

When calling or telephoning please ask for

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My ref

GD/EVB – R82/48

1 April 2010

To the Chair and Members

of the

CONSERVATION ADVISORY
WORKING PARTY

Dear Sir/Madam

A meeting of the **CONSERVATION ADVISORY WORKING PARTY** will be held in **COMMITTEE ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 13 APRIL 2010 at 7pm.**

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 23 March 2010 (copy attached for non-Council Members information).
3. To consider the attached reports at Appendix A and B (blue and salmon paper).
4. To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the Officer.
5. To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Yours faithfully

P W CLISBY

Head of Central Services

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

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

The appropriate Parish Council representative(s)

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

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

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/32/FUL	Site of former Field House, Old Road, Bignall End. Mr S Croxton.	Erection of detached dwelling, garage and vehicular access.	Members felt that, although this was a 2.5 storey building, the house was too large, its design not being sympathetic to its surroundings and it would have an adverse impact on the views into the conservation area and the scheduled ancient monument.	Refused under Delegated Powers 23 March, 2010.
10/57/LBC	Betley Model Farm, Main Road, Betley. Mr L Bennion.	Repair and minor alterations to listed barns for re-use as agricultural building.	The Conservation Advisory Working Party fully supports this proposal to repair and restore the listed building and preserve the character of the conservation area by retaining the buildings in agricultural use. The Conservation Advisory Working Party also wanted to report the views of the Betley, Balterley and Wrinehill Parish Council as follows:	Permitted by Planning Committee 9 March, 2010.

"We strongly support the retention of these buildings as agricultural buildings and that a scheme needs to be developed to ensure their conservation and long term viability".

"The application put forward by Lawrence Bennion appears to have the possibilities of achieving the aim of keeping the buildings in agriculture and ensuring the long term conservation, although we accept the details of the agricultural scheme submitted as part of the application may need further refinement. The proposal and application for listed building consent should be supported.

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
09/734/DEEM3	Holdcroft Motor Centre, Brunswick Street, Newcastle. Newcastle Borough Council.	<p>Proposed Health and Wellbeing Centre which includes a 25m swimming pool, learner pool, spectator gallery, changing facilities, climbing wall, fitness suite, children's activity zone, dance studio and multi-purpose room.</p> <p>Amended Plans received.</p>	<p>There was some divergence of views from Members over the location of a modern building in this part of the town adjacent to the conservation area but the Conservation Advisory Working Party accepted that the location was set. The Conservation Advisory working party welcomed the presentation by the Project Group to clarify and explain the scheme. Members approved the materials and felt that the design was of a high quality and would compliment the character and appearance of the Conservation Area.</p> <p>The Conservation Advisory Working Party also received with interest the proposal for artwork in the glazed elements of the development.</p>	Permitted by Planning Committee 9 March, 2010.
10/59/FUL	The Old Wood, Betley Hall Gardens, Betley. Mr J Williams.	Erection of a two bedroom lakeside guest annexe (Resubmission of 08/961/FUL).	The design of the application details remain unchanged. Not relevant for this Working Party to comment.	Refused by Planning Committee 9 March, 2010.
10/72/ADV	Former Georgia Pacific site, Lower Street, Newcastle . Stainer Homes LLP.	Proposed signage including 2 internally illuminated fascia signs, 1 internally illuminated logo box, 4 static beam uplighters to new hotel, 3 illuminated signs to new supermarket, 2 double sided internally illuminated signs mounted on steel frame and one directional sign to new hotel.	The Conservation Advisory Working Party objected to the large Travel Lodge sign on the South East Elevation. It was too large and obstructive and would have an adverse impact on the adjacent conservation area and listed buildings.	Permitted under Delegated Powers 29 March, 2010.

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
04/625/EXTN & 04/626/EXTN	Madeley Manor Nursing Home, Heighley Castle Way, Madeley. Mr P Quinn.	Extension of time limit to implement planning permission 04/625/FUL and 04/626/LBC for extension to provide additional patient accommodation for the nursing home.	Affects a Listed Building and within the Madeley Conservation Area.	Councillor D Becket Councillor A Wemyss
10/137/ADV	2 Castle Walk, Newcastle. Wilkinsons Hardware Stores.	Various illuminated and non-illuminated signs.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
10/143/FUL	8 Victoria Road, Newcastle. Mr C Hope.	Rear conservatory.	Within the Stubbs Walk Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
10/164/FUL	50-54 Church Street, Audley. Mr F Boon.	Change of use to restaurant with internal alterations and alterations to shop front.	Within the Audley Conservation Area.	Councillor Mrs A Beech Councillor Mrs D Cornes Councillor I Wilkes
10/177/FUL	Butterton House, Park Road, Butterton. Mr N Eldershaw.	Erection of new garage/stable building and change of use of land for the keeping of horses.	Within the Butterton Conservation Area.	Councillor P Maskery Councillor Mrs F Myatt Councillor B Tomkins
10/183/LBC	8 Church Street, Audley. Mr & Mrs J Pointon.	Demolition of outbuilding.	Affects the setting of a Listed Building and within Audley Conservation Area.	Councillor Mrs A Beech Councillor Mrs D Cornes Councillor I Wilkes

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr S Croxton **Application No:** 10/00032/FUL

Location: Site of former Field House, Old Road, Bignall End

Description: Erection of detached dwelling, garage and vehicular access

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
Policy QE6: The Conservation, Enhancement and Restoration of the Region's Landscape

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 D5B: Development in the Green Belt
Policy NC1: Protection of the countryside: General Considerations
Policy NC2: Landscape Protection and Restoration
Policy NC19: Conservation Areas

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

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle Under Lyme Local Plan 2011

Policy S3: Development in the Green Belt
Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy N17: Landscape Character – General Considerations
Policy N20: Areas of Landscape Enhancement
Policy T16: Development – General Parking Requirements
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B14: Development in or Adjoining the Boundary of the Conservation Area

Other Material Considerations

Relevant National Policy Guidance

PPS1: Delivering Sustainable Development
PPG2: Green Belts
PPS7: Sustainable Development in Rural Areas
PPG13: Transport
PPG15: Planning and the Historic Environment

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

Planning History

07/392/FUL	Replacement dwelling - Refused
06/413/FUL	Demolition of existing dwelling and erection of new dwelling - Permit
05/717/FUL	Demolition of existing dwelling and erection of new dwelling - Refused
04/1285/FUL	Demolition of existing dwelling and erection of new dwelling - Refused
04/01/OUT	Demolition of existing dwellinghouse and erection of two detached dwelling houses - Withdrawn
00/504/OUT	Proposed dwelling - Refused
97/03/FUL	Proposed extensions - Permit

Views of Consultees

Audley Parish Council supports the application.

The **Highway Authority** has no objections subject to conditions regarding access, pedestrian visibility splays, reduction in height of boundary wall/hedge/fence on site frontage, provision of parking and turning facilities.

The **Environmental Health Division** has no objections subject to conditions regarding hours of construction, details of any externally located plant, recyclable materials and refuse, storage and disposal arrangements, and contaminated land conditions.

Representations

Nil

Applicant's/Agent's Submission

A Design & Access Statement has been submitted. A summary of the main points made is as follows:

- The site has permission for a 4 bedroom detached house which has lapsed. This application is for a very similar property occupying the same footprint with the addition of a garage.
- The demolition of the dilapidated property was included in the original planning application and the starting of the works on site was conditional including the demolition. The property was boarded up but was regularly broken into.
- A fire officer suggested the property should be knocked down due to its dilapidated condition and if it was not securely ring fenced or demolished within 7 days he would contact the Council to have it demolished. Ring fencing on such a steep site looked very difficult and the prime importance was to remove a dangerous building and prevent local youths using it.
- The design follows the style of the earlier approved design and the siting on the plot is in a similar position. The main difference is that the roof height has been increased and a garage is included.
- The proposal will incorporate an air to water heat exchanger and a warm roof and the aim is to reduce the carbon footprint of the building.
- It is hoped that consideration will be given to the fact that the previously approved plans lapsed as recently as July 2009 and that an adjacent plot of land on New Road was granted planning permission for a house and bungalow.
- It is hoped that while the previous application made little attempt to reduce the carbon footprint, the new application strives to take advantage of contemporary technology to minimise the footprint.
- The originally approved design also had 2 drives, one exiting at an arguably very dangerous point 15m from the junction. This has been abolished on the new proposal.

Key Issues

Full planning permission is sought for the erection of a detached dwelling, garage and vehicular access on this site, which is located within the Green Belt and an Area of Landscape Enhancement as defined on the Local Development Framework Proposals Map. The site is close to the boundary of the Audley Conservation Area. Full planning permission was granted in 2006 for a replacement

dwelling on this site (Ref. 06/00413/FUL), but that consent has now lapsed. The former dwelling on the site has been demolished.

It is considered that the main issues for consideration are:

- Whether the proposal constitutes appropriate or inappropriate development in the Green Belt
- The impact of the proposal upon the character of the area
- Impact on the Area of Landscape Enhancement
- Highway Safety issues
- Conservation Area issues
- If it is inappropriate development do very special circumstances exist?

Appropriate or inappropriate development within the Green Belt?

PPG2 states that there is a general presumption against inappropriate development within Green Belts and such development should not be approved, except in very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt.

PPG2 states that the construction of new buildings inside a Green Belt is inappropriate unless it falls within one of the following purposes:

- (i) Agriculture and forestry
- (ii) Essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt
- (iii) Limited extension, alteration or replacement of existing dwellings
- (iv) Limited infilling in existing villages and limited affordable housing for local community needs
- (v) Limited infilling or redevelopment of major existing developed sites identified in adopted local plans

The previous permission for a dwelling on this site (Ref. 06/00413/FUL) was considered acceptable on the grounds that the dwelling replaced an existing house. That dwelling has been demolished however, and consequently, the erection of a dwelling does not fall within any of the exceptions listed above. It is considered therefore, that the proposal would, by definition, constitute inappropriate development in the Green Belt.

Impact on character and street scene

The proposed dwelling would be sited in the centre of the site in an existing hollow that is substantially lower than the adjacent New Road and Old Road. It is considered that the traditional design of the dwelling would be appropriate in the context of the surrounding development, and it is not considered that the development would adversely impact on the general street scene and character of the surrounding area.

Landscape Impact

The site is within a Landscape Restoration Area and within such areas the Council will only support proposals that would enhance the character and quality of the landscape. Policy N20 further seeks to ensure that development would not erode the character or harm the quality of the landscape.

The proposal would not affect any landscape features and it is not considered that the character or quality of the landscape would be harmed to a sufficient extent to justify refusal.

Highway safety

A new vehicular access is proposed on Old Road and sufficient parking and turning facilities would be provided within the site. The Highway Authority raises no objection to the proposal subject to the imposition of conditions. It is not considered that any objection could be sustained on highway safety grounds therefore.

Conservation Area issues

Whilst not within it, the site is adjacent to the Audley Conservation Area and therefore, the impact on any important views into or out of that Conservation Area should be considered. Due to the rise and then fall of New Road and the trees on both sides of that road, views towards the site from within the core of the Conservation Area are limited. The conclusion reached is that no important views either into or out of the Conservation Area will be adversely affected.

As inappropriate development, do such very special circumstances exist as to justify approval?

Inappropriate development is not to be permitted unless the harm to the Green Belt and any other harm is clearly outweighed by other material considerations. It is the responsibility of an applicant to demonstrate that very special circumstances exist. The applicant states that consideration should be given to the fact that the previously approved plans lapsed as recently as July 2009. As the consent is no longer extant, there is no fallback position to consider here and the period of time since the permission lapsed is not a material consideration.

Reference is also made to an adjacent plot of land on New Road that has been granted planning permission for a two-storey dwelling and a bungalow. That site is within the village envelope of Bignall End and not within the Green Belt and therefore, the circumstances are not comparable.

Although the applicant refers to reducing the carbon footprint and states that the originally approved scheme had two driveways which have been reduced to one, these arguments are not considered of any significant weight to justify departing from Green Belt policy guidance.

In conclusion, the proposal is, by definition, harmful to the Green Belt and it is not considered that the very special circumstances exist to justify approval.

Recommendation

Refuse for the following reason:

The development represents inappropriate development in the Green Belt and is harmful to the interests of that Green Belt, reduces its openness and is contrary to the purposes of including land within the Green Belt. The applicant has failed to demonstrate that the very special circumstances exist which clearly outweigh this harm and accordingly the development is contrary to the guidance within PPG2, Policy D5B of the adopted Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, and Policy S3 of the adopted Newcastle-under-Lyme Local Plan 2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	26.2.10	Decision Sent Out	
Case Officer Recommendation	23.3.10	8 Week Determination	24.3.10
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Stanier Homes LLP **Application No:** 10/00072/ADV

Location: Former Georgia Pacific Mill site, Stanier Street, Newcastle

Description: 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

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

West Midlands Regional Spatial Strategy

Policy UR3: Enhancing the Role of City, Town and District Centres
Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a High Quality Built Environment for all

Staffordshire and Stoke on Trent Structure Plan 2011

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

08/911/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 - Permit

Views of Consultees

The **Conservation Advisory Working Party** objected to the large travel lodge sign on the south-east elevation on the grounds that it is too large and obstructive and would have an adverse impact on the adjacent conservation area and listed buildings.

The **Environmental Health Division** has no objections to this application subject to a condition regarding light intensity.

The **Highway Authority** has no objections subject to conditions regarding light source and maximum luminance.

Representations

Nil

Applicants/Agents Submission

Nil

Key Issues

Advertisement consent is sought for a number of signs for the Travelodge and Lidl granted consent under Ref. 08/00911/FUL. 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 signs comprise the following:-

- (1) A double-sided internally illuminated post sign at the entrance to the site comprising a 2.5m x 2.5m Lidl sign and a 2.5m x 2.06m Travelodge sign on posts, with a maximum height of 9m.
- (2) A single-sided internally illuminated sign on the south-west elevation of the building measuring 2.5m x 2.5m.
- (3) A single-sided internally illuminated sign on the north-west elevation of the building measuring 2.5m x 2.5m.
- (4) A single-sided internally illuminated sign on the north-east elevation of the building measuring 1.95m x 1.95m.
- (5) A car park directional post sign with a maximum height of 2.1m.
- (6) A single-sided internally illuminated logo box on the north-west elevation measuring 4.2m x 3.2m. The sign would be 12.1m above ground level.
- (7) A single-sided internally illuminated fascia sign on the south-west elevation of the building measuring 4.1m x 1.04m.
- (8) A single-sided internally illuminated fascia sign on the south-west elevation of the building, 13.6m above ground level. The sign would measure 8.3m x 1.32m.
- (9) 4 no. halide high beam uplighters on the south-west elevation.

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 the large travel lodge sign on the south-east elevation is too large and obstructive and would have an adverse impact on the adjacent conservation area and listed buildings.

Amended plans have been received reducing the size of some of the signs, in particular, the Travelodge sign on the south-east elevation. Although there would be a number of signs and some would be substantial in size, it is considered that in the context of the approved foodstore and hotel development, they would not be inappropriate. It is not considered that the proposed development would have a significant adverse impact upon the setting of the Listed Buildings or upon any significant views into and out of the Conservation Area.

Public safety

Due to the location of the signs it is considered that they would not have an adverse impact on public safety. Although the Environmental Health Division has stated that the light intensity should not exceed 300 candelas because the signs are in a Conservation Area, this is not correct. The Highway Authority has recommended that the luminance shall not exceed 800 candelas and in this location, this is considered reasonable.

Recommendations

Grant consent subject to:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Planning Sheets 1 to 7 received on 5 March 2010.
- R1. For the avoidance of doubt and in the interests of proper planning.
2. No direct light source shall be visible to drivers on the highway.
- R2. In the interests of highway safety and in accordance with the requirements of Policy T12 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.
3. The maximum luminance of any of the signage shall not exceed 800 candelas per square metres where the illuminated area is up to 10 square metres, or 600 candelas per square metre where the illuminated area is over 10 square metres.
- R3. In the interests of highway safety and in accordance with the requirements of Policy T12 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.
4. The proposed Halide High Beam lights shall be installed and thereafter retained in accordance with details first to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

R4. In the interests of highway safety and in accordance with the requirements of Policy T12 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	23.3.10	Decision Sent Out	
Case Officer Recommendation	29.3.10	8 Week Determination	6.4.10
Management check			