

The report considers two applications. One is a hybrid application for full planning permission for conversion of the former Orme Centre/School into student accommodation involving demolition of a single storey toilet block and outline planning permission for a new building for student accommodation (total of 94 rooms) (15/00700/OUT) replacing a part two storey/ part single storey building, and the other application is for listed building consent for the alteration and selective demolition of part of the Listed Building (15/01078/LBC). The site backs onto Buckley's Row, and has frontages to Higherland, Pool Dam, and Orme Road.

The application site is within the Newcastle Urban Area as indicated on the Local Development Framework Proposals Map.

The Orme Centre is a Grade II Listed Building.

The 13 week period for the planning application expires on 25th April 2016, and the 8 week determination period for the listed building consent application expired on 21st March 2016 but the statutory period for both has been extended by the applicant to the 29th April 2016.

RECOMMENDATIONS

A. With respect to the application for listed building consent 15/01078/LBC

PERMIT subject to conditions relating to the following:

- 1) Time limit for commencement of development**
- 2) Approved plans**
- 3) Conditions arising further to the comments of the Conservation Officer**

B. With respect to the planning application 15/00700/OUT, subject to the applicant first entering into a Section 106 obligation by no later than 3rd June 2016, to secure the following:

- (i) financial contributions to the enhancement and maintenance of Queen Elizabeth Park of £91,462 and a travel plan monitoring fee of £2,200**
- (ii) a financial contribution of £50,000 to be used to fund a Resident Parking Zone 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) Standard time limits for submission of application for approval of reserved matters and commencement of development**
- 2) Reserved matters submission**
- 3) Approved plans**
- 4) Occupation to be restricted to students only**
- 5) 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**
- 6) Provision of access**
- 7) Off-site highway works**
- 8) Details of surfacing materials, surface water drainage and delineation of parking bays**
- 9) Closure of existing access**
- 10) Car park access to remain ungated**
- 11) Provision of secure weatherproof cycle parking**
- 12) Travel plan**
- 13) Construction method statement**
- 14) Landscaping scheme to include replacement trees**
- 15) Additional information regarding trees on adjacent site**
- 16) Revised parking layout to ensure retention of tree**
- 17) Contamination conditions with respect to controlled waters**
- 18) Building recording**
- 19) Written scheme of archaeological investigation**
- 20) Construction and demolition hours**
- 21) Piling**
- 22) Dust mitigation**
- 23) Dwelling noise levels**
- 24) External materials**
- 25) Drainage conditions**
- 26) Implementation of security/crime prevention measures**
- 27) Any other conditions arising from the comments of the Conservation Officer, the Landscape Development Section and the Local Lead Flood Authority**

C. Failing completion by the date referred to in the above resolution (B) of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the planning 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 and the development would fail to ensure it achieves sustainable development outcomes; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Reason for Recommendations

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. Taking into account the requirement for the decision-maker to pay special attention to such matters the loss of a curtilage Listed Building would improve the setting of the principal Listed Building and subject to conditions it is considered that the alterations to the Listed Building would retain its character and features. The new building would be acceptable in terms of its scale, design and appearance and it would preserve the setting of the Listed Building. 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

Amendments have been sought from the applicant and the proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

1.1 These proposals seek full planning permission for the conversion of part of the former Orme Centre into student accommodation (27 rooms) and outline planning permission for a new building for student accommodation (67 rooms). In practical terms the only "reserved matter" absent from the outline element of the application is the landscaping of the site. The Orme Centre is a Grade II Listed Building and listed building consent is also sought for the works of alteration and partial demolition of the existing buildings that are involved.

1.2 The application site is within the Newcastle Urban Area as indicated on the Local Development Framework Proposals Map.

1.3 Given the development plan policy context, the NPPF, and the Grade II listing of the property, the main issues in the consideration of these applications are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposed partial demolition of the Listed Building acceptable?
- Would the proposed conversion have an acceptable impact on the character and the architectural and historic features of the Listed Building?
- Is the proposed new building acceptable in terms of its impact on the setting of the Listed Building and on the character and appearance of the area?
- Would there be any adverse impact on residential amenity?
- Are crime prevention/security considerations appropriately addressed within the development?
- Is the proposal acceptable in terms of highway safety?
- Would there be any adverse impact on trees?
- Would there be any issue of flood risk?
- 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?

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

2.1 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, close to, but not within the town centre.

2.2 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).

2.3 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.

2.4 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.

2.5 The residential accommodation proposed if 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. Nevertheless as set out in paragraphs 49 and 14 of the NPPF, the starting point 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.

2.6 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.

3. Is the proposed partial demolition of the Listed Building acceptable?

3.1 The Local Planning authority has a duty to pay special attention to the desirability of preserving the character and appearance of a Listed Building.

3.2 The site comprises a Grade II listed former school building dating from 1850 fronting onto Pool Dam with a 2-storey attached curtilage building dating from 1908 projecting to the rear along Orme Road. The proposal includes the demolition of both the 2-storey curtilage building (referred to as the Edwardian building), a single storey flat-roofed extension to the main building, and a single storey later element or 'range' attached to the Edwardian building.

3.3 Saved Policy B4 of the Newcastle Local Plan (NLP) states that the Council will resist total or substantial demolition of a listed building, unless exceptionally, an applicant can convince the Council that it is not practicable to continue to use the building for its existing purpose and there is no other viable use. Demolition will not be permitted unless there are approved detailed plans for redevelopment and, where appropriate, an enforceable agreement or contact exists to ensure the construction of the replacement building. The weight to be given to such a policy depends on how much it is in accordance with the National Planning Policy Framework (NPPF).

3.4 At paragraph 132 the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (such as a Conservation Area or Listed Building), great weight should be given to the asset's conservation. The more important the asset, the greater

the weight should be. 'Significance' can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

3.5 In paragraph 133 it is indicated that where a proposed development would lead to *substantial* harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:-

- The nature of the heritage asset prevents all reasonable uses of the site
- No viable use of heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use

3.6 Paragraph 134 of the NPPF states that where a development proposal will lead to *less than substantial* harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

3.7 The application is accompanied by a Heritage and Design Statement which considers that the buildings to be demolished are of low significance. It states that in architectural terms the proximity of the Edwardian building to the main building and the plain, dark rear of the building which faces prominently onto Orme Road are considered damaging to the setting of the main Listed Building and the streetscene. The Edwardian building is not mentioned in the Listing description and nor is it considered to be of local significance to warrant its record in any local list. The Statement considers that the removal of the building will improve the streetscene and give more space and dignity to the Listed Building. The Statement goes on to consider that the flat-roofed extensions to the rear of the building are unsightly and inappropriately designed and are of negative value and therefore their removal will enhance the heritage value of the site and have a positive impact.

3.8 The assessment and conclusions within the Heritage and Design Statement are broadly accepted, The Conservation Officer accepts that the quality of the Edwardian block is less than that of the main school and states that while it has some design merit on the courtyard elevation and has some internal features of interest, it does not present itself to the street frontage well and the quality of that elevation is considerably less. Contrary to the view of the Victorian Society, who consider that the demolition of the Edwardian block and single-storey range would be harmful to the setting of the principal Listed Building, your officers consider that the removal of the untidy relationship between the two buildings will improve the setting of the main building. Subject to the quality of the proposed new building, it is considered that the demolition of the existing building will improve the views of, the space around and setting of the Listed Building and that these benefits outweigh the loss of the building. The new building is considered in detail below.

4. Would the proposed conversion have an acceptable impact on the character and the architectural and historic features of the Listed Building?

4.1 Saved NLP Policy B6 states that the Council will resist alterations or additions to a Listed Building that would adversely affect its character or its architectural or historic features. Policy B7 states that the change of use of a Listed Building will only be permitted if its character or appearance would be preserved or enhanced.

4.2 The scheme includes the conversion of the main Listed Building into 27 en-suite student rooms. Regarding the plans as originally submitted, the Conservation Officer, CAWP and the Victorian Society all expressed concerns regarding the lack of detail provided. The Conservation Officer was particularly concerned regarding the lack of detail in relation to the windows and ventilation, the mezzanine floor in the main hall, partition walls where dividing the windows, and the location of the en-suites.

4.3 Additional/amended plans have subsequently been received and some additional detail has been provided. The further comments of the Conservation Officer are awaited but informally she has stated

that she remains concerned regarding the lack of some details, in particular regarding the mezzanine floor and the blocking up of doorways and windows on internal corridors. The applicant has been asked to provide some indicative sections showing the treatment of the main hall of the School building. There are wide ranging powers to impose conditions on listed building consents including ones requiring specified details of the works to be approved subsequently by the local planning authority. Whilst ideally such details would be before the Authority at this stage, a balance needs to be struck and a proportionate approach taken, and on the basis of what has been submitted to date and provided this further illustrative material is provided, it is considered that there is a reasonable basis upon which to proceed and such details can be required by conditions. The exact requirements of the conditions are being considered and further advice will be given to Members. The Victorian Society has been invited to comment on the revised/additional proposals, and any further comments received from them will also be reported.

5. Is the proposed new building acceptable in terms of its impact on the setting of the Listed Building and on the character and appearance of the area?

5.1 Saved NLP Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a Listed Building.

5.2 The Urban Design Guidance Supplementary Planning Document states in Policy HE2 that new development must preserve or enhance the setting of any listed building. Development must ensure that:

- a. If the development is viewed in relationship with the Listed Building then the Listed Building, rather than the new development, should remain as the focus of those views, and it should not diminish the ability to appreciate the special architectural or historic interest of the listed building;
- b. It relates well to the Listed Building in terms of height, massing and scale;
- c. It maintains or improves the character of the street to which the Listed Building contributes;
- d. It must allow an appropriate amount and arrangement of space around the Listed Building to allow its special interest to be appreciated.

5.3 The new building would be sited 18m from the Listed Building approximately 4m from the boundary of the site with Orme Road. It would measure approximately 50m in length and a maximum of 16.5m in width. The building would be 4 storeys in height with a flat roof and a height of 13.6m. The materials would comprise red brickwork and copper cladding.

5.4 A similar proposal was reviewed at the pre-application stage by the Urban Vision Design Review Panel. Their comments regarding the new building are as follows:

With regard to the new building, the panel was generally supportive, but with some reservations. The importance of using appropriate materials and finishes was highlighted. There were reservations over the scale of new building (4 storeys, corresponding to the ridge of existing building) and the prominence of the proposed corner feature. The top storey could be recessed and utilise different, lighter materials. External balconies may not be ideal for student accommodation. The relationship to dwellings overlooking the rear is important.

The Panel was concerned that the provision of balconies may create opportunities for anti-social behaviour, and would prefer to see these omitted.

Internally, the Panel thought the corridor in the new block is too long and straight and creates an institutional character. This could be adjusted, perhaps by responding to the stepping in the plan, or by shifting the direction of the corridor or articulating the entrances.

The Panel was concerned over the materials of the new building, in the absence of more detail or of coloured 3D drawings. A brick base material and secondary use of timber could produce a satisfactory solution, depending on choice of appropriate quality materials. It would be possible to use metal as an alternative or accompaniment to timber.

5.5 The scheme has been amended further to Urban Vision's comments. Whilst balconies still remain as a feature on the north-eastern corner of the building, they have been incorporated within the building with a solid, more urban design contrary to the fussier projections proposed previously. The design of the rear elevation of the building has been amended with more articulation creating a lighter approach than the rather monolithic design considered by Urban Vision.

5.6 Whilst higher than the existing building that is to be removed, the height of the proposed building is very similar to that of the Listed Building. It is considered that the new building relates well to the Listed Building in terms of height, massing and scale.

5.7 The Victorian Society has raised concerns regarding the design of the new building. It states that it is "practically devoid of any of the positive characteristics and qualities of the listed building: it lacks interest, drama, liveliness and visual appeal, and is formed of a crude bulky mass and poor quality materials". Your Officer disagrees however, and considers that the contemporary approach that has been adopted, which is clean, unfussy and has interest, is appropriate as a contrast with the historic building. The palette of materials is simple but interesting with the use of copper cladding.

5.8 The simple contemporary design of the building and its scale and massing will ensure that it will not compete with the Listed Building, and will not diminish the ability to appreciate that building's special architectural or historic interest.

5.9 The proposed building is considered to be acceptable in terms of its scale, design and appearance. It would preserve the setting of the Listed Building and the statutory requirement to pay special attention to such matters is considered to be met.

6. Would there be any adverse impact on residential amenity?

6.1 This falls into 2 elements – the residential amenity of existing adjacent occupiers and the residential amenity of future residents of the development.

Existing occupiers' amenity

6.2 There are existing residential properties on Buckley's Row to the south of the proposed new build element. There is a significant levels difference between the sites with the application site set down approximately 4m below the ground level of the existing dwellings. A distance of approximately 15m is proposed between the existing and proposed buildings and given the difference in levels such a distance is considered to be sufficient to ensure that there would be no significant adverse impact on the amenity of the occupiers.

Amenity of future occupiers of the development

6.3 The site is in a busy location at the junction of the A525 Higherland, a main trunk road into Newcastle, and Orme Road. A Noise Assessment has been submitted addressing road traffic noise and noise from plant equipment. The report recommends certain design features, such as acoustically rated double glazing and mechanical background ventilation for areas facing directly onto the A525 to ensure that acceptable living conditions are secured for the students. The Environmental Health Division (EHD) is satisfied that subject to the recommendations of the report being followed, noise levels are likely to be acceptable for the occupiers of the development.

6.4 The EHD has expressed concerns regarding air quality, stating that the highway in this area is heavily trafficked throughout the day with queuing vehicles often observed. They argue that in the absence of an appropriate Air Quality Impact Assessment it is not possible to determine if the residents of this development will be exposed to unacceptable levels of air pollution.

6.5 The Planning Practice Guidance lists a number of considerations for deciding whether air quality is relevant to a planning application. These include whether the development would expose people to existing sources of air pollutants. Given that the site is outside the Council's proposed Air Quality Management Area for Newcastle which identifies the area in and around the Town Centre where national air quality objectives are not met or are at risk of not being met, it is not considered that there

is sufficient evidence to suggest that air quality is sufficiently poor to justify requiring the submission of an Air Quality Impact Assessment.

6.6 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.

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

7.1 Since the comments of the Crime Prevention Design Advisor were received the applicant has provided additional information setting out how the building will be secured. Security measures include internal and external CCTV and key fob activated access to both the buildings and the car park. 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.

8. Is the impact of the development on highway safety acceptable?

8.1 The access to the site would be via a new access on Orme Road, closer to the Orme Road / Pool Dam junction than the present access point which would be closed. Based on the maximum parking standards in the Local Plan relating to student accommodation expected to be provided by Keele University (the closest comparison), the development should not be permitted to provide more than 24 spaces according to the Local Plan. 6 spaces are proposed - for short term parking and unloading. 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 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

8.2 The applicant has argued that the majority of, if not all, students resident at this site are likely to be based at Keele University which seeks to limit the bringing of vehicle onto campus. Given the University's policy and the limited finances of students, it is argued that it is highly unlikely that students living at this site will have regular access to a private car. In addition, it is suggested that the lack of any dedicated space for a car will also serve to discourage any students with a car. The applicant has also highlighted that the site is highly sustainable and very well connected to the University, Newcastle Town Centre and Stoke Railway Station. The development will include safe and secure cycle storage.

8.3 Your Officer's view is that 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 occupiers to not have a vehicle.

8.4 Whilst not objecting to the proposal, the Highway Authority, in addition to recommending a number of conditions including one requiring the submission approval and implementation of a Travel Plan to promote travel by sustainable transport modes, has however expressed some reservations that the proposal has the potential to create parking issues on nearby residential streets which are not covered by parking restrictions or Resident's Parking Zones. Therefore, 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 Resident's Parking Zone could then be established with a sum of £50,000 which would be deposited by the developer through a legal agreement.

8.5 Given the highly sustainable location of the proposed development and subject to appropriate planning conditions or planning obligations as recommended by the Highway Authority, it is not considered that the highway impacts of the proposal would be severe.

9. Would there be any adverse impact on trees?

9.1 There are a number of trees within the site and the Landscape Development Section has concerns that further information is required. In particular, the layout may need to be adjusted to allow the retention of the visually prominent tree adjacent to 12, Buckley's Row by using the existing hard surfacing for car parking. A response from the applicant is awaited but it is anticipated that the car parking layout will be revised to allow for the retention of the significant tree. It is considered that this can be dealt with by condition but further advice will be given to Members on this matter.

10. Would there be any issue of flood risk?

10.1 Staffordshire County Council as Lead Local Flood Authority (LLFA) has requested a drainage strategy to demonstrate compliance with the non-statutory technical standards for SUDS (DEFRA March 2015) and to demonstrate that the flood risk to any third party is not increased as a result of the proposed development.

10.2 The applicant has submitted a statement outlining how the site is likely to be drained and comparing this against the existing situation. It is stated that the site is currently covered in tarmac or buildings with a small area of landscaping to the rear of the site. The hard surfaces are largely impermeable and drain into the existing public sewers which serve the site. It is argued that there is no plan or any need to change the public sewer because there will be no increased storm flow into it but a number of measures are proposed to reduce storm water flows and reduce storm surges. These are an increase in the area of permeable open space and the provision of a sedum green roof on the new building giving a total increase of 1230 square metres of green space to reduce storm flows and surges. The applicant concludes by stating that whilst there may be some additional flow into the sewers from the increased use of the site, the nature and volume of this increase is easily offset by the gains in storm water volume and surge.

10.3 The further comments of the LLFA are awaited and will be reported to Members.

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

11.1 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.

11.2 It is not considered appropriate 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.

11.3 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.

11.4 The Landscape Development Section (LDS) has requested a contribution but has made certain adjustments in recognition that the standard contribution sought is based upon there being on

average 2.5 people occupying each dwelling and that all of the units within this development will be single person accommodation. The adjustment that has been made is to request 2/5ths of the total for the single units. This is considered reasonable.

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

11.6 Your Officer is in this case satisfied that such an obligation would comply with both Section 122 and Section 123 of the CIL Regulations.

11.7 Similarly the Highway Authority's request for a Travel plan monitoring fee and a contribution towards the establishment of a Resident's parking scheme is considered to comply with the same Regulations.

12. 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?

12.1 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.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy SP1:	Spatial Principles of Targeted Regeneration
Policy SP2:	Spatial Principles of Economic Development
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP5:	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP2:	Historic Environment
Policy CSP3:	Sustainability and Climate Change
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 and protection of the countryside
Policy C22:	Protection of Community Facilities
Policy N12:	Development and the Protection of Trees
Policy N13:	Felling and Pruning of Trees
Policy B3:	Other Archaeological Sites
Policy B4:	Demolition of Listed Buildings
Policy B5:	Control of Development Affecting the Setting of a Listed Building
Policy B6:	Extension or Alteration of Listed Buildings
Policy B7:	Listed Buildings – Change of Use
Policy T16:	Development – General Parking Requirements
Policy IM1:	Provision of essential supporting infrastructure and community facilities

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

Supplementary Planning Documents (SPDs)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design SPD (2010)

Developer Contributions SPD (2007)

Relevant Planning History

None relevant

Views of Consultees

The **Council's Conservation Officer** indicated with respect to the original submission as follows:

- The level of detail with this application is a little too sketchy, in particular, details are required of ensuite accommodation, windows and ventilation, details of the inserted floor in the main hall and the proposed new access and details of the partition walls where dividing the windows.

- A method statement is needed for stone repair and details of secondary glazing systems are required.
- The subdivision of rooms through windows, some with central mullions, causes concern and may not be acceptable.
- A more sympathetic approach is needed to blocking up doorways and windows on internal corridors to help to retain the special character and appearance of the building.
- The removal of the flat roofed extensions is to be welcomed.
- The quality of the early 20th century block is less than that of the main school and whilst it has some design merit on the courtyard elevation and internal features of interest, it does not present itself well to the street frontage. The quality of this elevation is considerably less and the removal of the untidy relationship between the two will be an improvement. The removal of this building presents an opportunity to improve the setting of the main building particularly around the entrance.
- More interest on the corner of the new building would give interest to the building and reflect the existing building. This element is unremarkable and is not a well-designed corner to the building.
- The building looks very institutional and the quality and execution and finish of materials will be paramount. Metal panels are the key material and colour will be important.
- We are required to ensure that we pay special attention to the desirability of preserving the Listed Building and its setting and the current level of information provided makes it impossible to satisfy this duty.

Regarding the plans as originally submitted, the **Conservation Advisory Working Party (CAWP)** strongly objected to these applications due to the lack of information and attention to detail, particularly in respect of room divisions and treatment of windows, plumbing and vehicular access. They stated that there appears to be no justification for the demolition of the existing building which contains some interesting early twentieth century features. It was considered that the new build element is not very innovative and is of poor quality design and they recommended that a much more detailed submission is produced otherwise the applications should be refused.

CAWP subsequently received a presentation by the applicant's agents and there was discussion on the loss of the Edwardian annex building, the massing of the new proposal and further explanation of the treatment of the internal space of the Victorian school. Clarification was provided regarding amended plans for the new build, including materials and also how the windows will be dealt with in the main school. The further comments of CAWP are as follows:

The Working Party still supports its view that the Edwardian building should be retained especially due to some of the internal features. Some members of CAWP however support the overall scheme and commend the owner for taking on the building. Overall the Working Party accepts the refurbishment of the main school building but wants to ensure strict control over the details of the scheme, which are still lacking – to ensure the Council has control over the supervision of the scheme and so that corners are not cut which will harm the significance of this important Listed Building. There is particular concern over the windows and the internal spaces.

The **Victorian Society** objects to the proposal which would be harmful to the character, appearance and setting of the listed building. Their main concerns lie in the proposed treatment of the listed building. As proposed it would entail the over-intensive subdivision of the spacious interiors, in several cases with partitions cutting crudely through attractive windows. Mention is made of some or all of these rooms being en-suite but details of this are not shown. The former schoolroom is the building's most important space and it is essential that any conversion preserves its single open volume. Instead the application proposes an inappropriate mezzanine that would substantially erode its spatial integrity. Externally, the removal of the later rear infill additions would be beneficial but the insertion of French-door style openings would harm the distinctive character and appearance of the building. The insertion of rooflights on the front roof slopes would also prove harmful intrusions. Any new openings required should be limited to the rear roof slopes.

The demolition of the curtilage-listed Edwardian block and single-storey range would be harmful to the setting of the principal Listed Building. No information is submitted indicating the quality, interest or intactness of their interiors. The Edwardian block appears perfectly well suited to residential conversion and this option should be further explored. However, the removal of these buildings could

be justified were it to allow the construction of a new accommodation building of a sufficient size to render the intensive and harmful subdivision of the Listed Building unnecessary. In design the proposed new block is totally devoid of any of the positive characteristics and qualities of the Listed Building; it lacks interest, drama, liveliness and visual appeal, and is formed of a crude bulky mass and poor quality materials. It shows apparently no regard for the former Orme School or the area's rich architectural heritage and would be detrimental to the school's setting. The principle of a new block on this site could be acceptable (depending on the feasibility of reusing the Edwardian block) but only if the Listed Building and its setting is respected.

Attention is drawn to historic depictions of the school which indicate that the 1850's block was once adorned with ornate features and the reinstatement of these missing elements would constitute a heritage benefit that could mitigate some of the harm elements the application would cause.

In summary, the Society objects due to the harm the scheme would cause to the significance of this nationally important building. In particular, they object to the crude and damaging subdivision of much of the listed building's interior, in particular the main school room, as well as the poor external alterations proposed. The application should be refused.

The **County Archaeologist** observes that the development proposals lie within Historic Urban Character Area 25 "Pool Dam and Higherland" which identifies that this site may have formed part of Newcastle's earliest suburban development in the medieval or early post medieval period. By the late 18th Century this was the location of the borough gaol lying to the rear of the workhouse created from the conversion of earlier buildings. The footprint of the new student accommodation building will be located partly on the site of the existing one-storey building and within the car parking area. These proposals partly lie within an area not currently developed and consequently there remains the potential for the groundworks associated with this development to impact upon surviving below ground archaeological remains. Taking into account the impact of the proposals on this site of historic and archaeological interest a programme of archaeological works should be undertaken should planning permission be granted.

The **Highway Authority** has no objections to the proposal subject to conditions requiring completion of the access, submission of details of off-site highway works, details of surfacing materials and drainage for the access and car park, delineation of parking bays, closure of the existing access, car park to remain ungated, details of secure weatherproof parking for a minimum of 45 cycles, submission and approval of a Travel Plan and submission and approval of a Construction Method Statement.

A Travel Plan monitoring fee and payment for a possible Traffic Regulation Order following a Parking Survey are also requested.

Severn Trent Water has no objections subject to a condition requiring the submission, approval and implementation of drainage plans for the disposal of foul and surface water flows.

The **Environment Agency** has no objections subject to a condition regarding contamination.

Staffordshire County Council as **Local Lead Flood Authority** state that sustainable drainage systems should be provided unless demonstrated to be inappropriate. A drainage strategy is required and the drainage design should demonstrate that there is a sufficient safe means of disposing of surface water. It should also demonstrate that the site is safe for the 1:100 year plus climate change storm event and that the flood risk to any third party is not increased as a result of the proposed development.

The **Environmental Health Division** objects on the grounds that an air quality impact assessment is required to determine if the residents of this development will be exposed to levels of air pollution which may exceed the relevant EU limit values or national statutory air quality objectives. Should the development be considered acceptable, conditions are recommended regarding construction and demolition hours, piling, construction management plan, protection of the highway from mud and debris, dust mitigation during demolition and construction and dwelling noise levels.

The **Landscape Development Section** states that there are trees on and around this site that would be affected and basic tree information is required before the impact can be assessed. It is required to demonstrate that trees within the adjacent site can be retained and protected during construction and it is recommended that the layout is adjusted to allow the retention of the visually prominent tree adjacent to 12, Buckley's Row by using the existing hard surfacing for car parking. Subject to replacements, no objection is raised to the removal of trees off Orme Road. Full landscaping proposals should be required by condition and an appropriate developer contribution for off-site Public Open Space would be required.

The **Crime Prevention Design Advisor** states there is a paucity of information in relation to security and student safety. Students can be attractive targets for offenders so it is important that this proposed development guards against this. As well as guarding against acquisitive crime, measures should promote student safety. Before approving this application, the local authority should satisfy itself that a comprehensive security strategy with a range of security measures will be in place, in an effort to provide the students with accommodation within which they will be and will feel safe and secure. Currently the application fails to demonstrate that this will be the case.

No comments have been received from **United Utilities**, the Council's **Waste Management Section**, the **Society for the Protection of Ancient Buildings**, the **Council for British Archaeology**, the **Twentieth Century Society**, the **Ancient Monuments Society** and the **Newcastle South Locality Action Partnership**. Given that the period for comment has now expired, it must be assumed that they have no comments to make.

Representations

Two letters of representation have been received. One letter from **Thistleberry Residents' Association** states that they have no objection to the refurbishment and change of use of the Orme Centre and commend the developer for attempting to use the original building rather than demolish it. However, they seek the imposition of a condition requiring the exterior and the interior of the building to be regularly maintained and refurbished so that as a Listed Building it does not fall into disrepair. They state that with regard to the Edwardian section of the building, it is regrettable that this cannot be saved. If there is a way to do this then permission should not be granted.

A letter from a nearby resident raises concerns that the proposal might cause anti-social behaviour when the students have parties. Unless a condition can be imposed stating that they should have no parties after 12am, the writer objects.

Applicant's/Agent's submission

The applications are accompanied by the following documents:

- Heritage Statement
- Highway Parking Statement
- Noise Assessment Report

All of these documents are available for inspection at the Guildhall and as associated documents to the applications via the following links

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/15/00700/OUT>
and
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/15/01078/LBC>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

13th April 2016