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My ref
GD/EVB – R82/48

23 April 2010

To the Chair and Members

of the

CONSERVATION ADVISORY
WORKING PARTY

Dear Sir/Madam

A meeting of the **CONSERVATION ADVISORY WORKING PARTY** will be held in **TRAINING ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 4 MAY 2010 at 7pm.**

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 13 April 2010 (copy attached for non-Council Members information).
3. To consider the attached reports at Appendix A and B (blue and salmon paper).
4. To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the Officer.
5. To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Yours faithfully

P W CLISBY

Head of Central Services

Members: Councillors Miss Cooper, Heesom, Mrs Naylor, Slater and Mrs Williams

Outside Representatives: Messrs Chatterton, Ferrington, Heeks, Manning, McNair Lewis, Tribbeck and Worgan

The appropriate Parish Council representative(s)

**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
10/82/FUL	Shut Lane Head Farm, Shut Lane Head. Mr M Allen.	Erection of boundary wall.	The Conservation Advisory Working Party did not object to the nature and positioning of the wall but requested that the quality and materials be carefully controlled by conditions.	Permitted under delegated Powers 8/4/2010.
10/109/LBC	Manor Farm, Manor Road, Madeley. Mr J Furnival.	Conversion of redundant barn to single dwelling and two holiday lets and alterations to access.	The Conservation Advisory Working Party had no objection to the creation of the roof void in the barns, as required by the bat specialist as the trusses would still be retained. The Conservation Advisory Working Party also had no objections to the access and felt that it had no adverse impact on the setting of the Listed buildings.	Permitted under delegated powers 9/4/2010.
10/111/ADV	Hanover Dental Surgery, 12 King Street, Newcastle. Mr Singh.	Proposed fascia sign and hanging sign.	The Conservation Advisory Working Party objected to the main sign as it was asymmetry and too large. Members did not object to the hanging sign.	Permitted under delegated powers 1/4/2010.
10/134/FUL	Butterton Nurseries, Park Road, Butterton. Mr & Mrs Leath.	Erection of two single storey dwellings with attached office accommodation.	The Conservation Advisory Working Party regrets the overall design of the houses and their position on the site and had concerns for the open character of the walled garden. The Conservation Advisory Working Party would like to control carefully the brickwork, with no white bricks allowed. The Conservation Advisory Working Party objected to the introduction of walls that were unauthorised and fully supported their removal to retain the openness of the area.	Application Withdrawn 31/2/2010.

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
10/40/FUL	Barracks Square, Barracks Road, Newcastle. Barracks Workshops Trust.	Retrospective application to regularise the uses at the site (A1, A2, A3, B1, B8 & D1).	Within the Newcastle Town Centre Conservation Area and affects the setting of a listed building.	Councillor D Clarke Councillor Mrs E Shenton
10/120/LBC	123 Smithy Lane, Knighton. Mr L Hogg.	Replacement of existing roof at rear of building.	Listed Building.	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
10/194/CON	Former St Giles & St George's Primary School, Newcastle. Newcastle Borough Council.	Demolition of two number outbuildings.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
10/196/FUL	Cheeky Monkey's, Pitfield House, The Brampton, Newcastle. Mr Roper.	Side extension.	Within the Brampton Conservation Area.	Councillor S Holland Councillor I Matthews Councillor S Tagg
10/212/DEEM3	Former St Giles & St George's Primary School, Newcastle. Newcastle Borough Council.	Retrospective application for fitting of galvanised steel security screens to all windows and external doors.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
10/217/FUL	Newcastle Post Office, 27 Merrial Street, Newcastle. Newcastle-under-Lyme Post Office.	Installation of an external ATM into existing shop front	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
10/233/FUL	Former Kennels and Cattery, Clod Hall, Bog Lane, Almington. Mrs M Mayall.	Demolition of former kennel buildings and erection of detached dwelling with stable block and garage and change of use of land to garden.	Affects the setting of a Listed Building.	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
10/234/LBC	Clod Hall, Bog Lane, Almington. Mrs M Mayall.	Repairs and restoration of Clod Hall including partial demolition of attached buildings.	Listed Building.	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr M Allen **Application No:** 10/00082/FUL

Location Shut Lane Head Farm, Shut Lane Head

Description Erection of boundary wall

Policies and Proposals in the Development Plan Relevant to This Decision:

West Midlands Regional Spatial Strategy 2008

Policy Q3: Creating a High Quality Built Environment.

Staffordshire and Stoke-on-Trent Structure Plan 1996 - 2011

Policy D2: The Design and Environmental Quality of Development
Policy D5B: Development in the Green Belt
Policy NC18: Listed Buildings

Newcastle-under-Lyme Local Plan 2011

Policy H18: Design of residential extensions
Policy N19: Areas of Landscape Maintenance
Policy S3: Development in the Green Belt
Policy B5: Control of Development affecting the setting of a listed building

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

CSP1: Design Quality
CSP 2: Historic Environment

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPG2: Green Belts
PPS5: Planning for the Historic Environment

Supplementary Planning Guidance

Space Around Dwellings (2004)

Relevant Planning History

None relevant to this application.

Views of Consultees

Whitmore Parish Council – No objection to the planned wall as it will provide a good definition of the property's boundaries. The Council requests that it will be built in materials suitable to blend in with the Listed building.

Conservation Advisory Working Party – Do not object to the nature and positioning of the wall but requested that the quality and materials be carefully controlled by conditions.

Representations

No written representations received.

Applicants/agents submission

Design and Access statement was also submitted with the application.

Key Issues

The proposal is for a retaining wall of a constant 1.7m or thereabouts height, with a coping brick feature.

The application is for a single brick boundary wall along the Southern curtilage of the property. Ordinarily this development would not require formal planning permission however due to the barn being Listed (Grade 2) it requires planning permission, but not listed building consent – in that it is not attached to the listed structure.

The key issue to address in this application is therefore does the proposal have an adverse impact upon the setting of the listed building?

Due to the sympathetic design of the proposed development and its modest scale due to the changing levels of the land it is felt that the wall would not have an adverse impact upon the setting of the listed building but would actually improve the setting. It would provide a clear definition between the curtilage of this property and some other rural buildings that do not have the same architectural merit. The design of the wall appears appropriate however the most pertinent issue is that the materials match the listed structure. As the barn has a mixture of different bricks present on its various elevations it is felt necessary in this instance to include a condition requesting that a sample panel of the brickwork be provided for approval prior to construction of the wall. This would allow an officer to attend on site and make sure that the pallet of materials, and the associated details are the most sympathetic possible to the listed building.

Subject to the above the proposed development would therefore comply with policy B5 of the Newcastle under Lyme Local Plan 2011, policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 as well as the principles of PPS 5.

Reasons for the Approval of 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 subject to the following conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1: To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The development hereby permitted shall be carried out in accordance with the following approved plans;
 - Location Plan stamped received by the Local Planning Authority on 9th Feb 2010.
 - Drawing Number SLH/W/2010 stamped received by the Local Planning Authority on 9th February 2010.
- R2: For the avoidance of doubt and in the interests of proper planning.

3. Prior to commencement of the development a sample panel of the proposed brickwork showing the colour and texture of the brickwork, its bonding and pointing shall have been provided on the site for the approval in writing of the Local Planning Authority. Until such approval has been obtained the development shall not proceed, the development shall thereafter proceed in accordance with the aforesaid approved sample, and the panel shall be retained for comparison purposes until the works have been completed.
- R3: To safeguard the visual amenities of the area, and to ensure that the works are compatible with the setting of the Listed Structure, in accordance with policies D2 and NC18 of the Staffordshire and Stoke-on-Trent Structure Plan, and policy B5 of the Newcastle-under-Lyme Local Plan 2011.

Performance Checks	Date		Date
Consultee/Publicity Period	12/3/10	Decision Sent Out	
Case Officer Recommendation	8/4/10	8 Week Determination	12/4/10
Management check	Amended and CIRD GRB 11/4		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr J Furnival **Application No:** 10/00109/LBC

Location: Manor Farm Manor Road Madeley

Description: Conversion of redundant barn to a single dwelling and two holiday lets and alterations to accesses

Policies and Proposals in the Development Plan Relevant to This Decision:

West Midlands Regional Spatial Strategy 2008

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a high quality built environment for all

Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026 adopted 2009

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Staffordshire and Stoke on Trent Structure Plan 1996-2011

Policy D2: The Design and Environmental Quality of Development
Policy NC18: Listed Buildings

Newcastle Under Lyme Local Plan 2011

Policy B5: Control of development affecting the setting of a Listed building
Policy B6: Extension or Alteration of Listed Buildings

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (February 2005)
PPS5: Planning for the Historic Environment (March 2010)
Companion Guide to PPS1 "The Planning System: General Principles"
Circular 11/95 – Conditions

Planning History

Full planning permission for the conversion of part of same Barn to a single Dwelling incorporating a Granny Annexe was granted in 2001 (ref 01/00050/FUL, and a condition relating to that annexe amended by subsequent permission 01/00669/FUL, allowing the annexe to be disposed of separately if desired.

Listed building consent for repair and restoration works to facilitate the conversion of the whole building was granted November 2005 (reference 05/00698/LBC), and the smaller unit within the original scheme was implemented.

A certificate of Lawfulness of existing use of land on Manor Farm for paintball activities was granted in 2006 (reference 05/01130/ELD)

Most recently, Listed Building Consent for an amended scheme was approved in 2008 (reference 08/00279/LBC). Only the impact on the appearance and character of the listed building could be considered at that time.

An application for full planning permission for the conversion of part of existing barn to a single dwelling and two holiday lets was refused in 2009 (reference number 08/00278/FUL). That application was refused solely on the basis that the increased use of the existing access to the development would result in increased highway danger due to the restricted visibility to the north.

It should also be noted that an application for full planning permission is also being considered in conjunction with this application (reference number 10/00108/FUL).

Views of Consultees

Madeley Parish Council – Comment that they appreciate the efforts made to overcome the objections to 08/278/FUL by Newcastle Borough Council, regarding bats and the access and supports the application.

Conservation Area Working Party – Had no objections to the creation of the roof void in the barns, as required by the bat specialist as the trusses would still be retained. They also had no objections to the access and felt that it had no adverse impact on the setting of listed buildings.

Representations

None received.

Applicant's Submission

Design and Access Statement makes the following points:

- The proposals involve limited demolition. At present there is a modern inappropriate lean-to on the front of the building. The majority of this is to be removed.
- Natural timber (oak) is proposed for the construction of doors and windows.
- The appearance of the building will change by the treatment of existing openings in a sensitive manner
- Windows are to be recessed into the openings.
- The existing ventilation holes are to be blocked with specially cut blue engineering brick.
- Internal alterations are to be of a simple construction to follow the functional character of the building.
- Landscaping consists of hard surfacing within the courtyard to provide car parking

An **ecological survey** has also been submitted raising some of the following points:

- Nesting birds are present in the building
- Evidence of bats using the barn was also found

The survey sets out a series of recommendations to ensure the welfare of protected species is safeguarded. The full statements submitted by the applicant are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk.

Key Issues

There has been a material change in planning policy since proposals for the conversion of the redundant barn to a single dwelling and two holiday lets were last considered with the adoption of the Councils Core Spatial Strategy. Taking this document into account the view taken is that the principle of the development remains to be acceptable and need not be revisited. Therefore the key issues to consider in the determination of this application are:-

- The impact of the proposed external alterations on the character, appearance and historic fabric of the barn
- The visual impact of the proposed access, in particular on the setting of Manor Farmhouse a Grade II Listed Building and the impact on the character and appearance of the wider landscape, and

- Whether or not the proposed access overcomes previous highway safety concerns

The visual impact of the proposed external alterations to the character, appearance and historic fabric of the barn

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 its architectural or historic features.

There are some very minor changes to the position and number of window openings within the proposed barn conversion compared to the plans last considered by the Council under application number 08/00278/FUL. In particular 2 additional windows are now proposed on the rear elevation of unit 3 as well as 2 conservation grade roof lights in the roof and a further 2 roof lights on the front elevation other than these changes the proposed external alterations to the barn remain largely unaltered.

In conclusion the view taken is that the proposal would be respectful to its character, appearance and historic fabric of the barn.

The visual impact of the proposed access, in particular on the setting of Manor Farmhouse a Grade II Listed Building and the impact upon the character and appearance of the wider landscape

It is not considered that the proposed access would be harmful to the setting of the Manor Farmhouse or the barn buildings provided that it is built in an informal manner with grass verges and no heavily engineered curbs or edges. Such provisions can be required of the developer by planning condition.

Policy N21 states that within Areas of Landscape Restoration it will be necessary to demonstrate that development will not further erode the character or quality of the landscape. Subject to controls to secure the informal appearance of the new access the view taken is that no material landscape harm would arise.

Other matters

Following discussions with the Councils Conservation Officer it is considered that some of the conditions previously imposed under application 08/00279/LBC require revision. Also taking into account the advice of the Conservation Officer it is not supported that the wooden beams within the roof space should be left exposed as a requirement of any consent granted particularly as it cannot be argued that the fabric of the listed building would be harmed and the provisions made for the presence of bats.

Reason for the grant of 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,

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1: To comply with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. No works referred to in the listed building consent hereby given shall commence until the full and precise details of the following have first of all been submitted to and approved in writing by the Local Planning Authority: -
 - (a) Samples of all new external facing bricks, roof tiles and mortar mix specifications (a sample panel of the proposed brickwork shall be constructed and shall be retained

- during the period of works);
- (b) All new external doors, window /roof light treatments and roof beams including finishing colour
- (c) Revised details of the proposed access which shall indicate an informal appearance with grass verges and no hard engineered kerbs or edges and the incorporation of sensitive porous bound materials.
- (d) Details of all internal wall treatments and plasterwork
- (e) Details of the new door way to unit 2 facing onto the courtyard

The development shall then proceed in accordance with the approved details.

- R2: To ensure that the external appearance of the building / structure is acceptable and the special character, architectural interest and integrity of the building is preserved. in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policies CSP1 and CSP2 Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and Newcastle-Under-Lyme Local Plan Policies B5 and B6.
3. All existing brick arch detail observed on the building shall be retained. Any existing openings to be blocked up shall be sealed in such a way as to preserve original brick arches, threshold sills and other features of the building which depict historic changes to its fabric.
- R3: To ensure that the external appearance of the building / structure is acceptable in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policies CSP1 and CSP2 Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and Newcastle-Under-Lyme Local Plan Policies B5 and B6.
4. Temporary works shall be undertaken to support the building to prevent collapse and/ or weather damage during the works hereby approved.
- R4: To ensure the special character, architectural interest and integrity of the building is preserved.
5. The cobbled courtyard shall be retained and fully restored.
- R5: In the interests of enhancement and to ensure the special character, architectural interest and integrity of the building and its setting is preserved.
6. Notwithstanding the submitted details the blue engineering brickwork within the ventilation holes shall be set back no less than 25mm
- R6: To ensure that the external appearance of the building / structure is acceptable in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policies CSP1 and CSP2 Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and Newcastle-Under-Lyme Local Plan Policies B5 and B6.

Performance Checks	Date		Date
Consultee/ Publicity Period	26.3.10	Decision Sent Out	
Case Officer Recommendation	9.4.10	8 Week Determination	19.4.10
Management check	14/4 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr D Singh **Application No** 10/00111/ADV

Location Hanover Dental Surgery 12 King Street Newcastle

Description Proposed fascia sign and hanging sign

Policies and Proposals in the Development Plan Relevant to This Decision:

West Midlands Regional Spatial Strategy

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

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D2: The Design and Environmental Quality of Development
Policy NC18: Listed Buildings
Policy NC19: Conservation Areas

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

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

Policy B5: Control of Development Affecting the Setting of a Listed Building
Policy B9: Prevention of Harm to Conservation Areas
Policy B10: Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
PPS5: Planning for the Historic Environment (March 2010)
PPG19: Outdoor Advertisement Control (1992)
Companion Guide to PPS1 "The Planning System: General Principles"

Planning History

None considered relevant.

Views of Consultees

The **Conservation Advisory Working Party** objected to the main sign because of its asymmetry and that it is too large. Members did not object to the hanging sign.

The **Environmental Health Division** has no objections to this application.

Representations

Nil

Applicants/Agents Submission

Nil

Key Issues

Advertisement consent is sought for a proposed fascia sign comprising of individually applied metal letters featuring the “Hanover Dental Practice” logo with text of 200mm in height and a hanging sign measuring 0.9m by 0.9m. The site is within the Town Centre Conservation Area as designated on the Local Development Framework Proposals Map. Number 12 Hanover Street is a Grade II Listed Building.

The main issues for consideration are as follows:

- Impact on the character of the area, particularly on the setting of the Listed Buildings and on the character and appearance of the Conservation Area
- Public safety

Impact on the character of the area, particularly on the setting and appearance of the Listed Building and on the character and appearance of the Conservation Area

PPS1 states that Planning Authorities should plan positively for the achievement of high quality and inclusive design. 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 lies within the boundary of the Town Centre Conservation Area. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation areas in the exercise of planning functions.

Policy B10 of the Local Plan states that an important consideration in ensuring that the character and appearance of a Conservation area is preserved or enhanced is the protection of important views within, into and out of the Area.

Policy B5 of the Local Plan states that the Council will resist development proposals that would adversely affect the setting of a Listed Building.

The Conservation Advisory Working Party has objected to the proposal on the grounds that the main fascia sign is too large and inappropriately positioned on the building by virtue of its asymmetrical appearance. In response to such concerns amended plans have been received reducing the size of the sign proposed on the front elevation of the building which as a result appears more sympathetically positioned on this elevation and in addition the logo has been amended so that it no longer features an underline. Overall taking into account these amendments it is not considered that the proposed development would have a significant adverse impact upon the setting or appearance of the Listed Building or upon any significant views into within the Conservation Area.

Public safety

Due to the location and nature of the signs it is considered that they would not have an adverse impact on public safety.

Recommendation

Grant consent subject to the standard advertisement conditions and the following condition:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Amended Forshaw Greaves and Partners plan drawing number 5, received 30 March

2010.

R1. For the avoidance of doubt and in the interests of proper planning.

Performance Checks	Date		Date
Consultee/ Publicity Period	9.4.10	Decision Sent Out	
Case Officer Recommendation	12.4.10	8 Week Determination	20.4.10
Management check	15/4/10 GM		