

When calling or telephoning please ask for

Mr G Durham

Direct line or ext

742222

My ref

GD/EVB – R82/48

28 January 2011

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 **COMMITTEE ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 8 FEBRUARY 2011** at **7pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 21 December 2010 (copy attached for non-Council Members information).
3. Conservation Area Appraisal and Management Plans and the Conservation and Heritage Supplementary Planning Document (yellow paper).
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

P W CLISBY

Head of Central Services

Members: Councillors Miss Cooper, Heesom, Mrs Naylor, Wemyss and Mrs Williams.

Outside Representatives: Messrs Chatterton, Ferrington, Heeks, Manning, Miss Barter, Tribbeck and Worgan

The appropriate Parish Council representative(s)

“Members of the Council: If you identify any personal training/development requirements from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting.

**REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO THE
CONSERVATION ADVISORY WORKING PARTY)**

9 February 2011

**CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS, AND THE CONSERVATION AND
HERITAGE SUPPLEMENTARY PLANNING DOCUMENT**

The report attached on yellow paper is due to be considered by the Planning Committee of the Borough Council immediately after your meeting on 8 February. The Working Party's comments on the report, and the proposals contained within it, are invited. Any comments made by the Working Party will be reported to and considered by the Planning Committee.

CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS AND THE CONSERVATION AND HERITAGE SUPPLEMENTARY PLANNING DOCUMENT

Submitted by: Regeneration and Development

Portfolio: Neighbourhoods and Regeneration

Ward(s) affected: All wards

Purpose of the Report

To determine a programme for the preparation of a Conservation Area Appraisal and Management plans for the Conservation Areas for the Borough, having regard to proposals not to proceed with preparing a Conservation and Heritage supplementary Planning Document.

Recommendations

(a) That the programme for the preparation of Conservation Area Appraisal and Management Plans for the Conservation Area of the Borough, as set out in Table 3 of this report be approved.

(b) That the revised proposals with respect to the preparation of a Conservation and Heritage Supplementary Planning Document as set out in the report be approved.

Reasons

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the local planning authority to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas. A realistic programme for the preparation of Conservation Area Appraisals and Management Plans, therefore, needs to be put in place. The planning status of these documents is currently unclear and their adoption as supplementary planning documents would ensure that the documents can be afforded appropriate weight when determining planning applications.

1. Background

1.1 In March 2007, the Council resolved to undertake a rolling programme of Appraisals and Management Plans for the 20 Conservation Areas in the Borough. At present 4 of the Conservation Areas have reasonably up to date Conservation Area Appraisals and Management Plans – Butterton, Basford, Betley and Newcastle Town Centre. None have been prepared since 2008. The Council's most recent Local Development Scheme (2009) includes provision for the preparation of a Conservation and Heritage Supplementary Planning Document by the end of 2011.

2. Revised Supplementary Planning Document (SPD) Proposals

2.1 The Local Development Scheme, approved January 2009, currently includes an intention to produce a Conservation and Heritage SPD by the end of 2011. The aim of the SPD is to provide generic advice and guidance in support of the historic environment policies in the Core Spatial Strategy. The production of a single SPD was based on advice from English Heritage at that time. In March 2010, Planning Policy Statement 5 'Planning for the Historic Environment' (PPS 5) was published, accompanied by a Practice Guide, which provides support for the implementation and delivery of the policies set out in the PPS. This PPS updates planning policy relating to all types of heritage and is considered to give enhanced

protection to the historic environment by providing a new rigour for decision making and ensuring there is focus on understanding what is significant about a building, site or landscape. Consequently your officers have taken the view that the plan to prepare a generic SPD for the historic environment is no longer necessary.

- 2.2 However, the suite of character appraisals and management plans, which are being produced for each of the Borough's Conservation Areas, would benefit from enhanced planning status so that they may be given due weight in the planning decision making process. In view of this an option would be to separately adopt each conservation area appraisal and its supporting management plan as an SPD. This would ultimately result in 20 SPDs being prepared, but this is not considered to add significantly to the department's workload providing certain processes and procedures (which largely relate to consultation requirements) are followed in accordance with a pre-determined programme for the preparation of Conservation Area Appraisal and Management Plans for the Conservation Areas of the Borough. It should be noted that a number of other local authorities have already taken this approach. There are no special implications in respect of the Local Development Scheme by taking this approach, providing we publicise the change of intention on our website.

3. Conservation Area Duties

- 3.1 A Conservation Area is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69, as “**an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance**”. The Council as local planning authority is responsible for designating Conservation Areas and for reviewing these areas from time to time. Section 71 of the Act places a duty to publish proposals for enhancement of Conservation Areas.
- 3.2 There are currently 20 Conservation Areas for which Conservation Area Appraisals and Management Plans will need to be prepared in the coming years. The areas are set out below with the designation date.

Audley	1976	Maer	1970
Basford	2006 extended 2007	Mucklestone	1977
Betley	1970 extended 2008	Newcastle Town Centre	1973 extended 2000 & 2008
The Brampton	1984	Shropshire Union Canal	1984
Butterton	2006	Silverdale	1993
Clayton	1992	Stubbs Walk	1993
Keele	1989	Talke	2000
Keele Hall	1993	Trent and Mersey Canal	1988
Kidsgrove	1997	Whitmore	1971
Madeley	1972	Wolstanton	1993 extended 1997

4. Conservation Area Appraisal and Management Plans

- 4.1 An appraisal outlines the special character and appearance of the Conservation Area in question, defining its important architectural or historic elements or features and highlighting any positive, negative or neutral aspects within the area. Management Plans seek to preserve or enhance the special character and appearance of the Conservation Area and assist in managing change without compromising the quality of the historic environment. It is not just about preservation, but also about enhancement. By indicating so during the

consultation associated with the preparation of such documents, and including such consultation, the Council can give them the status of Supplementary Planning Documents. As such they would accrue the greater measure of weight in planning decisions accorded to Supplementary Planning Documents.

- 4.2 Currently, Conservation Area Appraisal and Management Plans have been prepared and published for Basford, Butterton, Betley and Newcastle Town Centre Conservation Areas the details of which are on the Council's Website in the Conservation Section which is regularly updated.

5. **Programme for Other Conservation Areas**

- 5.1 The duty placed on the Council to review periodically the Conservation Areas in the Borough makes sense for the Council to determine a programme to prepare and approve Conservation Area Appraisal and Management Plans for each Conservation Area. However the programme would need to reflect the resources available, and the time it takes to prepare, approve and publish each plan.

- 5.2 Ideally, the aim should be to complete the programme as soon as possible to avoid the special architectural or historical interest of the Conservation Areas being lost or harmed by incremental or other development. Two Conservation Area Appraisal and Management Plans were completed in 2007 and two in 2008. This however was when the Conservation Officer was working full time (this is no longer the case) and resources were also available to commission consultants to carry out the work with Conservation Officer overseeing the work.

- 5.3 Whilst the standard of document produced was high, it is unrealistic given the constraints on expenditure to consider that this exercise can be repeated. There is no budget provision to proceed in this way, and if further Appraisals and Management Plans are to be prepared they will have to be prepared either in-house – in which case they will need to be programmed to reflect other competing demands upon principally the Conservation Officer's time – or through more innovative means, such as the involvement of students. Whichever way they are prepared a significant amount of officer time would still have to be allocated to the task, although clearly some of the Conservation Areas are larger or more complex than others.

6. **The Criteria Used to Determine the Programme**

- 6.1 A programme has been set on the basis of applying six objective criteria and a balanced weighting to make the assessment as objective as possible rather than, for instance, on the basis of the oldest first on the assumption that there is likely to have been the most change the longer ago the designation. The criteria are set out below. Each of the criteria for each of the 16 Conservation Areas is scored from 1 to 16 with the lowest score indicating the highest priority. The six criteria are: -

A. - Date of designation

The earlier the designation date the more likely that the special interest and the boundary of the Conservation Area is in need of review against change in the intervening years:

B. - Size and complexity

The larger the Conservation Area and the more the complexity of its history, structure, extent, character, the type and age of its buildings and structures and the greater the task of any review.

C. - Number of buildings or structures of local architectural or historic importance and in need of protection

The more of these buildings and structures present in the area the higher the priority for review, particularly, those of local interest, to afford a measure of protection for their special character and appearance.

D. - Development pressure

The pressure for new development or redevelopment of existing open spaces or buildings can affect the special architectural or historical interest of the area, and is important in determining priority for review.

E. - Number of dwellings

The more houses in the area the greater the need for proposals to control and limit permitted development to ensure that the special architectural or historical interest of the area is not lost or harmed by incremental or other development.

6.2 Scoring for each of the six criteria for each Conservation Area to establish the priority ranking is set out in the **Table 2** and the recommended Programme is set out in **Table 3**.

Area	A	B	C	D	E	Total	Rank
Madeley	3	2	3	1	1	10	1
Audley	4	3	2	3	1	14	2
Stubbs Walk	10	1	1	6	4	22	3
The Brampton	6	4	5	5	6	26	4
Keele Village	9	10	3	2	3	27	5
Maer	1	8	7	9	12	37	6
Whitmore	2	9	6	7	13	37	6
Clayton	10	7	9	8	5	39	8
Mucklestone	5	12	8	12	14	41	9
Keele Hall	10	11	15	4	7	47	10
Silverdale	10	13	13	10	8	54	11
Shropshire Union Canal	6	5	11	16	16	54	11
Trent and Mersey Canal	8	6	10	15	15	59	13
Wolstanton	10	15	14	13	9	61	14
Talke	16	14	12	11	10	63	15
Kidsgrove	15	16	16	14	11	72	16

6.3 In order to meet the task of completing the Conservation Area Appraisal and Management Plans, taking account of resources available, it is considered that no more than one Plan is likely to be completed each year and the recommended programme seeks a realistic approach which is set out in Table 3. If the resource position were to improve during the programme then it may be possible to increase that number and the existence of an agreed programme would form a basis for decisions about which areas to address. In addition with the government's new localism agenda emphasis will be put on working with local groups and the community in this process. This may well lengthen the process. Whilst members will undoubtedly be concerned about the timescales indicated below, your officers still see merit in setting out a programme of such work.

Basford	Completed 2007	Whitmore	2017/18
Butterton	Completed 2007	Clayton	2018/19
Betley	Completed 2008	Mucklestone	2019/20
Newcastle Town Centre	Completed 2008	Keele Hall	2021/22
Madeley	2011/12	Silverdale	2021/22
Audley	2012/13	Trent and Mersey Canal	2022/23
Stubbs Walk	2013/14	Shropshire Union Canal	2023/24
The Brampton	2014/14	Wolstanton	2024/25
Keele	2015/16	Talke	2025/26
Maer	2016/17	Kidsgrove	2026/27

7. **Financial Implications**

- 7.1 Previous funding for consultants came from Planning Delivery Grant and its successor the Housing and Planning Delivery Grant. As funding is no longer available from this source, the appraisal and management plan development work involved will have to be undertaken in-house. The Council's Conservation Officer currently works part time although there may on occasion be a possibility that a planning officer may be able to carry out some of the work involved under the direction of the Conservation Officer. If this is the case it may be possible to carry out more than one appraisal a year.

8. **Conclusion**

- 8.1 This is still a realistic programme despite the full programme taking until 2027 reflecting that the key relevant officer is employed part time and has other work priorities as well within the Planning Service. It should however be able to be reviewed each year if capacity comes available with other officers to give assistance to the process.

9. **Next Steps**

- 9.1 Should the recommendations be endorsed by the Committee steps will be taken to publish the revised programme, and amended Local Development Scheme, making full use of the Council's website and newsletters.

**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
10/485/ADV & 10/629/FUL	49 High Street, Newcastle. Wrights Pies Ltd.	(485) Installation of RAL coated 30mm folded aluminium fascia panel illuminated by a cornice concealed trough fluorescent light (629) Installation of new timber shop front.	The Conservation Advisory Working Party welcomed the slight improvement to the shops appearance but were disappointed at the lost opportunity to get a better detailed quality shop front. Members requested that further detailed design features be discussed with the applicant.	(485) Permitted under delegated powers 21/12/10. (629) Permitted under delegated powers 23/12/10.
10/557/FUL & 10/558/LBC	St Margaret's CE Church, Church Lane, Betley. St Margaret's PCC.	Proposed fencing.	The Conservation Advisory Working Party objected to the introduction of railings around the churchyard which had been acceptable for centuries. The railings were not justified and would have a visual impact on the Listed Building and Conservation Area.	(557) Permitted by Planning Committee 5/1/11. (558) Application returned 4/11/10.
10/583/ADV	78-80 High Street, Newcastle. TSF Retail.	New shop front signage.	No objections.	Permitted under delegated powers 6/12/10 (split decision).
10/594/FUL	New Harecastle Farm, Newcastle Road, Talke. Mr A Huxley.	Erection of an agricultural building to house cattle.	No objections.	Permitted under delegated powers 8/12/10.
10/611/COU	159 High Street, Wolstanton. Mr M Naeem.	Change of used of ground floor from commercial to residential use.	No objections.	Permitted under delegated powers 14/12/10.

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Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/613/FUL	The Old Vicarage, Vicarage Lane, Madeley. Mr & Mrs Goodwin.	New boiler house for bio mass plant equipment and pellet storage.	The Working Party accepted and recognised that the applicant was paying attention to detail with materials so it would not detract from the character of this important house and the conservation area.	Permitted under delegated powers 16/12/10.
10/616/LBC	The Chapel, Keele University. University of Keele.	Internal alterations to University Chapel to form toilet accommodation.	No objections.	Permitted under delegated powers 15/12/10.
10/617/FUL	50-54 Church Street, Audley. Mr F Boon.	Change of use to restaurant with managers accommodation over and alterations to shop front, rear fire escape and ground floor rear extension.	The Working Party raised concerns over the treatment of the frontage by introducing blockwork. The proposal should reflect the original plans that were agreed as sympathetic to this building which has important historical associations. Members recommended that enforcement action would be appropriate.	Permitted by Planning Committee 07/12/10
10/628/FUL	Marsh Trees House, Marsh Parade, Newcastle. Richard Baker Harrison Ltd.	Proposed temporary siting of a portacabin to the rear lower level car park.	No objections provided that it is a temporary permission that is enforced.	Permitted under delegated powers 4/1/11.
10/691/FUL	Brooklands, Common Lane, Betley. Mr D Hales.	Single storey side extension to form sun room.	No comments.	Permitted under delegated powers 5/1/11.
10/692/FUL	Wade Centre, The Avenue, Kidsgrove. St Thomas' PCC.	Ground floor rear extensions and alterations.	The Working Party was disappointed with the quality of the design for the proposed extensions to this historic building but accepted that its previous extensions had already compromised the building.	Permitted under delegated powers 17/1/11.

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Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/707/ADV	19 High Street, Newcastle. Forster Dean Ltd.	Externally illuminated fascia signs and applied lettering to shop front and door.	Members objected to the proposed signage as it was felt to be obtrusive. The applicant should retain the signage in the existing fascia panel. The Council's Conservation Officer would negotiate with the applicant to discuss a better, more appropriate scheme.	Permitted under delegated powers 20/1/11.
10/710/LBC & 10/711/FUL.	Ashley Farm, School Lane, Ashley. Dr DJ West.	Single storey extension to form garden room (Revision to previously approved scheme ref. 10/00458/LBC & 10/00459/FUL).	The Conservation Advisory Working Party objected to this proposal as it was felt to be harmful to the Listed Building.	Refused under delegated powers 24/1/11.

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
10/768/FUL	123 Smithy Lane, Knighton. Prime Oak Buildings Ltd.	Single storey oak framed garden building.	Affects the setting of a Grade II Listed Building.	Councillor A Howells. Councillor Mrs F Myatt. Councillor B Tomkins.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr P Wright (Wrights Pies Ltd) **Application No:** 10/485/ADV

Location 49 High Street, Newcastle

Description Installation of a RAL coated 30mm folded aluminium fascia panel illuminated by a cornice concealed trough fluorescent light.

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

Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 (SSSP)

Policy D1: Sustainable forms of Development
Policy D2: The Design and Environmental Quality of Development
Policy NC19: Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy B19: Illuminated signs in Conservation Areas
Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 “The Planning System: General Principles”
PPS5 Planning for the Historic Environment
PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations

Supplementary Planning Document

Newcastle Town Centre SPD– site is part of the Town Centre Historic core referred to in the Spatial Framework. Elements of Good Design include “respect the setting”, use “relevant and durable materials”, and “address all issues of external appearance

Staffordshire County Council – Highways Standing Advice 2004

Relevant Planning History

An application (10/00629/FUL) is currently awaiting determination for a proposed new shop front.

Views of Consultees

Conservation Advisory Working Party – No particular comments were made on the advertisement sign itself but the shop front in general. The Conservation Advisory Working Party welcomed the slight improvement to the shop’s appearance but were disappointed at

the lost opportunity to get a better detailed shop front. Members requested that further detailed design features be discussed with the applicant.

Environmental Health – No objections to the proposal subject to the light intensity not exceeding 300cd/m²

Representations

No written representations received

Applicants/Agents Submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for advertisement consent for the installation of RAL coated 30mm folded aluminium fascia panel illuminated by a cornice concealed trough fluorescent light. During the course of the application alterations were made to the advertisement sign reducing its scale from 950mm x 3900mm to 850mm x 3698mm. The application forms state that the fluorescent light will have luminance levels of 700cd/m².

PPG 19 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 sole issues to address are therefore;

- The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area and the setting of adjacent Listed buildings
- The impact upon public and highway safety.

The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area

The signage does not have an adverse impact upon the character of the area due to the design assimilating with the majority of retail premises within the town centre. The proposal is suitable in scale and size and would not create a development that appears cluttered.

Initially there was concern with the proposed scale of the advertisement sign however during the course of the application alterations have been made to the shop front generally. In terms of this application the advertisement sign has been reduced in scale (height and width) to create a sign that appears more appropriate for the building and does not detract from the character of Newcastle Conservation Area, or from the setting of adjacent Listed Buildings. The proposal would therefore adhere with the principles of policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan.

In terms of the illumination of the signage, indication has been given that the fluorescent light will be 700cd/m². Policy B20 of the Newcastle-under-Lyme Local Plan states that a maximum luminance of 300cd/m² should be adhered to within Conservation Areas. In terms of this sign it is not felt that the sign itself would exceed this due to the type of light itself. The fluorescent light would be concealed behind the cornice like a trough which would then light up the sign. To ensure that the 300cd/m² limit is not exceeded however, a condition would be included as part of any advertisement consent.

The impact upon public and highway safety

Due to the proposed scale, lack of projection over the highway, and location of the advertisement (within a pedestrianised zone) and the condition to be included in relation to luminance levels, it is not felt that the advertisements would have an adverse impact upon public and highway safety.

Recommendation

Approve subject to the standard conditions, including the “standard time limit” condition, as well as the following condition:

1. The maximum surface brightness of the advertisement sign hereby permitted shall not exceed 300cd/m².

- R1: To protect the visual amenity of the Conservation Area, in accordance with policy B20 of the Newcastle under Lyme Local Plan 2011.

Informative

The decision hereby issued was made following consideration of the following plans and supporting information;

- Advertisement Consent Application Forms
- JK1 Rev A 26.11.10 date stamped received by the Local Planning Authority on 29 November 2010.

Performance Checks	Date		Date
Consultee/Publicity Period	10/12/10	Decision Sent Out	
Case Officer Recommendation	21/12/10	8 Week Determination	5/1/11
Management check	24/12/2010		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: M P Wright (Wrights Pies Ltd) **Application No:** 10/00629/FUL

Location: 49 High Street, Newcastle

Description: Installation of new shopfront

Policies and Proposals in the Approved 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 1996 – 2011

Policy D2: The Design and Environmental Quality of Development

Newcastle-under-Lyme Local Plan 2011

Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or adjoining the boundary of Conservation Areas
Policy B16: Shop Fronts in Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Other Material Considerations include:

National Planning Policy

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

Newcastle Town Centre SPD (January 2009) – site is part of the Town Centre Historic core referred to in the Spatial Framework. Elements of Good Design include "respect the setting", use "relevant and durable materials", and "address all issues of external appearance"

Planning History

An application 10/00485/ADV is currently awaiting determination for advertisement consent

Views of Consultees

Environmental Health have no objection to the application.

Conservation Advisory Working Party welcomed the slight improvement to the shop's appearance but were disappointed at the lost opportunity to get a better detailed quality shop front. Members requested that further detailed design features be discussed with the applicant.

Representations

No representations received.

Applicants/ Agents Submission

The requisite application forms and plans were submitted.

Key Issues

Full planning permission is sought for the installation of new shopfront. The property is located within the Newcastle Town Centre as indicated on the Local Development Framework Proposals Map.

The key issues to address in the determination of this application are:-

- The impact of the shopfront on the building itself as well as the surrounding Conservation Area (which includes Listed buildings including one adjacent).
- Has appropriate consideration been given to access by disabled persons

The impact of the shopfront upon the building itself as well as the surrounding Conservation Area

Paragraph 34 of PPS 1 states 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’

Paragraph 36 goes on to state that Local Authorities should ensure that developments are ‘Visually attractive as a result of good architecture and appropriate landscaping’

The proposed alterations (almost completed at the date of decision) would re-introduce a wooden shopfront within the streetscene that includes features such as wooden stallrisers, cornice detailing and pilasters. The proposal would also replace an existing incongruous shopfront that has a detrimental impact upon the Conservation Area, with one that is more traditional in appearance by reason of the inclusion of such features. It is important that all are provided for the scheme to achieve preservation of the CA/enhancement of the setting of a Listed Building. It is accepted that the first floor existing fenestration is also very incongruous in terms of its appearance and detracts materially from the character of the building. The indication given in the building is that the applicant does not own the property, and that window is not at shop level. The view is taken that given this it is unfortunately something that cannot be considered as part of this application. The scheme still represents a significant improvement upon the previous arrangement. It is therefore felt that the scheme meets the test of preserving or enhancing the Conservation Area/ setting of a Listed building and adheres with the principles of policies B13, B14 and B16 of the NLP as well as policy D2 of the SSSP as well as policies CSP1 and CSP2 of the CSS.

Concerns have been expressed that a more authentic and individual design could have been proposed. It is not felt however that this would be a justifiable and fair reason for refusal and as a consequence is not considered pertinent in this instance.

Accessible by disabled persons

Whilst the Disabled Access Committee have not been consulted, as would normally be the case, the proposals do appear to address such considerations appropriately.

Reasons for the grant of planning permission

Due to the appropriate design of the shopfront proposed, the development would not have an adverse impact upon the building itself or the character and appearance of Newcastle Conservation Area. The proposed development therefore accords with Policy D2 of the Stoke-on-Trent Structure Plan 1996-2011, Policies B13, B14 and B16 of the Newcastle-under-Lyme Local Plan as well as Policies CSP1 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit subject to

1. The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - Location Plan (date stamped received by the Local Planning Authority on 4th November 2010)
 - Shopfront Proposal Drawing No: JK1 Rev. A 26.11.10 (date stamped received by the Local Planning Authority 29/11/10)

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

- 2 The proposed development shall be completed within two months of the date of this consent in accordance with the materials and design specified on the approved plans and application forms unless otherwise agreed in writing by the Local Planning Authority.

- R2. In the interests of visual amenity to comply with the requirements of policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, policies B13, B14 and B16 of the Newcastle-under-Lyme Local Plan and policies CSP1 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026

Performance Checks	Date		Date
Consultee/ Publicity Period	10/12/10	Decision Sent Out	
Case Officer Recommendation	23/12/10	8 Week Determination	5/1/11
Report checked by Back Office			
Management check	Cleared GRB 24/12/10		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: TSF Retail

Application No: 10/00583/ADV

Location: 78-80 High Street, Newcastle

Description: Retention of new shop front signage

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 D1: Sustainable forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

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

CSP1: Design Quality

CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005) Companion Guide to PPS1
"The Planning System: General Principles"

PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement)
Regulations 2007

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Relevant Planning History

None relevant to this permission

Views of Consultees

Conservation Advisory Working Party – No objections

Representations

No written representations received

Applicants/Agents Submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for advertisement consent for the retention of one fascia and one projecting box sign. Both signs would be internally illuminated by fluorescent tubes with a blue fascia/ surround and white lettering. The application forms state that the fascia sign and the projecting sign will have luminance levels below 400cd/m².

PPG 19 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 for consideration are therefore;

- The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area.
- The impact upon public and highway safety.

The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area

The signage has already been installed on the property which is in a row of retail premises within the town centre conservation area. The premises all have fascia signs with hanging signs which are seen as an appropriate design within a conservation area. The application property has taken the view that a box sign would be more appropriate in this instance than a hanging sign. However, in the context of the street scene the box sign appears large and bulky due to its size and design.

Policy B20 of the Local Plan indicates that within conservation areas illuminated signs should consist of individually lit letters fixed either directly to a fascia sign or to an opaque panel. This is not achieved on the fascia sign but other signs of this nature have been allowed. The box sign however would be out of character with the immediate street scene and so its design would be unacceptable and should be refused because it would not conserve or enhance the appearance of the conservation area.

If projecting box signs of this scale and design were allowed within a conservation area it would set an unwanted precedent that would severely harm the appearance and quality of the town centre conservation area. It is noted that commercial/ retail premises are required as a form of advertisement but within conservation areas they need to conserve and enhance the street scene and the buildings that they are attached to. The projecting box sign does not do this. Therefore, in terms of amenity the fascia sign is considered acceptable but the projecting box sign should be resisted.

A split decision should be issued and because the application is for the retention of signs, enforcement action should be taken for the removal of the box sign.

Finally, to ensure that the fascia sign has no further impact upon the character of the Conservation Area, a condition should be included specifying that the maximum luminance for the fascia sign should not exceed 300cd/m² despite the application form indicating that 400cd/m².is required.

The impact upon public and highway safety

Due to the proposed scale and location of the advertisements and the condition to be included in relation to luminance levels, it is not felt that the advertisements would have an adverse impact upon public and highway safety.

Recommendation

Split decision – Part approval part refusal

Approval of fascia sign subject to the standard conditions and the following condition:

1. The maximum surface brightness of the advertisement signs hereby permitted shall not exceed 300cd/m².
- R1: To protect the visual amenity of the Conservation Area, in accordance with policy B20 of the Newcastle under Lyme Local Plan 2011.

Refusal of the illuminated projecting box sign, as detailed on the submitted plans, for the following reason:

2. The projecting box sign (edged in PINK on the attached drawing number JA-0910-32) represents a large and bulky design that would be out of character with the immediate street scene and conservation area, this having the potential to create an unwanted precedent. This is considered contrary to Policies D2 & NC19 of the Staffordshire and Stoke on Trent Structure Plan 2011, Policy B20 of the Newcastle under Lyme Local Plan, and national planning guidance PPG19.

Informative

The decision hereby issued was made following consideration of the following plans and supporting information;

- Planning Application Forms
- Drawing no. JA-0910-32

Performance Checks	Date		Date
Consultee/ Publicity Period	12.11.2010	Decision Sent Out	
Case Officer Recommendation	06.12.2010	8 Week Determination	13.12.2010
Management check	9/12/12 NV GM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr A Huxley

Application No: 10/00594/FUL

Location: New Harecastle Farm Talke

Description: Erection of agricultural building to house cattle

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

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 D4: Managing change in rural areas

Policy D4B: Development in the Green Belt

Policy D6: Conserving agricultural land

Policy NC1: Protection of the countryside: General considerations

Policy NC2: Landscape protection and restoration

Newcastle Under Lyme Local Plan 2011

Policy N17: Landscape Character – General Considerations

Policy N21: Areas of Landscape Restoration

Policy S3: Green Belts

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

Other Material Considerations

Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, (formally adopted on 10 May 2001)

Urban North Staffordshire 'Green Space Strategy' (2007)

Newcastle-under-Lyme and Stoke-Trent Urban Guidance SPD (December, 2010)

The letter of 27th May 2010 from the Secretary of State for Community and Local Government regarding the RSS.

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

Planning Policy Statement: Planning and Climate Change – Supplement to Planning Policy Statement 1 Companion Guide to PPS1 "The Planning System: General Principles"

PPS7: Sustainable Development in rural areas (Aug 2004)

PPG2: Green Belts (1995)

Planning History

None considered relevant.

Views of Consultees

Kidsgrove Town Council – No comments received.

Conservation Advisory Working Party – No objections.

Environmental Health Division – No objections subject to conditions relating to:-

- (1) No burning of waste materials
- (2) Artificial lighting

Representations

None received.

Applicants/Agents Submission

A Design and Access Statement has been submitted raising some of the following points:-

- New Harecastle Farm extends to around 60 acres - a further 30 acres of land is rented in close proximity.
- The farm has 65 dairy cows with 35 following cattle
- The majority of the land farmed is laid to permanent pasture
- The new building is required because stock numbers on the farm are increasing, and more housing is needed. Aside from the housing of livestock the building will also be used for implement and machinery storage.
- The sides of the building shall be clad with Yorkshire boarding and the front will be left open to allow access.
- The roof will be clad with natural grey fibre cement sheets.

Key Issues

The site is located within the Green Belt and an Area of Landscape Restoration as shown on the Local Development Framework Proposals Map. The key issues therefore are the following;

- Appropriate development within the Green Belt?
- Compliance with other open countryside policies
- The design of the building and the impact to the wider landscape
- The impact to the setting of a nearby listed building
- The impact to neighbouring occupiers

Appropriate development within the Green Belt

Policy S3 of the Local Plan states that there is a presumption against any form of development within the Green Belt subject to certain exceptions. One of the exceptions listed is for buildings non-residential development may be permitted in the Green Belt if the applicant demonstrates that it is essential for the efficient operation of agriculture or forestry

in the locality, cannot reasonably be located other than in the Green Belt and so long as its siting, access, layout and landscaping and design are acceptable.

The proposal does entail an agricultural building that is required to assist with the efficient operation of a farm unit. It is located close to other existing farm buildings and would not encourage sporadic development within the Green Belt. The proposal is for appropriate development within the Green Belt and very special circumstances do not need to be demonstrated.

Compliance with other countryside policies

PPS7 notes the important and varied roles of agriculture, including in the maintenance and management of the countryside and most of our valued landscapes. It also advises that rural areas should promote, diverse and adaptable agricultural sectors where farming achieves high environmental standards, minimising impact on natural resources, and manages valued landscapes and biodiversity.

Over and above this current policies state the countryside must be protected for its own sake – development is to be strictly controlled. The applicant has put forward a case to say why the building is required in this location in connection with an agricultural operation. The new building would not create sporadic development in the countryside because of its very close relationship with other farm buildings.

The design of the building and the impact to the wider landscape

Policy CSP1 of the Core Spatial Strategy outlines the design criteria to which new development is assessed against which includes the requirement to protect important and longer distance views of historic landmarks and rural vistas.

Policy N21 of the Local Plan states that within these areas the Council will support, subject to other plan policies, proposals that will enhance the character and quality of the landscape. Within these areas it will be necessary to demonstrate that the development will not further erode the character or quality of the landscape.

The proposed building would blend in well with neighbouring buildings as well as the wider landscape. The siting, design, scale and materials of the development are appropriate and the applicant has demonstrated that the development will not further erode the character or quality of the landscape in compliance with Policy N21. It is not considered necessary to apply a condition relating to the use of external facing materials as those submitted are appropriate.

The impact to the setting of a nearby listed building

The proposed building is located some 100 metres from Harecastle Farm which is a listed building but the proposal would not impact on its setting a view shared by the Councils Conservation Officer.

The impact to neighbouring occupiers

There are no immediate neighbouring occupiers that would be adversely affected by the proposal.

Reasons for the Grant of Planning Permission

The proposed agricultural building is appropriately designed and taking into account its close proximity to existing farm buildings the visual impact of the development is acceptable. The proposal does not adversely affect the setting of a nearby listed building. The development will not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The development is in accordance with Policies N17 and N21 of the Newcastle under Lyme Local Plan 2010, Policies D2, D4, D6, NC1 and NC2 of the Stoke on Trent Structure Plan 1996-2011 and policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit subject to 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;

- Scale 1:1250 Location Plan and scale 1:100 elevation drawings received 13th October 2010.

R2: For the avoidance of doubt and in the interests of proper planning.

3. The external walls of the building hereby approved shall be externally finished in a green colour the details of which shall be first approved in writing by the Local Planning Authority.

R3: In the interests of visual amenity in accordance with policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, policy N21 of the Newcastle-under-Lyme Local Plan 2011, and policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

4. There shall be no burning of waste within the application site.

R4: To prevent nuisance and pollution in accordance with the aims and objectives of PPS1.

5. Artificial lighting shall not be installed until full and precise details have been submitted to and approved by the Local Planning Authority. Such aforesaid approved scheme shall be constructed and installed in full accordance with the approved details and shall thereafter be maintained in full accordance with the approved details.

R5: To prevent nuisance and unwanted light pollution in accordance with the aims and objectives of PPS1.

Note to the Applicant

To enable lighting scheme mentioned in condition number 5 to be assessed the following information must be supplied to the LPA;

1. A statement setting out why a lighting scheme is required, and the frequency and length of use in terms of hours of illumination during the summer and winter.
2. A site survey showing the area to be lit relative to the surrounding area, the existing landscape features together with proposed landscaping features to mitigate the impacts of the proposed lighting.
3. Details of the make and catalogue number of any luminaires/floodlights.
4. Size, type and number of lamps fitted within any luminaire or floodlight.
5. The mounting height of the luminaires/floodlights specified.
6. The location and orientation of the luminaires/floodlights.

7. A technical report prepared by a qualified Lighting Engineer or the lighting company setting out the type of lights, performance, height and spacing of lighting columns. The light levels to be achieved over the intended area, at the site boundary and for 25 metres outside it.

Details of companies who may be able to assist with this condition may be obtained from:

Institution of Lighting Engineers
Regent House
Regent Place
Rugby
CV21 2PN

TELEPHONE :- 01788 576492
FAX :- 01788 540145
Web :- www.ile.org.uk
E mail :- info@ile.org.uk

Performance Checks	Date		Date
Consultee/ Publicity Period	26.11.10	Decision Sent Out	
Case Officer Recommendation	8.12.10	8 Week Determination	28.12.10
Management check	13/12 ESM (checked that no representation/consultation response received following report preparation)		

OFFICER REPORT ON DELEGATED ITEMS

Applicant:- Mr M Naeem

Application No: 10/00611/COU

Location: 159 High Street, Wolstanton, Newcastle-Under-Lyme

Description Change of use of ground floor from commercial to residential use.

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

West Midlands Regional Spatial Strategy

Policy PA1: Prosperity for all

Policy QE2: Conserving and enhancing the environment

Policy QE3: Creating a high quality built environment.

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Forms of Development

Policy D2: The Design & Environmental Quality of Development

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

Policy R14: Development in District Centres

Newcastle under Lyme and Stoke on Trent Core Strategy 2009

Strategic Aim 5: To foster the employment base;

Policy CSP2: Historic Environment.

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (February 2005)

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

PPS5: Planning and the Historic Environment (2010).

PPS6: Planning for Town Centres (March 2005)

PPG24: Planning and Noise (1994)

Supplementary Planning Guidance

Relevant Planning History

95/00734/COU	REF	23. 1.1996	Change of use to cafe with opening hours of 9.00–17.30
99/00716/COU	PER	25.11.1999	Change of Use to Financial Services and Estate Agents
02/00151/COU	REF	29.04.2002	Change of use of former bakery/bridal wear shop to taxi base office

05/01218/COU

REF 9.03.2006

Change of Use of ground floor to A5 hot food

takeaway

Views of Consultees

Conservation Advisory Working Party - No objections.

Representations

None received.

Applicants/Agents Submission

None.

Key Issues

This application is for Planning Permission to change of use of the ground floor of no 159 from Commercial Use to C3 Residential Use. The type of commercial use the premises was used for is uncertain, this appears to have ceased some time ago. No external alterations are covered by this application.

The application site is set on the northern border of the Wolstanton Conservation Area, and just outside the southern border of the Wolstanton High Street District Centre. The shop front has been removed and replaced with masonry and smaller domestic style windows some time in the past; the whole of the ground floor has a rendered finish in good condition.

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

- Would the change of use have an unacceptable impact upon the range of goods and services offered in the locality?
- Would the proposal be detrimental to the Conservation Area?
- Would the proposal cause harm to the occupiers of neighbouring properties?

Would the loss of a retail unit or the provision of a professional unit have an unacceptable impact upon the range of goods and services offered in the locality?

National policy and policies within the development plan seek to maintain and improve the quality and diversity of retail provision and maintain and promote diversity of use. The change from commercial to housing would result in the loss of a commercial (and potential retail) unit. However no 159 falls just outside the Wolstanton High Street District Centre, and the treatment of the windows and walls demonstrates that the building has not been in retail use and is unlikely to have been in any other commercial use for some considerable time. It is therefore considered that the proposal will have no impact on the vitality and viability of the district centre.

Would the proposal be detrimental to the Conservation Area?

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid in the exercise of planning function to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy B9 states that the Council will resist development that would harm the special character or appearance of Conservation Areas. Policy B10 upholds the Requirement to preserve or enhance the character or appearance of a Conservation Area.

This proposal does not include any physical development and there are no other factors which would harm the character of the conservation area.

Would the proposal cause harm to the occupiers of neighbouring properties?

The application site is set on the corner of two busy roads with surrounding uses of residential, commercial and a church. The amount of noise and disturbance generated by residential use is likely to be less than that generated by a commercial one since there will be no deliveries and probably less arrivals and departures, generation of and removal of packaging and waste. It is not considered that the proposed change of use would unacceptably affect the living conditions of nearby residents through odour or noise and disturbance.

Reasons for the grant of planning permission

The new use will not detract from the locality of the district centre so is in accord with Strategic Aim 5 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and Policy R14 Newcastle under Lyme Local Plan 2010.

The development does not harm the Conservation Area as required by Policies B1 and B9 of the Newcastle-under-Lyme Local Plan 2010, NC19 and D2, of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026. Policy D2 of the Stoke-on-Trent Structure Plan 1996-2011 is further met in that the development does not result in harm to neighbouring residential amenity.

Recommendation

Permit 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 91 of the Town and Country Planning Act.

Informative

1. The decision hereby issued was made following consideration of the following plans;
 - Location Siteplan, date stamped received 26 October 2010.

Performance Checks	Date		Date
Consultee/ Publicity Period	26.11.2010	Decision Sent Out	
Case Officer Recommendation	14.12.2010	8 Week Determination	21.12.2010
Management check	15/12 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr and Mrs Goodwin **Application No:** 10/00613/FUL

Location: The Old Vicarage, Vicarage Lane, Madeley

Description: New Boiler House for Biomass plant and pellet storage

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

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable Development
Policy D2: The Design and Environmental Quality of Development
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection & Restoration
Policy NC19: Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle Under Lyme Local Plan 1996 - 2011

Policy B9: Prevention of Harm to Conservation Areas
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13: Design and Development In Conservation Areas
Policy B14: Development in or Adjoining the Boundary of Conservation Areas
Policy N12: Development and the protection of trees

Other Material Considerations

Circular 11/95 – Conditions

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development
Companion Guide to PPS1 “The Planning System: General Principles”
PPS5: Planning for the Historic Environment

Supplementary Documents

Space Around Dwellings (July 2004)

Madeley village design statement

Planning History

None relevant in the determination of this planning application

Views of Consultees

Conservation Advisory Working Party accepted and recognised that the applicant was paying attention to detail with material so it would not detract from the character of this important house and Conservation Area.

Madeley Parish Council – supports the application.

Landscape Development Section has no objections the development be carried out in accordance with tree survey and the revised location plan and subject to conditions relating to tree protection measures, provision of an Arboricultural Method Statement and an agree route for service connections.

Environmental Health Division has no objections to the proposal.

Representations

No representations were received by the due date

Applicant/ agents submission

A design and access statement has been submitted to support the application because the site lies within the Madeley conservation area.

A BS5837 tree survey has been submitted with application.

Key Issues

This is an application for full planning permission for the erection a single storey detached building to house a bio mass boiler and pellet storage, the building would be sited in the front garden area of the dwelling. Therefore the key issues in the determination of the development are:

- the design of the proposals and the impact of the proposed development on the Conservation Area
- Impact on visual significant tree
- the impact upon neighbouring occupiers in terms of amenity

The design of the proposals and the impact of the proposed development on the Conservation Area and landscape maintenance area

PPS1 (para. 33) states *“Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.”*

The property are within the Madeley Conservation Area and policies B9, B10, B13 and B14 seek to prevent harm of development on Conservation Areas and set out a requirement to preserve or enhance the character or appearance of a Conservation Area.

The proposal would provide a detached single storey building in the front garden area of the dwelling. The proposal is designed to have hipped pitched roofs on all sides with a central brick chimney. The side walls would be of a brick construction. The proposed building would have a footprint of 6.25 metres by 6.25 metres and having a maximum height to eaves of

approximately 2.9 metres and having an overall height to the top of the central chimney of 6.5 metres.

The building would be sited a sloping lawned area and out the root protection area of an adjacent tree.

It is considered that the proposal would not adversely impact on the appearance and character of this part of the Conservation Area, subject to the control of the external materials, and so the proposals are in accordance with policies B9, B10, B13 and B14 of the Local Plan.

Trees

The proposal would be adjacent a visually significant tree, and as demonstrated in the submitted tree survey has been positioned outside its root protection area.

The relevant consultation response advises that the development can take place without harm to the tree subject to the imposition of conditions.

The impact upon neighbouring occupiers in terms of amenity

The dwelling is set in extensive grounds and given the proposal siting and its scale it is considered there would be no adverse harm to the reasonable living conditions of neighbouring occupiers.

Reasons for the grant of planning permission

The proposed development is of a scale and design that is in keeping with the character of the main dwelling houses whilst preserving the appearance of the Maer Conservation area and it would not be detrimental to the visual amenity of the area of landscape maintenance. Taking into account the position of the development it would not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light nor harm the health of a visually significant tree. The proposed development accords with Policy N12, N19, B9, B10 & B15 of the Newcastle under Lyme Local Plan 2010, Policy D2 of the Stoke on Trent Structure Plan 1996-2011 and policy CSP1 & CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit subject to 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 and supporting information;

Tarpey Woodfine Architect drawing 0697-00A received 24 November 2010
Tarpey Woodfine Architect drawing 0697-01A received 24 November 2010
BS5837 Tree Survey by S.T.S. Contractors UK Ltd.

R2: For the avoidance of doubt and in the interests of proper planning.

3. 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) Window and door materials and finishing colour/stain.

The development shall be carried out in accordance with the approved details.

R3: In the interests of amenity and to preserve the character and appearance of the conservation area to comply with the requirements of policies D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policies B9, B10 of the Newcastle-under-Lyme Local Plan 2011.

4. The tree protection fencing shall be installed and maintained in accordance with BS5837:2005 throughout the construction phase of the development.

R4: To ensure that trees of significant amenity value are retained within the development in accordance with requirements of N12 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of PPS1

5. 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) Arboricultural Method Statement covering the construction access and the installation of paving within the Root Protection Area in accordance with BS5837:2005.
- (b) The route taken for the installation of service connections within the root protection area

The development shall be undertaken in accordance with the aforesaid approved details.

R5: To ensure that trees of significant amenity value are retained within the development in accordance with requirements of N12 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of PPS1

Performance Checks	Date		Date
Consultee/ Publicity Period	03.12.10	Decision Sent Out	
Case Officer Recommendation	16.12.10	8 Week Determination	29.12.10
Management check	16/12 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Keele University **Application No:** 10/00616/LBC

Location: Keele University, University Chapel

Description: Internal alterations to University Chapel to form toilet accommodation

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

West Midlands Regional Spatial Strategy

Policy QE5: Protection and enhancement of the Historic Environment

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

PPS 1: Delivering Sustainable Development (2005)

Companion Guide to PPS 1 "The Planning System: General Principles"

PPS 5: Planning and the Historic Environment (1994)

Planning History

99/00431/LBC PER 27.9.1999 Internal alterations

05/01174/LBC PER 1.2.2006 Alterations to balcony front

Views of Consultees

Conservation Advisory Working Party - No objections

Keele Parish Council - No objections

Representations

Nil

Applicants/Agents Submission

A Design and Access Statement has been submitted of which the main points are outlined below:

- The Keele University Disability Equality Scheme has identified a lack of a disabled access toilet in the area of the University Chapel. In addition to use as a place of

worship the chapel is used as a venue for many other meetings. The distance to the nearest accessible toilet is 100m.

- The need to provide a solution with minimal impact on the existing structure is paramount.
- The present toilet accommodation is efficient in the use of space. The proposal accordingly will take in circulation space immediately outside. The scheme will provide:
 - Acceptable location adjacent to the toilets;
 - No reduction in overall toilet provision – net increase of 1 wc;
 - No intrusion into main entrance and circulation areas of the Chapel;
 - Alteration works allow for the re-use of existing materials.

Key Issues

This application is for listed building consent for internal alterations to the University Chapel at Keele University. The property is a Grade II Listed Building.

Policy NC18 of the Structure Plan “Listed Buildings” states that there will be a presumption in favour of preserving Listed Buildings and protecting their settings and historic context. 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 application is for a minor change to the internal ground floor ladies toilet area to create a disabled toilet. The work is very sympathetic being executed in matching materials with the internal window being leaded to match the adjacent external one which lights it. It could almost be considered de-minimus and the slight reconfiguration will not affect the special character of the chapel. It is considered that the proposed development would not harm the character of the building, and would be acceptable in accordance with policy B6 of the Local Plan, Policy NC18 of the Structure Plan and the aims and objectives of PPS 5.

Reason for the grant of Listed Building Consent:

It is considered that the proposed development would not harm the character of the building, and would be acceptable in accordance with policy B6 of the Local Plan, Policy NC18 of the Structure Plan and the aims and objectives of PPS 5.

Recommendation

Grant Consent subject to the following:

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. The materials to be used in the external alterations to the building hereby permitted shall match in all respects (size, texture and colour) those of the existing building.
- R2. To protect and safeguard the historic fabric and appearance of the listed building and the appearance and character of the Conservation Area in accordance with the requirement of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policy B6 of the Newcastle-under-Lyme Local Plan 2011 and the aims and objectives of PPS 5.

3. The development hereby permitted shall be carried out in accordance with the following approved documents:
- Keele University Drwg B014-2010-01 Rev A; Received by the Council 24 Nov 2010;
 - Design and Access Statement.

R3. For the avoidance of doubt and in the interests of proper planning.

Performance Checks	Date		Date
Consultee/ Period Publicity	3.12.2010	Decision Sent Out	
Case Officer Recommendation	15.12.2010	8 Week Determination	30.12.2010
Management check	20/12 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Richard Barker Harrison LTD **Application No:** 10/00628/FUL

Location: Marsh Trees House, Marsh Parade, Newcastle

Description: Proposed temporary siting of a portakabin to the rear lower level car park

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

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

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy T13: Local Roads

Policy T18A: Transport and Development

Policy NC19: Conservation Areas

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

SP1: Spatial Principle of Targeted Regeneration

ASP4: Newcastle Town Centre Area Spatial Policy

ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

CSP1: Design Quality

CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

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

B14: Development in or Adjoining the Boundary of Conservation Areas

T16: Development – general parking requirements

N12: Development and the Protection of Trees

N13: Felling and Pruning of Trees

Other Material Considerations

Circular 36/78 Trees and Development

BS 5837:2005 – Trees in relation to construction

Circular 11/95 – the use of conditions in planning permissions

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

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

PPS4: Planning for Sustainable Economic Growth (2009)
PPS5: Planning for the Historic Environment (March 2010)
PPG13: Transport (March 2001)

Supplementary Planning Guidance

Supplementary Planning Document for Newcastle Town Centre (January 2009).

Relevant Planning History

None relevant in the determination of this planning application

Views of Consultees

Landscape and Development Section raise no objections following the submission of an arboricultural report and subject to a condition requiring the development to follow and implement all the recommended tree works and protection measures set out in the Pre Development Tree Inspection and Report by Ellis Hillman.

The **Highways Authority** raises no objections.

Environmental Health Division raises no objections.

The **Conservation Advisory Working Party (CAWP)** raise no objections provided it is for a temporary permission.

Representations

A site notice has been displayed advertising the application. No representations have been received.

Applicants/Agents Submission

A design and access statement has been submitted to support the application, along with a one page justification which outlines the reasons for requiring the portakabin. These documents outline the following;

- The company currently has two offices, one in Newcastle and one in Ilford Essex. It is planned to amalgamate the two offices and have one office in Newcastle with the Ilford office closing. 9 personnel will be relocated to Newcastle.
- It would be preferred to operate from Marsh Trees House and so a portakabin is required for a temporary period so that suitable offices can be located to enable the future growth of the company, with a move anticipated before the end of 3 years.
- The other options would be to relocate to Ilford or Liverpool.
- It is proposed to use part of existing large car park at the rear to site the portakabin.
- A temporary building is not the most visually appealing of structures, but by siting it against the car park retaining wall close to the building, the Portakabin would be unobtrusive with no detriment to the amenity of the surrounding buildings.
- The proposal would allow a small-scale business to thrive in its existing surroundings with minimal capitol outlay in such austere times.
- A start date of the 1st August 2011 would be desirable for a 3 year permission.

The documents can be viewed on the Councils website; www.newcastle-staffs.gov.uk.

Key Issues

The applicant seeks a temporary 3 year planning permission for the siting of a portakabin at the rear of an office building near to Newcastle Town Centre in a mixed use area. The property is located within the Stubbs Walks conservation area, as indicated on the Local Development Framework Proposals Map. The portakabin would provide additional office accommodation for the existing business as part of a relocation of offices from the south. The proposal is only required for a temporary period whilst a larger office building is sought.

Key issues in the determination of the development are:

- The impact of the proposals on the visual amenity of the area and the Stubbs Walks conservation area
- The principle of allowing a temporary permission
- Impact on protected trees
- Highway safety issues

The impact of the proposals on the visual amenity of the area and the Stubbs Walks conservation area

Policy B9, B10, B13 and B14 seeks to prevent harm of development on Conservation Areas and a requirement to preserve or enhance the character or appearance of a Conservation Area.

The proposed portakabin would measure a maximum of 9.8 metres by 4 metres with an overall height of 3.1 metres. It would have an external colour of light grey and would be located within the rear car park close to the rear elevation of the existing two storey brick built office building. The land slopes down from Marsh Parade to the rear of the site and the proposal would be located behind a 0.8 metre high retaining wall.

Circular 11/95 indicates that it will rarely be necessary to give a temporary permission to an applicant who wishes to carry out development which conforms with the provisions of the development plan.

The proposed portakabin is of a design that would usually be acceptable in a conservation area due to its design neither preserving nor enhancing the appearance of the conservation area. However, views of the proposal would be extremely limited due to its location at the rear of the property, the siting close to the existing building and the limited height. The proposal is also only required for a limited period of 3 years and can be moved on and off the site with limited effort and disturbance. Therefore, despite the external appearance of the portakabin not being usually considered acceptable it is considered that the creation of jobs and the business staying in the Borough would outweigh this harm and because it is only for a temporary period.

The principle of allowing a temporary permission

The Portakabin is required to accommodate 9 additional employees of the business following the closure and relocation of an office in Ilford, Essex. The business has taken the decision to amalgamate two offices into the building on Marsh Parade which will help the business to grow in the Borough and maintain jobs also. This results in additional office accommodation being required.

The applicant has detailed that the siting of the portakabin would only be for a temporary period whilst the business finds more suitable premises within the Borough.

Circular 11/95 does indicate that short term buildings and uses can be acceptable for a limited period, as long as the applicant has volunteered it or if it is expected that the planning circumstances will change in a particular way at the end of that period.

In this instance the applicant has detailed that the portakabins would only be for a temporary period whilst larger offices are sought and it is envisaged that a move will be completed by the end of the 3 year period.

The principle of a temporary permission is considered acceptable because it would maintain jobs within the Borough. Once the temporary permission expires the portakabin should be removed from the site in its entirety.

The impact on protected trees

There are a number of trees within and close to the application site. These trees are covered by Tree Preservation Order No.16. The submitted plans show the proposed location of the portakabin and the proximity to a nearby tree. A tree survey/report has been submitted following a consultation response from the Landscape and Development section. The report/ survey indicates that no root protection measures are required due to no excavations being required but temporary fencing or chestnut paling to protect the stem of tree T583 from accidental damage during installation of the portakabin would be required. Trees overhang the access - T584 & T585 and so small pruning may be required but should not harm the tree subject to certain measures.

Following the submission of the tree report/ survey the Landscape Section has raised no objections subject to a condition requiring the development to be carried out by following and implementing all the recommended tree works and protection measures as set out in the Pre Development Tree Inspection and Report prepared by Ellis Hillman Partnership.

In consideration of the above the proposed development should not lead to any loss or damage to protected trees on or adjacent to the site, this being in accordance with policy N12 and N13 of the Local Plan.

Highway safety

The existing office building has a large car park at the rear with the application indicating that 3 off street car parking spaces would be lost as a result of the proposals but 12 off street car parking spaces would remain towards the rear. The proposal would result in an additional 9 staff being employed at the premises.

Policy T16 of the local plan indicates that there should be a maximum number of 8 spaces provided. The existing number of spaces exceeds this but it is not considered that a further loss of spaces would be reasonable or acceptable in this instance.

The highways authority also raises no objections to the proposals.

It is not considered that the proposal would further exacerbate an on street car parking problem with there being an appropriate level of off street car parking already. This exceeds the maximum levels of the Local Plan but it would not be acceptable to require the applicant to remove car parking spaces.

Reason for Recommendation

Whilst the design and appearance of the portakabin would not generally be supported within the conservation area, it is considered that the benefits of creating and maintaining jobs within the Borough would outweigh the limited harm with the portakabin only being for a temporary period. The proposal would also not lead to any loss or damage to any protected trees within the site. It is also considered that it would not lead to or aggravate an on street car parking problem or be contrary to sustainable development objectives.

Recommendation

Permit subject to the following conditions;

1. The Portakabin shall be located in the position shown on drawing no. 5109-002 for a temporary period only and shall be removed from the site on or by the 1st August 2014.

R1: To enable continued control and appraisal of the development proposed having regard to the particular circumstances and nature of the development.

2. The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing no 5109-001, date stamped received by the LPA on 04 November 2010.
- Drawing no 5109-002, date stamped received by the LPA on 10 November 2010.
- Planning Statement & Design & Access Statement, date stamped received by the LPA on 04 November 2010
- Reasons for requiring Portakabins document, date stamped received by the LPA on 04 November 2010
- Pre Development Tree Inspection and Report, date stamped received by the LPA on 07 December 2010

R2: For the avoidance of doubt and in the interests of proper planning.

3. The proposed development shall be carried out in strict accordance with the recommendations and protection measures set out in the submitted Pre Development Tree Inspection and Report by Nik Pearson & Rob Keysor,

R3: To protect the existing trees on the site and in the interests of visual amenity in compliance with Policy N12 of the Newcastle under Lyme Local Plan 2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	17.12.2010	Decision Sent Out	
Case Officer Recommendation	04.01.2011	8 Week Determination	05.01.2011
Management check	5/1/11 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr David Hales

Application No: 10/00691/FUL

Location: Brooklands, Common Lane, Betley

Description: Single storey side extension to form sun room

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

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 D1: Sustainable Forms of Development.

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 or Appearance of a Conservation Area

Policy B13: Design and Development in Conservation Areas

Policy B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations

Supplementary Planning Guidance Space Around Dwellings (July, 2004)

Betley Conservation Area Article 4 Direction

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.

Planning History

None considered relevant.

Views of Consultees

Betley, Balterley and Wrinehill Parish Council – No comments received by due date.

Conservation Advisory Working Party – No comments.

Representations

None received.

Applicants/Agents Submission

A Design and Access Statement has been submitted raising some of the following points:

- The property is located within the Betley Conservation Area.
- The extension is to be constructed from reclaimed bricks. Materials have been chosen to create a visual link between the house, the garden, and the old retaining wall.

Key Issues

The proposed extension measures 5.4 metres by 4.2 metres by 4.7 metres in footprint and overall ridge height. A chimney stack is also proposed measuring 6.1 metres in overall height. The key issues in the determination of the development are:

- The design of the proposal and the impact on the character and appearance of the Betley Conservation Area,
- The impact on residential amenity

The design of the proposal, particularly on the character and appearance of the Conservation Area

Policy H18 relates specifically to the design of residential extensions and considers that materials and design should fit in with those of the dwelling to be extended and not detract from the character of the original dwelling. In achieving this, the form, size and location of the extension should be subordinate in design to the original dwelling.

Policy B9 of the Local Plan states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. Policy B10 of the Local Plan states some criteria which must be met when permitting development that would alter the appearance of any building within a Conservation Area, including respecting the form, scale, bulk, height, materials and colours of the existing buildings, respecting historic features and boundaries, and protecting and enhancing views. Policy B13 of the Local Plan states that applicants should demonstrate how they have taken account of the need to preserve or enhance the character or appearance of Conservation Areas in the design of their development proposals.

The proposed extension is subordinate in design and is in keeping with the character of the main dwelling house. With respect to the impact on the important views within the Betley Conservation Area and the special attention that should be paid to protecting the area's character the view taken is that the proposal would assimilate well into its surroundings and would not result in any significant harm. Overall the proposal accords with policies H18, B9, B10 and B13 of the Local Plan.

The impact on residential amenity

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on residential extensions including the need for privacy, daylight standards, and environmental considerations. The proposed extension would be appropriately separated from neighbouring properties. Overall taking into account the advice of the SPG the view taken is that the proposal should not be resisted on amenity grounds.

Reasons for the grant of planning permission

The proposed development is of a scale and design that is in keeping with the character of the main dwelling house and would not be detrimental to the special character and appearance of the Betley Conservation Area. Taking into account the position of the development and its scale it will not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The development is in accordance with Policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit 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;
 - Drawing number 002/01, 002/04, 002/05 received 9th November 2010.
- R2: For the avoidance of doubt and in the interests of proper planning.
3. The external facing materials to be used in the construction of the development hereby permitted shall be as per those stated within the submitted Design and Access Statement received by the Planning Authority on the 9th November 2010 or an alternative to be agreed in writing by the Local Planning Authority.
- R3: In the interests of amenity and to protect the character and appearance of the Betley Conservation Area in accordance with the requirements of policies CSP1 and CSP2 of the Staffordshire and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, and Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	24.12.10	Decision Sent Out	
Case Officer Recommendation	5.1.11	8 Week Determination	20.1.11
Management check	RK 6.1.11		

OFFICER REPORT ON DELEGATED ITEMS

Applicant St Thomas PCC **Application No:** 10/00692/FUL

Location: Wade Centre The Avenue Kidsgrove

Description: Ground floor rear extensions and alterations

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

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 D1: Sustainable Forms of Development.
Policy D2: The Design and Environmental Quality of Development
Policy NC19: Conservation Areas
Policy NC18: Listed Buildings

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 B13: Design and Development in Conservation Areas
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

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.

Planning History

None considered relevant.

Views of Consultees

Kidsgrove Town Council – No comments received.

Conservation Advisory Working Party – The working party was disappointed with the quality of the design for the proposed extensions to this historic building but accepted that previous extensions have already compromised the building.

Environmental Health Division – No objections subject to;

1. The prior approval of recyclable materials and refuse, storage and disposal arrangements.

Highway Authority – Recommend that the application is refused on the grounds that;

- 1 There is insufficient information to determine the application. Whilst it is stated that the internal alterations result in a minor addition to the net floor area, the proposals result in an intensification and appear to change the nature of land uses at the site with insufficient information provided to determine the associated parking requirements in accordance with the Parking Standards as identified within the Newcastle under Lyme Local Plan 2011.

Representations

None received.

Applicants/Agents Submission

A Design and Access Statement has been submitted raising some of the following points:

- The Wade Centre is located in a Conservation Area.
- Adjacent to the Wade Centre is St Thomas' Church which is a grade II Listed Building.
- The floor area of the extension is approximately 142 metres squared including the canopy, which roughly equates to the area of the building to be demolished.
- The proposed extensions are to serve as nursery accommodation which is the present use of the building.

Key Issues

The application is for a new rear extension with floor area of approximately 130 metres squared and an overall roof height of 3.2 metres and two smaller rear extensions measuring 2.7 metres by 1.5 metres in floor area by 3.2 metres in roof height. The key issues in the determination of the development are:

- The design of the proposal, particularly on the character and appearance of the Conservation Area,
- The impact to the setting of St Thomas' Church a Grade II Listed Building, and the
- The impact on highway safety

The design of the proposal, particularly on the character and appearance of the Conservation Area

Policy B9 of the Local Plan states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. Policy B10 of the Local Plan states some criteria which must be met when permitting development that would alter the appearance of any building within a Conservation Area, including respecting the form, scale, bulk, height, materials and colours of the existing buildings, respecting historic features and boundaries, and protecting and enhancing views. Policy B13 of the Local Plan states that applicants should demonstrate how they have taken account of the need to preserve or enhance the character or appearance of Conservation Areas.

The proposed extensions are situated to the rear of the building and away from the main road frontage. The proposal includes the demolition of existing side and rear extensions to the building. Whilst the concerns of the Conservation Advisory Working Party are considered valid overall the development will be an improvement, in appearance, to the extensions to be removed and as such the design of the proposal is not harmful to the appearance of the

Conservation Area subject to the use of appropriate external facing materials. The proposal therefore accords with policy. The impact to the adjacent listed building is now considered.

The impact to the setting of St Thomas' Church a Grade II Listed Building

The application site affects the hall which is adjacent to St Thomas Church, a grade II listed building. The impact to the setting of the Church must be considered.

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 siting and scale of the proposed extensions is not considered harmful to the setting of the listed building. However there are concerns relating to the use of external facing materials. The submitted plans show that the new extension is to have facing bricks to match existing but it is unclear which part of the building the applicants are matching the materials to. The Council's Conservation Officer has suggested that it may be more appropriate to seek a contrasting brick rather than to replicate existing development.

Overall subject to appropriate external facing material use the development would have an acceptable impact to the setting of the Church.

The impact on highway safety

The Highway Authority has objected to the development on the basis that there is insufficient information to assess the car parking requirements generated by the proposed use of the building. With respect to the objection received it should be noted that the building and associated land has a D1 use which permits church halls and day nurseries. The application does not involve a material change of use of the land or building.

The proposal does not impact upon the existing car parking provision. Taking into account the demolition of the existing extensions to the building and that the new extension proposed would not increase the total floor area of the building it is not appropriate to seek further car parking spaces above those which can already be accommodated within the boundary of the site.

Contrary to the advice of the highway authority the impact to highway safety is acceptable.

Reasons for the grant of planning permission

The proposed development is of a scale and design that is in keeping with the character of the main building and would not be detrimental to the special character and appearance of the Kidsgrove Conservation Area. Taking into account the position of the development and its scale it will not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The development is in accordance with Policies B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit 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;
- Drawing numbers; 1, 2 and 3 received 11th November 2010.
- R2: For the avoidance of doubt and in the interests of proper planning.
3. No development shall commence until the external facing materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved facing materials.
- R3: In the interests of amenity and to protect the character and appearance of the Kidsgrove Conservation Area in accordance with the requirements of policy CSP1 and CSP2 of the Staffordshire and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policies, B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.
4. No development shall commence until full and precise details of the proposed canopy and fence panels have been submitted to and approved in writing by the Local Planning Authority, and the development shall be undertaken in accordance with the approved details.
- R4: In the interests of amenity and to protect the character and appearance of the Kidsgrove Conservation Area in accordance with the requirements of policy CSP1 and CSP2 of the Staffordshire and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policies, B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Performance Checks	Date		Date
Consultee/ Publicity Period	7.1.11	Decision Sent Out	
Case Officer Recommendation	17.1.11	8 Week Determination	17.1.11
Management check	17/1 ESM (v)		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr. S. Nicholls, Forster Dean Ltd **Application No:** 10/00707/ADV

Location: 19 High Street, Newcastle

Description: Externally illuminated fascia signs and applied lettering to shop front and door

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 D1: Sustainable forms of Development
Policy D2: The Design and Environmental Quality of Development
Policy NC19: Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B19: Illuminated signs in Conservation Areas
Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Relevant Planning History

None relevant to this permission

Views of Consultees

Conservation Advisory Working Party – Members objected to the proposed signage as it was felt to be obtrusive. The applicant should retain the signage in the existing fascia panel.

Representations

No written representations received

Applicants/Agents Submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for fascia signs that are proposed to be externally illuminated. Window advertisements/ lettering are also proposed which is a form of advertisement that requires consent.

The property is located within the Town Centre Conservation Area, as indicated on the Local Development Framework proposals map.

The fascia sign would be coloured blue and black with yellow lettering. The application forms state that the fascia sign will have luminance levels below 250cd/m². The window displays would have blue lettering.

PPG 19 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 for consideration are therefore:-

- The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area.
- The impact upon public and highway safety.

The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area

The location of the property within the conservation area makes it important to achieve a good quality design that would not harm the appearance of the conservation area (CA) and wherever possible it should enhance the appearance of these areas.

Policy B20 of the Local Plan indicates that within conservation areas illuminated signs should consist of individually lit letters fixed either directly to a fascia sign or to an opaque panel.

The surrounding buildings are all commercial with the majority of the existing signs being of a similar appearance. Amended plans have been received following planning officer concerns about the size, dominance and appearance of the fascia sign and the excessive amount of window advertisement lettering. This has resulted in all elements of the proposal being reduced.

The reduction in size of the fascia sign and the repositioning to match neighbouring units improves the appearance of the fascia sign and impact on the Conservation Area. Although it does not achieve individually lit letters fixed directly to the fascia sign or to an opaque panel, it is considered that there are other signs of this nature that have been allowed in the immediate and surrounding area.

The shop front has three elevations due to it being a corner unit. The original proposals were to cover the display windows in lettering and strap lines that advertise the services on offer. However, this would be excessive and the proliferation of signage would have harmed the appearance of the Conservation Area. The preference would have been for no window advertisement or lettering but due to the commercial use of the unit and it being located within the town centre it was considered that some window advertisement would be acceptable. The applicants have reduced the amount to one window on elevation 'A', two windows on elevation 'B' with elevation 'C' remaining as proposed.

The proposed advertisements are now considered acceptable but a condition should be included specifying that the maximum luminance for the fascia sign should not exceed 300cd/m² in line with policy B20 of the Newcastle under Lyme Local Plan. This is unlikely to occur with the applicant specifying 250cd/m² as the maximum luminance however the condition would provide the Local Planning Authority with future control.

No details have been provided of the trough light to illuminate the fascia sign and to ensure that this is satisfactory and does not impact upon the character of the Conservation Area a condition would be included for details to be approved in writing prior to the advertisement being displayed.

The impact upon public and highway safety

Due to the proposed scale and location of the advertisements and the condition to be included in relation to luminance levels, it is not felt that the advertisements would have an adverse impact upon public and highway safety.

Recommendation

Permit subject to the standard conditions as well as the following conditions;

1. The maximum surface brightness of the advertisement signs hereby permitted shall not exceed 300cd/m².
- R1: To protect the visual amenity of the Conservation Area, in accordance with policy B20 of the Newcastle under Lyme Local Plan 2011.
2. Prior to the advertisement being displayed details and cross sections of the lighting trough shall be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the agreed details.
- R2: To protect the visual amenity of the Conservation Area, in accordance with policies B19 & B20 of the Newcastle under Lyme Local Plan 2011.

Informative

The decision hereby issued was made following consideration of the following plans and supporting information;

- Planning Application Forms
- Drawing no. 23112010/03a/2; 23112010/03b/2 & 23112010/03c/2, date stamped received by the Local Planning Authority on 20 January 2011
- Drawing no. P201 rev B, date stamped received by the Local Planning Authority on 14 January 2011

- Site location plan scale 1:1250, date stamped received by the Local Planning Authority on 24 November 2010

Performance Checks	Date		Date
Consultee/ Period Publicity	20.12.2010	Decision Sent Out	
Case Officer Recommendation	20.01.2011	8 Week Determination	21.01.2011
Management check	20/1/11 GM NV		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: DR D.J. West

Application No: 10/00710/LBC

Location: Ashley Farm, School Lane, Ashley

Description: Single storey extension to form garden room (Revision to previously approved scheme 10/00458/LBC)

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

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy NC18: Listed Buildings

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

Policy CSP1: Design Quality

Policy CSP2: Historic Environment

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

PPS5: Planning for the Historic Environment (March 2010)

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

Planning History

10/00459/FUL Single storey extension to form garden room Permit

10/00458/LBC Single storey extension to form garden room Permit

10/00711/FUL Single storey extension to form garden room ongoing

Views of Consultees

CAWP - Objects to this proposal as it is considered to be harmful to the Listed Building.

Loggerheads Parish Council raise no objections

Representations

None received.

Applicants/Agents Submission

The application has been supported by a Design and Access Statement which predominantly provides a design justification for the proposed development.

Key Issues

This application is for listed building consent for an extension attached to the gable end of the building. This is a resubmission following listed building consent being given for a similar development in 2010. Amendments were received during the previous application following concerns raised by officers about the external appearance of the proposal. However, this application resorts back to the original design that officers raised concerns about. The main concern is the front and gable elevations of the proposed development having brick plinth/dwarf walls rather than being of a wholly timber and glazed construction.

The property is a grade II listed building and in particular, policies B5 & B6 are of importance in this instance and seek to resist proposals that adversely affect the setting and character of its architectural or historic features.

The farmhouse is identified in the listing as *'Timber Framed with brick gable ends on painted sandstone and brick plinth; clay tile roof with central brown brick ridge stack'*.

A window at first floor and a door from the main building into the proposal has dictated the position of the proposal. This has resulted in the proposal being set back from the front elevation of the original building by a metre. Therefore the applicant has attempted to protect these openings so if the extension was removed at any time it could be done so with minimal impact on the building. Officers were happy to accept that the proposal was not centralised and was quite large if the timber framing and glazing was floor to eaves. This was considered to represent a simple and unfussy design that would not interfere with the timber framed character of the main dwelling. However, now the brick dwarf walls (that would act as a plinth) are proposed again the development as a whole would harm the character of the grade II listed building due to its position, size and external appearance.

The design has been dictated by the requirement for plug sockets internally rather than it being considered important for the design of the structure and its impact on the Listed Building. Any plug sockets could be located on other walls and so it is considered that there is no exceptional justification for a change in design that harms the character and appearance of the listed building. The proposals should therefore be resisted.

Recommendation

Refuse for the following reason;

1. The proposed development incorporating a brick built dwarf wall to the gable end and front elevation would create an inappropriate design and external appearance that would have an adverse impact upon the character of the grade II listed building, contrary to Policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policies B5 & B6 of the Newcastle Under Lyme Local Plan 2011 and the aims and objectives of PPS1 and guidance of PPS5.

Informative

The decision hereby issued was made following consideration of the following plans and supporting information;

- Drawing no. 100/875/2010 rev. C, 100/874/2010 & 100/952/2010 rev. C, date stamped received by the Local Planning Authority on the 29 November 2010
- Design & Access Statement, date stamped received by the Local Planning Authority on the 29 November 2010
- Methodology Statement, date stamped received by the Local Planning Authority on the 29 November 2010
- Block plan (scale 1:500), date stamped received by the Local Planning Authority on the 29 November 2010
- Site location plan (scale 1:250), date stamped received by the Local Planning Authority on the 29 November 2010

Performance Checks	Date		Date
Consultee/ Period	Publicity	08.01.2011	Decision Sent Out
Case Recommendation	Officer	24.01.2011	8 Week Determination 24.01.2011
Management check		24/1/11 GM NV	

OFFICER REPORT ON DELEGATED ITEMS

Applicant: DR D.J. West

Application No: 10/00711/FUL

Location: Ashley Farm, School Lane, Ashley

Description: Single storey extension to form garden room

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

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 NC1: Protection of the Countryside: General Considerations

Policy NC2: Landscape Protection and Restoration

Policy NC18: Listed Buildings

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

Policy CSP1: Design Quality

Policy CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

Policy H18: Design of Residential Extensions, Where Subject to Planning Control

Policy N17: Landscape character – general considerations

Policy N18: Areas of Active Landscape Conversation

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”

Supplementary Planning Guidance (SPG)

Space about Dwellings standards (July 2004)

Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, (formally adopted on 10 May 2001)

Planning History

10/00458/LBC Single storey extension to form garden room Permit

10/00459/FUL Single storey extension to form garden room Permit

10/00710/FUL Single storey extension to form garden room ongoing

Views of Consultees

CAWP - Objects to this proposal as it is considered to be harmful to the Listed Building.

Loggerheads Parish Council raise no objections.

Representations

None received.

Applicant's Submission

The application has been supported by a Design and Access Statement which predominantly provides a design justification for the proposed development.

Key Issues

The application is a resubmission following planning permission for a single storey garden room at the side of the residential dwelling which is a Grade II listed building. Amendments were sought during the previous application due to officer concerns about the proposals design. Amended plans were submitted and accepted by the Council and the planning application and listed building consent were approved.

This application seeks to resort back to the previous design that was considered unacceptable. All other matters were considered acceptable and so the only issues are the design of the proposals and the impact on the character of the Grade II Listed Building.

Design of the proposals and the impact on the character and appearance of the Grade II Listed Building

The property is a Grade II listed building and in particular, policies B5 & B6 are of importance in this instance and seek to resist proposals that adversely affect the setting and character of its architectural or historic features.

The farmhouse is identified in the listing as *'Timber Framed with brick gable ends on painted sandstone and brick plinth; clay tile roof with central brown brick ridge stack'*.

The issue with the proposal, that officers raised previously, was with regard to the front and gable elevations of the proposed development having brick plinth/ dwarf walls rather than being of a wholly timber and glazed construction. The plinth/dwarf walls are considered to interfere with the timber framed character of the main dwelling. Although this may be considered to be a simple alteration it is considered that it is fundamental to the design and impact on the building. The aim is to seek a design that is simple and unfussy which would minimise the impact on the Listed Building. The front elevation and its timber framing is the main feature of the building. Whilst the proposal would be located on the gable end/ side elevation and slightly set back it would be viewed alongside the front elevation of the main dwelling. The front elevation of the proposal is therefore also important and it is considered that there is a need for this element to be of a high quality and simple design. As discussed the oak framed structure is a high quality design but the introduction of brick work, particularly on this elevation is considered unacceptable because it would introduce a further material that would represent a fussy design.

It is understood that the brickwork is required for plug sockets internally rather than it being considered important for the design of the structure and its impact on the Listed Building. Officers considered that brick work on the rear elevation of the proposal would have a limited impact and plug sockets could be located on these walls rather than the front elevation which is a key element of the proposal.

The proposal, despite it being reduced in size, still represents a large structure that would be introduced to the gable end of the building. The preference was for the proposal to be centralised on the gable but this would be problematic due to the existing window and door openings. Therefore, despite its size and position it was considered on balance that the amendments to the front elevation would make the development acceptable. However, now a brick plinth/ dwarf wall has been introduced again, it is considered that the development as a whole would adversely affect the character and historic features of the listed building because of its design, position and use of materials that would be incongruous to a key historic feature of the building, this being contrary to local planning policies for extension and alterations to listed buildings, in particular B6 of the local plan and CSP2 of the Core Spatial Strategy.

Recommendation

Refuse for the following reason;

1. The proposed development incorporating a brick built dwarf wall to the gable end and front elevation would create an inappropriate design and external appearance that would have an adverse impact upon the character of the grade II listed building, contrary to Policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policies B5 & B6 of the Newcastle Under Lyme Local Plan 2011 and the aims and objectives of PPS1 and guidance of PPS5.

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