

The Application is for full planning permission for the demolition of the former swimming baths and construction of a 244 room student development on six floors comprising 154 self-contained, single person rooms and 90 en-suite rooms in clusters of 4 and 5 with shared lounge/kitchen areas. Ancillary accommodation including an IT suite, gymnasium, meeting room and cinema room is provided.

Vehicle and cycle access is proposed from School Street accessing a below ground parking area for 21 vehicles and cycle storage for 110 cycles. Two communal landscaped areas are proposed along School Street raised above street level.

The site lies within the Newcastle Town Centre Conservation Area and the Urban area of Newcastle as designated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within a Live-Work Office Quarter.

**The 13 week period for this application expires on 2<sup>nd</sup> June 2015. The applicant's agreement to extend the statutory period is being sought.**

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## **RECOMMENDATION**

- A. Subject to the applicant entering into a Section 106 obligation by no later than 3<sup>rd</sup> July , to secure the following:**
- (i) a financial contribution to the enhancement and maintenance of an area of public open space of £198,716 and a travel plan monitoring fee of £2,200.**
  - (ii) a financial contribution of £50,000 to be used to fund Resident Parking Zones in the event that it has been demonstrated (through surveys secured by condition) that the development has resulted in on street parking problems.**

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

- 1. Time limit/ Revised Plans**
- 2. Materials**
- 3. Occupation to be restricted to students only**
- 4. Letting of contract for redevelopment prior to demolition of the building and commencement of development within six months of the demolition of the building**
- 5. Details of landscaping to be agreed, to include details of boundary treatment/security fence to the landscaped areas.**
- 6. Landscape management plan**
- 7. Residential parking survey of streets to be agreed prior to first occupation of the development and a second survey 12 months later when fully occupied.**
- 8. Provision of parking, turning areas and pedestrian visibility splays**
- 9. Replacement of disabled parking spaces that will be lost to accommodate the site access.**
- 10. Prior approval of the details of the management of the parking area and measures to prevent occupiers having cars.**
- 11. Implementation of Travel Plan**
- 12. Gymnasium, IT suite, cinema room and any other accommodation for the students use only**
- 13. Prior approval of ground floor glazing to rooms to ensure adequate privacy**
- 14. Prior approval of window treatment within the whole building to ensure consistency of approach**
- 15. Provision of the security measures set out in the submission, or other measures that have been agreed.**
- 16. Building recording prior to demolition**
- 17. Construction hours**
- 18. Construction Management Plan**
- 19. Implementation of measures to reduce the impact of noise as set out in the submitted noise assessment.**
- 20. Prior approval of plant and machinery, including a noise assessment and mitigation measures**
- 21. Piling operations, including a noise and vibration assessment, to be carried out in accordance with details that are agreed beforehand. The Council and residents of Brunswick Street and Hanover Street to be notified at least 14 days in advance of the commencement of the piling operations.**
- 22. Submission of an air quality impact assessment and details measures to minimise air pollution before installation of biomass and CHP systems and adherence to approved details for the life of the development.**
- 23. Details of ventilation system to ensure appropriate indoor air quality**
- 24. Waste storage and collection arrangements**
- 25. Contaminated land conditions**
- 26. Implementation of security/crime prevention measures**
- 27. Removal of permitted development rights for telecommunication apparatus**

**B. Failing completion by the date referred to in the above resolution of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of a secured planning obligation the public open space needs of the development would not be met; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.**

## **Reason for Recommendation**

The site is located within the urban area of Newcastle close to the town centre and is a sustainable location for student housing. The benefits of the scheme include the provision of such accommodation within an appropriate location making use of previously developed land. The introduction of student accommodation in this location should also benefit the town centre, making it a more vibrant place. The development, although a sizeable development of a significant scale, would preserve the character and appearance of the Conservation Area and the setting of nearby listed buildings. It is not considered that the highway safety consequences arising from any additional on-street parking demands will be severe provided appropriate controls are in place and as such, as stated within the National Planning Policy Framework, the development should not be prevented or refused on transport grounds.

Subject to the imposition of suitable conditions it is not considered that there are any adverse impacts of the development that would significantly and demonstrably outweigh the benefits and accordingly permission should be granted.

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

Officers have worked with the applicant to address all issues and the application is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

## **Key Issues**

Full planning permission is sought for the demolition of the former Jubilee Baths and the erection of a block of student accommodation comprising 244 bedrooms with ancillary accommodation, with the formation of a new access and associated car and cycle parking.

The application site is within the urban area of Newcastle, as indicated on the Local Development Framework Proposals Map. The main issues in the consideration of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area and nearby listed buildings both in relation to the loss of the existing building, and the proposed development itself?
- Are acceptable residential amenity levels achieved for the occupiers?
- Are crime prevention/security considerations appropriately addressed within the development?
- Is the proposal acceptable in terms of highway safety?
- What, if any, planning obligations are necessary to make the development policy compliant?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

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

As indicated above the proposal is for residential accommodation specifically for students. 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 and a target of at least 3,200 dwellings within Newcastle Urban Central (within which the site lies).

Policy SP1 of the 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.

The Newcastle Town Centre SPD places the application site within the Live Work Quarter of the Town Centre where the main focus is offices, with any housing development likely to be marketed for those who wish to live in a bustling business community. The application site forms part of a larger site (that includes the adjoining site of Jubilee 2 and the area of land between School Street/Brunswick Street/Windsor Street/Hanover Street) which has been identified in the SPD as a key development site in the town centre for a mixed use development.

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 Newcastle Town Centre with regular bus services to destinations around the borough, including Keele University, and beyond. It is considered that the site provides a sustainable location for additional residential development that would accord with the Town Centre SPD.

The residential accommodation proposed is restricted to students only and in the absence of evidence that it would release housing onto the market elsewhere within the borough will not contribute to the supply of housing land, which can be taken into account when calculating the 5 year supply of deliverable housing sites within the Borough. However, it is still relevant to the consideration of the application that the Council is currently unable to demonstrate such a supply, as concluded in a report elsewhere on this agenda. In light of this, as set out in paragraphs 49 and 14 of the NPPF, 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 highly sustainable location which is close to services and facilities and promotes choice by reason of its proximity to modes of travel other than the private motor car.

On the basis of all of the above, it is considered that the principle of residential development in this location should be supported unless there are any adverse impacts which would significantly and demonstrably outweigh the benefits.

Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area both in relation to the loss of the existing building, and the proposed development itself?

Policies within the Development Plan that seek to ensure that development within and adjoining Conservation Areas preserves and enhances the character and appearance of such areas include policy CSP2 of the CSS and policy B10 of the NLP. Policy B11 of the NLP addresses proposals that involve demolition within Conservation Areas. It indicates that demolition is only acceptable in certain circumstances and where each of the following criteria are met as follows:-

- (i) The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal or replacement would benefit the appearance or character of the area.
- (ii) Detailed plans for redevelopment are approved where appropriate.
- (iii) An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate.

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 and the other policies referred to above are considered to be consistent with the NPPF.

The NPPF states that the effect of a proposal on the significance of a designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The existing site contains a largely unobtrusive building constructed from brick with very little interest in design terms or active frontage. It is located within an area that has been identified in the Town Centre Conservation Area Appraisal and Management Plan (CAAMP) as 19<sup>th</sup> century expansion, which is considered to be a positive character area. The building is not listed, is not on the Council's Register of Locally Important Buildings and Structures and is not specifically identified in the CAAMP as a positive (or a negative) feature. The applicant considers that the current building makes a neutral contribution to the character of the Conservation Area, and it is the back drop and massing it provides which has a value. This is accepted by Heritage England and your officer and it is therefore concluded that the loss of the building itself will not have an adverse impact on the character of the Conservation Area provided that a well-designed building of suitable scale and massing replaces it. Given the nature of the existing building it is also accepted that it is unlikely that it could be put to any reasonably beneficial use. The proposed demolition therefore meets the criteria of NLP policy B11(i) and , it is not considered that an objection to the loss of the building could be sustained unless it is concluded that the proposed redevelopment is not appropriate. However, given its Conservation Area location it is necessary that a condition should be imposed requiring a building survey to be carried out for the record.

The proposal is to construct a 6 storey building on the site – of between 20 and 22 metres in height. The building fronts Brunswick Street and Barracks Road. On School Street it is proposed to have two landscaped amenity areas above ground level. The larger of the two is located between the Barracks Road element of the building and a wing of the building which projects towards School Street from the back of the Brunswick Street element of the building. The smaller is located between the projecting wing and the Jubilee 2 building.

The proposed building is to be predominantly constructed in brick on two of the three site frontages (Brunswick Street and School Street). These were amended through the introduction of more glazing to the upper floor and the recessing of the glazing at ground floor on Brunswick Street to improve visual interest on this frontage, which is well used by pedestrians. The rear corner of the building, on Brunswick Street, and the corner of Barracks Road and School Street project from the building and are largely glazed and framed and subdivided by a light coloured cladding.

As initially submitted the proposed building had a projecting 'box' with deep recesses either side, above the main entrance, presenting to the Nelson Place roundabout, which was framed in a bold, red cladding with windows, with a strong vertical emphasis, set in a grey clad wall. This element was then amended by the removal of the grey cladding, the introduction of more glazing and a reduction in the amount of red cladding projecting element.

Further amendments have now been received in response to the comments of the Urban Vision Design Review Panel which recently reviewed the proposal, and whose comments are indicated in the consultation section below. The design approach to the projecting box has been further changed in the proposal now before the authority. On either side of this box are columns of a similar design to the corner stair wells referred to above. The building is clad in a mid-grey colour between these columns with glazing with a vertical emphasis other than the upper floor which will be largely glazed. This feature, therefore, provides a contrast, visually, to the rest of the building although not as significant a contrast as the previously proposed red framed glazed box.

The Brunswick Street is largely unchanged in the current plans. The projecting wing onto School Street has been repositioned to increase the size of the smaller landscaped area and reduce the size of the larger.

The Town Centre SPD considered that this site is capable of accommodating a landmark building of up to 5 storeys in height and the site is identified as "an opportunity for landmark design albeit one that pays "respect for the proportions and design of No.1 King Street on Nelson Place". No.1 King Street is a Grade 2 Listed building. The SPD also sets out elements of good design. It indicates, at element 6, that building heights should be sensitively addressed to ensure that buildings that are too high or too low do not undermine the historic core. At element 6 it also states that in many cases the maximum height will only be acceptable, if at all, in a relatively narrow built form rather than a continuous mass. At element 7 it indicates that important views should be safeguarded.

The Urban Design SPD considers that within existing centres buildings of up to 6 storeys in height can be accommodated in certain landmark or gateway locations which address the ring road.

Both the Design Review Panel and Heritage England have raised concern about the scale of the building onto Nelson Place. The building, however, is broadly the scale that was envisaged in the Town Centre SPD and does not exceed the height of buildings within the Urban Design SPD on landmark or gateway sites, which this is. The scale and massing of the building as proposed would provide an appropriate backdrop to Nelson Place and although considerably taller than the listed No 1 King Street would draw attention from the visually unsympathetic Copthall House which is also located on Nelson Place in a position closer to this property. The proposed building is six storeys across the entire building, but it presents a relatively narrow frontage onto Nelson Place and Barracks Road.

Heritage England has stated that the site is readily visible from Ironmarket and forms an important backdrop to Queen's Gardens. The latter is accepted as correct, however it is not accepted that the site is readily visible from Ironmarket as the site is not viewed until Queen's Gardens and is not prominent from this part of the Conservation Area. Whilst the proposed building will be more prominent, visually, than the existing building when viewed from Queen's Gardens this increase in height would not, in itself, be harmful to its appearance. The building will not impinge upon any other important views within the Conservation Area.

The building could not be described as having a landmark design. Notwithstanding this point it is considered that the building will be acceptable in appearance in this location.

Notwithstanding the concerns raised by Heritage England, the proposed building, subject to consideration of the choice of materials, is considered to be acceptable in terms of its scale, design and appearance and would preserve the character and appearance of the Conservation Area and the statutory requirement to pay special attention to such matters is considered to be met. In addition it would respect the setting of the nearby listed buildings. Notwithstanding this the applicant has been encouraged to refer this further revised proposal to the Urban Vision Design Review Panel so that their comments on this revised scheme can be taken into consideration in the determination of this application. Their comments will be reported.

#### Are acceptable residential amenity levels achieved for the occupiers?

The site is in a Town Centre location on the corner where three busy streets intersect. External noise levels are likely to affect the living conditions of the occupiers of the development. In addition there is the possibility that noise will be generated by plant required in association with certain ancillary activities within the building. A noise assessment has been submitted which recommends certain design features, such as acoustically rated double glazing to limit noise levels and to ensure that acceptable living conditions are secured for the students.

The Environmental Health Division has concerns that activities in the external amenity area have the potential to cause noise disturbance. The area is contained, on three sides, by the proposed building and as such it is not anticipated that any existing nearby residents will be affected, the impact will be on the residents of this development. Whilst the living conditions of the residents of the proposed development is clearly of importance it is considered that this is not a matter that should be addressed through the imposition of conditions. This can be left to the management of the building as it is in their interests to avoid problems arising from the use of this area.

There are self-contained, single person units at pavement level on Brunswick Street set back from the pavement by a very short distance. The level of privacy to the occupiers of such units will be very limited and appropriate glazing needs to be incorporated. This could be secured by a condition.

Overall it is considered that the development could provide appropriate living conditions for its occupiers. Given the distance from existing residential properties and the existing context for the site it is not considered that the development would unacceptably affect the amenity levels of nearby residents.

Are crime prevention/security considerations appropriately addressed within the development?

Since the comments of the Police Architectural Liaison Officer were received the applicant has provided additional information setting out how the building will be secured. Security measures include key fob activated access to all parts of the building; internal and external CCTV; and a security fence to prevent unauthorised access to the main elevated courtyard garden (which is 2.2m above street level at its lowest point). In light of this additional information it is considered that the building will be suitably secured and appropriate crime prevention measures adopted. A condition could be imposed to ensure such measures are provided.

Is the impact of the development on highway safety acceptable?

The access to the site would be via School Street. Based on the maximum parking standards in the Local Plan relating to student accommodation expected to be provided by Keele University, the development should not be permitted to provide more than 61 spaces. 21 spaces are proposed. 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 32, states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In March this year 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.

The applicant has argued that the limited parking proposed is adequate in this location as the students will be expected to commit to sign a student's charter which stipulates that they will not have a car at the site. This is supplemented by a student's welcome pack which will provide details of the bus and rail time-tables and an identification of the location of nearby amenity facilities. Keele University have written in support of the application advising that their transport and parking management policy states that students that are resident on campus are not permitted to bring a car to campus unless they are disabled or studying specified courses which require attendance on placements off campus, and that they envisage the same requirements for students residents in this proposed development. Whilst this is not a Keele University development and therefore it could be occupied by other students it is anticipated that the vast majority of the occupants will be Keele students given the relatively close proximity of the site to the campus and given the accommodation on offer to Staffordshire University students in more convenient locations to that University buildings.

There is a very good bus service between the town centre and the University Campus or Staffordshire University, and very limited parking is available to students at Staffordshire University and none at all at Keele other than in very limited circumstances – all of which would influence students to leave any vehicle they may have at home. In addition there is a wide range of facilities and services within a very short distance of the site that can be accessed more easily on foot than car. Such factors will encourage students to not bring a vehicle.

There is concern, however, that some students will nevertheless bring their car and will park remotely from the premises on residential streets where there are no parking restrictions thereby aggravating on street parking problems. In light of such concerns as expressed by the Highway Authority and in representations received, further information has been sought from the applicant who has identified a number of student developments which have no parking as examples to demonstrate that off-site parking issues don't arise. The Highway Authority has spoken to their colleagues at Stoke City Council, which is one of the examples referred to, and has been advised that they are not aware of any parking issues associated with that development. Notwithstanding this, they have expressed reservations that the proposal has the potential to create parking problems. They have recommended that a parking survey of residential streets be undertaken in an agreed area, followed by a second survey 12 months after full occupation to ascertain whether there are any parking issues. If the surveys demonstrate that the development has created parking issues then a residents parking zone should be established to paid for from £50,000 which would be deposited by the developer through a legal agreement.

The formation of the access will result in the loss of two of the six disabled parking bays that are located on this part of School Street. Discussions are taking place with the Highway Authority to establish where these spaces can be relocated but it is considered that this can be agreed through the imposition of a condition as recommended by the Highway Authority.

Whilst such concerns are legitimate and warrant close consideration, if the application to be refused on highway safety grounds it would be necessary to demonstrate that the impacts will be severe, and could not be addressed by appropriate planning conditions or planning obligations and it is not considered that such a case could be sustained.

What, if any, planning obligations are necessary to make the development policy compliant?

As indicated above the proposal is to provide student accommodation. Whilst this would be considered to be a Class C3 use (dwellinghouses) given the specific nature of the accommodation provided it would not trigger any requirement for education contributions as the development would not generate any pressure on local schools.

A development of this scale should, arguably, contribute to affordable housing provision. It is not considered appropriate, however, to secure affordable housing on site given the nature of the accommodation that is provided which is occupied on a temporary basis, or to secure a contribution to provision of affordable housing off site. Neither the Affordable housing SPD nor the Development Plan addresses student development and as such there is no clear policy justification for such a requirement. In addition it would be difficult to argue that this is a site that would otherwise be developed for housing which could include affordable homes as part of a wider tenure mix and as such the development does not affect any opportunities to secure affordable housing through other development proposals. In addition it has not been argued by this Council that such a contribution is required in recent decisions relating to student accommodation on the Keele University campus, and as such any decision to secure a contribution to off-site provision could be argued as inconsistent.

The development would, however, put pressure on nearby areas of public open space given that such needs are not satisfied on site and it is considered that in principle a financial contribution towards such areas could comply with CIL Regulations and the Council's adopted Developer Contribution SPD.

The Landscape Development Section (LDS) has requested a contribution but has made certain adjustments in recognition that the standard contribution sought is based upon their being on average 2.5 people occupying each dwelling and that some of the units within this development will be single person accommodation. The adjustments that has been made is to request 2/5ths of the total for the single units, and the full contribution for the clusters of rooms (which will be occupied by 4 or 5) students. The LDS, however, has not made adjustments, by removing play area element of the contribution, in recognition that the occupiers of the development are of an age where they should not use equipped play areas. This would differ with the approach taken by the LPA on other developments where the age of occupants was restricted through a condition, namely Homestead at May Place for the over 55s. In that case the element of the contribution towards active open space (i.e. playing fields) was removed.

Whilst LDS maintain that a further adjustment should not be made to take out the play area element it is considered that it would be difficult to justify including the play area element as it could not be said that the provision or improvement of play areas is directly related to the development as such it is recommended that a financial contribution at a level that is less than has been requested by LDS should be secured.

LDS have indicated that any financial contribution that is secured should be spent in Queen's Gardens and given its close proximity to the application it is considered that this would be acceptable as it would be directly related to the development.

Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?



In conclusion, subject to the imposition of suitable conditions and obligations, it is not considered that there are any adverse impacts of the development that would significantly and demonstrably outweigh the benefits and accordingly permission should be granted.

**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 CSP2: Historic Environment  
Policy CSP3: Sustainability and Climate Change Policy  
Policy CSP5: Open Space/Sport/Recreation  
Policy CSP6: Affordable Housing  
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential Development – Sustainable Location & Protection of the Countryside  
Policy T16: Development – General Parking Requirements  
Policy B3: Other Archaeological Sites  
Policy B5: Control of Development Affecting the Setting of a Listed Building  
Policy B9: Prevention of Harm to Conservation Areas  
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area  
Policy B11: Demolition in Conservation Areas  
Policy B13: Design and Development in Conservation Areas  
Policy B14: Development in or Adjoining the Boundary of Conservation Areas  
Policy C4: Open Space in new housing areas  
Policy C22: Protection of Community Facilities  
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

**Other Material Considerations include:**

National Planning Policy Framework (NPPF) (2012)  
Planning Practice Guidance (PPG) (2014)  
The Community Infrastructure Levy (CIL) Regulations 2010, as amended

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (July 2004)  
Developer Contributions Supplementary Planning Document (SPD) (September 2007)  
Affordable Housing SPD (2009)  
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)  
Newcastle Town Centre SPD (2009)  
Newcastle Town Centre Conservation Area Appraisal and Management Plan

North Staffordshire Green Space Strategy – adopted December 2009

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

Relevant Planning History

09/00734/DEEM3 Proposed Health and Wellbeing Centre which includes a 25m swimming pool, learner pool, spectator gallery, changing facilities, climbing wall, fitness suite, children's activity zone, dance studio and multi-purpose room (Jubilee 2) permitted and constructed on the adjoining site on Brunswick Street.

None considered relevant

#### Views of Consultees

The **Highway Authority (HA)** has no objections subject to conditions relating to the following:

- Access, parking and turning
- Replacement disabled parking bays
- Details of barrier to car park
- Travel Plan
- Construction Method Statement

A Travel Plan monitoring fee is also requested.

The **Environmental Health Division** has no objections subject to the conditions relating to the following:

- Noise mitigation.
- Piling operations and construction
- Air quality from biomass and CHP systems.
- Contaminated land

The **Police Architectural Liaison Officer** welcomes the broad proposal. The submission, however, makes practically no reference to crime prevention/security considerations. The submission leads one to question to what extent crime prevention has featured in the thinking behind the proposals. It is suggested that the applicant demonstrates that crime prevention and security considerations are thoroughly embedded and concerns/issues have been adequately addressed.

The **Landscape Development Section** has no objections subject to approval of a detailed landscaping scheme, and securing a financial contribution for capital development/improvement of Queens Gardens. The contribution requested is £240,148.80 which has been calculated on the basis of the full contribution for the clusters and 2/5 of the full contribution for the self-contained single person rooms.

The **Housing Strategy Officer** states that if the development is exclusively for the use of students and the development is a student halls of residence then the affordable housing requirement would not apply. The accommodation should be restricted through the use of a condition.

The Council's **Conservation Officer**, has no objections to the demolition of the existing building providing steps are taken through a condition to ensure that the construction of the new building is undertaken within a reasonable time period to avoid a gap site. The site is surrounded by Listed buildings and important areas within the Conservation Area such as Queens Gardens, but the height of the proposed building, as indicated in the original submission and its massing was not of concern. The central projecting element which fronts the roundabout is successful in terms of its design and the colour could be toned down if that is considered too bold.

With respect to the original submission she considered the building to have some features which would need to be improved to provide a high quality new building in such a prominent location - notably the windows needed to be deeply recessed back with an arcade or a stronger articulation provided between the brickwork and the glass particularly at ground floor level to add interest and quality to the building. Retail at ground floor would have provided a much better active frontage. .

The principle of the garden areas is accepted but there are reservations about the practicality of their use and safety.

The **Conservation Advisory Working Party (CAWP)** welcomes a contemporary building of ideally a mixed use but objects to the scale and uninventive use of materials. The height will alter the building height to road width ratios which were planned and may create a microclimate and wind tunnel. They feel that the design should be more sympathetic to this significant part of late Georgian expansion of

the town and Conservation Area. The taller elements should ideally step back away from the street level. The views of CAWP on the scheme now being considered are being sought and will be reported to the Committee.

The applicant has sought the views of the **Urban Vision Design Review Panel**. The Panel had previously commented on an earlier scheme involving a building of up to 8 storeys in height. The Design Review Panel's conclusions on the scheme presented to them are summarised as follows:

- The response of the Panel to the comment on the previous scheme that the linking element on the corner should be strengthened had been taken to an extreme with the result that the development now looked like three individual buildings which did not sit well together.
- The design of the main corner needs to be re-visited to create a more subtle linking element connecting the two main parts of the building which makes better use of the internal floor. If the pavement could be widened this could be achieved by means of a curved elevation which would create space for reconfiguration of the floor layouts.
- The increase in the number of units in the development appears to have been achieved at the cost of reducing the floor area to a minimal standard. Consideration should be given to ways of increasing the size of the smaller units.
- The configuration of the amenity space on School Street could be improved by moving the six-storey wing towards the swimming baths and enlarging the main landscape area. Its use for basketball is likely to lead to a need for unsightly net or fence to prevent balls falling into the street.
- The computer generated images give the wrong impression about the amount of glazing that would be provided in the main corner feature and in the penthouse elevations. More realistic illustrations should be provided showing the true proportion of solid and glazed surfaces on these elevations.
- This is an important scheme which will set the standard for future student accommodation in the town and it is important to ensure that this precedent is of the best possible standard that can be achieved.

**Heritage England** (formerly English Heritage) has no objection to the principle of the demolition of the existing swimming baths, subject to an acceptable scheme being brought forward for the redevelopment of the site in a timely manner. They would support the principle of a contemporary building in this location but have concerns regarding the proposed scale. They recommend that the applicant revisit their proposals with a view to reducing the potential impact on views from and within the Conservation Area, and in particular Queen's Gardens. Whilst they accept the reasoning for an increase in height in this location, they are unconvinced that six storeys is appropriate as they have concerns as to the potential impact of a building of this scale on important views within the Conservation Area. A four storey building, combined with a careful palette of materials, would still provide a presence on the roundabout, whilst also have less impact on the Town Centre Conservation Area, and in particular Queens Gardens. They recommend that the current application is deferred or refused to allow amendments to the scheme in order to better contribute to the character, appearance and local distinctiveness of the Conservation Area.

The **Waste Management Section** and the former **Greater Town Centre Locality Action Partnership** have been consulted but as they have not responded by the due date it is assumed that they have no comments to make.

#### Representations

Nine letters of representation have been received including two from the **Thistleberry Residents Association** and one from the **Newcastle Civic Society**. Objection is made on the following grounds:

- Nature of the use, number of occupants, design, scale and use of materials inappropriate and harmful to the Conservation Area contrary to policy
- If not owned/managed by the Universities the building could fall into disrepair.
- The facilities provided on site would mean that the students wouldn't need to go into town and there would be no benefits to its location in the town centre.

- Crime and disorder hasn't been considered and inadequate details regarding drainage, heating etc.
- Policy states that private parking is not acceptable in the town centre, within the ring road. This limits the choice of students and right to travel as they wish.
- Noise and privacy for occupiers of concern
- Parking is inadequate and will result in problems off site.
- The development should be a genuine mixed use development including retail and office on the ground floor.
- The application is invalid as it incorrectly describes the proposal as being for Class C2 residential institutions purposes.
- The development is not financially viable and there is a high risk of failure mid development
- Keele University have not committed to use or endorse the development and does not provide reassurance that its final use will be students only.
- If not occupied by students who would occupy it and would the sustainable transport criteria be satisfied.

A further letter of support has been received from the **Newcastle Town Centre Partnership** supporting the application for the following reasons:

- It fits in with their objective to encourage the increase of residential accommodation and people living in or near to the town centre. The objective exists because of the knock-on-effects of the increase in footfall, the ambition to create a town centre community, and the potential for a more vibrant town which is inhabited rather than being merely a shopping and leisure centre.
- It redevelops a derelict building on the immediate periphery of the town centre and thus improves its appearance.
- It fits in with another of their objectives to make Newcastle-under-Lyme a true University Town and take full advantage of links with Keele University and its students.
- Given the environmental challenges that are faced, the problem of ever increasing traffic, the general move towards promoting walking, cycling and public transport it is residential development without provision for car parking for all residents that should indeed be supported.
- It is located opposite the main bus station and as such couldn't be much more convenient for public transport.

#### Applicant's/Agent's submission

The applicant has submitted the following

- Air Quality Assessment
- Asbestos Report, Survey and specification for abatement works
- Phase 1 Geo-Environmental Desk Study
- Noise Assessment
- Planning Statement
- Heritage Statement
- Design and Access Statement

Revised versions of some of these documents have been received during the consideration of the application. Details of the application are available to view via the following link [www.newcastle-staffs.gov.uk/planning/1500166FUL](http://www.newcastle-staffs.gov.uk/planning/1500166FUL)

#### Background papers

Planning files referred to  
Planning Documents referred to

#### Date report prepared

22<sup>nd</sup> May 2015