

When calling or telephoning please ask for

Mr G Durham

Direct line or ext

742222

My ref

GD/EVB – R82/48

5 June 2009

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, 16 JUNE 2009** at **7pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 14 April 2009 (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

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

**APPENDIX 'A'
(Blue Paper)**

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

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
08/722/FUL	Park Manor, Butterton Road, Butterton. Dr Manoj Popat.	Retrospective boundary walling and new entrance gates, alterations to vehicular and pedestrian accesses.	The Conservation Advisory Working Party strongly objected to this development. Members felt that it was visually obtrusive in its colour, materials and appearance and detrimental to the visual appearance of an adjacent wall. The Conservation Advisory Working Party supports any actions that Planning Committee recommends to take to resolve the matter.	Application Returned never validated.
08/975/FUL	Land at Silverdale and Cross Heath Former Railway Line, Station Road, Silverdale. English Partnerships.	Engineering works associated with the reclamation of a derelict rail line to a tarmac track for public access.	Members welcomed the proposal to improve the surfacing of the walkway. In view of the proximity to St Luke's Church and this old part of Silverdale, Members requested that a sensibly designed finished be used such as crushed gravel or red ash and not tarmac as proposed.	Permitted by Planning Committee 31/03/2009.

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
09/33/FUL	Central Campus/Union Square, Keele University. University of Keele.	Upgrade to include new amphitheatre, landscaped areas, ramps and re-modelled car park.	<p>The Conservation Advisory Working Party welcomed the concept in general, however, some concerns were raised:</p> <ul style="list-style-type: none"> • Raising the level of the paved area to bring it in line with the doorway would detract from the original design of George Pace. In addition, it could create problems with the damp proof course. • Members felt that there were too many textures/colours in the immediate vicinity of the chapel without the 'Staffordshire Blue Brick' being continued. Use of this material should be encouraged. • Concerns were raised regarding the location of the proposed sign in front of the chapel which it was felt was not required in the vicinity. 	Permitted by Planning Committee 31/03/2009.
Cont...Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
09/40/FUL	Unit 1& 2 Barn Conversion, Lower Stoney Low Farm, Three Mile Lane, Madeley. Mr G & Mrs T Emery.	Two free standing 15kw wind turbines (Resubmission of 08/517/FUL)	No objections	Permitted by Planning Committee 31/03/2009
09/61/COU	Unit 19a Roebuck Centre, High Street, Newcastle North Staffs Primary Care Trust.	Change of use of Class A1 shop to Class D1 NHS walk in facility	No objections	Permitted under Delegated Powers 03/04/2009
09/63/COU	First Floor 23 Bridge Street, Newcastle. Mr J Hamer.	Change of use from clothes shop to hot & cold food café/take away	No objections	Permitted under Delegated Powers 07/04/2009

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
09/00082/FUL	1 & 2 Broomcroft Cottages Poolside Madeley. Mr Duncan Vickers.	Vehicular Access	<p>Members were asked to consider a proposed porch although it may be 'Permitted Development'. The Conservation Advisory Working Party had no objections in principle to the porch although concerns were raised regarding its design and construction. Members requested that the officers negotiate for a more sympathetic style to preserve the historic feel of the cottage.</p> <p>Members had no objections to the removal of the wall to create the vehicular access. It was considered that this would enhance the cottage and improve the views into the Conservation Area.</p>	Refused under Delegated Powers 21/04/2009
09/00083/FUL	111 Blore Road Blore Nr Market Drayton. Mr S Meakin.	Detached garage	No objections to the shape and size of the garage. The Conservation Advisory Working Party requested that a condition be placed on the finishing colour to ensure a neutral effect rather than strong colouring.	Permitted under Delegated Powers 08/04/2009
09/00102/ADV	Morston House The Midway Newcastle. North Staffs NHS Estates.	Two illuminated fascia signs and one free standing sign.	The Conservation Advisory Working Party would like to see consistency with the signs i.e. the Midway elevation sign should be of the same design to that on the Church Street elevation.	Permitted under Delegated Powers 06/04/2009.
09/00106/FUL	Old Brown Jug Bridge Street Newcastle. M R Croft Ltd - Mr Nigel Wooliscroft.	Enclosure for storage of waste bins.	The Conservation Advisory Working Party recognised the need to enclose the bins. However, members would like to see the enclosure constructed from brick or a more high quality timber design to help protect the view on this important gateway to the town.	Permitted under Delegated Powers 15/04/2009.

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision and Comments made with regard to Conservation Areas
09/114/FUL	Turner House, Main Road, Betley. Mr A Sumner.	Ground floor link extension.	No objections subject to careful control over materials and detailing to match existing in accordance with Policies B9 & B10 of the Newcastle-under-Lyme Local Plan. Request that conditions be attached in relation to this.	Permitted under Delegated Powers 24/04/2009.
09/143/FUL	Keele Lodge, Keele University. Prof M Andrews.	Single storey rear extension.	The Conservation Advisory Working Party strongly objected to the proposed extension in its current form for the reasons outlined in Policy B6 of the Newcastle-under-Lyme Local Plan. Although Members welcomed the applicants attempt to improve the property by removing the brick extensions with a 'quality' approach. However, it was felt that the proposal did not fit in with the design of the Victorian building. Request that further discussions be entered into to retain the quality of this very important building.	Permitted under Delegated Powers 06/05/2009.

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
09/230/FUL	The Clock House, Keele University, Keele. University of Keele.	Construction of external entrance ramp, installation of internal wheelchair platform lift, modifications to existing WCs, door replacement/alterations, replacement of interior finishes and associated modifications.	Within the Keele Hall Conservation Area.	Councillor Mrs W Naylor Councillor R Studd
09/237/FUL	Blackburn House, The Midway, Newcastle. Morston Archway Ltd.	Refurbishment of existing office building including new entrance and replacement windows.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
09/00281/FUL	Morston House, The Midway, Newcastle. NHS Estates Department.	Installation of new heating and cooling units.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
09/00236/FUL	2 Crown Gardens, Talke, Stoke-On-Trent. Mr Paul Maxfield.	Single storey side extension.	Within Talke Conservation Area.	Councillor D Daniels Councillor R Slater
09/00284/LBC & 09/00283/FUL	Peatswood Hall, Peatswood, Market Drayton. Mr Tony Fair.	Conversion of existing buildings to living accommodation (Granny Annexe).	Affects the setting of a listed building.	Councillor B Tomkins Councillor Mrs F Myatt Councillor P Maskery
09/00223/ADV	25 Castle Walk, Newcastle. Orange.	Fascia sign.	Within the Newcastle Town Centre Conservation Area.	Councillor D Clarke Councillor Mrs E Shenton
09/00273/LBC	Brampton Lodge, Brampton Road Newcastle. Mrs N Croxton.	Internal alterations and alterations to 2 windows.	Grade II Listed Building within Brampton Conservation Area.	Councillor S Tagg Councillor I Matthews Councillor S Holland

OFFICER REPORT ON DELEGATED ITEMS

Applicant: PCT

Application No: 09/00061/COU

Location: Unit 19A Roebuck Shopping Centre

Description: Change of use from Class A1 Shop to Class D1 NHS walk in facility

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

West Midlands Regional Spatial Strategy 2008

Nil

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable forms of development.

Policy T1A: Sustainable location

Policy NC19: Conservation Areas

Policy TC1: Ensuring the future of town centres

Newcastle-under-Lyme Local Plan 2011

Policy B9: Prevention of Harm to Conservation Areas

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

Other Material Considerations include:

National Planning Policy

PPS1: General Policy and Principles (February 1997)

PPS6: Planning for Town Centres (March 2005)

PPG15: Planning and the Historic Environment (September 1994)

Supplementary Planning Guidance

Supplementary Planning Document for Newcastle Town Centre (January 2009)

Planning History

None of relevance to the consideration of this application.

Views of Consultees

The **Conservation Advisory Working Party** has no objections.

The views of the **Environmental Health Division** were not received by the due date of 6 March 2009.

Representations

None received.

Applicants/Agents Submission

None

Key Issues

The application seeks full planning permission for the change of use of a vacant shop to a NHS walk in facility, understood to be used in connection with stopping smoking. The unit has been vacant for a considerable period. It does not form part of the main Roebuck Shopping Centre, accessed off High Street, but is located on Midway and Pepper Street. The site is within the Newcastle Town Centre Conservation Area.

The proposal does not involve any external alterations and as such the key issue to be considered is the impact of the change of use on the town centre and on the character and appearance of the Conservation Area.

National policy and policies within the development plan seek to maintain and improve the quality and diversity of retail provision and maintain and promote diversity of use. The proposal will result in the loss of a retail unit within the town centre historic core, which is defined as Primary Shopping Area in the recently adopted SPD(see above). The premises do not lie within one of the Primary Frontages as are indicated on the Explanatory Map of the SPD. The intended use, a walk in facility, within a secondary retail frontage, Pepper Street, will encourage people into the town centre and will be used by those visiting the town centre for other purposes. It is therefore considered that the proposal will diversify the uses within the town centre whilst having a neutral or possibly positive impact on the vitality and viability of the town centre.

The building will not be altered and the internal layout indicates that there will be a large waiting area which will be visible to those passing in the street. Visual interest and activity/movement will be maintained. It is therefore considered that the development will not adversely affect the character or appearance of the Conservation Area.

Reasons for the grant of planning permission

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

Recommendation

Permit subject to the following condition:-

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, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

Informative

1. The decision hereby issued was made following consideration of the following plans:-
 - Location Plan, drawing no. 3449-01 Rev A.
 - Existing Floor Plan, drawing no. 3449-02.

- Proposed Floor Plan, drawing no. 3449-05.

Performance Checks	Date		Date
Consultee/ Publicity Period	13/3/09	Decision Sent Out	
Case Officer Recommendation	3/4/09	8 Week Determination	6/4/09
Report checked by Back Office			
Management check	GRB 5.4.09		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr Jason Hamer

Application No: 09/00063/COU

Location: First floor 23 Bridge Street, Newcastle

Description: Change of use of first floor premises from financial and professional services use) to hot and cold food café/ takeaway

Policies and Proposals in the Development Plan Relevant to This Decision

West Midlands Regional Spatial Strategy 2008

Policy QE3: Creating a High Quality Built Environment for All.

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Forms of Development.

Policy D2: The Design & Environmental Quality of Development.

Policy NC19: Conservation Areas

Newcastle –under-Lyme Local Plan 2011

Policy B1: Historic Heritage

Policy 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 or Appearance of a Conservation Area

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (February 2005)

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

PPG24: Planning and Noise (1994)

PPG15: Planning and the Historic Environment (1994)

Circular 03/2005 Changes of use of buildings and land

Supplementary Planning Document

Newcastle under Lyme Town Centre SPD – identifies site as within Northern quarter and within the Primary Shopping Area

Supplementary Planning Guidance

Hot Food Takeaways (February 1996)

Relevant Planning History

03/00347/COU Approved 12.6.2003 Change of use from mixed use for retail (class A1) purposes and as living accommodation; to retail (Class A1) and/or financial and professional Services (Class A2) with ancillary offices.

Views of Consultees

Conservation Advisory Working Party - No objections.

Environmental Health Division: have verbally indicated that they have no objections provided following conditions imposed:-

- Limitation of goods sold – cooked food should not be provided;
- Limitation of hours of Business;
- Provision of Grease trap;
- Provision for waste.

County Archaeologist_– no observations received.

Representations

None received.

Applicants/Agents Submission

None

Key Issues

This application is for the change of use of premises which were last used as a commercial agency to a pulp smoothie bar with takeaway sales. Included within the items for sale, for consumption off or on the premises are hot drinks and soup. On the basis of the limited information provided the use is a hybrid A1/A3 and A5 use – although it is not possible to identify the primary purpose. The premises are currently empty. No external alterations are proposed. The proposed opening hours are 8:00 – 17:30 Monday – Saturday. The site lies within Newcastle Town Centre as defined in the Newcastle Local Plan, and by the subsequent Town Centre SPD.

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

- Would the proposal cause harm to the occupiers of neighbouring properties?
- Would the proposal be detrimental to the Conservation Area?
- Would the loss of a retail unit or the provision of an additional hot food takeaway unit have an unacceptable impact upon the range of goods and services offered in the locality?

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

The application site is set in a row of shops with flats above. The premises are above a shop and below a flat, whilst the uses to the side may either be residential or storage associated with the respective ground floor use.

The SPG relating to hot food takeaways provides guidance on suitable locations for such uses and any restrictions that should be applied. It broadly indicates that in the Newcastle town centre location opening hours should be determined on their own merits. The location is one where there is already a high degree of activity, and the premises have previously been used for commercial purposes with the associated disturbance that this may have involved for adjoining residents.

Residents who live close to parades of shops must expect to be exposed to higher levels of comings and goings than might reasonably be expected in a primarily residential area. However because the premises being at first floor level actually conjoin residential properties it would be appropriate to restrict use to the hours that are proposed.

Similarly given that the premises do not have the control to provide ventilation to above roof level, the use, unless restricted, could have adverse effects upon the residential amenity of nearby residential properties in relation to odours. Provided that appropriate conditions are imposed upon an approval of planning permission, this should not be an issue.

Provided such conditions are imposed it is not considered that the proposed change of use would unacceptably affect the living conditions of nearby residents through odour or noise and disturbance.

Would the provision of an additional food outlet unit have an unacceptable impact upon the range of goods and services offered in the locality?

The Town Centre SPD identifies the site as being within the Northern Quarter and within the Primary Shopping Area. This type of use is in line with the “Spatial Framework” set out in the SPD. The SPG with respect to hot food takeaways requires that the Council take into account the cumulative effect of the proposed development together with any others in existence.

The proposal is in a shopping frontage which is at present fully occupied by retail uses, and whilst some of the uses have a significant hot food takeaway element, the principal character of them is retail. Given that this is a first floor unit the use will remain so.

Would the proposal be detrimental to either the appearance or the character the Conservation Area?

PPG15 Planning and the Historic Environment paragraph 4.14 notes that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid in the exercise of planning function to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy B9 states that the Council will resist development that would harm the special character or appearance of Conservation Areas. Policy B10 upholds the Requirement to preserve or enhance the character or appearance of a Conservation Area.

The proposal does not include any physical development so there is no affect on the appearance of the Conservation Area and similarly there are no other factors which would harm the character of the conservation area.

Reasons for the grant of planning permission

The proposal would not compromise the aims and objectives of the relevant policies contained within the development plan and there are no other material planning considerations that would justify a refusal of consent.

Recommendations

Permit subject to:

1. The change in use 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 use hereby permitted shall not be open to customers outside of the following times - 08.00 to 17.30 hours on normal Mondays to Saturdays or at any times on Sundays and Bank Holidays.
- R2 To protect amenity and prevent nuisance in accordance with the requirements of Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and of the Council's adopted Supplementary Planning Guidance on Hot Food Takeaways.
- 3 Prior to the premises being brought into use for the purpose hereby permitted, details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.
- R3 To prevent grease, fat and food debris from entering the foul drainage system.
4. The refuse storage and collection arrangements for the use hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the premises opening for the permitted use and shall thereafter be maintained in accordance with the approved details.
- R4: To protect amenity and prevent nuisance in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.
- 5: Only the following goods may be sold or provided - smoothies, cold and hot drinks, soup, sandwiches, cold food and reheated food. The cooking of food on the premises shall not be undertaken at any time.
- R5: To protect amenity and prevent nuisance in accordance with the requirements of Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.

Informative

Notes to Applicant

1. You are advised that compliance with planning conditions does not necessarily prevent action being taken by the Local Authority or members of the public to secure the abatement restriction or prohibition of statutory nuisance, actionable under the Environmental Protection Act 1990 or any statutory provision.

Performance Checks	Date		Date
Consultee/Publicity Period	20.03.2009	Decision Sent Out	
Case Officer Recommendation	07.04.2009	8 Week Determination	07.04.2009
Management check	7.4.09 GRB		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr D Vickers

Application No: 09/00082/FUL

Location: Broomcroft Cottage, Poolside, Madeley

Description: Vehicular Access and Porch

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment for all

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

Policy T13: Local Roads

Newcastle-under-Lyme Local Plan 2011

Policy H18: Design of Residential Extensions

Policy B9: Prevention of harm to Conservation Areas

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

Policy B13: Design and Development in Conservation Areas

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

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

PPG13: Transport (2001)

PPG 15: Planning and the Historic Environment

Supplementary Planning Guidance

Space Around Dwellings (July 2004)

Madeley Village Design Statement (1998)

Planning History

Nil

Views of Consultees

Conservation Advisory Working Party – No objection to the porch although concerns were raised regarding its design and construction. Members requested that the Officers negotiate for a more sympathetic style to preserve the historic feel of the cottage. No

objections to the removal of the wall to create the vehicular access. It was considered that this would enhance the cottage and improve the views into the Conservation Area.

Highways Authority – Object to the proposed dropped kerb.

Madeley Parish Council – The Council sympathises with the application and has no objection to the proposed porch and wall provided that the style blends with the current design. However, it feels it is necessary to object to the proposed vehicle access on grounds of highway safety.

Representations

Nil

Applicants/Agents Submission

A Design and Access Statement has been submitted with the application, of which the main points are summarised below:

- The aim of the application is to restore the frontage of the property in a sympathetic manner whilst incorporating vehicle access to allow for up to two cars to park off road.
- Very conscious of the Conservation Area and applicant is keen to contribute to the area
- Materials used would be in keeping with the period buildings within the Conservation Area
- Safety – the applicant believes the requirements for safety are met – maximum of 30 mph speed limit and well signed to this effect.
- Traffic is frequently further slowed down, close to Broomcroft as a result of the pedestrian crossing adjacent to the Butchers shop and Spar. The same effect is achieved by traffic into and out of the shops car parks and the volume of traffic turning into Moss Lane
- Buses stopping by the Offley Arms also have a calming effect on traffic. At night the area in front of Broomcroft is well lit with a street lamp almost directly opposite the centre of the proposed vehicle access. In the dark, oncoming traffic gives advance warning from vehicle headlights.
- Natural pedestrian access is close to the new steps to one side of the proposed vehicle access with some protection being offered by a replacement, low level front wall as shown. Vehicle parking, as required, is at right angles, away from this corner, perpendicular to the road.
- Design – Having been derelict for over two years, the existing frontage currently has several undesirable features. To give more aesthetic balance it is proposed that the main entrance door will replace the current (substandard) French windows. The current front door would be replaced by a second, matching arch top window to fit the existing brick arch within the masonry.
- It is considered by the applicant that the proposed porch offers better visual balance. The porch roof has been kept as low as possible to minimise impact
- Benefits of allowing parking on the frontage include convenience for family members and others using Broomcroft especially the infirm, reduction for competition for parking space in Poolside and Moss Lane which have tight restrictions, improved safety for residents in Poolside, improved safety for pedestrians crossing Poolside, significant increased security and restoration to a more pleasing design for the area.

Key Issues

Full planning permission is sought for a vehicular access and a porch to the front of Broomcroft Cottage, Poolside, Madeley, which is located within the village boundary and the Madeley Conservation Area, as designated by the Local Plan Proposals Map.

The dropped kerb would measure 6370mm in length across the frontage of the property. The existing boundary walls to the frontage of the property are currently less than 1 metre in height, as shown by the plan drawing. The existing steps and landing to the frontage of the entrance to the property are proposed to be replaced by a porch with steps to the front.

The key issues in the determination of the application are:

- Highway Safety
- Visual Amenity
- Impact on the Madeley Conservation Area
- Residential Amenity

Highway Safety

The Highway Authority has objected to the proposal, as it would result in an increase in highway danger. It considers that the proposed access would afford restricted visibility for vehicles emerging onto Poolside, and in addition, the existing highway geometry affords restricted forward visibility for vehicles approaching the proposed access. Madeley Parish Council has also objected on highway safety grounds.

It is impracticable to construct an access on the application site frontage that would allow the requisite visibility splays to be provided within land under the applicant's control. The application site currently benefits from visibility over third party land, which may or may not be available in the future, but notwithstanding this the available visibility and forward visibility is substandard.

Therefore in terms of highway safety, the proposed vehicular access is considered unacceptable and contrary to Policy T13 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011.

Visual Amenity

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.” Policy H18 of the Local Plan states that “the materials and design of each extension should fit with those of the dwelling to be extended” and “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 the setting.”

The Madeley Village Design Statement (adopted 1998) Guidance Note 2 states that:

“Additions and alterations should respect the integrity and distinctiveness of the existing building, that is, its massing and proportions, the period details, the roof pitch and height, proportions of doors and windows, the materials, tones, colours and textures.”

It is considered that whilst the principle of a porch is acceptable in this location, a more sympathetic design could be introduced here, due to the prominence of the dwelling in the street scene. Materials of the proposed porch are not stated in the application (other than the roof is proposed to be tiled) however it is assumed from the drawings that it would be of wooden construction. It is considered that a more modest sized porch would be more in keeping with the dwelling, and the view is held that in its current proposed format, the proposed porch would detract materially from the character of the original dwelling.

A further point to make is that on examination of the plans, it is not considered possible to construct the pitch of this roof and not interfere with the first floor window.

Therefore, in terms of visual amenity, the proposed porch is considered to be of an unacceptable design, which would conflict with the aims of Policies H18 of the Newcastle-under-Lyme Local Plan 2011, the aims and objectives of PPS 1 and the aims of the Madeley Village Design Statement 1998.

Impact on the Madeley Conservation Area

The dwelling is located within Madeley Conservation Area. A key aim of Policy B13 of the Local Plan "Design and Development in Conservation Areas" is for applicants to demonstrate how they have taken account of the need to preserve and enhance the character or appearance of Conservation Areas in the design of their development proposals. Policy B9 and B10 of the Local Plan also stress the importance of preserving and enhancing Conservation Areas, with Policy B10 stating that the "form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing" should respect the characteristics of the buildings in the area. It is considered that the proposed porch would detract from the character of the Conservation Area due to its large scale in relation to the dwelling and the unsympathetic design. The dwelling occupies a prominent position within the street scene and Conservation Area, therefore the design of new development should respect the character and appearance of the surrounding area. Both the Council's Conservation Officer and the Conservation Advisory Working Party object to the design of the porch, both requesting a more sympathetic design. Amendments were requested from the applicant, however none were received by the stated deadline (17th April 2009).

It is therefore considered that the proposed porch would harm the character and appearance of the dwelling and the Conservation Area, and would be contrary to Policies B9, B10 and B13 of the Newcastle-under-Lyme Local Plan 2011, Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, and the aims and objectives of PPG 15.

Impact upon neighbouring occupiers in terms of amenity

In terms of residential amenity, the Council's Supplementary Planning Document, "Space Around Dwellings", seeks to ensure that development does not affect residential amenity in terms of a loss of light or privacy to neighbouring residents. It is considered that the porch and the dropped kerb would not cause a material loss of amenity to neighbouring residents, and in this regard the proposals are considered acceptable.

Recommendations

Refuse: for the following reasons:

1. The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to the use of the proposed access which affords restricted visibility for vehicles emerging onto Poolside. The development is

therefore contrary to Policy T13 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 and the aims and objectives of PPG13.

2. The traffic generated by the proposed development would be likely to result in an increase in highway danger due to the existing highway geometry which affords restricted forward visibility for vehicles approaching the proposed access. The proposal is therefore contrary to Policy T13 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 and the aims and objectives of PPG13.
3. The proposed porch, by virtue of its design and scale, would be a dominant and unsympathetic addition to the front of this dwelling within the Madeley Conservation Area, detracting from the character and appearance of both the dwelling and the Conservation Area. The porch is therefore contrary to Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policies H18, B9, B10 and B13 of the Newcastle-under-Lyme Local Plan 2001, the aims and objectives of PPS 1 and PPG 15 and the Madeley Village Design Statement (1998).

Informative

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

- Site Location plan 1:1250
- Proposed plan of vehicle access scale 1:50
- Plan view of Porch
- Side elevation view of proposed porch
- Front elevation view of proposed porch
- Design and Access Statement

Performance Checks	Date		Date
Consultee/ Publicity Period	17/4/09	Decision Sent Out	
Case Officer Recommendation	21/4/09	8 Week Determination	24/4/09
Management check	Amended RK 22.4.09		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr S Meakin
Application No: 09/00083/FUL
Location: 111 Blore Road, Blore
Description: Detached garage

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a High Quality Built Environment for all
Policy QE5: Protection and Enhancement of the Historic Environment

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Development
Policy D2: The Design and Environmental Quality of Development
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection and restoration
Policy NC13: Protection of Trees, Hedgerows and Woodlands
Policy NC18: Listed Buildings

Newcastle-under-Lyme Local Plan 2011

Policy B5: Control of development affecting the setting of a listed building
Policy N12: Development and the protection of trees
Policy N21: Area of landscape restoration

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPS 7: Sustainable Development in Rural Areas
PPG 15: Planning and the Historic Environment

Supplementary Planning Guidance

Space Around Dwellings (July 2004)

Planning History

06/01185/FUL Permitted 14.02.2007 Two storey rear extension

Views of Consultees

Conservation Advisory Working Party – No objections to the shape and size of the garage, but request a condition be placed on the finishing colour to ensure a neutral effect rather than strong colouring.

Landscape Development Section – No objections subject to suitable tree protection for the tree planting to the west of the site as detailed in the tree survey report.

Loggerheads Parish Council – No objections.

Environmental Health Division – No objections.

Representations

Nil

Applicants/Agents Submission

Nil

Key Issues

Full planning permission is sought for a detached double garage to the frontage of 111 Blore Road, Blore. The application site is located to the north east of a Grade II Listed Church (St Marys) and is located within a Landscape Restoration Area as designated by the Local Plan Proposals Map.

The garage would measure 5700mm by 5600mm in floor area, and would measure 2300mm to eaves height at the front of the garage (north east facing elevation) and 1000mm to eaves height on the rear elevation (facing towards the church).

The garage is to be of oak frame construction, with fascia board (type unknown) and clay roofing tiles to match those of the existing dwellinghouse.

The key issues in the determination of the application are:

- Impact on the adjacent listed church
- Visual amenity
- Residential amenity
- Impact on area of landscape restoration
- Impact on trees

Impact on the adjacent listed church

The proposed garage would be located adjacent to the Grade II Listed St Marys Church. The rear of the garage would be up against the existing stone wall approximately 1 metre in height.

Paragraph 2.14 of PPG 15 “Planning and the Historic Environment” states that

“the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials,

and forms of construction, of many different periods, but together forming a harmonious group.”

Policy NC18 of the Structure Plan states that there will be a presumption in favour of preserving Listed Buildings and protecting their settings and historic context and Policy B5 of the Local Plan states that “the Council will resist proposals that would adversely affect the setting of a listed building.” The explanatory text goes on to state that the setting of a listed building is as important as the building itself.

The size, scale, height and massing of the proposed garage are all considered acceptable in terms of the impact on the listed church. It would not destroy or block any views of the listed church when viewed from the street scene and it has been designed with a longer roof slope facing the church, resulting in a reduced impact of the proposal on the listed church. Whilst the garage’s materials are not proposed to match the dwelling or church, PPG 15 states that different materials, styles and forms of construction can harmonise with the older buildings, and it is considered that the wooden construction proposed here would not detract from the listed church, and has been designed as sympathetically as possible. The longer roof slope facing the church would also lead to less wood and mostly tile being visible when viewed from the church side (south west).

The tiles are proposed to be clay and to match the existing dwelling, however a condition has been included to request approval of the roofing and facing materials prior to commencement of development, to ensure the best finish in terms of the impact to the church.

Overall, the proposed garage is considered acceptable and would not detract from the setting or character of the adjacent listed building, and therefore the proposal is in compliance with Policy B5 of the Local Plan, NC18 of the Structure Plan and the aims and objectives of PPG 15.

Visual amenity

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 garage is of a scale, height and massing that is appropriate for its context of residential dwellings to the north and east and the church to the south west. The materials are proposed to be timber facing materials and clay tiles, which are considered appropriate, however a condition is to be included for formal approval of the materials prior to development commencing.

The garage has been sympathetically designed to reduce its impact on the listed church to the south, and whilst the garage will be forward of the dwelling and visible within the street scene, it is not considered detrimental to views from the street, and is considered to be in compliance with the aims and objectives of PPS 1.

Impact upon neighbouring occupiers in terms of amenity

In terms of residential amenity, the Council’s Supplementary Planning Document, “Space Around Dwellings”, seeks to ensure that development does not affect residential amenity in terms of loss of light or privacy to neighbouring residents.

In terms of the impact to neighbouring residents, the proposals would not result in a material loss of light or privacy to neighbouring principal windows, and the proposal would therefore comply with the Council's Supplementary Planning Guidance Note "Space around Dwellings."

Impact on area of landscape restoration

Policy N21 of the Local Plan states that the Council will support proposals that will help to restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape. It is considered that that the proposed garage is of a small scale in relation to the landscape restoration area, and would not harm the quality of this area, as the materials, size and massing are all appropriate for its context. The proposal is therefore considered to comply with Policy N21 of the Local Plan.

Impact on trees

Policy NC13 of the Structure Plan highlights the importance of retaining and conserving trees and hedgerows which contribute significantly to the landscape character and quality. Policy N12 of the local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub, or hedge, whether mature or not. There are two large mature Yew trees to the west of the proposed garage location, and details of their protection have been submitted with the application in the form of a tree survey, a protection plan and a constraints plan. Whilst the trees are not protected by Tree Preservation Orders, they do contribute significantly to the character and quality of the local area and also the setting of the listed church to the south west. No damage will be caused to these two trees, and subject to a condition requiring tree protection, the development is considered to be in accordance with Policy NC13 of the Structure Plan and N12 of the Local Plan.

Reasons for the grant of planning permission

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

Recommendation

Permit subject to conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission
- R1 To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. Prior to the commencement of the development hereby approved, full and precise details (colour, type and finish) of the proposed facing and roofing materials of the detached garage shall be submitted to and approved in writing by the Local Planning Authority.
- R2. To ensure the satisfactory appearance of the development, and to protect the setting of the adjacent Listed Building, in accordance with Policies D2 and NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011, Policy B5 of the

Newcastle-under-Lyme Local Plan 1996 – 2011 and the aims and objectives of PPS 1.

3. No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme. No operations shall commence on site in connection with the development hereby approved until the protection works required by the approved protection scheme are in place.
- R3: To ensure the continued well being of the trees in the interests of the amenity of the locality, in accordance with Policy NC13 of the Staffordshire and Stoke-on-Trent Structure Plan and N12 of the Newcastle-under-Lyme Local Plan 2011.
4. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- R4: To ensure the continued well being of the visually important trees in the interests of the amenity of the locality, in accordance with Policy NC13 of the Staffordshire and Stoke-on-Trent Structure Plan and N12 of the Newcastle-under-Lyme Local Plan 2011.
5. Protective fencing shall be retained intact in the position shown on the approved “Tree Protection Plan” for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- R5. To ensure the continued well being of the trees in the interests of the amenity of the locality, in accordance with Policy NC13 of the Staffordshire and Stoke-on-Trent Structure Plan and N12 of the Newcastle-under-Lyme Local Plan 2011.

Informatives

1. You are reminded of the requirement to comply with the conditions attached to the planning permission.
2. The decision hereby issued was made following consideration of the following plans and supporting information:
 - Block Plan/ Location Plan (amended)
 - Drawing 09/2/2488/1
 - Tree Survey
 - Tree Protection Plan
 - Tree Constraints Plan

Performance Checks	Date		Date
Consultee/ Publicity Period	31/3/09	Decision Sent Out	
Case Officer Recommendation	8/4/09	8 Week Determination	16/4/09
Management check	Amended 8.4.09		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: North Staffs Primary Care Trust

Application No: 09/102/ADV

Location: Morston House, The Midway, Newcastle.

Description: Two Illuminated Fascia and One Freestanding Signs.

Policies and Proposals in the Development Plan Relevant to This Decision

West Midlands Regional Spatial Strategy

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

Policy QE3: Creating a High Quality Built Environment for all

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable Forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC18: Listed Buildings, their settings and historic context

Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy B1: Historic Heritage

Policy 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 or Appearance of a Conservation Area

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

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

PPG15: Planning and the Historic Environment (1994)

PPG19: Control of Outdoor Advertisements

Relevant Planning History

06/00195/FUL PER 18.4.2006 Extension to form new reception and lobby at ground floor, replacement windows to all elevations and security screening to basement car park.

06/00827/COU PER 2.11.2006 Change of use of ground floor from use as offices to part use for provision of consultancy services for mental health and part use for administration.

08/0076/ADV REF 22.10.2009 Two Illuminated Fascia Signs

Views of Consultees

Conservation Advisory Working Party:

Working Party would like to see consistency with the signs i.e. The Midway elevation sign should be of the same design to that on the Church Street elevation.

Conservation Officer: The design facing the ring road is an improvement upon the previous application, the other fascia sign is unchanged but will not harm the character or appearance of the Conservation Area. No objections subject to a high quality finish.

Highways: No objections on highway grounds subject to conditions on lighting:

- The lighting scheme shall be installed and retained strictly in accordance with the submitted design/specification and the Institution of Lighting Engineers “Guidance Notes for the Reduction of Light Pollution 2000.
- No direct Light source shall be visible to drivers on the highway.

Representations

Nil.

Applicants/Agents Submission

None

Key Issues

This application is in large part a resubmission of Planning Application 08/00766/ADV which the Conservation Advisory Group considered could be improved by negotiation.

The application is for three illuminated signs, two on a large 5/6 storey modern office building, and one freestanding in front of the building which will also act as a signpost indicating the entrance to the building and Medical and Walk in Centre. The office building is located between the ring road and Town Centre Conservation Area whose southern boundary it falls within, it is opposite listed Church Buildings.

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

Amenity

One sign is on the end of the building facing toward the Churches. 08/00766/ADV proposed a plate 3.4 x 1.94 m with a polyester powder coated aluminium frame in white and be back lit. The present proposal is for a 0.7 X 0.32 m NHS logo above stainless steel individual back lit lettering underlined by a ‘NHS blue’ plaque. The second sign is the same as the second one of 08/00766ADV and faces the Midway being 1.575 x 0.9m of transparent flexi with back lit lighting. Both signs are in blue and white with an NHS logos and ‘North Staffordshire’. The third sign is a triangular pole sign, 2.943m high x 0.3m along each side of the equilateral base. It would be externally illuminated by floor mounted spotlights. It would be grey in colour with the polished chrome lettering ‘Midway Medical and Walk in Centre’ running vertically up and a horizontal NHS logo at the top.

PPG15 Planning and the Historic Environment paragraph 4.14 notes that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention

be paid in the exercise of planning function to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy B9 states that the Council will resist development that would harm the special character or appearance of Conservation Areas. Policy B10 upholds the Requirement to preserve or enhance the character or appearance of a Conservation Area.

Planning Policy Statement 1 (34) states that Planning Authorities should plan positively for the achievement of high quality and inclusive design in the external design of all new developments. 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 amended proposal has overcome the objection to proposed sign on the Church Street end of the building. The Conservation Advisory Working Party stated that it would like to see consistency with the signs i.e. The Midway elevation sign should be of the same design to that on the Church Street elevation. This has been put to the applicant but they have decided to retain the sign as originally designed. The Council has not objected to this style of sign and find it acceptable in this location. The pole sign is of well thought design being functional in marking the entrance as well of good appearance. The whole of the proposal now meets the requirement to preserve or enhance the Conservation Area.

The amended proposal, is now of an acceptable design which complies with the above policies.

Public safety

The signs, in the position proposed will not cause a distraction to drivers subject to control over the level of brightness of the signs. Two are set on the wall so will not physically affect the highway or pedestrians. The third is set on in the ground but is in grass verge clear of pedestrian flows so should not endanger the public.

Reasons for the grant of planning permission

The proposed advertisement sign is acceptable in respect of public safety and amenity and would accord with the provisions of PPG19, and there are no other material considerations which would justify a refusal of consent to display the sign.

Recommendations

Grant consent subject to the following conditions:-

1. The lighting scheme shall be installed and retained strictly in accordance with the submitted design/specification and the Institution of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution 2000. The maximum surface brightness of the advertisement sign(s) hereby permitted shall not exceed 800 candelas per square metre.
- R1. In the interests of highway safety and in accordance with the requirements of policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and guidance provided in Staffordshire County Council's Highways Standing Advice 2004.
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 D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	4.4.2009	Decision Sent Out	
Case Officer Recommendation	6.4.2009	8 Week Determination	23.4.2009
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr. N Wooliscroft

Application No: 09/00106/FUL

Location: Old Brown Jug, Bridge Street, Newcastle

Description: Enclosure for storage of waste bins

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

West Midlands Regional Spatial Strategy

Policy QE1: Conserving and Enhancing the Environment

Policy QE3: Creating a high quality built environment for all

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy B9: Prevention of Harm to Conservation Areas

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

Policy B13: Design and Development In Conservation Areas

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

Other Material Considerations

Circular 11/95 - Conditions

By Design – Urban Design in the Planning System: Towards Better Practice (DETR/CABE, 2000)

By Design – Better Places to Live (DTLR, 2001)

Safer Places – the Planning System and Crime Prevention (ODPM/ Home Office, 2003)

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development

PPG13: Transport

PPG15: Planning and the Historic Environment

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

Supplementary Planning Guidance

Planning History

04/01279/FUL First floor rear extension Permit

07/00400/FUL Single storey rear extension Permit

Views of Consultees

Highways Authority has no objections subject to details regarding a revised gating arrangement so that when opening or open the gates do not overhang the public highway.

Conservation Advisory Working Party would like to see the enclosure constructed from brick or a more high quality timber design to help protect the view on this important gateway into the town.

Representations

Nil

Applicants/Agents Submission

A Design and Access Statement has been submitted as part of the planning application.

Key Issues

The proposal is for an enclosure to store refuse bins on an area at the side of the public house on Bridge Street in the Newcastle town centre Conservation Area. Amended plans have been received during the planning application following planning officer comments and the construction of the enclosure has been changed from a timber fence to a brick construction. The brick enclosure will have a maximum height of 1.8 metres with timber gates.

Key issues in the determination of the development therefore are:

- the design of the proposal and the impact on the character Conservation Area
- the impact on highways safety

Design of the proposals and the impact on the character of the Conservation Area

PPS1 paragraph 3 refers to sustainable development and states:

“Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. A widely used definition was drawn up by the World Commission on Environment and Development in 1987: ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs.’”

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

The application is to provide an enclosed storage area for refuse bins at the side of the public house which is located on Bridge Street in the Newcastle Town Centre Conservation Area. Policy B9, B10, B13 and B14 seeks to prevent harm of development on Conservations Areas and a requirement to preserve or enhance the character or appearance of a Conservation Area.

The application site is currently used for storing refuse bins for the public house. The area also results in a large amount of bin bags and other rubbish being stored here which blights

the appearance of the locality. The original proposal was to enclose the area with concrete posts and timber panel fencing with metal gates, however, it was considered that this would not respect the character of the conservation area. Amended plans have now been submitted following concerns raised by Officers and the Conservation Advisory Working Party, with the proposed enclosure now being of a brick construction with timber gates which is considered to represent a suitable design that will help to preserve the character and appearance of the conservation area.

The proposed storage area occupies a prominent position being at the side of the public house and the highway. The existing public house is of a brick construction but is partially rendered in a cream finish and partially painted brick work. The boundary walls are a mix of red brick and blue bricks so there is no pattern to the external appearance of the external building work of the premises.

A condition is considered necessary to control the external appearance of the proposed development. In this instance it is considered that the brickwork should be painted in a cream colour to match the main public house building, as opposed to there being a difference which would emphasise the appearance of the enclosure. It is considered that the enclosure should blend into the locality, as opposed to it being seen as a focal point of the locality.

The proposed enclosed area would improve the appearance of the Conservation Area with the existing area being considered untidy, whilst not having any detrimental impact on the character or appearance of the Conservation Area. This being in accordance with policy B9, B10, B13 and B14 of the Local Plan.

The impact on highways safety

The proposed enclosure would be located at the side of the property in between the main building and the highway. The enclosure measures 5.1m by 5.2m and so from the details submitted it appears that the gates would overhang part of the highway. The highways authority has raised no objections to the proposal subject to a condition requiring a revised gating arrangement so that gates do not overhang the highway.

The proposal would not therefore result in any highway safety concerns being caused by the proposed development.

Reason for Recommendation

The proposed enclosure is considered acceptable in terms of its visual appearance and its impact on the Conservation Area. By granting planning permission the Local Planning Authority will be able to exercise some control over the materials to be used for the construction of the wall and the gating arrangement so that they do not over hang the highway.

Decision

Permit subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1. To comply with the provisions of Section 91 of the Town and Country Planning Act

2. The materials of the storage enclosure hereby permitted shall be constructed from bricks and painted cream to match the colour of the main public house unless otherwise first approved by the Local Planning Authority.
- R2. To protect and safeguard the character and appearance of the Conservation Area in accordance with the requirement of Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policy B9, B10, B13 and B14 of the Newcastle-under-Lyme Local Plan 2011 and the aims and objective of PPG15.
3. No development shall commence until full and precise details of a revised gating scheme, to avoid encroachment of the gates onto the public highway, is submitted and approved in writing. The approved design shall be fully installed before the waste bin enclosure is operational and thereafter retained to the approved design.
- R3. In the interest of highway safety and to comply with the aims and objectives of PPG13

Informative

1. The decision hereby issued was made following consideration of the following plans and supporting information;
 - Drawing no. F1349/03, F1349/04 (revision A), Block Plan (1/200@A3),

Note to the Applicant

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

Performance Checks	Date		Date
Consultee/ Publicity Period	10.04.09	Decision Sent Out	
Case Officer Recommendation	15.04.09	8 Week Determination	30.04.09
Management check	Revised PR 15.04.09		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr Andrew Sumner

Application No: 09/00114/FUL

Location: Turner House, Ivydene, Betley

Description: Ground floor link extension

Policies and Proposals in the Development Plan Relevant to This Decision

West Midlands Regional Spatial Strategy 2008

Policy QE3: Creating a High Quality Built Environment

Staffordshire and Stoke on Trent Structure Plan 1996-2011

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy H18: Design of residential extensions

Policy B 9: Prevention of harm to Conservation Areas

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

Policy B13: Design and Development in Conservation Areas.

Other Material Considerations:

Relevant National Policy Guidance

PPS1: Delivering Sustainable Development (2005)

PPG15: Planning and the Historic Environment (1994)

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

Supplementary Planning Guidance

Space Around Dwellings (2004)

Planning History

2004 04/00629/FUL Permit – amendments to house type units 1, 2 and 3

Views of Consultees

Betley, Balterley & Wrinehill Parish Council has no objections.

The **Conservation Advisory Working Party** has no objections subject to careful control over materials and detailing to match existing in accordance with Policies B9 and B10 of the Local Plan. They request that conditions be attached in relation to this.

Representations

None received.

Applicants/Agents Submission

A Design and Access Statement has been submitted with the application describing how the extension will link the garage/annex to the house providing a dry access.

Key Issues

The applicant seeks planning permission to erect a small ground floor extension which would link the existing dwelling to its garage/annex building. The dwelling is located within a small, modern development within the Betley Conservation Area.

Key issues in the determination of the development therefore are:

- the design of the proposal and its impact on the character and appearance of the Conservation Area.
- the impact upon neighbouring occupiers in terms of amenity.

Design and impact on the character and appearance of the Conservation Area

National and local policies seek to ensure that the design of development is acceptable and given the sites location within the Conservation Area the issue of design is particularly important in this case to ensure that development does not harm the character and appearance of the Conservation Area.

The existing property is a large detached dwelling with a detached garage/annexe building. The proposed extension would connect the two buildings, which are 1.2m apart, through the provision of a small porch. The scale of the extension is very much subordinate to the scale of the dwelling and the ancillary building, and through the incorporation of a pitched roof and careful choice of matching materials it would not have an adverse impact on the dwelling. (Given the age of the building it is anticipated that the exact facing materials can still be obtained).

The extension is located to the rear of the building and would not be visible within this small development. There could be views of the extension from the public footpath that is located, at some distance, to the west of the site, however due to the small scale, simple design of the extension and its position the impact of the proposal would be negligible.

Overall it is considered that the development would not harm the appearance of the dwelling nor the wider Conservation Area.

Impact upon neighbouring occupiers in terms of amenity

The extension is located to the rear of the building and would not have an adverse impact on any of the dwellings within this development. The east elevation of the existing dwelling is located very close to the rear boundary of properties fronting Main Road, however the garden of those properties are at first floor level and the extension, in its position close to the retaining boundary wall, would not be visible. It is therefore concluded that the proposal would not result in any harm to residential amenity.

Reasons for the grant of planning permission

The proposal does not adversely impact on the character and appearance of Betley Conservation Area and accords with the other provisions of the development plan for the locality indicated in the decision notice and there are no other material considerations that would justify a refusal of planning permission.

Recommendations

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, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
2. **MAT2** - The materials to be used in the construction of the development hereby permitted shall match in all respects (size, texture and colour) those of the existing house.
- R2. In the interests of visual amenity to comply with the requirements of policies D2 and NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and policies B9, B10, B13 and H18 of the Newcastle-under-Lyme Local Plan 2011.

Informative

1. The decision hereby issued was made following consideration of the submitted Design and Access Statement and the following plans:-
 - Conveyance Plan, job no. RD/JS/474, drawing no. 04
 - Proposed Plot 2 Ground Floor Plan, job no. RD/JS/474, drawing no. 20 Rev C.
 - Proposed Plot 2 Elevations, job no. RD/JS/474, drawing no. 23 Rev C.

Performance Checks	Date		Date
Consultee/ Publicity Period	17/4/09	Decision Sent Out	
Case Officer Recommendation	23/4/09	8 Week Determination	12/5/09
Report checked by Back Office			
Management check			

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Prof M Andrews

Application No: 09/00143/FUL

Location: Keele Lodge Keele University

Description: Single storey rear extension

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

West Midlands Regional Spatial Strategy

Policy QE1: Conserving & Enhancing the Environment

Policy QE3: Creating a High Quality Built Environment for all

Policy QE5: Protection and enhancement of the Historic Environment

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

Policy NC18: Listed Buildings

Newcastle Under Lyme Local Plan 2011

Policy B6: Extension or alteration of Listed Buildings

Policy B9: Prevention of harm to Conservation Areas

Policy B10: Requirement to preserve or enhance the character or appearance of a Conservation Area

Policy B13: Design and development in Conservation Areas

Policy B14: Development in or adjoining the boundary of Conservation Areas

Policy N12: Development and the protection of trees

Other Material Considerations

Relevant National Policy Guidance

PPS1: Delivering Sustainable Development (2005)

PPG15: Planning and the Historic Environment (1994)

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

Planning History

See history sheet on file

Views of Consultees

The **Conservation Advisory Working Party** strongly objected to the proposal in its current form for outlined in policy B6 of the Local Plan. Members welcomed the applicant's attempt to improve the property by removing the brick extensions with a "quality" approach. However, it was felt that the proposal did not fit in with the design of the Victorian building.

Requested that further discussions be entered into to retain the quality of this very important building.

Keele Parish Council supports the proposal. The proposal will greatly improve the appearance of Keele Lodge, which occupies a central position within Keele Conservation area, by removing the brick additions to the rear of the building and substituting a stone and wood structure which will be more in keeping with the age and style of the lodge. It is important to make sure that the type of stone used, and the colour of the wood components, are fully compatible with the existing materials of the main building.

English Heritage has no objections to the proposed demolition of the existing unsightly extensions to the grade II lodge. EH do object to the proposed new flat roofed extension which they consider will have an adverse effect on the design, scale and setting of the listed building.

Landscape Development Section have no objection subject to agreement of the Root Protection Areas and tree protection measures.

Representations

None

Applicants/Agents Submission

A Design and Access Statement has been submitted.

Amended plan have been submitted following a meeting with the applicants, their agent, the Chair of CAWP, the Conservation Officer and Case Officer.

Key Issues

This is an application for full planning permission for the erection of a single storey extension at the rear of this Grade II listed Lodge. The property is in residential use. The site is within Keele Conservation Area and within the North Staffordshire Green Belt.

The proposal involves the removal of a series of brick built pitched roof rear extension which date from the, it is estimated, early to the mid 20th century. Historic evidence also indicates a rear extension from an earlier period.

The proposal would provide a single storey extension, described as an Orangery, would provide a kitchen, dining room, sitting area and utility.

The main considerations with this proposal are:-

- Appropriate or inappropriate development within the Green Belt?
- Design in relationship to the listed building and its impact on the Conservation Area
- Residential Amenity

Appropriate or inappropriate development within the Green Belt?

Although national and development plan polices restrict development within the Green Belt, there are provisions for some types of development that are considered appropriate within this area. Contained within this list is the provision for domestic extensions on existing

dwellings, however these must be well designed and not result in the disproportionate additions over and above the size of the original dwelling.

Whilst the Lodge has additional extensions to the rear, there is evidence that these are of an age where they should be considered as part of the original property in Green Belt terms. The footprint of the proposed extension would be larger than those it replaces – It is calculated the overall footprint increase over the “original” property (i.e. as existing in 1947) equates to approximately 12%.

The cumulative increase in floor area is deemed as proportionate in Green Belt terms and consequently the development should be viewed as appropriate development. The applicant does not need to demonstrate very special circumstances.

Impact on the character of the Grade II Listed Building and Conservation Area

The local Planning authority has a duty to pay special attention to proposal involving Listed Buildings and with Conservation Areas

Policy B6 of the Local Plan seeks to resist alterations to a listed building that would adversely affect its character or architectural or historic features. Policy B9, B10, B13 and B14 seeks to prevent harm of development on Conservations Areas and a requirement to preserve or enhance the character or appearance of a Conservation Area.

The property is a Grade II listed building and is located within the Keele Conservation Area and in particular, policies B6 and B10 are of importance in this instance.

The early concerns of CAWP have been addressed following a meeting with the applicants, their agent, the Chair of CAWP, the Conservation Officer and the submission of satisfactory amended plans. These involve the additional detailing of the side elevations to break up the expanse of stonework.

Views of the proposal from the CA will be limited to the side elevation to the north-west and so the impact on the Conservation Area will be limited. The Conservation Officer has had detailed pre-application discussions with the applicant in terms of the design of the proposal and the design is now considered acceptable. The symmetrical design will offer a balance between the old and new aspects of design, exposing more of the original historic building, thus enhancing the Conservation Area and the area in general.

The issues of the Listed Building are discussed in associated Listed Building consent 09/148/ LBC

It is considered that the proposed development would not harm the character of the building, in accordance with policy B6, and it would enhance the appearance of the Conservation Area whilst not having any detrimental impact on the character or appearance of the Conservation Area. This is in accordance with policies B9, B10, B13 and B14 of the Local Plan.

Design of the proposals

Given the proposal is considered acceptable in respect of its impact on the Listed Building and the wider Conservation Area.

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

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 proposal is located at the rear of the detached property and will measure a maximum of 6.1 metres by 9.7 metres with an overall height of 3.04 metres from ground level. The property has an existing range of brick built extensions. The proposal will replace these existing extensions.

The extension would have a flat design constructed of stone with decorative timber fascia.

The design of the proposal was considered during a pre application and post application meetings whereby recommendations were made to the applicant. The recommendations made have resulted in the proposal being of a form, size and location that is subordinate to the main dwelling.

The materials and features of the proposed extension are considered acceptable and will protect the character and appearance of the original building/ dwelling.

It is considered the design of the proposal complies with policy H18 of the Local Plan and aims and objectives of PPS1.

Residential amenity

It is considered the proposal is sufficiently isolated from other residential property so as to not cause adverse impact on residential amenity. The proposal does not conflict with the adopted SPG regarding space about dwellings.

Reason for the grant of planning permission

It is considered that the proposal does not have any detrimental impact on the character or appearance of this Grade II Listed Building or on the Keele Conservation Area. The proposal complies with the relevant policies in the development plan indicated in the decision notice and there are no other material considerations which would justify refusal of planning permission in this case.

Recommendation/Conditions

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. No works referred to in planning permission shall commence until full and precise details of the following have been submitted to and approved in writing by the Local Planning Authority: -
- (a) The facing stonework including mortar mix specifications, details of the courses of new stonework in relationship to the existing stonework.
 - (b) External doors and window treatment including finishing colour
 - (c) Finishing colour of the timber parapet detail

The works shall be undertaken in accordance with the aforesaid approved details

- R2. To protect and safeguard the historic fabric and appearance of the listed building and the appearance and character of the Conservation Area in accordance with the requirements of Policies NC18 and NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies B6, B9, B13 and B14 of the Newcastle-under-Lyme Local Plan 2011 and the aims and objective of PPG15.
3. No development shall commence until full and precise details of the Root Protection Areas and Tree Protection Measures in accordance with BS5837 :2005 Trees in Relation to construction have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the aforesaid approved details.
- R3. To protect the future health of trees on or overhanging the site in accordance with the requirements of Policy N 12 of the Newcastle under Lyme Local Plan 2011.

Notes to Applicant

1. N10 - Crime and Disorder note.
2. The decision hereby issued was made following consideration of the following plans and supporting information:-
 - Ellis Hillman Partnership drawing no. 4980-002 revision F
 - Ellis Hillman Partnership drawing no. 4980-001 revision A
 - The Design and Access Statement dated 16th March 2009

Performance Checks	Date		Date
Consultee/ Publicity Period	24.04.09	Decision Sent Out	
Case Officer Recommendation	06.05.09 returned to PJR on 7.5 Revised 8.5	8 Week Determination	12.05.09
Management Check	CIRD GRB 10.5		