

The application is for planning permission for the erection of two roller shutter doors and two pedestrian gates. The building lies within the Newcastle Town Centre Conservation Area, within the Pool Dam Waterside Quarter, and outwith the Historic Core, all as indicated in the Newcastle Town Centre Supplementary Planning Document

The statutory 8 week determination period for the application expires on the 15th March 2017.

RECOMMENDATION

PERMIT subject to conditions relating to the following;

- 1. Commencement of development within 3 years**
- 2. Development in accordance with the submitted plans**
- 3. Colour of the roller shutter doors to be dark grey or another dark recessive colour to be agreed.**
- 4. The pedestrian gates shall open inwards away from the highway.**
- 5. Permission to enure for benefit of NulBC only**

Reason for recommendation

The proposed roller shutters would have an acceptable visual impact, subject to them being a dark and recessive colour, and would not adversely affect the character of the Conservation Area. The introduction of the pedestrian gates would not constitute development, as they do not materially affect the appearance of the building, and as such are not within the control of the Local Planning Authority.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks planning permission for the erection of roller shutter doors to the vehicular access and exit points of the Midway Car Park, and pedestrian gates to the two pedestrian points of access either side of the vehicular access.. The application site is located within the Town Centre Conservation Area, although not within its historic core as defined in the Town Centre SPD. Members will no doubt be aware that the building dates from the 1960s and is described in the Conservation Appraisal as being within a negative character area, and as a "key negative"..

The roller shutter and gates are required to prevent access to the car park outside of the core operational hours to prevent problems relating to antisocial behaviour that are currently taking place.

There are no planning policy objections to the principle of providing the doors and gates to the car park , subject to a consideration of the visual impact of the proposed fencing upon the building and the character of the Conservation Area.

Visual Impact upon the Character of the Conservation Area

Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the area's character and identity.

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policies B9 and B10 within the Local Plan seek to ensure that development within Conservation Areas either preserves or enhances its character.

The proposed development seeks planning permission to provide roller shutter doors to the vehicular access and exit. The shutter box is to be mounted on the external wall and the proposed roller shutters are of the perforated type. The preference would be for the shutter box to be mounted internally however this is not an option due to the limited head room in the car park. Notwithstanding this it is considered that, in the context of this building and its surroundings, the introduction of roller shutter doors would not be harmful to the building or the wider Conservation provided that they are of an appropriate colour. In this regard, the submission indicates that the roller shutters are to be coloured yellow. It is considered that this choice of colour would result in the roller shutters being unduly prominent in appearance. A more appropriate colour would be a dark, recessive grey or other recessive colour and this could be secured through the imposition of a condition.

In light of the conclusion that the proposed roller shutter doors would not be harmful to the character or appearance of the Conservation Area, the Conservation Advisory Working Party's suggestion that vertical sliding gates would be more appropriate has not been discussed with the applicant. In any event it does not appear that such an option could be easily achieved.

The proposed pedestrian gates are proposed to be galvanised vertical bars of a similar design to the galvanised vertical fence that has been installed along the Midway frontage of the car park. Given the existence of the fence and the relatively small size of the pedestrian gates, their introduction will not materially affect the external appearance of the building. They are not considered to be "development" as defined in the Planning Act, and as such are not within the control of the Local Planning Authority.

Overall the visual impact of the proposed development is considered to be acceptable within the context of the building and wider Conservation Area and as such accords with local and national policy.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

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

Policy CSP1: Design Quality
Policy ASP4: Newcastle Town Centre

Newcastle-under-Lyme Local Plan 2011 (NLP)

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 B13: Design and development in Conservation Areas

Other material considerations include:

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (2014)

Newcastle Town Centre Supplementary Planning Document (January 2009)

Newcastle Town Centre Conservation Area Appraisal (August 2008)

Relevant Planning History

None relevant

Views of Consultees

The **Highway Authority** has no objections subject to a condition requiring the pedestrian gates to open inwards away from the highway.

The **Conservation Officer** considers that the shutters need to be as unobtrusive as possible and painting the roller shutters yellow will not achieve this, so they should be a recessive colour. If this can be achieved, within the context of this building, its use, and surroundings, it is not considered that the proposal will be harmful to the character or appearance of the Conservation Area. As such no objections are raised.

The **Conservation Advisory Working Party** is concerned about the shutters being subjected to vandalism and would like consideration to be given to vertical sliding gates which would be less obtrusive and more secure. Some concerns were raised with the colour proposed. The proposed gates are acceptable but ideally could be painted black or white.

Applicant/agent's submission

The application includes elevations plans submitted with the application form. All of these documents are available for inspection at the Guildhall and on

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/01047/DEEM3>

Background Papers

Planning File
Development Plan

Date report prepared

13th February 2017