

To the Chair and Members
of the
CONSERVATION ADVISORY
WORKING PARTY

Mr G Durham
742222
GD/EVB – R82/48

20 June 2008

Dear Sir/Madam

A meeting of the **CONSERVATION ADVISORY WORKING PARTY** will be held in **COMMITTEE ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 1 JULY 2008** at **7.00pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of previous meetings.
3. Minutes of meeting held on 10 June 2008 (copy attached for non-Council Members information).
4. To consider the attached reports at Appendix A and B (blue and salmon paper).
5. To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the Officer.
6. To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Yours faithfully

A CAMPBELL

Democratic Services Manager

**DECISIONS OF THE BOROUGH COUNCIL ON APPLICATIONS WHICH
HAVE PREVIOUSLY BEEN CONSIDERED BY THE WORKING PARTY**

For reports on all committee decisions, please follow the minutes and agendas search on the Council's website or refer to your copy of the Planning agenda for the permitted date. Reports for delegated items are attached to the agenda (pink paper).

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
08/154/ADV	Moser Centre, Keele University, Keele University of Keele	Illuminated fascia sign	Members were concerned at the nature of the halo lighting and expressed deep concern. Recommend that the officers negotiate for a very subdued level of light around each letter	Permitted under delegated powers 21/5/08
08/187/OHL	Lower Stoney Lowe Farm, Stoney Low, Madeley Central Networks East	Upgrading of existing low voltage overhead line	No comments	No objections from the Borough Council. 6/5/08
08/219/ADV	H Samuel 1 Castle Walk, Newcastle Signet Group Plc	Three fascia signs and one projecting sign illuminated by floodlighting	Object to the proposal as submitted. Members requested that a careful approach to detail is required to which end, the comments made by the Council's Conservation Officer be supported.	Permitted under delegated powers 5/6/08
08/228/FUL	Springfield House, The Croft, Chester Road, Audley Mr P Nix	Erection of detached bungalow and detached garage	No objections but support comments made by the Council's Conservation Officer regarding removal of the chimney serving the kitchen,; provision of hipped roof to dormer; more consistency in the proposed use of cowls and use of vertically boarded garage doors	Permitted under delegated powers 20/5/08
08/275/FUL	Audley Theatre, Hall Street, Audley Audley Players	Alterations to existing fire escape	No objections	Permitted under delegated powers 6/6/08

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
08/277/LBC	Huggies Day Nursery, Old Hall Drive, Bradwell Huggies Day Nursery	Change of use from office/training centre to day nursery	No objections but concerns were raised that features within the building were unique and should be protected for the future.	Permitted under delegated powers 19/6/08
08/279/LBC	Manor Farm, Manor Road, Madeley Mr J Furnival	Alterations to part of a redundant barn in connection with formation of a single dwelling and two holiday lets	Members would like to ensure that all conditions attached to any permission are strictly complied with. The Working Party welcomed the efforts gone to in retaining the important features of the building.	Permitted by Planning Committee 13/5/08
08/333/COU	5-6 Ironmarket, Newcastle Done Bookmakers	Change of use from retail (Class A1) to Betting Shops (Class A2)	The Conservation Advisory Working Party had strong objections to developments of this type in this part of the town. The area needs to be upgraded to improve the quality of the footfall.	Application withdrawn

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
08/324/FUL 08/325/LBC	& Manor House Far, Park Lane, Ashley Mr N Edge	Alterations and extensions	Grade 2 Listed Building	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
08/355/FUL	5-7 York Place, Newcastle York Place Investments Ltd	New entrance canopy	Within the Newcastle Town Centre Conservation Area	Councillor D Clarke Councillor Mrs E Shenton
08/418/FUL	Little Paddocks, Bent Lane, Whitmore Mr M Yarworth	Front dormer windows	Within the Whitmore Conservation Area	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
08/420/FUL	Plots 3 and 4 Butterton Nurseries, Park Road, Butterton Mr & Mrs J N Leath	Erection of two detached garages	Within the Butterton Conservation Area	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
08/472/FUL	Land at junction of River Lea Mews & Moss Lane, Madeley Mr K Williams	Detached house with integral garage (amendment to 04/479/FUL)	The proposal may affect the Madeley Conservation Area	Councillor J Bannister Councillor Mrs H Morris
08/504/ADV	Roebuck Shopping Centre. 54-56 High Street, Newcastle Newcastle Workman Retail	Four fascia signs	Within the Newcastle Town Centre Conservation Area	Councillor D Clarke Councillor Mrs E Shenton

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Mr Gary Picken – Keele University

Application No – 08/00154/ADV

Location The Claus Moser Research Centre

Description Externally illuminated fascia sign

Policies and proposals in the Development Plan relevant to this decision:

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D2: The Design and Environmental Quality of Development

Newcastle Under Lyme Local Plan 2011

Policy N19: Landscape Maintenance Area

Policy B5: Control of development affecting the setting of a listed building

Other Material Considerations

Relevant National Planning Policy Guidance

PPS1: Delivering Sustainable Development

PPG15: Planning and the Historic Environment

PPG19 Control of Outdoor Advertisements

Companion Guide to PPS1 “The Planning System: General Principles”

Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

Planning History

06/01103/FUL New building for University post graduate research Permit

See planning history sheet on file for the comprehensive list

Views of Consultees

Conservation Advisory Working Party – Members were concerned about the nature of the halo lighting and the LPA should negotiate for a very subdued level of light around each letter.

Keele Parish Council – Recommends refusal for the following reasons;

- An illuminated sign is inappropriate for a university environment and would not be in keeping with the countrified character of the Keele campus with no other building on the campus being so illuminated.
- The illuminated fascia sign would be prejudicial to the amenity and appearance of its immediate neighbourhood. The Moser Research Centre occupies a prominent position and directly faces the University Chapel which is a Listed Building.
- The illuminated sign would be a highly visible source of light pollution and would be an unnecessary use of energy.

Representations

Two site notices displayed, no representations received

Applicants/agents submission

None

Key issues

The applicant seeks consent for an illuminated fascia sign on the Claus Moser Research Centre which is a new building located within the Keele University campus. The fascia sign will be located above the main entrance on a roof canopy on the front elevation of the building. The sign will have individually illuminated halo letters with the proposed sign measuring 4 metres in overall length with a height of 2.25m

The building is located within a University campus which has a range of buildings in terms of form, scale and design. The Claus Moser Research Centre is a new building adjacent to the University Chapel which is a Listed Building within the campus.

PPG 19 "Outdoor Advertisement Control" states that the display of outdoor advertisements can only be controlled in the interest of "amenity" and "public safety". Paragraphs 11-14 of PPG 19 explain what is meant by the term amenity – the effect on the appearance of a building or on the visual amenity in the immediate neighbourhood in which the sign is to be developed.

The key issues to be considered in the determination of this application are the following:

- Would the proposed advertisements cause harm to the amenities of the area.
- Would the proposal have any adverse impact on the landscape quality of the area?
- Would the proposal cause harm to public safety in this location?

Would the proposed advertisements cause harm to the amenities of the area?

The application is for a illuminated fascia sign on the front elevation of the Claus Moser Centre which is a large building within the University Campus of Keele University. The building has a front canopy over the main entrance on which the fascia sign will be located. The sign will be illuminated between the hours of 6pm to 6.00am. The fascia sign will have individually crafted aluminium letters with a chrome finish. The individual letters will be back lit externally. The proposed sign will measure 0.25 by 4m by 0.06m in height, width and depth respectively.

The Claus Moser Research Centre is located within a central position within the campus with a number of buildings in close proximity. The character of the area is educational buildings with the students union also near to the building with a number and range of advertisements. It is noted that none of the adjacent buildings have illuminated fascia signs. However, it is considered that the sign would have very limited views from vantage points within the campus due to the sign been located approximately 3 metres above ground level on the front elevation with surroundings buildings and the prominence of trees restricting views of the sign, even when it is illuminated.

The design of the sign is considered to represent a design that is of a high standard with individually crafted letters. The letters will be back lit individually which will minimise the light that is projected from the sign and this is considered to be the most appropriate option for illuminating the sign. The aluminium letters, with a chrome finish, will respect the appearance of the building.

The Claus Moser Centre is near to the University Chapel which is a listed building. The installation of an illuminated fascia sign is considered a minimal development that would have a minimal impact on the setting of the listed building. The planning application for the Claus Moser Centre was considered to have a minimal impact on the setting of the listed building and I see no reason why a small illuminated sign would have any further impact on the setting of the chapel.

Keele Parish Council and the Conservation Advisory Working Party have raised concerns regarding the proposal with the main concern being the illumination of the sign and the impact this would have on its

surroundings. These comments have been taken into consideration, however officers remain of the view that the design and lighting of the sign is the optimum design possible that would illuminate the sign but not result in an adverse light pollution to the area and surrounding buildings.

It is considered that the proposed development is a large building surrounded by adjacent buildings with limited views from public vantage points. The design and illumination of the sign is considered of a good quality that will have a very limited impact on the visual amenity of the area. Therefore, the sign is of a size, scale and design that would not cause a detrimental impact to the appearance of the building or the area in general.

Would the proposal have any adverse impact on the landscape quality of the area?

Keele University is located within a Landscape Maintenance area, Policy N19. However, as discussed above the Claus Moser Centre is located amongst a number of existing buildings which will minimise the views of the proposal on the surrounding landscape. The building and proposed sign are no located on an elevated position within the landscape. There is also a prominence of trees and small woodlands around the campus that limit views of the building from the surrounding area. The proposed sign is considered to a be a minimal design in terms of its form, scale and general appearance with individually crafted letters that will be sympathetic to the appearance of the building which will also maintain the character of the landscape.

Would the proposal cause harm to public safety in this location?

The proposed sign and lighting are considered modest and would only have a minimal impact even within hours of darkness. The proposed entrance canopy whereby the sign is proposed to be situated is only adjacent to a pedestrianised area and so there would be little threat to public safety or an undue distraction.

Therefore, the impact on public safety is considered acceptable.

Reasons for the grant of advertisement consent

The proposed advertisement sign is acceptable in respect of its visual appearance and would accord with Local Plan policies N9 and N19 and the provisions of PPG19, and there are no other material considerations which would justify a refusal of consent to display the sign.

Recommendation

Permit subject to standard advertisement consent conditions and:

1. (ADV 1) The maximum surface brightness of the advertisement sign(s) hereby permitted shall not exceed 300 candelas per square metre.
- R1. To protect amenity, in the interests of public safety and in accordance with the aims and objectives of PPG13 and PPG19.

Performance Checks	Date		Date
Consultee/ Publicity Period	26.04.08	Decision Sent Out	
Case Officer Recommendation	20.05.08	8 Week Determination	26.05.08
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Central Networks East PLC

Application No – 08/00187/OHL

Location – Lower Stoney Low Farm, Stoney Low, Madeley

Description – Upgrading of existing low voltage overhead line

Policies and Proposals in the approved development plan relevant to this consultation response

Staffordshire and Stoke on Trent Structure Plan 1996 – 2011

Policy NC18 – Listed Buildings

Newcastle Under Lyme Local Plan 1996 - 2011

Policy B5: Control of Development Affecting the Setting of a Listed Building

Policy N21: Areas of Landscape Restoration

National Planning Policy

PPG15: Planning and the Historic Environment

Views of Consultees

Madeley Parish Council – No objections

Conservation Advisory Working Party – No objections.

Planning History

06/00560/FUL Extension of Development within building to form one two storey dwelling and one first floor dwelling, with two storey building also to be used for purposes – PERMIT

06/00561/LBC Extension of Development within building to form one two storey dwelling and one first floor dwelling, with two storey building also to be used for purposes – PERMIT

KEY ISSUES

The application is for the upgrading of an existing overhead power line at Lower Stoneylow Farm. The existing power line to be upgraded is approximately 185m in length and is a single Phase power line supported by timber poles. Lower Stoneylow farm is accessed off Three Mile Lane along a long track which passes through Stoneylow farmyard towards the end of the track.

Lower Stoneylow Farm and its ancillary buildings have received planning consent for conversions in the past. The power line currently serves one customer and so the upgraded power line will be a multi service line, including a barn conversion development.

The area is open countryside with the area being designated on the Proposals Map of the Local Plan as Green Belt and an Area of Landscape Restoration.

Lower Stoneylow farmhouse and its farm buildings are dated between the 15th and 17th century and are Grade II Listed Buildings.

The Conservation and Urban Design officer has recommended that the overhead lines be placed underground in order to preserve the special architectural or historic character and

appearance and settings of these Listed Buildings. The Conservation Officer has also objected on the grounds that the buildings are located within the Green Belt in open countryside where the landscape is in need of regeneration, and putting the electricity lines underground will meet the objectives of improving the quality of the landscape.

The comments of the Conservation Officer have been noted. However, the proposal is to upgrade an existing power line that predominantly runs along the line of a hedgerow before entering the curtilage of the farmhouse. It is noted that the upgraded overhead power line could be implemented up to 30m either side of the route shown on the attached plan 80153 submitted. This variation could mean that the upgraded power line runs along a different route to that existing. It is unlikely that the location of the power line could be altered due to the presence of trees currently located adjacent to much of the existing power line.

The surrounding area is rural with open fields surrounding the site. There are a range of existing power lines in the area, these being Three Phase power lines and more bulky electricity Pylons. The landform is rolling and there are some groups of trees all helping break up the silhouette of development. It is considered that the proposal will have a very limited additional impact on the character and appearance of the landscape. The power line would be supported by timber poles which will have a minimal appearance within the landscape, and the provision of power will assist in achieving the conversion of buildings which make a positive contribution to the landscape.

The proposal is within the setting of two Listed Buildings – being closest to the farmhouse. The Council has a duty to seek to protect the setting of Listed buildings. The elevation of the farmhouse facing the terminus of the line is a secondary one, whilst similarly the barn is end on towards that site. It can be expected that there will be a junction box at this point. The upgraded power line will stop before it reaches the farmhouse, although there will then be connections which are not covered by this procedure. It is considered that the proposed upgrade will not be contrary to Local Plan policy. The main farmhouse is already served by this power line and the upgrading of the power line is not considered to further material impact on the setting of the listed buildings.

Recommendation

The Council raises no objections to the proposed upgrading of the power line with the proposal not being contrary to Local Plan policy. The Local Planning Authority agrees that the proposed development should be approved by the Secretary of State for Energy.

Performance Checks	Date		Date
Consultee/ Publicity Period	11.04.08	Decision Sent Out	
Case Officer Recommendation	06.05.08	8 Week Determination	07.05.08
Report checked by Back Office			
Management check	GRB 6.5.08		

OFFICER REPORT ON DELEGATED ITEMS

<u>Applicant</u>	Signet Group PLC
<u>Application No</u>	08/00219/ADV
<u>Location</u>	H Samuel, 1 Castle Walk, Newcastle
<u>Description</u>	Three fascia Signs, one projecting sign illuminated by fascia sign

Policies and proposals in the Development Plan relevant to this decision:

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment.
Policy UR3: Enhancing the role of City, Town and District Centres

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D2: The Design and Environmental Quality of Development.
Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy B9: Prevention of harm to Conservation Areas
Policy B10: Requirement to preserve or enhance the character/ appearance of a Conservation Area.
Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or adjoining the boundary of Conservation Areas
Policy B19: Illuminated signs in Conservation Areas
Policy B20: Illuminated fascia signs in Conservation Areas

Other Material Considerations

National Planning Policy Guidance

PPS1: Delivering Sustainable Development
PPG19: Control of Outdoor Advertisements
PPG15: Planning and the historic environment (1995)
Companion Guide to PPS1 "The Planning System: General Principles"

Relevant Planning History

See history sheet on file

Views of Consultees

Conservation Advisory Working Party – Object to the proposals as submitted. Members requested that a careful approach to detail is required to which end, the comments made by the Council's Conservation Officer be supported.

Representations

None received.

Applicants/agents submission

Signage details provided by the applicant.

Key Issues

The retail premises are located at the end of Castle Walk and consent is sought for the replacement of three fascia signs and one projecting sign which will all be illuminated externally via down lights. Castle Walk is located within the Town Centre Conservation Area with the shop occupying a prominent location at the corner of Castle Walk and Hassell Street. Castle Walk has a range of retail frontages, all with varying designs of fascia signs and projecting signs that are illuminated in different ways.

PPG 19 "Outdoor Advertisement Control" states that the display of outdoor advertisements can only be controlled in the interest of "amenity" and "public safety". Paragraphs 11-14 of PPG 19 explain what is meant by the term "amenity" – the effect on the appearance of a building – or on the visual amenity in the immediate area in which the sign is to be developed. The main issues to address are the affect on the Conservation Area and visual amenity of the locality and public safety.

Impact on the character or appearance of the Conservation Area and amenity of the locality

PPG19 states that it is reasonable to expect that more exacting standards of advertisement control will prevail in conservation areas. However, many conservation areas are thriving commercial centres where the normal range of advertisements on commercial premises is to be expected, providing they do not detract from visual amenity. In addition, PPG15 states that preserving or enhancing the character or appearance of a conservation area will result in practice in applying more exacting standards when the authority consider whether to grant consent for a proposed advertisement in such an area.

Policy B20 is particularly relevant and states that;

"Illuminated signs should consist of individually lit letters fixed either directly to fascia or to opaque panel. Where the letters form an integral part of the panel, they should stand proud by at least 25 millimetres and should be edged in a material to distinguish them from the background panel.

Castle Walk is commercial in character with a range of style, nature and illuminated colour of existing signs that front the pedestrianised area. The proposed signs would predominantly face Castle Walk, however due to the size of the retail premises and the location on a corner plot the frontage is also facing Hassell Street.

The three fascia signs will be located above the shop frontage windows and will have individually cut steel letters sprayed a berry colour. The 'H Samuel' lettering will measure 0.3m and 'the jeweller' lettering will measure 0.125m. The design of the lettering is considered to be the optimum design solution for a fascia sign with individually cut steel letters and the colours being subtle. The fascia signs will be a wooden panel painted predominantly cream and match the existing shop frontage. The fascia signs will be illuminated via an external trough light positioned above each sign. It is considered that although each individual letter is not individually lit, the proposed replacement advertisement signs are an improvement on the existing advertisement signs. The proposed fascia signs would not have an adverse impact on the visual amenity of the area and the historic character/ appearance of the Conservation Area. The Conservation Officer has raised objections to the signs because the applicant is seeking a new shop front and the signs should be incorporated into this new shop front design. Since these objections the Conservation Officer has stated that the designs are acceptable but the height of the projecting sign was too high with the illumination being unnecessary. However the sign would be located at a similar height to other existing signs along Castle Walk and would be of a similar design, height and lighting to the existing projecting sign on the premises, this impact being negligible within the street scene.

Although the proposals are not in strict accordance with Policy B20 in that the letters are not individually lit, the fascias are of a good design that will have a minimal impact on the visual amenity of the area and historic character of the area.

Public Safety

The signs, in the position proposed will not cause an obstruction to pedestrians, nor be a distraction to drivers. It is not considered that they would have adverse impact on public safety.

Recommendation

Grant consent, with standard advertisement consent conditions and –

- 1. The illumination levels of the illuminated signs hereby permitted shall not exceed 300 candelas per square metre.
- R1 In the interests of visual amenity in accordance with the aims and objectives of PPG19.
- 2. The lettering of the three fascia signs shall be individual letters constructed out of steel and should be painted, position and fixed in accordance with the approved plans.
- R2: In the interests of visual amenity in accordance with Policy B20 of the Local Plan and the aims and objectives of PPG19.

Performance Checks	Date		Date
Consultee/ Publicity Period	09.05.08	Decision Sent Out	
Case Officer Recommendation	05.06.08	8 Week Determination	09.06.08
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Nix **Application No – 08/228/FUL**

Location - Springfield House, The Croft, Chester Road, Audley.

Description – Erection of detached dwelling and detached garage

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

West Midlands Regional Spatial Strategy

QE3: Creating a high quality built environment for all
CF2: Housing beyond the Major Urban Areas
CF3: Levels and Distribution of housing development

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

D1: Sustainable Forms of Development
D2: The Design and Environmental Quality of Development
H4: Portfolio of sites
T1A: Sustainable Location
T18a Transport and Development
NC19 Conservation Areas

Newcastle Under Lyme Local Plan 2011

H1: Residential Development: Sustainable Location and Protection of the Countryside
H3: Residential Development – Priority to Brownfield Sites
T16: Development – General Parking Requirements
B9: Prevention of harm to Conservation Area
B10: The requirement to preserve and enhance the character and appearance of a Conservation Area.

Other Material Considerations include:

Supplementary Planning Guidance (SPG)

Space about dwellings (July 2004)

Housing Clarification report February 2008

Manual for Streets 2007

Relevant National Policy Guidance:

PPS1
PPS3
PPG13
PPG15
Companion Guide to PPS 1

Newcastle under Lyme and Stoke on Trent Core Spatial Strategy – Submission draft – March 2008

Planning History

2004 04/166/FUL Permit – Erection of detached bungalow

1999 99/186/FUL Permit – Renewal of planning consent 93/882/FUL for the erection of a detached dwelling
1993 93/882/FUL Permit – erection of detached dwelling
1989 N19010 Permit – two dwellings
1987 N17622 Permit – detached house and garage
1986 N16675 Permit – construction of access road
1986 N15740 Permit – four dwellings
1983 N12850 Permit – four dwellings
1981 N10156 Permit – (outline) four dwellings

Views of Consultees

Environmental Health Division have no objections, subject to the inclusion of report of unexpected contamination condition

The Highways Authority have no objection subject to conditions

- Parking and turning area as submitted
- Drainage arrangements

Audley Parish Council does not support the proposal due to overdevelopment of the site, within the Conservation area and drainage problems

Conservation Advisory Working Party no objections but supportive of the requests of the Conservation Officer that certain amendments be made.

Representations

Three letter of representation have been received raising the following concerns:-

- Description of the proposal
- Loss of privacy
- Overlooking
- Overbearing
- Incorrect boundaries shown
- Access arrangements
- Storage of materials on site
- Too large for plot size
- Out of keeping with the area
- Drainage issues

Applicant's/agent's submission / Design and Access Statement

A Design and Access statement has been submitted with the planning application submission.

KEY ISSUES

The application is for full planning permission for a detached dwelling with three bedrooms which utilises the proposed roof space together with a detached garage at the front of the proposed dwelling. Planning permission was granted in 2004 for a smaller dwelling with integral garage.

The plot forms the side garden of a relatively modern detached dwelling, the proposal would share the drive and access onto Chester Road. The site is adjacent to a public right of way. The site is partially separated by high conifer hedges

Given the principle of residential development has been established by the 2004 full planning permission, and whilst there has been changes to housing planning policy since this grant of planning permission such changes would not have resulted in a different outcome to the

principle of the proposal. The applicant has until April 2009 to implement the 2004 permission. It is considered the main issues for consideration in the determination of this application are:-

- ◆ Impact upon the character and appearance of the Conservation Area and the area generally
- ◆ Residential amenity.
- ◆ Design of the proposal

Impact on the form and character of the area

Policy D2 of the Structure Plan requires development to be informed by, or sympathetic to, the character and qualities of its surroundings, in its location, scale and design.

The area is predominantly residential with a variety of house styles, ages, types, and sizes. The host property dates from the late 1980's and is of design reflecting that period.

The site is backland development as is the host property therefore the proposal does not have any direct road frontage.

It is considered given the siting of the approved scheme and the siting of the current proposal it would not have a detrimental impact on the character and appearance of the Conservation Area nor the general form and character of the area. Similarly it is not considered that the proposed garage would have any detrimental impact on the character and appearance of the area and the Conservation Area. The issue of the detailed design is considered below. Given the increase of proposed built form on the site and its Conservation Area setting it would be prudent to remove the proposed property's permitted development rights were permission to be granted.

Residential Amenity

The site is situated with high conifer hedge boundaries to the north with an intervening public footpath and generally high boundaries to the properties on Wilbraham's Walk. To the south, adjacent to the host property (Springfield House) is an existing high boundary consisting of walling and fencing together the existing garage.

The proposed dwelling is designed so that windows serving principal rooms as defined by the adopted SPG are sited in the front and rear elevations. There are windows being proposed in the side elevations, however, these serve non-principal rooms and as such would not result an adverse loss of privacy to adjacent residential occupiers, however it is considered prudent to have the roof light facing to the rear of the properties on Wilbraham's Walk permanently obscured glazed. The siting of the proposed dwelling would not impinge 45 degree angles from the principal windows of the adjacent property as defined in the SPG, and to remove permitted development rights for any alterations in this elevation.

The proposed dwelling would not conflict with the adopted SPG given the size of the application plot and the separation distance and the orientation of the adjacent properties.

The proposal is considered acceptable in terms of residential amenity.

Design of the proposal

PPS3 at para 49 advises that careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation with inappropriate spaces.

PPS1 at para 34 advises that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

The application site is within an area of residential development which is a mix of large and medium sized properties set in appropriately sized plots.

The proposal would provide a two storey (including the use of the roof space created) dwelling with an overall ridge height of approximately 5.75 metres, there is a gabled outrigger coming out at the side of the proposed dwelling at the same height, roughly forming a T shaped in plan dwelling. The roof space would be utilised for accommodation and would involve the use of dormer windows and roof lights.

Concern has been raised regarding the detail of the design it is considered these issues could be resolved by imposing conditions on any approval.

It is considered the overall design is considered acceptable for this location subject to appropriate condition being imposed.

There is an eclectic mix of the design and styles within the immediate area, this current design continues that mix whilst not adversely impacting on the character and appearance of the Conservation Area.

Reasons for the grant of planning permission

A full planning permission exists for similar development of this plot so the principle of residential development has been accepted. In terms of its impact on the character and appearance of the Conservation Area, its relationship to adjoining properties and its general design, the proposal accords with the provisions of the development plan and there are no other material considerations which would justify a refusal of planning permission.

Recommendation

1. No development shall commence until full and precise details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- a) The proposed facing and roofing materials.
- b) the finished floor levels and ground levels.
- c) the proposed boundary treatments
- d) all external joinery works

R1 To protect the character and appearance of the Conservation Area, in accordance with the requirements of policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies B9 and B10 of the Newcastle under Lyme Local Plan 2011 and aims and objective of PPS1 and PPG15.

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall provide indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of development.

All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season after completion of the development or within 12 months of the commencement of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

R2 - To protect amenity and in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policies S15 and B10 of the Newcastle-under-Lyme Local Plan 2011.

3. Before the development hereby permitted commences adequate parking and turning facilities shall have been provided within the curtilage of the site and shall be permanently maintained thereafter.

R3 - To protect the safety and convenience of users of the highway in accordance with policies T16 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policy T16 of the Newcastle-under-Lyme Local Plan 2011..

4. Prior to the development being brought into use, the parking and turning facilities as shown on submitted plans shall be provided and retained for the life of the development.

R4 To protect the safety and convenience of users of the highway in accordance with policies T16 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policy T16 of the Newcastle-under-Lyme Local Plan 2011.

5 No development shall commence until full and precise details of the means of disposal of foul and surface water effluent have been submitted to and approved in writing by the Local Planning Authority.

R5 To prevent pollution of the water environment Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policy S1 of the Newcastle-under-Lyme Local Plan 2011.

6. Any rooflight serving bedroom 3 on the side elevation facing the properties on Wilbraham's Walk, and the two ensuite bathroom windows as shown hatched in GREEN shall be permanently obscure glazed.

R6 To protect residential amenity in accordance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996 -2011.

7 In the event that contamination is found that was not previously identified it shall be reported immediately to the Local Planning Authority and works must cease. An investigation and risk assessment must be undertaken and where remediation is necessary a Remediation Strategy shall be submitted and agreed in writing with the Local Planning Authority. The agreed scheme shall be completed before works recommences unless otherwise agreed in writing by the Local Planning Authority

R7: Having regard to the health and safety of those working on the site and the future occupiers of the development in accordance with the aims and objectives of PPS23.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C, D, E, and G of Part 1 of Schedule 2 of the Order shall be carried out.

R8 Having regard to the size of the plot being proposed and to the protection of the residential amenity of the existing adjacent residential occupiers and the future occupiers of the development in accordance with adopted supplementary planning guidance relating to space about dwellings 2004, Policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and the aims and objectives of PPS1.

Note to Applicant:-

1. You are advised of the proximity of a public footpath.

2. This permission does not grant nor imply permission to divert, block or in any way interfere with any public footpath.

3. You are advised to seek guidance from your local Crime Prevention Officer on measures that can be incorporated within the development to deter crime (Contact Stafford Police Headquarters on 0845 3302010).

4. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to the Local Planning Authority prior to the soils being imported to the site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to the Local Planning Authority. Further information regarding the requirements of Newcastle under Lyme Borough Council can be obtained from <http://www.newcastle-staffs.gov.uk/general.asp?id=SXC118-a7804E47&cat=562> or on 01782742595

Performance Checks	Date		Date
Consultee/ Publicity Period	02.05.08	Decision Sent Out	
Case Officer Recommendation	20.05.08	8 Week Determination	21.05.08
Report checked by Back Office			
Management check	GRB 20.5		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Audley Players **Application No** 08/00275/FUL

Location Audley Theatre Hall Street, Audley, Newcastle.

Description Extension to Fire Escape.

Policies and proposals in the Development Plan relevant to this decision:

West Midlands Regional Spatial Strategy

Policy UR3: Enhancing the Role of City, Town and District Centres

Policy QE3: Creating a High Quality Built Environment for all

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable Forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC18: Listed Buildings, their settings and historic context

Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy B1: Historic Heritage

Policy B9: Prevention of Harm to Conservation Areas

Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

Companion Guide to PPS1 "The Planning System: General Principles"

PPG24 Planning and Noise

Relevant Planning History

None relevant to this application - see also Planning History on file.

Views of Consultees

Conservation Officer: No objections, the balustrades could be made more decorative, or less intrusive.

Conservation Advisory Working Party: No objections.

Audley Parish Council:
Representations

Supported.

Nil.

Applicants/agents submission

A Design and Access Statement has been submitted with the application. The proposal replaces the existing vertical hooped ladder fire escape by a landing link to another fire escape landing from which there is a staircase to ground level. The staircase will be repositioned away from the wall in order to allow the new landing to be against the wall. The layout of the proposal has been determined by the form and layout of the existing building and to allow clear and free access to the dwelling for everyone.

Key Issues

The application is for an external metal landing and repositioning of an existing metal staircase. The site is within the Audley Conservation Area.

Given the location of the site within the urban area, the relevant policies listed above and the features of the site, the key issues to be considered are :-

- visual amenity;
- public amenity.

Visual Amenity

The proposal is for a fire escape and so by its nature it is a very basic metal structure designed primarily for fire resistance and utility. It is visible from the street both across the open library car-park to the side and directly from the street in front, it is however at the side rather than the front of the building. The position of this proposal is fixed by it being a link between two existing fire escapes.

The use of more decorative railings would make the scheme more intrusive, stainless steel would not match the existing and could look garish and out of place on a traditional building.

The proposal is within a Conservation Area, accordingly to comply with policy it should preserve or enhance the appearance of the area. The appearance of the new landing will be similar to that of the existing fire escape landing on the side of the building, and railings at the entrance way and on external front stairs. The new construction will therefore appear no worse than the existing. The existing vertical ladder and hoops will be removed which will improve the appearance. The appearance of the revised fire escape scheme will have a similar impact on the vicinity as the present one so is acceptable.

Public Amenity

The proposal links two existing landings so will not give rise to any additional overlooking. No other form of amenity loss will be caused by the work.

Reasons for the approval of planning permission

The proposal does accord with provisions of the development plan for the locality indicated in the decision notice and there are no other material considerations that would justify a refusal of planning permission.

Recommendation

Permit subject to:

1. The materials to be used in the construction of the development hereby permitted shall match as closely as possible in all respects those of the existing fire escape.

- R1 In the interests of amenity to comply with the requirements of Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policy H18 of the Newcastle-under-Lyme Local Plan 2003 - 2011.

Recommendation

Performance Checks	Date		Date
Consultee/ Publicity Period	16.5.2007	Decision Sent Out	
Case Officer Recommendation	5.06.08	8 Week Determination	10.06.08
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant Huggies Day Nursery **Application No** 08/277/LBC

Location Huggies Day Nursery Old Hall Drive Bradwell

Description Internal alterations in relationship to a change of use from office/training centre to day centre

Policies and proposals in the Development Plan relevant to this decision:

West Midlands Regional Spatial Strategy

Policy QE1: Conserving & Enhancing the Environment
Policy QE3: Creating a High Quality Built Environment for all

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy NC18: Listed Buildings

Newcastle Under Lyme Local Plan 2011

Policy B6: Extension or alteration of Listed Buildings

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
PPG15: Planning and the Historic Environment (1994)

Companion Guide to PPS1 "The Planning System: General Principles"

Planning History

See history sheet on file

Views of Consultees

The **Conservation Advisory Working Party** has no objections but concerns were raised that features within the building were unique and should be protected.

Representations

None

Applicants/agents submission

A Design and Access Statement has been submitted.

Key Issues

The property is Grade II Listed building. This application is for listed building consent for internal and external alterations to the property in connection with a proposal for the change of use of part of the building from offices/training room to children day nursey.

The building and site is currently used as care for the elderly and children's nursery. The rooms to be altered are located on the first floor of the building

The main alterations would consist of :-

- The installation of a toilet block
- The installation of a wash hand basin in each of the three rooms to be used as a nursery

Policy B6 of the Local Plan states that the Council will resist alterations or additions to a listed building that would adversely affect its character or architectural or historic features.

This part of the building suffered from fire damage approximately 20 years ago resulting in a loss of the original architectural features. The installation of the toilets and WHB's would not have any detrimental harm to the building given there sited adjacent to the relevant services.

The alteration would bring this part of building into active and appropriate use and thereby further safeguarding the future of the building.

Reason for the grant of this Listed building consent

It is considered that the proposal does not have any detrimental impact on the character or appearance of this Grade II Listed Building, and accordingly the proposal complies with policies in the development plan indicated in the decision notice and national guidance on works to Listed buildings.

Recommendation/conditions

Grant consent subject to the following conditions

1. The only works to be carried out are those indicated on the Forshaw Greaves and Partners job number 7770 drawing number 2 revision B unless otherwise agreed beforehand in writing by the Local Planning Authority.

R – For the avoidance of doubt and to protect the historic fabric of the building in accordance with policyB6 of the Newcastle under Lyme Local Plan 2011

Note to Applicant

You are requested to inform the local planning authority at least 7 days in advance of the date you intend to commence the works related to this consent.

Performance Checks	Date		Date
Consultee/ Publicity Period	14/05/08	Decision Sent Out	
CaseOfficer Recommendation	19/05/08	8 Week Determination	20/06/08

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Done Bookmakers

Application No: - 08/00333/COU

Location 5-6 Ironmarket, Newcastle

Description Change of use from retail (A1) to Betting Shop (A2)

Policies and proposals in the Approved Development Plan relevant to this decision:

West Midlands Regional Spatial Strategy

QE3 Creating a High Quality Built Environment for All

T7 Car parking Standards and Management

Staffordshire and Stoke-on-Trent Structure Plan 2011

D1 Sustainable Forms of Development

D2 The Design and Environmental Quality of Development

TC1: Ensuring the future of town centres

T1A Sustainable Location

Newcastle-under-Lyme Local Plan 2011

B8: Other buildings of historic or architectural interest

B9: Prevention of harm to Conservation Areas

B10: The requirement to preserve or enhance the character or appearance of a Conservation Area

B13: Design and Development in Conservation Areas

Other Material Considerations

Relevant National Policy Guidance:

PPS 1 Delivering Sustainable Development

Companion Guide to PPS1 – The Planning System: General Principles

PPS 6 Planning for Town Centres

PPG 15 Planning and the Historic Environment

PPG13 Transport (2001)

Planning History

05/00075/COU Betting Office (A2)	Refused	7/4/05	Change of use from Retail (A1) to Betting Office (A2)
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05/00124/FUL additions to rear	Permitted	27/4/05	New shop front and alterations and additions to rear
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05/00518/COU Betting Office (A2)	Refused	16/8/05	Change of use from Retail (A1) to Betting Office (A2)
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06/00378/FUL self contained flats including rear extension and other external alterations including two front dormer windows	Permitted	10/7/06	Conversion of upper floors to two self contained flats including rear extension and other external alterations including two front dormer windows
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See planning history sheet on file for additional site history

Views of Consultees

Environmental Health – No comments received by due date

Conservation Officer – No objections

Conservation Advisory Working Party – The Conservation Advisory Working Party had strong objections to developments of this type in this part of the town. The area needs to be upgraded to improve the quality of the footfall

Police Architectural Liaison officer – No objections

Highway Authority – No objections

Representations

Three letters of representation have been received, of which the main points are summarised below:

- The property is an eyesore which needs to be renovated
- Premises in the “prime retail area” should, wherever possible, be used as retail outlets, however this proposal is preferred to the premises remaining empty, as has been the case for several years
- If allowed, the proposal would result in the loss of a prominent and important retail unit, resulting in the creation of a large block of non-retail units in a key location on the town centre. The survey provided by the applicant confirms that only 54.55% of the units in this particular part of Ironmarket (between Lad Lane and Fogg Street) are currently in retail use. This would be reduced to 45.55% if the application is approved, a figure which is significantly lower than the percentage of retail uses in town centres elsewhere. Out of the 11 units in this part of the Ironmarket, only six are in retail use; further loss should be resisted
- The applicant has provided no evidence as to how the proposed use will contribute to the vitality and viability of the town centre as a whole
- The applicant has provided no evidence of lack of retail demand for this unit to justify loss to a non-retail use
- Two applications for the same use were refused in 2005, the applicant has provided no evidence of material changes to justify the Council altering its previous decisions to refuse permission
- The application is contrary to guidance contained in PPS 6 Planning for Town centres, which seeks to promote town centres through retaining a high proportion of retail uses in the central core. The proposed change of use is in complete contravention of this key aim of the statement.
- Within the primary shopping frontages as defined on the proposals map, the council will resist changes of use of ground floors to other uses where this would result in a significant reduction in the retailing attractiveness of that frontage or the range of goods and services offered. Of particular importance will be the uses of the adjoining units and the possible creation of inappropriate, continuous lengths of no – retail frontage.
- Overall in the primary frontage, the level of retail use is high, with 84 out of 103 units (82%) in A1 retail use. However, along Ironmarket where the unit in question is located, the level of retail use is noticeably lower. Out of 38 units in Ironmarket, 26 are in retail use (68%). Ironmarket appears to be where the majority of bars/restaurants/pubs/ hotels are located, and it is apparent that the retail element here is lower than on other primary frontages. This situation should not be allowed to deteriorate further. Ironmarket forms an important link to Cheapside, which runs off it (and is also part of the primary frontage). Cheapside is 100% in A1 retail use, and the High Street itself has a high percentage. Ironmarket, which runs between the two has a weakened retail frontage and is a weaker link between Cheapside and High Street.
- In addition, the proposed use of a betting office is already well represented on Ironmarket. Two large betting offices are located in the primary frontage (Coral and Ladbrokes) such that this proposal will not widen the range of uses in the area, as advocated in PPS 6. In a defined primary frontage, such as Ironmarket, it is generally expected that a high level of retail use (usually above 70%) should be sustained. This is not the case on Ironmarket at present, and it has noticeably more non-retail uses than other primary frontages, such that further loss of retail should be resisted. For

these reasons, they feel the proposal fails to comply with policy R5 and that this proposal should be refused.

Applicants/agents submission

A statement has been submitted with the application, of which the main points are summarised below:

- Purpose of the planning application – to establish whether the principle of the proposed change of use to a betting shop is acceptable in this location. Any alterations to the shop front or installation of signage will be the subject of separate planning and advertisement consent applications
- Planning Policy – Local Plan Policy R5: Newcastle Town Centre – Non retail use in Primary Shopping Frontages – stated as the most relevant Local Plan Policy for the change of use of premises within the town centre
- Staffordshire and Stoke-on-Trent Structure Plan Policy TC1: Ensuring the Future of Town Centres stated as the most relevant Structure Plan Policy
- At appeal many Inspectors have recognised that Betting Shops are different from other A2 uses, and they are able to generate pedestrian flows and patronage similar to that of an A1 use
- The Development Control Handbook explains that “the most successful argument in countering dead frontages assertion has been that betting shops generate a level of activity that is in excess of some retail shops.”
- If the Council were to accept that a betting shop would contribute to the vitality and viability of the centre in this way, the applicant would be willing to accept a condition restricting the use of the premises to a betting shop
- In the case of Embassy Court in Welling, the Appeal Inspector made the following comment: “19...I regard a condition restricting the use to a betting office as reasonable and necessary in this case because other uses within A2 might not provide the same degree of customer attraction.”
- Treatment of the shop front – Since deregulation it has been commonplace for betting shops to have open active frontages. A condition can be attached requiring an active shop front to be agreed with the Council and maintained thereafter
- Betting shops are increasingly using open, high visibility shop fronts which allow pedestrians to see into the shop and dispel the historic perception of male dominated, crowded and smokey premises. This has proved particularly successful in increasing female patronage
- The development Control Handbook states that – “planning conditions which are applied to betting offices may require provision and retention of window displays in order to mitigate dead frontage affects.”
- “A Counter suggestion that a betting office frontage would be unattractive is that modern betting offices have both longer operating hours and shutters affording views into the premises.”
- “In Redditch BC29/896 it was noted that due to recent changes in licensing arrangements for betting shops there is scope for a more open, interesting and varied treatment of frontages. This is an enhancement of the betting offices shop window to avoid dead frontage lead the inspector to conclude that a change of use would have no effect on the vitality and viability of the shopping centre.”
- Conclusion – In these circumstances we consider that the proposal accords with the provisions of the development plan and should be considered favourably for the following reasons:-
 - A1 retail use would remain as the dominant use within Newcastle Town Centre
 - No significant loss of Retail (A1) space is involved and the overall retail function of the centre would not be undermined
 - There is no reason to suggest that an A2 use would not make a positive contribution towards the overall role of the centre
 - The use is compatible with neighbouring uses, whether retail or residential and would not harm residential amenity
 - If this application were to be approved, there would be no more than 2 consecutive non retail uses, which do not create an unacceptable continuous non –retail frontage

- The proposal includes re use of vacant premises, which has been empty for a significant period of time.
- The proposal would help to improve the image and attractiveness of the centre through the re use of a currently vacant unit
- There are a number of other vacant units in the near vicinity, as well as charity shops, which indicate that there is no lack of premises available should an A1 operator wish to come into this part of town
- The use of the unit as a Betting Shop would generate increased pedestrian flows and patronage

Key Issues

The property is located within Newcastle Town Centre, within the Urban Area as shown on the Local Plan Proposals Map. It is located on Fogg Street, which links Merrial Street and The Ironmarket, and is located within the Town Centre Conservation Area.

It is considered that the key issues involved are:

- The principle of the change of use and whether the loss of A1 retail is acceptable
- The impact of the change of use on the Conservation Area
- The impact on residential and visual amenity within the surrounding area

Principle of the change of use and loss of A1 retail use

The property is located within the Town Centre of Newcastle on the Ironmarket. The property is currently a vacant shop currently with permission for A1 use. As A2 use is proposed, the loss of the A1 retail use within the Newcastle Town Centre needs to be assessed.

Local Plan Policy R5: Newcastle Town Centre – Non retail use in Primary Shopping Frontages, would be the main local plan policy used to assess the loss of retail in the town centre. This policy was not saved, however will still form a material consideration in the decision making process. This Policy States that within the primary shopping frontages, the Council will resist changes of use of ground floors to other uses where this would result in a significant reduction on the retailing attractiveness of that frontage of the range of goods and services offered. Of particular importance will be the uses of the adjoining units and the possible creation of inappropriate, continuous lengths of non retail frontage. Further, where A2 uses are permitted, a shop window display may be required.

Staffordshire and Stoke on Trent Structure Plan Policy TC1: Ensuring the Future of Town Centres, states that the vitality and viability of town centres should be sustained and enhanced.

The impact of the change of use upon the Conservation Area

As the property subject to this application is within the Town Centre Conservation Area, the proposed change of use in terms of its impact upon the Conservation Area needs to be assessed.

Firstly, the Council's Conservation Officer has no objections in principle to this change of use. The application was taken to the Conservation Advisory Working Party meeting, where strong objections were raised regarding developments of this type in this part of the town. They concluded that the area needs to be upgraded to improve the quality of the footfall in this part of the town centre.

Local Plan Policy B9 "Prevention of Harm to Conservation Areas" states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

It is considered that the actual change of use would have a minimal impact on the character and appearance of the Conservation Area, and as no external alterations relating to the fascia or any signage on the unit, the application is not considered to impact on the overall character and appearance of the Conservation Area.

Therefore, in terms of the impact of the change of use on the Conservation Area, the proposal is considered acceptable.

The impact upon neighbouring amenity and visual amenity within the surrounding area

As the proposal is for a change of use and no external alterations, there would be no impact upon visual amenity within the surrounding area. Environmental Health has considered the proposal and has no objections to the proposal as they consider the proposed use would not lead to an unacceptable impact upon the neighbouring properties.

In conclusion, it is considered that the principle of the change of use from retail (A1) to a nail bar (*sui generis*) would be acceptable in this location, and approval is therefore recommended.

Reasons for the grant of this planning permission

The proposal accords with provisions of the development plan for the locality indicated in the decision notice and there are no other material considerations which would justify a refusal of planning permission.

Recommendation

Approve

Note to applicant

Should there be plans to alter the external appearance of the property including any signage to the frontage of the property, you are advised to contact the planning department beforehand as a planning application may be required.

Performance Checks	Date		Date
Consultee/ Publicity Period	14/3/2008	Decision Sent Out	
Case Officer Recommendation	25/3/2008	8 Week Determination	10/4/2008
Management check			