

When calling or telephoning please ask for

Mr G Durham

Direct line or ext

742222

My ref

GD/SH – R82/48

29 October 2010

To the Chair and Members

of the

CONSERVATION ADVISORY
WORKING PARTY

Dear Sir/Madam

A meeting of the **CONSERVATION ADVISORY WORKING PARTY** will be held in **COMMITTEE ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 9 NOVEMBER 2010** at **7pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 28 September 2010 (copy attached for non-Council Members information).
3. To consider the attached reports at Appendix A and B (blue and salmon paper).
4. To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the Officer.
5. To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Yours faithfully

P W CLISBY

Head of Central Services

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

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

The appropriate Parish Council representative(s)

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

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

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/435/FUL	Land opposite 1 Church Villas, The Butts, Church Lane, Betley. Mr P Robinson.	Erection of detached dwelling and alterations to accesses.	The Conservation Advisory Working Party had no objections to the design and character of the proposal but would like careful consideration given to control of materials i.e. brick and paving choice. Windows should be timber.	Permitted under delegated powers 23 September, 2010
10/409/FUL	Clayton Hall Business and Language College, Clayton Lane, Newcastle. Clayton Hall Business and Language College.	Kitchen refurbishment and roof mounted extraction unit.	No objections	Permitted under delegated powers 24 September, 2010
10/456/LBC	12 King Street, Newcastle Mr & Mrs D Singh.	New fascia and hanging sign.	No objections, but plans need amending as it still makes reference to the underlining element of the sign which has been deleted.	Permitted under delegated powers 22 September, 2010
10/458/LBC & 10/459/FUL	Ashley Farmhouse, School Lane, Ashley. Dr D West.	Single Storey extension to form garden room.	The Working Party accepted the modifications to the proposal but felt that the front plinth still appeared clumsy. Concerns were raised over removing paint from the gable in terms of its social history and potential problems in applying a limewash on the brickwork. In addition, the first floor bedroom window may be very dark with the erection of the garden room, therefore it would be in the best interest of the applicant to let as much light into this room as possible.	Permitted under delegated powers 8 October, 2010

Cont...

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/463/ADV	60-62 High Street, Newcastle. The Boots Company.	One illuminated fascia sign and one illuminated projecting sign.	No objections	Permitted under delegated powers 20 September, 2010
10/446/DEEM3	Castle Mott, Silverdale Road and John O'Gaunt's Corner, Newcastle. Newcastle Borough Council.	Construction of viewing platform for Castle Mott, creation of a ramp, new entrance gate and improved footpath. Improvement and interpretation of site of Castle Mott and John O'Gaunt's Corner.	The Conservation Advisory Working Party supported this application to better interpret this significant historic asset that is a key part of the Borough's heritage.	Permitted by Planning Committee 25 August, 2010
10/469/FUL	Newcastle-under-Lyme Boys School, Mount Pleasant, Newcastle. Newcastle-under-Lyme Boys School.	Remodelling of existing courtyard (quad) area into a new school plaza incorporating connecting pathways, hard and soft landscape elements and associated infrastructure.	The Working Party welcomed the proposal but want the central desire line to be a bound aggregate (in an appropriate colour) not tarmac. Also, the existing cobbles should be retained and reused and not re-sourced as this is an important historic feature in the courtyard.	Permitted under delegated powers 11 October, 2010
10/478/ADV	Lidl. Lower Street, Newcastle Lidl UK GmbH.	Erection of advertising hoarding.	The Working Party objected to the sign because it would have an adverse impact on the visual amenity of the area, which is adjacent to three Listed Buildings and the Town Centre Conservation Area.	Refused under delegated powers 24 September, 2010

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
10/531/FUL	The Hawthorns and Keele Campus, Keele, Staffs. Keele Seddon Ltd.	Proposed student accommodation with re-provision of car parking (*Keele Campus) and proposed residential development and older person's care village (The Hawthorns).	Within the Keele Conservation Area, affects the setting of a Listed Building and affects a Public Right of Way.	Councillor Mrs W Naylon Councillor R Studd
10/550/FUL	Orchard House, Chamberlain Court, Betley. Mr I Brooks.	First floor rear extension with balcony.	Within the Betley Conservation Area.	Councillor D Becket Councillor A Wemyss
10/557/FUL & 10/558/LBC	St Margaret's CE Church, Church Lane, Betley. St Margaret's PCC.	Proposed fencing.	Within the Betley Conservation Area and affects a Listed Building.	Councillor D Becket Councillor A Wemyss
10/583/ADV	78-80 High Street, Newcastle. TSF Retail.	New shop front signage.	Within the Newcastle-under-Lyme Conservation Area and affects the setting of a Listed Building.	Councillor D Clarke Councillor Mrs E Shenton
10/585/FUL	Moreton House, Church Lane, Wolstanton. Staffordshire Housing Association.	New enclosure of common areas of existing building and associated roof works.	Within the Wolstanton Conservation Area.	Councillor Mrs Y Burke Councillor M Olszewski Councillor D Woolley

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr P Robinson **Application No** 10/00435/FUL
Location Plot opposite 1, Church Villas, The Butts, Betley
Description Erection of detached dwelling and alterations to access

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

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 T1A: Sustainable Location
Policy NC19: Conservation Areas

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

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011

Policy H1: Residential Development: Protection of the Countryside
Policy B5: Control of Development Affecting the Setting of a Listed Building
Policy B9: Prevention of Harm to Conservation Areas
Policy B10: The requirement to preserve or enhance the character and 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 T16: Development – General Parking Requirements

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
PPS3: Housing (2006)
PPS5: Planning for the Historic Environment (2010)
PPG13: Transport (2000)

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

Supplementary Planning Guidance on Space about Dwellings (July 2004)

Manual for Streets 2007

Planning History

2002	02/445/OUT	Dormer bungalow - refused
2003	03/1119/FUL	Dormer bungalow – withdrawn
2004	04/449/FUL	Detached cottage – refused
2004	04/1067/FUL	Detached cottage – refused and allowed on appeal

Views of Consultees

Betley, Balterley and Wrinehill Parish Council notes that there is an existing planning approval and that this application differs principally by the addition of a basement, and supports the application subject to the protection of the existing wall on the eastern boundary and the materials used being of a quality and appearance compatible with

existing adjoining properties.

The **Conservation Area Working Party** had no objections to the design and character of the proposal but would like careful consideration given to control of materials i.e. brick and paving choice, and windows should be timber.

The **Highway Authority** has no objections but is mindful of paragraph 33 of the Inspector's decision regarding the provision of a passing place. It is requested that the Planning Officer gives consideration to the appeal decision/conditions should they be minded to grant planning permission.

The **Environmental Health Division** has no objections to the proposal, subject to conditions regarding hours of construction, recyclable materials and refuse, storage and disposal arrangements, and contaminated land.

Representations

Nil

Applicants/Agents Submission

A **Design and Access Statement** accompanies the application.

Key Issues

The application is for full planning permission for a detached dwelling and alterations to the access. The property is in the village of Betley within the Conservation Area. Planning permission was granted on appeal in 2006 for the erection of a detached cottage (Ref. 04/1067/FUL).

The principle of residential development on the site has been accepted, and there is an extant planning permission. Therefore, the main issues for consideration are whether the proposed amendments have any additional impact on:

- The character and appearance of the Conservation Area
- Highway safety
- Residential amenity

Impact on character and appearance of the Conservation Area

Policy B9 of the Local Plan states that development that would harm the special architectural or historic character or appearance of Conservation Areas will be resisted. Additionally, Policy B10 of the Local Plan requires any new development to preserve or enhance the character or appearance of a Conservation Area, and states that the form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing must respect the character of the buildings in the area. The LPA is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The proposed dwelling would be larger than the approved scheme, although not significantly, and would include the addition of a basement. Concerns were raised regarding this scheme as originally submitted principally in relation to the fenestration on the rear elevation and the prominence of the proposed staircase. Further to discussions with the applicant and his agent, amended plans have been received simplifying the fenestration, reducing the number of rooflights and relocating and encasing the external staircase in brickwork. Subject to the imposition of conditions regarding detailing and materials, it is considered that the scheme as amended is acceptable and would not have any significant adverse impact on the character and appearance of the Conservation Area. There would therefore be no conflict with the relevant development plan policies, or national guidance.

Highway safety

The Highway Authority has no objections to the proposal but refers to paragraph 33 of the Inspector's decision regarding the provision of a passing place. In relation to the previous appeal for this site and the site on the opposite side of The Butts adjoining 1 and 2 The Villas (Ref. 04/1068/FUL), the Inspector considered it necessary to require by condition a passing space which would allow for two cars to pass.

The passing space was to be provided on the southern side of The Butts. That passing space was required by a condition of 07/00739/FUL which granted permission for amendments to 04/1068/FUL. That scheme has been implemented but no details have been submitted for the passing space and the condition has not been discharged. A passing space has been provided on the northern side of The Butts as shown on the submitted block plan.

Subject to a condition requiring the submission and approval of details of the passing space, it is considered that the scheme would allow for two cars to pass and would be acceptable in highway safety terms.

Residential amenity

The amended scheme would not have any additional impact on the amenity of the neighbouring properties.

The amount of amenity space for the future occupiers of the dwelling has been reduced but sufficient space would be available to the side of the property for sitting out and drying clothes.

On balance, it is considered that there would be no significant adverse impact on residential amenity as a result of this amended scheme.

Reasons for the Grant of Planning Permission

The proposal preserves the character and appearance of the Conservation Area, and there would be no significant adverse impact on highway safety or residential amenity. The proposed development accords with Policies D2 and NC19 of the of the Stoke on Trent Structure Plan 1996-2011, Policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026, Policies B9 and B10 of the Newcastle under Lyme Local Plan and the aims and objectives of PPS1 and PPS5.

Recommendations

Permit with 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:
 - DEP Architects Amended Plan received 11 September 2010
 - Sections drawing received 11 September 2010
- R2. For the avoidance of doubt and in the interests of proper planning.
3. No development shall take place until full details of the external facing and roofing materials to be used, the materials and finish for the windows, and the materials to be used for the surfacing of the parking and turning area shown on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- R3. In the interests of the character and appearance of the Conservation Area to comply with the requirements of Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.
4. Notwithstanding the provisions of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no extensions, external alterations, erection of outbuildings, or other development within the curtilage of the house hereby approved, as referred to in Schedule 2, Part 1, Classes A to H and Schedule 2, Part 2, Class A shall take place unless it has been the subject of a prior planning permission from the Local Planning Authority.
- R4. To safeguard the living conditions of adjoining occupiers and in the interests of the character and appearance of the Conservation Area to comply with the aims and objectives of PPS1 and the requirements of Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.
5. Prior to the commencement of development, details of the existing and the proposed ground levels within the site and the proposed slab levels of the dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

- R5. To safeguard the living conditions of adjoining occupiers and in the interests of the character and appearance of the Conservation Area to comply with the aims and objectives of PPS1 and the requirements of Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.
6. No development shall take place until full details of the existing and proposed boundary treatments, to include the retention of the existing wall on the eastern boundary, have been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be carried out in accordance with the approved details and shall be completed before the permitted dwelling is first occupied.
- R6. In the interests of the character and appearance of the Conservation Area to comply with the requirements of Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.
7. No development shall take place until full details of the passing place to the northern side of The Butts, as shown on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. The passing place shall be provided in accordance with the approved details prior to work commencing on the construction of the dwelling hereby permitted, and shall thereafter be retained.
- R7. In the interests of highway safety to comply with the aims and objectives of PPG13.
8. Prior to the commencement of development, full and precise details of the recyclable materials and refuse storage, including designated areas to accommodate sufficient recyclable materials and refuse receptacles to service the residential development and the collection arrangements for residential waste arising from same shall be forwarded to the Local Planning Authority for approval. Thereafter the collection arrangements for residential waste shall be carried out in accordance with the approved scheme.
- R8. In the interests of visual amenity, residential amenity and sustainability requirements in accordance with the requirements of Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and the aims and objectives of PPS1 and PPS3.

Performance Checks	Date		Date
Consultee/ Publicity Period	27.8.10	Decision Sent Out	
Case Officer Recommendation	23.9.10	8 Week Determination	24.9.10
Management check	23/9 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Clayton Hall Business & Language College **Application No** 10/000409/FUL
Location Clayton Lane, Newcastle
Description Roof Mounted Air handling System

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

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 D5A: Green Belt
Policy D5B: Development in the Green Belt
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection and restoration
Policy NC18: Listed Buildings
Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy S3: Development in the Green Belt
Policy B9: Prevention of harm to Conservation Areas
Policy B10: The requirement to preserve or enhance the character of a Conservation Area
Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or adjoining the Boundary of Conservation Areas
Policy N19: Landscape maintenance Areas

Newcastle under Lyme and Stoke on Trent Core Strategy 2006-26 (adopted 2009)

Strategic Aim 16: To eliminate poor quality development;
Policy CSP1: Design Quality.

Other Material Considerations

Relevant National Policy Guidance:

PPS 1: Delivering Sustainable Development;
The Planning System: General Principles

PPG2: Green Belts January 1995
PPS5: Planning for the Historic Environment March 2010

Supplementary Planning Guidance

Relevant Planning History

1987 87/16132/N PER 2 mobile Classroom Units

Views of Consultees

Environmental Health - no objections. **Conservation Advisory Working Party** - no objections.

Representations

None.

Applicant's/Agent's Submission

Design and Access Statement

The kitchen is to be remodelled to make better use of the floor area.

There is currently no means of actively extracting fumes, heat and odours. The proposed air handling unit would be located on the flat roof above the kitchen providing tempered air throughout the year.

Key Issues

This application is for full planning permission for a roof mounted air handling system as part of a kitchen reorganisation and upgrade. The application site is an educational establishment consisting of buildings of a wide variety of ages and styles. It is within the Clayton Conservation Area which includes the listed Clayton Hall, is within Green Wedge between Clayton and Tent Vale within Stoke-on-Trent City forming part of the Green Belt and is within the Area of Landscape Maintenance.

The main issues for consideration in the determination of this application are

- Is the development appropriate in Green Belt terms?
- Would the impact to the character of the surrounding landscape be acceptable?
- Impact upon the character and appearance of the Conservation Area and the nearby Listed Building.

Appropriate development within the Green Belt?

PPG2 outlines the general presumption against inappropriate development in the Green Belt. Paragraph 3.12 of PPG2 states that the statutory definition of development includes building works and other operations, and the making of any material change in the use of the land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.

Policy S3 of the Local Plan states that there is a presumption against any form of development subject to certain exceptions. The present proposal does not fall within any of the listed exceptions.

However in consideration of the above local plan policy and national guidance the proposal is for a roof mounted air handling system which would maintain the openness of the Green Belt. The proposed plant would be above the existing roof height but this would not materially impact on the openness of the Green Belt and would not conflict with any of the purposes of including land within it. Since it would not damage the openness of the Green Belt the application it is concluded that the proposal involves appropriate development.

Would the impact upon the character of the surrounding landscape be acceptable?

Local Plan Policy N19 states that the Council will seek to maintain high quality and characteristic landscapes in Landscape Maintenance Areas as shown on the Proposals Map. Where development can be permitted, it will be expected to contribute to this aim. Within these areas it will be necessary to demonstrate that development will not erode from the character or harm the quality of the landscape.

To conform to Structure Plan Policy NC2, the proposed development should be informed by and sympathetic to landscape character and quality and should contribute to the landscape policy objective identified for the area.

The proposed works will be entirely roof mounted not extending the footprint of the building at all, and will be small in size in comparison to the existing building upon which it is to be mounted; the is being so there will be no material impact on the surrounding landscape.

Impact upon the Conservation Area and the nearby Listed Building

Policies within the Local Plan in line with national planning policy as set out in PPS5, requires consideration of development and its impact on the character and appearance of the Conservation Area. Development needs to preserve or enhance such character.

The application building is modern flat roofed single storey building.

The proposal is mainly ducting together with other air handling equipment. The highest point of the ducting is a vertical nozzle 1.7 metres above the roof. The equipment is utilitarian but not particularly visible from the ground; and the building is a rectangular box of no design merit, so the equipment would not detract materially from its appearance. There is another building between the proposal and the listed Clayton Hall so the proposal would not detract from it. The appearance of the proposal would be acceptable and would preserve the character and appearance of the Conservation Area.

Reasons for the Approval of Planning Permission

The proposed engineering operation will not detract from the openness of the Green Belt and as such it is concluded that it is appropriate development. The landscape quality will be maintained and so it complies with Policies D5B and NC2 of the Stoke-on-Trent Structure Plan 1996-2011 and Policy N19 of the Newcastle Under Lyme Local Plan. The proposal also complies with Policy D2 of the Stoke-on-Trent Structure Plan 1996-2011 and CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 because it is of a scale and design that would not be detrimental to the character of the building and the visual amenity of the area. Moreover it will not detract from the character of the Conservation Area or the setting of a listed building so Policies NC18 and NC 19 of the Stoke-on-Trent Structure Plan 1996-2011 and Policies B9, B10, B11, B12, B13, B14, and B15 of the Newcastle under Lyme Local Plan are met with.

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.
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - 78000346/A 27.10.2010; Received by the Council 2.8.2010;
- R2. For the avoidance of doubt and in the interests of proper planning.

Note to the Applicant

N10. (Crime prevention)

Performance Checks	Date		Date
Consultee/ Publicity Period	27.8.2010	Decision Sent Out	
Case Officer Recommendation	24.9.2010	8 Week Determination	27.9.2010
Management check	Varied ESM 27/9		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr & Mrs D Singh **Application No** 10/00456/LBC
Location Hanover Dental Surgery 12 King Street Newcastle
Description Proposed fascia sign and hanging sign

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

Staffordshire and Stoke on Trent Structure Plan 2011

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

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

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

Policy B6: Extension or Alteration of Listed Buildings

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
PPS5: Planning for the Historic Environment (March 2010)

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

Planning History

2010 10/00111/ADV Proposed fascia sign and hanging sign - approved

Views of Consultees

The Conservation Advisory Working Party had no objections but stated that the plans need amending as it still makes reference to the underlining element of the sign which has been deleted.

Representations

Nil

Applicants/Agents Submission

Nil

Key Issues

Listed building consent is sought for a proposed fascia sign comprising of individually applied metal letters featuring the "Hanover Dental Practice" logo with text of 200mm in height and a hanging sign measuring 0.9m by 0.9m. Number 12 Hanover Street is a Grade II Listed Building. The main issue for consideration is the impact on the appearance and historic fabric of the Listed Building.

Policy CSP2 of the Core Spatial Strategy seeks to ensure that buildings of particular heritage value are safeguarded.

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

The proposed signage has been positioned sympathetically on the building and contrary to the annotation on the plan does not feature an underline which was a concern. Overall it is not considered that there would be any significant adverse impact upon the appearance or historic fabric of the Listed Building.

Reason for the grant of listed building consent:

The proposed development does not have any detrimental impact on the character, visual appearance and historic fabric of the Grade II Listed Building. The proposed development accords with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policy CSP2 Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and Policy B6 Newcastle-under-Lyme Local Plan.

Recommendation

Grant consent subject to the following conditions:

- 1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Forshaw Greaves and Partners plan drawing number 5, received 4 August 2010.
- R1. For the avoidance of doubt and in the interests of proper planning.
- 2. Contrary to the annotation within the approved plans there shall be no underlining of any text as part of the signage proposal.
- R2: For the avoidance of doubt.

Performance Checks	Date		Date
Consultee/ Publicity Period	3.9.10	Decision Sent Out	
Case Officer Recommendation	22.9.10	8 Week Determination	29.9.10
Management check	RK Amended 22.9.10		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Dr D.J. West **Application No** 10/00458/LBC

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:

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

2010 10/00459/FUL Single storey extension to form garden room - ongoing

Views of Consultees

CAWP - Conservation Advisory Working Party accepted the modifications to the proposal but felt that the front plinth still appeared clumsy. Concerns were raised over removing paint from the gable – in terms of its social history and potential problems in applying a limewash on the brickwork. In addition, the first floor bedroom window may be very dark with the erection of the garden room, therefore it would be in the best interests of the applicant to let as much light into this room as possible.

Loggerheads Parish Council raises 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. The proposal represents a large addition to the building that is of a high quality design but the design has been amended following comments from the conservation officer.

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 proposal has been reduced in width and the brick dwarf walls (that would act as a plinth) are no longer proposed with the timber framing and glazing being floor to eaves. The proposal would now be predominantly constructed from oak frames with glazing and a tiled clay roof. The design, size and location is now considered acceptable, thus protecting the appearance and character of the listed building with the main aspect of the listed building being the painted timber framed front elevation and not the painted gable.

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.

The existing end gable is brick work but this has been painted to replicate the timber framing on the front elevation. This is not original or a historic feature and the conservation officer has advised that the removal of the paint would be desirable. However, CAWP have indicated that the painting of the gable reflects the social history of the evolution of the building. Notwithstanding this point the paint work is not original and so a condition seeking investigations as to the hazards posed by the removal of this paint and the application of lime wash on the brick work is recommended. This removal of paint is considered necessary to allow the proposed extension to sit more comfortably on the building. The submission of a method statement should therefore be submitted as part of these investigations to establish the likely impacts.

In summary it is not considered that the proposed extension would have any detrimental impact on the character or appearance of the Listed Building, subject to conditions, in particular investigations into the removal of paint work on the gable

Reason for the grant of listed building consent:

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

Recommendation

Grant consent 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 no. 100/870/2010, 100/871/2010 & 100/874/2010, date stamped received by the Local Planning Authority on 9 August 2010
 - Drawing no. 100/875/2010/A rev B, date stamped received by the Local Planning Authority on 7 October 2010
 - Proposed floor plans (stamped amended), date stamped received by the Local Planning Authority on 22 September 2010.
- R2 For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used shall be in strict accordance with those specified on the application form and those identified on the amended plans detailed in condition no. 2 above, unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

- R3 To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle under Lyme Local Plan 2011 and the guidance given in PPS5.
4. Prior to the commencement of the development the applicant shall investigate the potential hazards of removing paint from the brick gable/ south-east elevation and the application of limewash on the brick work. A method statement by a specialist contractor shall be submitted to and approved in writing by the Local Planning Authority for details of the removal of paint on the brick gable, if this is applicable following the above investigations. The relevant work shall be carried out in strict accordance with the approved details.
- R4 To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle under Lyme Local Plan 2011 and the guidance given in PPS5 and PPS1.

Performance Checks	Date		Date
Consultee/ Publicity Period	07.09.2010	Decision Sent Out	
Case Officer Recommendation	08.10.2010	8 Week Determination	08.10.2010
Management check	8/10/10 GM NV		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Dr D.J. West **Application No** 10/00459/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:

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

2010 10/00459/LBC Single storey extension to form garden room - ongoing

Views of Consultees

CAWP - Conservation Advisory Working Party accepted the modifications to the proposal but felt that the front plinth still appeared clumsy. Concerns were raised over removing paint from the gable – in terms of its social history and potential problems in applying a limewash on the brickwork. In addition, the first floor bedroom window may be very dark with the erection of the garden room, therefore it would be in the best interests of the applicant to let as much light into this room as possible.

Loggerheads Parish Council raises 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 applicant seeks planning permission to erect a single storey side extension to the property which is a Grade II listed building. The property is located outside the village envelope of Ashley and so is within the open countryside and on land designated within the Local Development Framework proposals map as an area of active landscape conservation. The proposal would be located on the south-east facing gable which is painted to replicate the timber framing on the main front elevation. Internally the proposal will serve as a garden room.

Amended plans have been submitted during the planning application following planning officer comments about the size and design of the proposal.

Key issues in the determination of the development therefore are:

- the design of the proposal and the impact on the character of the area
- the impact on the character of the Grade II Listed Building; and
- the impact on the character of the area.

Design of the proposals

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."

Policy H18 refers to the design of residential extensions, where subject to planning control. The policy states:

"Proposals to extend dwellings will be favourably considered, subject to other policies in the Plan, so long as the following requirements are satisfied:

- i) The form, size and location of each extension should be subordinate to the design of the original dwellings.
- ii) The materials and design of each extension should fit in with those of the dwelling to be extended.
- iii) The extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting."

The application property is a former farmhouse building that has seen a number of planning permissions for the conversion of outbuildings into residential use. The farm house has always been in domestic use and has a large garden to the side and rear of the property. The proposal would be located on the side gable and would measure 5.95 metres by 5.8 metres with a height of 4.6 metres. The amended design results in the front and side elevation being timber (oak) framed with glazing to the ground, as opposed to the brick dwarf wall previously proposed. The extension would have a tiled pitched roof.

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.

In consideration of the above, the proposal represents a subordinate design that would respect the character of the original dwelling despite its size. The materials and design achieve a high quality design with the amendments to the design further improving its appearance.

The design of the proposal complies with policy H18 of the Local Plan and PPS1, paragraph 33, this being deemed unacceptable.

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'*.

A number of amendments have been made since the original submission following comments from the conservation officer and planning officer about the proposals appearance and impact on the building. This has resulted in a reduction in width of the proposal and the removal of brick dwarf walls. The proposal would now be predominantly constructed from oak frames with glazing and a tiled clay roof. The design, size and appearance is now considered acceptable which will protect the appearance and character of the listed building with the main aspect of the listed building being the timber framed front elevation.

The existing end gable is brick work but this has been painted to replicate the timber framing on the front elevation. This is not original or a historic feature and the conservation officer has advised that the removal of the paint would be desirable. However, CAWP have indicated that the painting of the gable reflects the social history of the evolution of the building. Notwithstanding this point the paint work is not original and so a condition seeking investigations as to the hazards posed by the removal of this paint and the application of lime wash on the brick work is recommended. This removal of paint is considered necessary to allow the proposed extension to sit more comfortably on the building. The submission of a method statement should therefore be submitted as part of these investigations to establish the likely impacts.

It is considered that the proposed development would not harm the character of the building, in accordance with policy B6 of the local plan.

The impact on the landscape conservation area

Policy N18 of the local plan states:

"Within Areas of Active Landscape Conservation as shown on the Proposals Map the council will support, subject to other policies, proposals that will help to conserve the high quality and distinctive character of the areas landscape. Development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area."

The proposal is considered to represent a high quality design due to the use of materials and its general appearance. The proposal is large but the width has been reduced to help further minimise its impact.

Furthermore, the front boundary is heavily planted with shrubs and these would screen views of the proposal and so the impact on the wider visual amenity of the area would be minimal. Therefore, the proposal would help to conserve the high quality and character of the landscape.

The proposal therefore represents an acceptable design, this being in accordance with policy N18.

Reasons for the grant of planning permission

The proposed development is of a scale and design that would respect and protect the historic features of the listed building whilst also appearing subordinate in its design. The impact on the visual amenity of the area and the landscape conservation area would be minimal with a high quality design proposed that would protect the character and quality of the landscape. The proposed development therefore accords with Policies B5, B6, H18 & N19 of the Newcastle under Lyme Local Plan 2010, Policies D2, NC2 & NC18 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 & CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit subject to the following conditions:

The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

1. 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 no. 100/870/2010, 100/871/2010 & 100/874/2010, date stamped received by the Local Planning Authority on the 09 August 2010
- Drawing no. 100/875/2010/A rev B, date stamped received by the Local Planning Authority on the 07 October 2010
- Proposed floor plans (stamped amended), date stamped received by the Local Planning Authority on the 22 September 2010.

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

3. The materials to be used shall be in strict accordance with those specified on the application form and those identified on the amended plans detailed in condition no. 2 above, unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

R3 To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle under Lyme Local Plan 2011 and the guidance given in PPS5.

4. Prior to the commencement of the development the applicant shall investigate the potential hazards of removing paint from the brick gable/ south-east elevation and the application of limewash on the brick work. A method statement by a specialist contractor shall be submitted to and approved in writing by the Local Planning Authority for details of the removal of paint on the brick gable, if this is applicable following the above investigations. The relevant work shall be carried out in strict accordance with the approved details.

R4 To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle under Lyme Local Plan 2011 and the guidance given in PPS5 and PPS1.

Note to the applicant

1. You are reminded of the need to comply with the conditions attached to the planning permission.

Performance Checks	Date		Date
Consultee/ Publicity Period	07.09.2010	Decision Sent Out	
Case Officer Recommendation	08.10.2010	8 Week Determination	08.10.2010
Management check	8/10/10 GM NV		

OFFICER REPORT ON DELEGATED ITEMS

Applicant The Boots Company **Application No** 10/463/ADV
Location 60-62 High Street, Newcastle
Description One illuminated fascia sign and one illuminated projecting sign

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

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 one fascia and one projecting sign. Both signs would be illuminated with the lit element of the fascia sign just being the oval 'lozenge' element. The projecting sign is also internally illuminated. The application forms state that the fascia sign and the projecting sign will have luminance levels below 300cd/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.
- 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 signs displayed on the majority of retail premises within the town centre and the use of fairly modest typeface and on the relatively large premises. The proposals are suitable in scale and size and would not create a cluttered appearance to the shop frontage. The proposed signs, given the context of the building and its frontage, will not harm the overall character of the area. The proposal would therefore adhere with the principles of policy D2 of the Staffordshire and Stoke on Trent Structure Plan.

To ensure that the proposed signs do not have an adverse impact upon the character of the Conservation Area, a condition would be included specifying that the maximum luminance for the signs should not exceed 300cd/m². The proposed development would therefore adhere with the principles of policy B20 of the Newcastle under Lyme Local Plan.

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

Approve subject to the standard conditions as well as the following condition:

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

Reason

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;

- Planning Application Forms
- Sign Specialists 90643/A-Planning

Performance Checks	Date		Date
Consultee/Publicity Period	7/9/10	Decision Sent Out	
Case Officer Recommendation	20/9/10	8 Week Determination	4/10/10
Management check	21/9 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Newcastle under Lyme School **Application No** 10/00469/FUL

Location - Newcastle under Lyme Boys School

Description - Remodelling of existing courtyard (quad) area into a new school plaza incorporating connecting pathways, hard and soft landscaping elements and associated infrastructure.

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

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 NC13: Protection of Trees, Hedgerows and Woodlands
Policy NC19: Conservation Areas

Newcastle-under-Lyme Local Plan 2011

Policy N12: Development and the Protection of Trees
Policy N17: Landscape Character – General Considerations
Policy T16: Development – General Parking Requirements
Policy B9: Prevention of harm to Conservation Areas
Policy B10: The requirement to preserve or enhance the character and appearance of the Conservation Area
Policy B13: Design and development in the Conservation Areas
Policy B14: Development in or adjoining the boundary of the 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”
PPG13: Transport (2001)
PPS5: Planning for the Historic Environment

Planning History

None relevant to this application.

Views of Consultees

Landscape Development Section initially had concerns with the scheme and the lack of information submitted. Since the alterations to the general arrangement plan and the revised tree survey they are satisfied that the proposal would not have an adverse impact upon the trees subject to the inclusion of certain conditions clarifying further information.

Conservation Advisory Working Party welcomed the proposal but want the central desire line to be a bound aggregate (in an appropriate colour) not tarmac. Also the existing cobbles should be retained and re-used and not re-sourced as this is an important historic feature in the courtyard.

Representations

No representations received.

Applicants/Agents Submission

The requisite application forms and plans were submitted along with a tree survey. Due to comments provided by the Landscape Development Section, a revised arrangement plan and revised tree survey were submitted.

Key Issues

The proposed development would result in a comprehensive redevelopment of the hard and to a lesser extent soft landscaping of the existing courtyard and connecting pathways and associated infrastructure. The application site is located within the urban area of Newcastle under Lyme and Stubbs Walk Conservation Area as indicated on the Local Development Framework Proposals Map.

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

- Visual amenity and impact upon the Conservation Area (including trees)
- Other Matters

Visual amenity and impact upon the Conservation Area (including trees)

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 improvements to the footpaths around the campus would have a positive impact upon the appearance of the dilapidated courtyard area as well as making it more accessible for all with alterations being incorporated to make them DDA compliant.

The proposed amphitheatre and ramp would provide a focal point within the courtyard removing an existing dilapidated tarmac parking area that detracts from the historic buildings that surround it. It would also provide a multi-functional exhibition space area that could be used for seating as well as for events if so required. It would also provide a level access to school block A from this courtyard which is currently lacking therefore improving permeability within the school. It is therefore felt that the sympathetic design of these proposals utilising high quality materials would have a beneficial impact upon the immediate setting of the courtyard as well as the wider Conservation Area.

The comments raised by CAWP with regards to no tarmac being used are understandable however, the plans illustrate buff coloured asphalt being used which is much more aesthetically appealing than traditional tarmac and will compliment the new granite and existing cobble setts to be re-used. Although these materials seem suitable in colour, type and texture on paper, due to the scale of the development and the mixture of materials proposed, it is felt appropriate, particularly in light of the comments of CAWP, to attach a condition requesting samples of these materials to be submitted prior to the commencement of development to ensure the suitability.

Local Plan Policy N12 indicates that the Council will resist development that would involve the removal of any visually significant trees whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Initially the Landscape officer was concerned that the vast changes in levels would have not been possible without having a detrimental impact upon at least three of the trees however since the amended scheme was received he is satisfied that it can be achieved subject to the inclusion of certain conditions. As the site is within a Conservation Area this is a key point as no works can be undertaken without prior notification. It is to be welcomed however that the scheme also includes new trees that will be built with appropriate measures to ensure that they do not damage the new surfacing in the long term. New planting beds are also proposed as part of the scheme as well as the removal of one that restricts access to the disabled bays and is not to the same standard as the improvements proposed.

The proposed enhancements to the hard and soft landscaping would have a positive impact upon the school campus. The proposals would create a more attractive and accessible area for all within the heart of the school which would have a positive impact upon the image that the school wishes to portray. It would also be a high quality development that would benefit Stubbs Walk Conservation Area.

Other matters

As a result of the development, a number of vehicular parking spaces will be lost due to the alterations in the courtyard area. This is not felt to be significant in this instance due to the amount of vehicular parking available across the school sites. The applicant verbally indicated that the school mini-buses that predominantly used this area would be parked at one of the 'sister' sites.

Reasons for the grant of planning permission

The proposal would improve the character and appearance of the existing dilapidated courtyard and would create a high quality development that would benefit the character and appearance of the Stubbs Walk Conservation Area. The scheme would also have no adverse impact upon the existing trees within the site which are felt to add value to the Conservation Area. The proposed development therefore accords with policies D2, NC13 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies N12, N17, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy as well as PPS1 and PPS5.

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
 2. The development hereby approved shall not begin until details of the colour, type and texture of the surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. All works shall then be completed in accordance with the approved details.
 - R2. To safeguard the visual amenities of the area in accordance with Policies D2 and NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 -2011 and Policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011.
 3. Prior to the commencement of development a comprehensive tree report and plans shall be submitted to and approved in writing by the LPA in relation to the revised scheme shown on Drawing No: AL 04/A. For the avoidance of doubt the report shall include the following:-
 - Plans illustrating full root protection areas of all trees to be retained not reduced by 20%.
 - Working method statement for all works within the RPA's of retained trees and protecting trees including how this will be co-ordinated with the rest of the works.
 - Revised details on resurfacing existing paving – 200mm thick Geoweb not necessarily appropriate.
 - Surfacing, edging and other details will need to be revised to 'no dig' within Root Protection Areas.
- The works shall then be undertaken in accordance with the approved details.
- R3. To ensure the development has no adverse impact upon protected trees in accordance with policies NC13 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies N12 and N17 of the Newcastle under Lyme.
 4. The landscaping indicated on the approved plans shall be implemented before the end of the first planting season following completion of the development. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
 - R4. To safeguard the visual amenities of the area in accordance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011.
 5. The form and general layout of the development hereby permitted shall be carried out in strict accordance with the following approved plan:

- General Arrangement Plan Drawing No: AL 04/A

The plans listed below are for information purposes only relating to detailed elements that contribute to the general arrangement plan specified above:

- Site Location Plan AL 01
- Topographic survey AL 02
- Site Block Plan AL 03
- General Arrangement Plan – Services Drawing AL 05
- General Arrangement Plan – Setting Out AL 07
- Ramp Setting Out AL 08
- Site Section X – X AL 10
- Site Section Y – Y AL 11
- Site Section Z – Z AL 12
- Site Sections X – X, Y – Y, Z – Z AL 13
- Stepped Ramp/Seating Perspective Illustration AL 20
- Detailed Sections 1 and 2 AL 50
- Detailed Sections 3 and 4 AL 51
- Detailed Sections 5 AL 52
- Detailed Sections 6 and 7 AL 53
- Detailed Section 8 AL 54
- Detailed Section 9 and 10 AL 55
- Detailed Section 11 AL 56
- Detailed Section 12 AL 57
- Detailed Section 13 AL 58
- Detailed Section 14 AL 59
- Detailed Section 15 AL 60
- Detailed Section 16 AL 61
- Detailed Section 17 AL 62
- Detailed Section 18 AL 63
- Detailed Section 19 AL 64
- Detailed Section 20 AL 65
- Detailed Section 21 and 22 AL 66
- Detailed Section 23 AL 67

R5. For the avoidance of doubt and in the interests of proper planning.

Performance Checks	Date		Date
Consultee/ Publicity Period	14/9/10	Decision Sent Out	
Case Officer Recommendation	11/10/10	8 Week Determination	11/10/10
Report checked by Back Office			
Management check	11/10 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Lidl UK **Application No** 10/00478/ADV

Location Lidl Store, Lower Street

Description Erection of Advertising Hoarding

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

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D2: The Design and Environmental Quality of Development
Policy NC18: Listed Buildings
Policy NC19: Conservation Areas
Policy T12: Strategic Highway Network

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

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

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

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
PPG15: Planning and the Historic Environment (1994)
PPG19: Outdoor Advertisement Control (1992)

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

Planning History

2008	08/00911/FUL	Erection of a six-storey building comprising a ground floor food store and a five-storey hotel of some 82 bedrooms with access, car parking, landscaping and servicing -approved
2010	10/00072/ADV	2 internally illuminated fascia signs, internally illuminated logo box sign, 4 static beam uplighters to new hotel, 3 illuminated signs to supermarket, 2 double-sided internally illuminated signs mounted on steel frame, and 1 directional sign to new hotel – approved.

Views of Consultees

The **Conservation Advisory Working Party** objects to the sign because it would have an adverse impact on the visual amenity of the area, which is adjacent to three Listed Buildings and the Town Centre Conservation Area.

The **Highway Authority** has no objections to the proposal.

Representations

Nil

Applicants/Agents Submission

Nil

Key Issues

Advertisement consent is sought for an advertising hoarding at the Lidl retail store on Lower Street, Newcastle. The site is within the Northern Quarter as designated in the Town Centre Supplementary Planning Document and lies just outside the boundary of the Town Centre Conservation Area as designated on the Local Development Framework Proposals Map. There are three listed buildings in close proximity to the site.

The main issues for consideration are as follows:

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

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

PPS1 states that Planning Authorities should plan positively for the achievement of high quality and inclusive design. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

The application site lies just outside the boundary of the Town Centre Conservation Area. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation areas in the exercise of planning functions.

Policy B10 of the Local Plan states that an important consideration in ensuring that the character and appearance of a Conservation area is preserved or enhanced is the protection of important views within, into and out of the Area. There are three listed buildings in close proximity to the site:

- (i) Maxims – a late 17th century 3-storey Grade II building to the south of the site on the same side of Lower Street
- (ii) St Giles Church – a Grade II* building on the opposite side of Lower Street
- (iii) The Unitarian Meeting House – a Grade II building also on the opposite side of Lower Street

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

The Conservation Advisory Working Party objects to the proposal on the grounds that it would have an adverse impact on the visual amenity of the area, which is adjacent to three Listed Buildings and the Town Centre Conservation Area.

A proliferation of signs already exists at this site advertising both Lidl and the Travelodge. In particular, there is already a very large post sign at the entrance to the site comprising both Lidl and Travelodge signs on 9m high posts. The sign now proposed would measure 6m x 3m supported on 1.5m high posts. It would be non-illuminated.

It is considered that the proposed sign, in addition to the many signs already at the site, would result in a cluttered appearance that would have an adverse impact on the amenity of the area and in particular, would have a significant adverse impact upon the setting of the Listed Buildings and upon the character and appearance of the adjacent Conservation Area.

Public safety

Due to the location of the sign it is considered that it would not have an adverse impact on public safety. The Highway Authority has no objection to the proposal.

Recommendation

Refuse for the following reason:

The proposed sign, in addition to the many signs already at the site, would result in a cluttered appearance that would have an adverse impact on the amenity of the area and in particular, would have a significant adverse impact upon the setting of the Listed Buildings and upon the character and appearance of the adjacent Conservation Area. The proposed development would be contrary to Policies D2, NC18 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 2011, Policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Strategy 2006-2026, Policies B5 and B10 of the Newcastle-under-Lyme Local Plan and the aims and objectives of PPS1 and PPS5.

Performance Checks	Date		Date
Consultee/ Publicity Period	14.9.10	Decision Sent Out	
Case Officer Recommendation	24.9.10	8 Week Determination	11.10.10
Management check	27/9 ESM		

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

9 November 2010

**1. APPLICATIONS FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANTS) FROM THE
CONSERVATION AND HERITAGE FUND.**

(a) 2 Merrial Street, Newcastle (Ref: 10/11004/HBG)

Purpose of Report

To consider an application for financial assistance towards the cost of the repair of the following building of special architectural and historic interest.

Recommendation

That a grant of £2,281 for 2 Merrial Street, Newcastle be approved, subject to the appropriate standard conditions.

1. Background/Issues

- 1.1 The building lies within the Newcastle Town Centre Conservation Area and has recently been included on the Borough Council's new Register of Locally Important Buildings and Structures.
- 1.2 The property formerly known as The Rose Bowl was a hairdressers for many years and is owned by Newcastle Methodist Church. The property is empty and the Church are keen to let the building and see it reused. There are some structural problems and damp problems as well as all of the internal finishes requiring updating. The grant application is essentially for internal refurbishment works to the property. There will be no external alterations. The whole contract to refurbish the building and provide new kitchen and washroom facilities is estimated at £38,298 including VAT at 17.5%. The works have been broken down and it is considered that essential fabric repairs to repair and ventilate the building to enable its reuse will cost £22,808 including VAT.
- 1.3 Grants are available up to £10,000 or 10% in the case of historic buildings in Conservation Areas. This is a key building highly visible from the ring road and marks the start of the Conservation Area in this location. The special architectural or historic interest of the building warrants the Conservation and Heritage Fund supporting the repairs to their building.

2. Financial Implications

- 2.1 There is sufficient funding to meet this grant application. Details of the sum available will be reported to the Committee.

3. Conclusions

- 3.1 This grant application meets all the Council's criteria for the repair and restoration of the heritage asset and supporting the application would help deliver the Council's statutory duty to preserve and enhance buildings of special architectural or historic interest. The views of the Conservation Advisory Working Party are being sought and will be reported to the Committee.

(b) Aston Manor Farm (ref: 10/11005/HBG)

Purpose

To consider an application for financial assistance towards the cost of the repair of the following building of special architectural and historic interest.

Recommendation

That a grant of £5,112 for the Aston Manor Farm, Aston be approved, subject to the appropriate standard conditions.

1. Background/Issues

- 1.1 This 3 storey late 18th Century farmhouse is a Grade II Listed Building (listed in 1985). It has some later extensions and alterations. These alterations which include the 20th Century windows and ground floor French windows, are acknowledged as such within the list description. The current owner wants to enhance the building by replacing unsympathetic and mixed style rotten windows with single glazed sliding sash timber windows and side opening casement windows where appropriate.
- 1.2 The ground floor French windows are a 20th Century alteration to the building which is not entirely sympathetic. Unfortunately as these windows were in situ when the building was listed, the Council cannot insist on a return to more appropriately sized openings - although the new windows will be an improvement. However the French window replacements are not eligible for grant funding and this element is not included in the recommendation for grant aid. The total cost of the new windows is £28,608 including VAT at 20% as it is proposed to do the work in the New Year. The total amount of grant eligible work is £25,560 including VAT.
- 1.3 Grants are available up to £10,000 or 20% in the case of Listed Buildings. The special architectural or historic interest of the building warrants the Conservation and Heritage Fund supporting the reinstatement of windows to the building.

2. Financial Implications

- 2.1 There is sufficient funding to meet this grant application. Details of the sum available within the fund will be provided to the Committee.

3. Conclusions

- 3.1 This grant application meets all the Council's criteria for the repair and restoration of the heritage asset and supporting the application would help deliver the Council's statutory duty to preserve and enhance buildings of special architectural or historic interest. The views of the Conservation Advisory Working Party have been sought and will be reported to the Committee.

2. CONSERVATION ADVISORY WORKING PARTY – TERMS OF REFERENCE AND MEMBERSHIP ISSUES

It has been established that the issue of co-option of members of CAWP remains for CAWP itself only to determine, and only Full Council can consider the terms of reference – although the Planning Committee and CAWP can make a recommendation to Full Council.

Since May, when a report was considered at Annual Council on the terms of reference of committees, there has been additional interest expressed in CAWP. CAWP has itself co-opted new members (as it is entitled to do), and attendance at it has improved. This is largely down to the Conservation Officer actively canvassing planning and heritage Amenity Societies to establish whether they would be interested in nominating a representative to sit on CAWP.

The current terms of reference are relatively narrow stating that the Group is “to advise on applications which would in the opinion of the authority affect the character and/or appearance of a Conservation Area”.

In practise the Group is also asked to advise on applications for listed building consent, conservation area consent and proposed historic building grants.

It is proposed to ask Council to agree that the terms of reference of the Group should be amended to read as follows

- To provide a view to the Authority on proposals which may affect the historic environment and in particular on applications for planning permission, listed building consent, conservation area consent and advertisement consent which would, in the Authority’s opinion, affect the character and appearance of a Heritage Asset, whether designated or not (meaning a part of the historic environment that is seen to have significance because of its historic, archaeological, architectural or artistic interest, as defined in Planning Policy Statement 5).
- To provide a view to the Authority on conservation policy, the preparation of schemes of enhancement and the production of design guides for Conservation Areas
- To provide a view to the Authority on applications for historic building grant

RECOMMENDATION

That the CAWP recommends to Council that the Terms of Reference be amended to read as above, and that the views of CAWP be reported to the Planning Committee.

Photos Attached to Item 1

2 Merrial Street



Aston Manor Farm

