

When calling or telephoning please ask for

Mr G Durham

Direct line or ext

742222

My ref

GD/EVB – R82/48

11 March 2011

To the Chair and Members

of the

**CONSERVATION ADVISORY
WORKING PARTY**

Dear Sir/Madam

A meeting of the **CONSERVATION ADVISORY WORKING PARTY** will be held in **COMMITTEE ROOM 1, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE** on **TUESDAY, 22 MARCH 2011** at **7pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 8 February 2011 (copy attached for non-Council Members information).
3. Minutes of Strategic Planning Committee held on 8 February 2011 – printed for information (Appendix C – lavender paper).
4. To consider the attached reports at Appendix A and B (blue and salmon paper).
5. To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the Officer.
 - Coachman's Cottage, Main Road, Betley
6. To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Yours faithfully

P W CLISBY

Head of Central Services

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

Outside Representatives: Messrs Chatterton, Ms C Henshaw, Manning, Miss Barter, Dr Nixon, and Worgan

The appropriate Parish Council representative(s)

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

**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
07/765/CPOE XT	Land adj Kidsgrove Station, Station Road, Kidsgrove. Staffordshire County Council.	Extension to the time limit to implement Planning Permission 07/765/CPO for managed workshop scheme and offices with driveways, parking spaces, landscaping and fencing.	Chair's Comments. "On behalf of the Conservation Advisory Working Party, it is considered that the landscaping scheme as previously conditioned by Staffordshire County council (conditions 15, 16 and 19) should be retained in order that the planting will act as an appropriate screen to the development from the canal towpath and principal views within the Conservation Area"	Observations to Staffordshire County Council. Recommend refusal. Planning Committee 13/07/10.
10/619/FUL	Keele University, Whitmore Road, Keele. University of Keele.	Proposed rebuilding of the boathouse sited on Lake number one.	The Working Party welcomed the proposals but suggested that the detail should carefully reflect the evidence shown in the photographs so that the reconstruction was as authentic as possible. If this could not be achieved, the applicant should consider an alternative approach by way of a modern interpretation of the building that would be in keeping with the Conservation Area and provide a gem of design for the future.	Permitted by Planning Committee 25/01/11.
10/630/FUL	Church Farm, Muckleston. Mr W Friend.	Change of use of existing farm buildings from solely agricultural use to mixed business (B1) and agricultural use.	No objections.	Permitted by Planning Committee 15/02/11.
10/714/FUL	Fields Farm, Wharmadine Lane, Ashley Mr R Furnival	Erection of a 20Kw, 27m (max height to the blade tip) wind turbine.	The Working Party felt that the turbine may be visible from the Maer Conservation Area and that it may have an adverse impact on the views into and from the Conservation Area.	Permitted by Planning Committee 25/01/11.

Cont....

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
10/764/FUL	5 Northcote Place, Newcastle. Mr & Mrs S Baggaley.	Change of use from outbuilding to one bedroom duplex apartment with associated car parking.	No objections with the observation that the brick arched window heads should be retained but lowered. In addition, the window sizes are wrongly proportioned.	Permitted under delegated powers 14/02/11.
10/768/FUL	123 Smithy Lane, Knighton. Prime Oak Buildings Ltd.	Single storey oak framed garden building.	The Working Party felt that this proposal would not harm the setting of this listed building but concerns were raised over the size of the building.	Permitted under delegated powers 28/02/11.

CONSERVATION ADVISORY WORKING PARTY

Reference	Location and Applicant	Development	Remarks	Ward Councillors
11/63/FUL	Lake House, Heath Road, Whitmore. Mr D Wilkinson.	Erection of greenhouse.	Affects the setting of a Grade II Listed Building.	Councillor A Howells Councillor Mrs F Myatt Councillor B Tomkins
11/95/CPO	Proposed Pumping Station, Maer Severn Trent Water.	Construction of new sewage pumping station, one kiosk, access road and landscaping at land to the east of unnamed road running south from the A51 to Maer Village, opposite the cricket pavilion.	Within Historic Park and Garden, adjacent to Maer Conservation area and listed buildings.	Councillor A Howells Councillor Mrs F Myatt Councillor B Tomkins
11/110/FUL	Land to the rear of South Lodge, Clough Hall, Talke. Mr A Austin & Mr D Hough.	Erection of three bedroom house with integral garage and new accesses	Adjacent to listed building.	Councillor D Daniels Councillor S Slater
11/116/FUL & 11/119/LBC	Garden Cottage, Pinfold Lane, Hales Mr R Hall.	Extensions comprising conversion of storage buildings and link building.	Affects a curtilage listed building to Hales Hall.	Councillor A Howells Councillor Mrs F Myatt Councillor B Tomkins

*Printed for information

PLANNING (STRATEGIC) COMMITTEE

8 February 2011

Present:- Councillor Fear in the Chair

Councillors Boden, Mrs Bowyer, Mrs Braithwaite, Clarke D, Clarke M R, Cooper, Hambleton, Mrs Morris, Miss Reddish, Studd, Tomkins and Williams

Apologies of absence were received from Councillors Daniels and Tagg S.

1. * **DECLARATIONS OF INTEREST**

There are none.

2. * **REVIEW OF THE NEWCASTLE TRANSPORT (URBAN) AND DEVELOPMENT STRATEGY 2008-2013 (/)**

The Committee considered a detailed report on the benefits of the current Newcastle Transport (Urban) and Development Transport Strategy 2003-2013 that had previously been endorsed by the Committee in December 2008 and was asked to comment on the County Council's draft five year strategy including possible future schemes. There would be a further and more formal opportunity to comment as the programme of works would form the basis of the District Transport Strategy that was currently being formulated to implement the third Local Transport Plan that was required to be submitted to the Government by April 2011.

The report concentrated upon how far the strategy had achieved its original aims, including reporting on the progress made towards implementing the programme of works, which formed the approved transport strategy. In this regard the County Council had assisted the Borough Council by producing a comprehensive draft review which aimed to:-

- summarise progress made on scheme delivery
- review funding levels expressed up to March 2013
- review likely scheme delivery up to March 2013
- identify proposals for the period beyond March 2013.

It was indicated that in 2008, the strategy had calculated the cost of works in the five year programme for Newcastle to be around £6 million of which £4.5 million would be paid by the County Council through the Local Transport Plan process and contributions already secured with the remaining £1.5 million being met from future developer contributions.

Details of the key transport proposals, approved in 2008, and their anticipated costs were set out in the officer's report and it was made clear that it was necessary for the programme to be flexible because of the uncertainty over

exactly what developer contributions would be received. It was emphasised that funding levels beyond March 2011 were particularly uncertain because of the difficulties of forecasting the amount of development that would actually take place. Furthermore, any developer contributions agreed but not received by the final year of the five year period in 2012/13 would be used to deliver a longer term transport strategy beyond 2013. It was indicated that the reduction by the government of 25% in local Transport Funding (July 2010) had not been anticipated but did not impact on the transport measures forming part of the current review but it was clear that progress towards implementing the strategy and delivering transport measures on the ground would, in the future, be seriously impeded. Indeed, the County Council was predicting that there would be bigger costs going forward as a result of which it was unlikely that the total benefits of NTADS would be fully realised before the end of the five-year period.

The Committee was reminded that the NTADS strategy was intended to:-

- reduce congestion, accessibility and safety problems currently experienced within the Newcastle Urban area
- reduce pressures that new developments are placing on local transport infrastructure
- increase the opportunities to travel by sustainable modes of transport.
- support the implementation of the adopted Core Spatial strategy regeneration of the area.

The Strategy did not include any new highway proposals or major junction improvements and was not intended to offer a solution to traffic issues within the urban area. In broad terms it sought to create opportunities for sustainable travel, tackle congestion and improve accessibility and travel safety. Accordingly, the most important advantage of NTADS was that developer contributions were given towards a planned sustainable transport strategy in proportion to the anticipated impact on the road network.

The County Council's draft review set out the progress made on developing a range of transport schemes between 2008 and 2011 as follows:-

- Public Transport Partnership Routes – Bus route 25 Hanley to Keele, 94 Silverdale to Newcastle Town Centre, 17 Wolstanton to Newcastle Town Centre.
- Clayton to Riverside Cycle Link-off cycle route.
- Kidsgrove Railway Station – bus only zone and junction improvements.
- Encouraging smarter travel – smarter travel campaign and cycling leaflets published for the Borough.
- A519 Clayton Road Pedestrian Crossing – new crossing and associated works.
- Safer Routes to Schools – engineering measures aimed at traffic calming pedestrian crossing improvements, one-way orders in Chesterton and Clough Hall.
- Chesterton Village Centre Local Safety Scheme – range of engineering measures.

The County Council had invested a considerable amount of time and money investigating potential traffic management interventions which might help to resolve the traffic congestion and improve pedestrian safety within Newcastle Town Centre and Knutton Village. In the town centre the focus had been on

transport measures to make alternative modes of travel more attractive, whilst not significantly penalising our travellers by increasing queues and delays.

Town centre and Knutton village schemes in the County Council's draft revised were summarised as follows:-

- Pedestrianisation of Hassell Street.
- Grosvenor Roundabout Pre-signals
- Barracks Road Bus Priority
- Barracks Road Pedestrian Crossing
- Borough Road/George Street signalised junction
- George Street inbound Bus Priority
- A34 Liverpool Road Bus Lane
- Newcastle Town Centre Public Realm
- Traffic Management, Knutton

Various schemes had been explored and some had not progressed because investigation proved that they were not feasible (i.e. A34 Liverpool Road Bus Lane). The lack of capital funding from the Borough Council in respect of the public realm project and the need to undertake public consultations in respect of the closure of Hassell Street had also hampered progress. Furthermore, some of the schemes were linked and delays have been caused because one can't proceed without the other.

It was considered that the above schemes had contributed to the creation of a more sustainable and a better management and safer road networks although it was difficult to evaluate the true effect at this stage of the strategy's implementation.

The County Council's review included a revised future programme based on the approved strategy and summarised the schemes that were currently expected to be delivered by March 2013, focusing on the town centre and delivering schemes that provided the widest benefits for the urban area. All developer contributions received in 2010/11 would be spent on delivering those schemes expected. The review report also provided a summary of those schemes expected to be delivered beyond 2013 indicating that the programme was flexible due to uncertainties over funding.

The officers considered this approach an appropriate response to issue existing within the urban area but that more attention should be paid to local connections between the centres to help ease congestion on local roads.

The attention of members was drawn to the introduction of the Community Infrastructure Regulations (CIL) in April 2010 now meant that beyond April 2014 the current system of Section 106 legal agreement to secure planning obligation for off-side infrastructure would be significantly restructured to allow CIL to be the principle method of securing developer contributions towards infrastructure projects and, as such, NTADS did not have a long term future.

The officer's report concluded by explaining that it was difficult to quantify all of the benefits of the NTADS Strategy 2008-13 but indicating that reasonable progress had been made towards implementing the approved strategy. Progress had been slowed both by funding cuts for local Transport and receipt of fewer development contributions than had originally been anticipated back in 2008.

There was a risk that public funding would be further resolved and that anticipated developments may not start thereby reducing the potential level of developer contributions. Accordingly, it could not be associated that the forwarded programme of works proposed by the County Council and summarised in their draft report would be delivered by 2013. However, schemes would not be abandoned but instead be delivered over a longer period to time. In view of this, it was unlikely that the full benefits of the approved strategy would be realised before 2013.

There remained a pressing need to develop in comprehensive approach to tackling local transport issues and the need to secure the right level of investment in the local transport infrastructure to accommodate traffic generated by new developments.

Resolved:- (a) That the principle of the Newcastle-under-Lyme (Urban) Transport and Development Strategy 2008-2013 be endorsed but that a further report on the Strategy be considered by the Committee in 12 months time.

(b) That Staffordshire County Council be urged to undertake wider public engagement on the preparation of the Transport Plan.

(c) That the County Council be also advised of this Committee's view that NTADS contributions should not be used to finance works funded by the authority including the Safer Routes for Schools Scheme.

(d) That the County Council be asked to make the connection of development to improvements more explicit.

3. * **LOCALISM BILL – PLANNING IMPLICATIONS**

Consideration was given to a report providing Members with an overview of provisional contained within the Localism Bill 2020 that had implications for the future delivery and the planning service and the Newcastle-under-Lyme Local Development Framework.

The Bill set out the most radical set of planning reforms proposed for many years that would see greater powers devolved to Councils and neighbourhoods and give local communities more control over housing and planning decisions.

Details of the relevant provisions contained within the Bill were summarised in the officer's report.

Resolved:- That the information be received.

4. * **CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS AND THE CONSERVATION AND HERITAGE SUPPLEMENTARY PLANNING DOCUMENT (/)**

The Committee was asked to approve a programme for the preparation of Conservation Area Appraisal and Management Plans for the Conservation Area of the Borough as set out in Table 3 of the officer's report.

In addition Committee approval was also sought for revised proposals for the preparation of a Conservation and Heritage Supplementary Planning Document

as detailed in the report.

It was indicated that although the Conservation Areas Working Party supported the officer's recommendations in principle concern had been expressed about the length of the programme and the implications of the necessary work on resources, particularly the Conservation Officer, considering that external funding should be sought and community involvement in the work actively encouraged which may lead to a shortening of the time allowed for the appraisal programme.

Resolved:- (a) That the programme for the preparation of Conservation Area Appraisal and Management Plans for the Conservation Areas of the Borough as set out in Table 3 of the officer's report be approved.

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

A T FEAR
Chair

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr & Mrs S Baggaley **Application No:** 10/00764/FUL
Location 5 Northcote Place, Newcastle
Description Change of Use from out building to 1 bedroom duplex apartment with associated car parking.

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.

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 D3: Urban Regeneration
Policy H6: Conversions - provision of increased residential capacities either from within existing housing stock or the conversion of other buildings
Policy NC19: Conservation Areas
Policy T1A: Sustainable Location

Newcastle Under Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location
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
Policy B14: Development in or Adjoining the Boundary of Conservation Areas
Policy T16: Development – General Parking Requirements.

Appendix 3 Table 3.2: Maximum parking standards.

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

Strategic Aim 4: To Balance supply and demand for quality housing;
Strategic Aim 12: To renew the urban fabric and promote safe and sustainable living;
Strategic Aim 14: To protect and enhance the historic heritage;
Strategic Aim 16: To eliminate poor quality development;
Policy SP1: Spatial principles of Targeted Regeneration
Policy SP3: Spatial principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP 1: Design Quality;
Policy CSP 2: Historic Environment.

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development
Companion Guide to PPS1 "The Planning System: General Principles"
PPS3: Housing (2006)
PPS5: Planning for the Historic Environment (2010)

PPG13: Transport (2011)
PPG24: Planning and Noise (1994)

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

Supplementary Planning Guidance:

Space Around Dwellings (2004).

Relevant Planning History

61/05050/NNB	PER	18. 4.1961	Conversion of second floor of no. 5 to 3 flats
64/06424/NNB	REF	18. 1.1965	Car Port
N21371	PER	17.12.1991	A residential flat
05/01168/COU	PER	2.02.2006	Conversion of former chapel into 2 flats making 9 in total.

Views of Consultees

Highway Authority:

No objections on Highway grounds subject to a condition requiring two off street parking spaces having been provided before the development is brought into use.

Environmental Health:

The application is for the change of use to C3 dwelling.
Dissimilar "use" categories can conflict with other "use(s)".
The location area is a mix of residential and commercial use.
A "good" standard for acceptable internal noise levels will be achieved.
The nature of the proposed residential use is acceptable within the area and is unlikely to give rise to any loss of amenity.
There are no objections to the above development.

Conservation Advisory Working Party

No objections with the observation that the brick arched window heads should be retained but lowered. In addition, the window sizes are wrongly proportioned.

Representations

None received.

Applicants/Agents Submission

Design and Access Statement.

Key Issues

The application is within the Brampton Conservation Area, close to the town centre but at the top of a one-end-street. Only the left hand side of the street is within the conservation area. The main dwelling is an impressive villa, now converted into apartments, and is set within a large garden which includes a former coach house/outbuilding to which this application relates.

Key issues are conformity to policies on conversion; since the property is near the town centre the provision of adequate off street parking is an issue; impact on the character and appearance of the conservation area; and amenity for occupiers and neighbours.

Conformity to policy on conversion

The RSS and the Core Spatial Strategy set a requirement for 5,700 new dwellings in the urban area of Newcastle-under-Lyme by 2026.

Policy H6 of the Structure Plan states that provision for increased residential capacities through the conversion of other buildings should be encouraged where this retains the amenity and character of existing residential areas and would not impose a significant detrimental impact on the local transport network.

The conversion of existing buildings to provide additional dwellings is a sustainable form of development, is in the interests of safeguarding undeveloped land and is in accordance with PPS3.

The application site is in a sustainable location within easy walking distance of the town centre; a major bus route passes the end of Northcote Place. The proposal is supported by Local Plan Policy H1 and policies relating to residential development contained within the Core Spatial Strategy.

On-street parking

Northcote Place is a cul-de-sac which is adjacent to the town centre and suffers from very heavy parking levels. On street parking is accordingly a material consideration. Policy T16 of the adopted Local Plan sets out the maximum number of car parking spaces required for development, going on to require that the number of parking spaces provided must not be significantly lower than the maximum. The maximum for a one bedroom dwelling, such as would result from this proposal, is one parking space for residents and one apportioned place for visitors, so two is reasonable and in accord with policy particularly when the amendment to PPG13 is taken into consideration which removes the reference to maximum parking numbers in association with residential development. The Highway Authority recommends that two spaces be provided before the duplex dwelling is brought into use. This complies with Local Plan policy and should be an acceptable level of provision to prevent any traffic problems being created.

Impact on the character and appearance of the conservation area

Policy B9, B10, B13 and B14 of the Local Plan seek to prevent harmful impact on Conservation Areas and refer to the requirement to preserve or enhance the special character or appearance of a Conservation Area. Policy CSP2 of the Core Spatial Strategy also relates to the historic environment indicating that sites and areas of special architectural or historic interest should be preserved and enhanced.

The original coach house has been converted to a store with a large vehicle door having been created and windows reduced. The present proposal would retain the same built envelope but remove the vehicle door and reinstate the front windows and pedestrian front door. The ornamental bust inset on the first floor front elevation will be replaced by a window of the same outline. The design of the ground floor windows has been amended to take account of the comments of the CAWP. The appearance will be acceptable.

Residential Amenity

The application site is an outbuilding of a large detached house in a large garden. This house has over a number of years has been converted into a number of flats. There are presently 9 dwellings within the curtilage. The addition of one more one bedroom dwelling is not going to radically alter the character of the house. There is adequate space for the 2 required parking spaces to be set without adversely affecting the amenity of existing dwellings. The development will not involve any increase in the built envelope which could produce any additional shadowing or domination. Overlooking will not be produced. Noise or other nuisance is unlikely to be created.

The conversion will not cause any material loss of amenity.

Reasons for the Grant of Planning Permission

The development complies with Strategic Aims 4,12, and 14 of the Newcastle under Lyme and Stoke on Trent Core Strategy 2006-26 (adopted 2009) and Policies H1 of the Newcastle-under-Lyme Local Plan 2010, H6 and D1 of the Staffordshire and of the Stoke-on-Trent Structure Plan 1996-2011, because it will provide an additional sustainable dwelling. The development further complies with Policies H18, B1, B9 and B10 of the Newcastle-under-Lyme Local Plan 2010, D2 and NC19 of the Stoke-on-Trent Structure Plan 1996-2011 and CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 because it is of a design that would not be detrimental to the character of the main dwelling house and the visual amenity of the conservation area. Policy D2 of the Stoke-on-Trent Structure Plan 1996-2011 is additionally met in that the development does not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light.

Recommendation

Permit subject to:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1. To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The materials to be used in the construction of the development hereby permitted shall match in all respects (size, texture and colour) those of the original building.
- R2. In the interests of amenity to comply with the requirements of policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, policy H18 of the Newcastle-under-Lyme Local Plan 2011 and policy SP1 of Newcastle-under-Lyme and Stoke on Trent Core Strategy 2009.
3. The development hereby permitted shall not be brought into use until 2 No. parking spaces have been provided in accordance with Drawing Number 8008-2, and such spaces shall be clearly delineated to minimum dimensions of 2.4m width x 4.8m length and thereafter retained for the life of the development.
- R3. In order to comply with the Staffordshire and Stoke-on-Trent Structure Plan (1996-2011) Policy T13.
4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Forshaw Greaves & Partners job 8008 drg. No 1; received by the Council 17.12.2010;
 - Block Plan drg No 8008-2;
 - Forshaw Greaves & Partners job 8008 drg. No 4 Rev ; received by the Council .2.2011.
- R5. For the avoidance of doubt and in the interests of proper planning.

Note to the Applicant

N10. (Crime prevention)

Performance Checks	Date		Date
Consultee/ Publicity Period	21.1.2011	Decision Sent Out	
Case Officer Recommendation	14.2.2011	8 Week Determination	14.2.2011
Management check	14/2 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr Lancel Hogg **Application No** 10/00768/FUL
Location 123 Smithy Lane, Knighton
Description Single Storey Oak Framed Garden Building

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

West Midlands Regional Spatial Strategy 2008

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

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

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Staffordshire and Stoke on Trent Structure Plan 1996-2011

Policy D1: Sustainable Forms of Development.
Policy D2: The Design and Environmental Quality of Development
Policy NC1: Protection of the Countryside: General Considerations
Policy NC2: Landscape Protection and Restoration
Policy NC18: Listed Buildings

Newcastle Under Lyme Local Plan 2011

Policy H18: Design of Residential Extensions, Where Subject to Planning Control
Policy B5: Control of development affecting the setting of a Listed building
Policy B6: Extension or Alteration of Listed Buildings
Policy N17: Landscape character – general considerations
Policy N21: Areas of Landscape Restoration

Other Material Considerations

Relevant National Policy Guidance:

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

Planning History

10/00120/LBC Replacement of existing roof at rear of building Permit

Views of Consultees

Conservation Area Working Party felt that the proposal would not harm the setting of the Listed Building but raised concerns over the size of the building.

Loggerheads Parish Council raises no objections.

Representations

None received.

Applicant's Submission

Design and Access Statement raises some of the following points:

- The proposed building is an oak framed leisure building.
- The building measures 9.98m wide by 6.2m deep with an overall height of 4.58m.
- The building is considered a suitable size for the plot
- Additional landscaping will take place to blend in with the location.
- The new proposal does not overlook neighbouring properties
- A glazed area to the central roof gives a conservatory style room to the centre of the building.

Key Issues

The application is for a large oak framed outbuilding within the extended garden at the rear of the residential property. The property is a Grade II Listed Building located within the settlement of Knighton which is designated within an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

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

- the impact on the character and setting of the Grade II Listed Building
- design of the proposals and the impact on the area of landscape restoration
- the impact on residential amenity

Impact on the character and appearance of the Grade II Listed Building

The property is a Grade II listed building and the proposed large outbuilding would be located at the end of the extended garden but would be visible from the main dwelling. Policy B5 of the Local Plan indicates that the Council will resist development proposals that would adversely affect the setting of a listed building.

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

The property is a mid to late 17th century cottage which is part of the built up frontage of Smithy Lane. The property is distinctive along the lane, fronting directly onto the road. The rear garden areas are less attractive but the long open gardens at the rear present a character and setting for the dwelling.

The impact on the setting of a listed building is also covered in national planning policy guidance in the form of PPS5. Policy HE10 covers this matter and indicates that proposals that preserve the elements of the setting which make a positive contribution to the significance of the cottage should be supported. The proposed building would be approximately 30 metres from the listed building but the gardens have not been overdeveloped or littered with overly modern domestic buildings. The proposed building is a large building in terms of its size and scale. The materials and general appearance would be acceptable with it being predominantly constructed from oak and glazing with a tiled roof. On balance it is considered that despite the size of the proposed building it is located significantly away from the listed building not to harm its character or setting, this being in accordance with policy B5 & B6 of the local plan.

To ensure the woodstain utilised in the development is appropriate, a condition will be included specifying that this is submitted to and agreed in writing by the Local Planning Authority.

Design of the proposals and the impact on the area of landscape maintenance

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.”*

Policies NC1 and NC2 of the Structure Plan seek to protect the countryside for its own sake and Policy NC2 sets out a list of criteria by which applications should be determined.

The site lies within an area of landscape restoration. Policy N21 of the Local Plan states that;

“Within Areas of Landscape Restoration, as shown on the Proposals Map, the Council will support, subject to other plan policies, 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.”

The proposed outbuilding would be a large structure located within the extended rear garden. There are a number of outbuildings of other properties within the locality but the proposal would be much larger than these buildings. The neighbouring properties all have extended gardens with a variety of domestic features and structures located within them. The location of the proposed building would be at the end of the extended garden which has tree and shrub planting on the rear and each side boundary. Therefore, despite the large size of the proposal it is considered that the impact on the visual amenity of the area and landscape in general would be minimal. The impact is further reduced by its unique design that has an oak framed construction with glazing and a tiled roof, this representing a design that is of high quality.

In order to further minimise the impact of the proposal and despite the existing vegetation on the boundary, it is considered that further planting would aid the impact on the amenity of the area, particularly the south east boundary whereby the proposal may be more visible. Therefore, a condition requiring the submission of a landscaping scheme is considered necessary.

In consideration of the above, the proposal would comply with policies on landscape protection and would not harm the visual amenity of the area due to its acceptable design and use of materials.

Impact on residential amenity

PPS 1 paragraph 3 states that;

“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.’”

Supplementary Planning Guidance (SPG) provides further advice regarding residential extensions.

Whilst the proposal is a large structure, it is considered that due to the location of the proposal and the distance away from neighbouring properties it would not harm the amenity of these properties in terms of privacy, loss of light or an overbearing impact.

Reasons for the Grant of Planning Permission

The proposed development is of a high quality design that would help to restore and protect the character and quality of the landscape whilst not harming the character and setting of the listed building. Taking into account the position of the development and its scale, it would not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The proposed development therefore accords with Policies B5, B6 and N21 of the Newcastle under Lyme Local Plan 2010, Policies D2, NC2 & NC18 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 & CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026, along with the guidance detailed within PPS1 and PPS5.

Recommendation

Permit subject to the following conditions:

1. **BA01** - The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1: To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The development hereby permitted shall be carried out in accordance with the following approved plans;
- Drawing no. 100/900/2010 rev B; 100/997/2010; 100/998/2010 & 100/999/2010, date stamped received by the Local Planning Authority on the 04 January 2011
- R2: For the avoidance of doubt and in the interests of proper planning.
3. **BESPOKE** - The materials to be used shall be in strict accordance with those specified on the application form and those identified on the approved plans detailed in condition no. 2 above, unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- R3: To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle under Lyme Local Plan 2011 and the guidance given in PPS5.
4. **BESPOKE** - Prior to the commencement of development the details of any wood stain to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
- R4: In the interests of the visual amenities of the area and to comply with the requirements of Policy N21 of the Newcastle under Lyme Local Plan 2010, Policy D2 of the Stoke on Trent Structure Plan 1996-2011 and policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS1.
5. **BESPOKE** - Prior to the commencement of development a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
- All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season after completion of the development or within 12 months of the commencement of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
- R5: In the interests of amenity to comply with the requirements of Policies D2 and NC2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policy N21 of the Newcastle under Lyme Local Plan 2011.

Performance Checks	Date		Date
Consultee/ Publicity Period	07.02.2011	Decision Sent Out	
Case Officer Recommendation	28.02.2011	8 Week Determination	01.03.2011
Management check	28/2/11 GM NV		