority has no objections to the proposal subject to the imposition of condition relating to the access and parking areas. It considered there are no sustainable reasons to resist the proposal on highway grounds.

**Background Papers**

Planning file

Planning documents referred to

**Date Report Prepared**

8 August 2012