

To the Chair and Members
of the
CONSERVATION ADVISORY
WORKING PARTY

Mr G Durham
742222
GD/EVB – R82/48

11 July 2008

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 JULY 2008 at 7.00pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 1 July 2008 (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

A CAMPBELL

Democratic Services Manager

**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 and Comments made with regard to Conservation Areas
08/59/FUL	Land to rear of 43 Sandy Lane, Newcastle Mrs P Talbot	Erection of detached dwellinghouse	No objections. The proposal will have a minimal effect on the Conservation Area	Permitted by Committee 12/05/08
08/317/ADV	1A King Street, Newcastle Choices Housing Association	Erection of 2 hanging signs	Members objected to the proposal. The signs were out of character with the building design. Members further objected to the concept of banners in this part of the town.	Permitted under Delegated powers 02/07/08
08/377/OUT	T K Phillips Workshop, Moss Lane, Madeley Chamberlain Development Ltd	Revised planning application for cottages 1 & 2 previously approved 07/1009/OUT	Objections raised. The proposal would overdevelop a small and typical site of railway cottage architecture and is therefore out of keeping with the character and appearance of the Conservation Area.	Refused under Delegated powers 23/06/08
08/380/ADV & 08/397/LBC	Maer Hall, Maer Mr B J Fradley	Directional sign	The Conservation Advisory Working Party had no objections to the proposal. They felt that it was an attractive and well placed sign	Permitted by Delegated powers 17/06/08

CONSERVATION ADVISORY WORKING PARTY

APPENDIX 'B'
(Salmon Paper)

Reference	Location and Applicant	Development	Remarks	Ward Councillors
08/431/FUL	50-52 Church Street, Audley Mr F Boon	Change of use from shop premises to 2 dwelling houses with new vehicular access	Development may affect the character and appearance of the Audley Conservation Area	Councillor Mrs A Beech Councillor Mrs D Cornes Councillor I Wilkes
08/541/FUL	4 Alsager Road, Audley Mr R Melvin	First and second floor rear extensions, including alterations to roof, external staircase and balcony	Development may affect the character and appearance of the adjacent Conservation Area	Councillor Mrs A Beech Councillor Mrs D Cornes Councillor I Wilkes
08/544/ADV	University of Keele, Keele Keele University	Retention of two signs displaying car park and on site parking information and charges and relocation of two signs from within Keele Village Conservation Area	Within the Keele Village Conservation Area	Councillor Mrs W Naylor Councillor R Studd
08/555/FUL	Madeley Village Hall and Lea House, Furnace Lane, Madeley Madeley Project Group & H21	Sixty-three two-bedroom flats Extra Care Scheme linked to New Madeley Community building replacing existing residential care home (Lea House) and existing village hall and scout hut	The development may affect the character and appearance of the Madeley Conservation Area	Councillor J Bannister Councillor Mrs H Morris
08/574/FUL	52 West Street, Newcastle Mrs J Hallam	Ground floor rear extension	Within the Newcastle Town Centre Conservation Area	Councillor D Clarke Councillor Mrs E Shenton
08/575/FUL	54 West Street, Newcastle Mrs G Johnson	Ground floor rear extension	Within the Newcastle Town Centre Conservation Area	Councillor D Clarke Councillor Mrs E Shenton
08/580/FUL	Former Cannons & Choices Video Units, Barracks Road, Newcastle LSI (Investment) Ltd	Change of use of building from Class D2 (Leisure) to Class A1 (shop), external alterations and associated access and landscape works	Affects the Newcastle Town Centre Conservation Area. In addition, the development does not accord with the provisions of the development plan in force in this area	Councillor D Clarke Councillor Mrs E Shenton

Reference	Location and Applicant	Development	Remarks	Ward Councillors
08/585/FUL	Site of former Georgia Pacific, Stanier Street, Newcastle Stanier Homes LLP	Erection of a six storey building comprising ground floor foodstore and a 5 storey hotel; associated access, car parking, landscaping and servicing	Affects the Newcastle Town Centre Conservation Area and the setting of a Listed Building	Councillor D Clarke Councillor Mrs E Shenton
08/595/FUL	Keele Hall Lake, 1 Keele University, The Village, Keele, Newcastle Keele University	Dredging of lake, deposit of dredgings, repairs to weir and provision of silt traps and interceptors to lake inlets	Affects the Keele Hall Conservation Area and the setting of a Listed Building	Councillor Mrs W Naylor Councillor R Studd

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Choices Housing Association **Application No:** 08/00317/ADV

Location: 1A King Street Newcastle under Lyme

Description: Advertisement banner

Policies and Proposals in the 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 D2: The Design & Environmental Quality of Development.

Policy NC18: Listed Buildings

Policy NC19: Conservation Areas

Newcastle-under-Lyme Local plan (adopted 1995)

Policy B5: Control of development affecting the setting of a listed building

Policy B9: Prevention of harm to Conservation Areas

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

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (February 2005)

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

PPG19: Outdoor Advertisement Control (March 1992)

Circular 5/92 Town and Country Planning (Control of Advertisement) Regulations 1992.

PPG15: Planning and the Historic Environment (September 1994)

Relevant Planning History

See history sheet on file

Views of Consultees

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

CAWP objects to the proposal. The signs being out of character with the building design. Members further objected to the concept of banners in this part of the town centre.

Representations

None received.

Applicants/Agents Submission

None.

Key Issues

The applicant seeks consent for the erection of banner style advertisement signs on the front elevation of this commercial premises. The advertisement would be non illuminated.

The colour of the signs would be a red background and white lettering and logos.

The key issue to be considered in the determination of this application is would the proposed advertisements harm to the character and appearance of the conservation area?

Would the proposed advertisements cause harm to the character and appearance of the conservation area?

The banner sign would be sited on the brick panel between the bottom of the first floor windows and the mid point of below the second floor windows. The sizes of banner would be 2450mm by 700mm and 1980mm by 600mm and project a maximum of 770mm from the face of the building. The sign would not be illuminated.

The property to which the sign relates is a commercial property built in the mid to late 20th Century to match the adjoining property (no.1) which is a Grade II listed building, the adjacent building (no.3) is also a Grade II listed building.

The building is also located with the Newcastle Town Centre Conservation Area.

The design of this group of three buildings is simple and uncluttered which assists in informing the character of this area. The property has an existing fascia signage of an appearance of individually applied letter onto the brick face.

It is considered that by virtue of their size, position and generally, and the uncluttered nature of advertisement signage in this part of the conservation area the proposal would result in an appearance which is detrimental to the character and appearance of the conservation area and should be resisted.

It should be noted the Council successfully defended their decision at appeal not to grant advertisement consent a similar a banner sign in King Street (No.48) which is not in a Conservation Area. The inspector dismissed the appeal concluding the projecting banner sign would be detrimental to the interest of amenity.

Public Safety

It is not considered that the sign, which does not project over the public highway, would result in any material highway safety concerns.

Recommendation

Refuse consent for the following reason:-

(1) The proposed banner signs by virtue of its size, position and general design would introduce a discordance and dominant feature on this building which would have an

adverse impact on its, which would have an adverse impact on its character. And on the character and appearance of the group of building it forms part of, which includes two listed buildings and on the wider Newcastle Town Centre Conservation Area. The proposed signs are thereby contrary to Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011; B9 and B10 of the Newcastle under Lyme Local Plan 2011, and PPG15 and PPG19.

Performance Checks	Date		Date
Consultee/Publicity Period	20.06.08	Decision Sent Out	
Case Officer Recommendation	02.07.2008	8 Week Determination	04.07.08
Report checked by Back Office			
Management check	3.7.08 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Chamberlain Developments **Application No:** 08/00377/OUT

Location: T K Phillips Workshop, Moss Lane, Madeley

Description: Amendment to proposals for cottages 1 and 2 of planning permission 07/01079/OUT

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
Policy QE6: The Conservation, Enhancement and Restoration of the Region's Landscape
Policy CF2: Housing Beyond the Major Urban Areas
Policy CF3: Levels and Distribution of Housing Development
Policy CF4: The Reuse of Land and Buildings for Housing

Staffordshire and Stoke on Trent Structure Plan 1996 – 2011

Policy D1: Sustainable Forms of Development
Policy D2: The Design and Environmental Quality of Development
Policy T1A: Sustainable Location
Policy NC19: Conservation Areas

Newcastle under Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H3: Residential Development – Priority to Brownfield Sites
Policy T16: Development – General Parking Requirements
Policy B9: Prevention of Harm to a Conservation Area
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 include:

National Planning Policy

PPS1: Delivering Sustainable Development (2005)
PPS3: Housing (2006)
PPG13: Transport (2001)
PPG15: Planning and the Historic Environment (1994)
PPS23: Planning and Pollution control – Annex 2 (2004)
PPG24: Planning and Noise (1994)

The Planning System: General Principles (2005)

Supplementary Planning Guidance

Space about Dwellings (July 2005)
Madeley Village Design Statement

Housing Clarification Report February 2008

Planning History

04/01218/OUT	Erection of 3 terraced cottages and one detached cottage - withdrawn
05/456/OUT	Erection of 3 terraced cottages and one detached cottage – Refused
06/1193/OUT	Erection of one detached cottage and a pair of semi-detached cottages – Refused
07/1009/OUT	Erection of one detached cottage and a pair of semi-detached cottages – Approved

Views of Consultees

The **Highway Authority** has no objections to the proposal subject to conditions regarding access visibility splays, provision of parking/turning areas, garages to be retained for the parking of vehicles, access to be ungated, access surfaced in a bound material, and access width to be a minimum of 4.2m.

With regard to the previous scheme, the **Environmental Health Division** stated that with regard to PPG24, a Noise Exposure Category (NEC) C is achieved and therefore noise needs to be considered as a determining factor in granting planning permission. The site has been subject to numerous noise surveys and reports regarding the potential noise exposure of incoming residents to the rail traffic noise and associated vibration and all the surveys agreed that the site falls into NEC C. Vibration levels were negligible and not considered a problem.

The guidance for NEC C advises that planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. The proposed noise mitigation measures given in the Wardell Armstrong report No. NL08793 (J10) dated June 2007 will reduce the rail traffic noise to acceptable external and internal values, achieving the 'Good' standard recommended in BS 8233:1999 Sound insulation and noise reduction for buildings (internal) and achieve NEC Category A of PPG24 (external).

In relation to the current scheme, it is considered that the proposed landing window and change in position of the domestic garage will not affect the internal and external noise climate for residents.

It is determined that there is the potential for contamination to be present on site and therefore, in accordance with PPS23, contaminated land conditions are required.

Conservation Advisory Working Party objects on the grounds that the proposal would overdevelop a small and typical site of railway cottage architecture and is therefore out of keeping with the character and appearance of the Conservation Area.

Network Rail has no objection in principle to the development, however due to its close proximity to the operational railway, the following points should be taken into account:

- All operations must be carried out in a 'fail safe' manner.
- All surface and foul water must be collected and diverted away from Network Rail property.
- All excavations/earthworks in the vicinity of Network Rail property should be designed and executed so that no interference can occur.
- Security of the railway boundary should be maintained at all times.
- Method statements should be submitted for approval prior to works commencing on site.
- Consideration should be given to ensure that construction and maintenance can be carried out without adversely affecting the safety of, or encroaching on Network Rail's adjacent land, and therefore any building should be situated at least 2m from the boundary.
- Trees and shrubs adjacent to the railway boundary should be positioned at a minimum distance greater than their predicted mature height from the boundary.
- A suitable trespass proof fence should be provided adjacent to Network Rail's boundary.
- Where new lighting is proposed adjacent to the railway, the potential for train drivers to be dazzled must be eliminated.

No comments have been received from **Madeley Parish Council**.

Representations

Nil

Applicant's/Agent's Submission

A Design and Access Statement has been submitted. This document is available for inspection at the Council Offices and at www.newcastle-staffs.gov.uk.

Key Issues

This application seeks revisions to a pair of semi-detached cottages granted outline planning permission earlier this year as part of 07/1009/OUT. All matters other than landscaping are for consideration as part of this application.

In the adopted Local Plan the site lies within the Village Envelope of Madeley and within Madeley Conservation Area.

The previous permission is extant and therefore, the principle of residential development on this site has accordingly been established. No purpose would be served by reconsidering the issue of principle therefore.

The main issues for consideration are as follows:-

- Impact on the Conservation Area
- Residential amenity
- Highway safety issues

Impact on the Conservation Area

The site lies within the Madeley Conservation Area. The Authority has a duty to pay special attention to the desirability of preserving or enhancing the character and

appearance of a Conservation Area.

Policy NC19 of the Structure Plan states that new development within or adjacent to Conservation Areas should respect, protect and enhance their character and appearance with respect to its height, scale, intensity and materials.

Policy B9 of the Local Plan requires the Council to resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

The proposed dwellings would be larger than those previously approved. An attached garage is proposed for each property and a single storey element is proposed to the rear of both dwellings.

During the determination of the application revised plans have been received in which :-

- The circular windows have been removed.
- The porches for both properties have the same design.
- The fascia boards have been removed.
- The corbelled brickwork has been reduced by a course.

CAWP objects to the proposal on the grounds that it would overdevelop a small and typical site of railway cottage architecture and is therefore out of keeping with the character and appearance of the Conservation Area.

The dwellings are larger than those previously approved. The height now proposed would be 8.5m compared to 7.5m in the approved scheme and the width of each property would be 5.2m rather than 4.3m as in the previous proposal. Single-storey elements have been added to the rear, and an additional garage has been included. The gabled elements to front and rear have been widened with a consequent increase in the height of these elements

The immediate area is characterised by traditional, very modest cottages in compact, dense development. Their height and scale is an important aspect of the appearance of this part of the Conservation Area. With the exception of the former and now converted Wesleyan Chapel these existing properties have a lower slab level than the proposal would. It is estimated that the ridge height of the dwellings as now proposed would be about 2 metres above that of the Wesleyan Chapel – which is in very close proximity. Unusually because of the adjacent railway bridge it is possible to look across the top of the existing and proposed houses, and this would make the difference in height all that more apparent. Even though the application buildings are at right angles to Moss Lane, they would dominate the adjacent properties on both sides of that lane in a manner that would be to the detriment of the character and appearance of the Conservation Area. The proposals are materially different in this respect from those already approved. .

Residential amenity

In this scheme no changes have been made that would have any greater impact on the residential amenity of neighbouring properties.

In relation to noise impact, the principle of residential dwellings adjacent to the railway was deemed acceptable in consideration of the previous application. The Environmental Health Division has no objections to the amended scheme and therefore, it is not considered that a refusal could be justified on noise grounds.

Highway safety

The Highway Authority has no objections to the amended scheme subject to the imposition of conditions. The Highway Engineer has considered the amended plan received on 17 June 2008 and he has commented verbally that he is satisfied with the parking and turning arrangement indicated

It is not considered therefore, that an objection could be raised regarding highway safety.

Decision

Refusal for the following reason

The height and scale of the development now proposed would mean that it would adversely dominate the adjoining and nearby properties on Moss Lane to the extent that it would be harmful to the special character and appearance of this part of the Madeley Conservation Area, and thus contrary to policies on development within Conservation Areas contained within the Staffordshire and Stoke on Trent Structure Plan 1996 –2011 and Newcastle under Lyme Local Plan (Policies NC19 and Policies B9, B10, and B14 respectively) and guidance contained within PPG15.

Performance Checks	Date		Date
Consultee/Publicity Period	31.5.08	Decision Sent Out	
Case Officer Recommendation	23.6.08	8 Week Determination	26.6.08
Management check	Revised GRB 26.6 post sv		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr B J Fradley

Application No: 08/00380/ADV

Location: Maer Hall, Maer

Description: Directional Sign

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

Policy QE5: Protection and enhancement of the Historic Environment

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

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy NC18: Listed buildings

Policy NC19: Conservation Areas

Newcastle-under-Lyme Local Plan 2011

Policy B5: Control of development affecting the setting of a Listed Building

Policy B6: Extension or Alteration of Listed Buildings

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 N19: Landscape Maintenance Areas

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (2005)

PPS 7: Sustainable development in Rural Areas

PPG 15: Planning and the Historic Environment

PPG19: Advertisement Control

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

Planning History

See planning history sheet for extensive site history

Views of Consultees

Conservation Advisory Working Party – No objections to the proposal. They felt that it is an attractive and well placed sign.

Parish Council – No comments received by due date.

Highways Authority – No objections.

Representations

No representations have been received.

Applicants/Agents Submission

Nil

Key Issues

The application is for advertisement consent to display an advert for the Maer Estate Holiday Cottages on the Grade II* Listed Wall, adjacent to the entrance to the courtyard.

The sign would measure 550mm in width by 900mm in height. It would display a logo at the top of the sign, and the wording “Maer Estate Holiday Cottages” at the bottom. The background of the sign would be dark green in colour, with a white arrow. The border around the logo would be lavender in colour, the second border would be ark green and the third border would be white. The logo would be white in colour with the detail picked out in dark green. The reference for the dark green colour is 07GG 08/244 and the reference for the lavender colour is 30RB 35/166.

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 neighbourhood in which the sign is to be developed. The main issues to address are therefore the design of the sign and its potential impact on the Conservation Area and public and highway safety.

Design and the impact on the surrounding Maer Conservation Area and the Listed building

PPS 1: Delivering Sustainable Development, states that good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. 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 4.14 of PPG 15 ‘Planning and the Historic Environment’ states that special attention should be paid in the exercise of planning functions to the desirability or preserving or enhancing the character or appearance of a conservation area. Paragraph 4.18 states that special regard should be had for matters such as scale, height, form, massing, respect for traditional features, the scale and spacing of window openings and the nature and quality of materials.

Policy NC19 ‘Conservation Areas’ of the Staffordshire and Stoke-on-Trent Structure Plan states that areas of architectural or historic interest will be designated as Conservation Areas and there will be a presumption in favour of retaining and enhancing buildings, groups of buildings, or other features, including open spaces and views, appearance or interest. New development within or adjacent to Conservation Areas should respect, protect and enhance their character and appearance with respect to its height, scale, intensity and materials.

Policies B9, B10 and B13 of the Newcastle-under-Lyme Local Plan reflect the national and county wide policies and guidance.

In terms of the impact of the sign on the surrounding Maer Conservation Area, the sign is considered acceptable as it is reasonably small and has been designed to be unobtrusive to the character of the Conservation Area. It is considered the design of the sign including the proposed colours would respect the traditional and special features of the Conservation Area. The materials of the proposed sign are quite vague, therefore it would seem appropriate to request samples of the materials and their proposed finishes prior to development commencing, in order to control the final appearance of the sign.

Overall, the proposed sign would not be detrimental to the character and appearance of the surrounding Conservation Area, and is considered acceptable in this respect.

It is considered that there is little likelihood of permanent harm to the Listed Wall because the sign is relatively small. It would be set in the wall, however, the Conservation Officer did not have any problems with this. It is considered that the sign would appear relatively discreet and sensitive to the surrounding Conservation Area. The sign would be displayed adjacent to the entrance gates to the Holiday Cottages.

Overall, it is considered that the proposed directional sign to be displayed on the listed wall would be acceptable, and would not harm the character or appearance of the listed wall or the other listed buildings and structures of Maer Holiday Cottages.

Public and highway safety

The sign is to be located on the wall outside of the Maer Holiday Cottages Estate, and would face directly on to the highway. It is considered that the sign would not have a detrimental impact on the safety of highway users, as the road is not a fast road (30 mph) and the sign is relatively small. Its proposed location on the wall would mean it would face out towards the junction where Haddon Lane meets the main road running through Maer from the A51. This is not a busy junction, and it is considered that the sign has been designed to be just big enough for visitors to the Maer Estate Holiday Cottages to notice it on the approach from the A51 towards Maer from the North and from Haddon Lane to the East.

Further, the Highways Authority has no objections to the proposal.

Recommendations:-

Grant Advertisement Consent subject to the following conditions:-

(1) Prior to the commencement of the development hereby approved, full details including samples of the material, finish and colours to be used shall be submitted to and approved in writing by the Local Planning Authority.

R1: To protect the character and appearance of the Listed Wall, in accordance with Policies B5 & B6 of the Newcastle-under-Lyme Local Plan 1996 – 2011, NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 2011 and PPG 15.

(2) The advertisement sign hereby approved shall be displayed in total accordance with the approved plans.

R2: For the avoidance of doubt and to ensure the sign does not harm the character or appearance of the listed wall.

Note to applicant:

You are reminded of the requirement to comply with all of the conditions attached to this advertisement consent.

Performance Checks	Date		Date
Consultee/Publicity Period	13/6/08	Decision Sent Out	
Case Officer Recommendation	17/6/08	8 Week Determination	3/7/08
Report checked by Back Office			
Management check	Amended 19.6 ESM		

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr B J Fradley

Application No: 08/00397/LBC

Location: Maer Hall, Maer

Description: Directional Sign

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

Policy QE5: Protection and enhancement of the Historic Environment

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

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

Policy NC18: Listed buildings

Policy NC19: Conservation Areas

Newcastle-under-Lyme Local Plan 2011

Policy B5 Control of development affecting the setting of a Listed Building

Policy B6 Extension or Alteration of Listed Buildings

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 include:

National Planning Policy

PPS1: Delivering Sustainable Development (2005)

PPG 15: Planning and the Historic Environment

PPG19: Advertisement Control

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

Planning History

See planning history sheet for extensive site history

Views of Consultees

Conservation Advisory Working Party – No objections to the proposal. They felt that it is an attractive and well placed sign.

Parish Council – No comments received by due date.

Representations

No representations have been received.

Applicants/Agents Submission

Nil

Key Issues

The application is for Listed Building Consent to display a directional sign for the Maer Estate Holiday Cottages. The sign would be displayed on the wall outside of the existing cottages, which is Grade II* Listed. The wall is Listed with the Gatehouse, other walls and bollards.

The key issue in the determination of this Listed Building Consent Application is the impact of the proposal on the Listed Building/ structures.

Paragraph 3.2 of PPG15 states listed building controls apply to all works, both external and internal, that would affect a building's special interest, whether or not the particular feature concerned is specifically mentioned in the list description. PPG15 also advises that there should be a general presumption in favour of the preservation of listed buildings, except where a convincing case can be made out for alteration.

Policy NC18 of the Staffordshire and Stoke on Trent Structure Plan states that there will be a presumption on favour of preserving Listed Buildings and protecting their settings and historic context. Policy B6 of the Local Plan states that the Council will resist alterations or additions to a listed building that would adversely affect its character or its architectural or historic features.

It is considered that there is little likelihood of permanent harm to the Listed Wall because the sign is relatively small. It would be set in the wall, however, the Conservation Officer did not have any problems with this. It is considered that the sign would appear relatively discreet and sensitive to the surrounding Conservation Area. The sign would be displayed adjacent to the entrance gates to the Holiday Cottages.

It is considered that, unlike the previously refused directional signage at various locations around the area, this sign would be smaller, and would not cause highway danger as the road is not a fast road nor is the sign to be displayed at a dangerous junction like the other locations where directional signs were proposed such as on the A53. The sign would be displayed on the wall outside of the holiday cottages, which is considered an acceptable location for a directional signs in the surrounding area.

Overall, it is considered that the proposed directional sign to be displayed on the listed wall would be acceptable, and would not harm the character or appearance of the listed wall or the other listed buildings and structures of Maer Holiday Cottages.

Reason for the grant of this listed building consent

The proposal does not harm the special character and will not have any detrimental impact on the character or appearance of this Grade II* Listed Wall or its setting, and accordingly the proposal complies with policies in the development plan and national guidance on works to Listed Buildings and within their setting.

Recommendations:-

Grant Listed Building Consent, subject to the following conditions:-

(1) Prior to the commencement of the development hereby approved, full details including samples of the material, finish and colours to be used shall be submitted to and approved in writing by the Local Planning Authority.

R1: To protect the character and appearance of the Listed Wall, in accordance with Policies B5 & B6 of the Newcastle-under-Lyme Local Plan 1996 – 2011, NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 2011 and PPG 15.

(2) The advertisement sign hereby approved shall be displayed in total accordance with the approved plans.

R2: For the avoidance of doubt and to ensure the sign does not harm the character or appearance of the listed wall.

Performance Checks	Date		Date
Consultee/ Publicity Period	13/6/08	Decision Sent Out	
Case Officer Recommendation	17/6/08	8 Week Determination	3/7/08
Report checked by Back Office			
Management check	Amended 19.6 ESM		

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

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

22 July 2008

**1. NEWCASTLE TOWN CENTRE AND BETLEY CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLANS (MINUTES 926/07 AND 673/08 REFERS)**

Submitted by: Executive Director of Regeneration and Development

Wards Affected: Town/Halmerend

Purpose

To approve the Newcastle Town Centre and Betley Conservation Area Appraisals and Management Plans, and recommendations for their implementation and to consider the implications of their adoption as part of the Development Plan to give the proposals in the documents weight in determining planning applications and at appeal.

Background

The Council resolved in March 2007 to undertake a rolling programme of Appraisals and Management Plans (CAMPs) for the 20 Conservation Areas in the Borough and contracted the Conservation Studio, consultants, at the end of July 2007 to develop Conservation Area Appraisal and Management Plans for Newcastle Town Centre and Betley Conservation Areas. At your meeting on 22 January 2008, you resolved that consultation on the draft Town Centre CAMP would be carried for an extended period from the end of January until the end of March; a consultation on the Betley CAMP was undertaken from the second week of January until the end of February 2008. The outcomes of the consultations and the recommendations arising from the consultations are dealt with later in this report.

The draft Appraisals outline the special character and appearance of the two Conservation Areas, define their important architectural or historic elements or features and highlight the key positive, negative or neutral aspects within the areas. The draft Management Plans seek to preserve or enhance the special character and appearance of the Conservation Areas and assist in managing change without compromising the quality of the historic environment. It is not just about preservation, because all places will change and evolve, but also enhancement and Members know that the Council is committed to the enhancement and improvement of all the Conservation Areas (CA) in the Borough.

The CAMPs, when adopted, will become material considerations in determining planning applications and will have some weight at appeal.

At your meeting on 22 January 2008, although you approved a 5-year CAMPs programme (Minute 674/08), to be completed by 2012, Members had concerns on the length of time it would take to complete and determined that this should be reviewed.

Many of the main issues and considerations about the design and specific policies to control development within the CAs are set out in National Policy Guidance, Development Plan Policies, either saved from the adopted Newcastle-under-Lyme Local Plan 2011 or will be as part of the Local Development Framework. The CAMPs, however, take this a stage further and apply policies

to specific areas and are the best means for preserving and enhancing the special interest of these CAs.

Consultation

The Town Centre

The consultation exercise began with a stakeholder meeting on 31 January 2008 to which Staffordshire County Council, the Civic Society, the Chamber of Trade and other organisations and amenity group were invited, and continued for a period of about seven weeks until the end of the first week of April 2008. An exhibition was mounted in the foyer in the Civic Offices, the relevant documents were put on the Council's Website and Members and the general public were encouraged to send any comments to the Consultants preparing the Town Centre CAMP. Seven responses were received in total, often making a number of points, some of which have been accepted, some not and the CAMP has been revised accordingly.

Betley

The consultation exercise began with a public meeting on 7 January 2008 organised with the Parish Council and continued for a period of about seven weeks until the end of March 2008. An exhibition was mounted in Betley, the relevant documents were put on the Council's Website and Members and the general public were encouraged to send any comments to the Consultants preparing the Betley CAMP. Eighteen responses were received in total, often making a number of points, some of which have been accepted, some not and the CAMP has been revised accordingly.

Main Issues

The Draft Appraisal of the Town Centre CA, based on an analysis of location and landscape setting, historic development and archaeology, spatial analysis and the built form identifies seven character areas: -

- | | | |
|-----|-------------------------------|---|
| (1) | Town Centre | Ironmarket and High Street; |
| (2) | St Giles' Church | Church Street, Bridge Street and part of High Street; |
| (3) | Georgian suburbs | Queen Street and King Street; |
| (4) | 19th century expansion | Barracks Road and Well Street; |
| (5) | 20th century municipal growth | Merrial Street; |
| (6) | Recent development | Castle Walk and the Bus Station; |
| (7) | 1960s development | The Midway and Paradise Street. |

The Draft Appraisal for Betley CA based on the same analysis identifies four character areas: -

- (1) Southern approaches – Betley Court Farm and Betley Court;
- (2) Betley Village Centre;
- (3) Church Lane and St Margaret's Church;
- (4) The northern approaches – Betley Old Hall.

For each of the seven character areas in the Town Centre CA and each of the four character areas in Betley CA the key positive and negative features are identified, briefly summarised and the main issues outlined, which have then informed the recommendations of the Management Plan.

The Draft Management Plans, based on the Appraisals, identifies 17 common actions for both Conservation Areas. It also has 7 specific recommendations for the Town Centre and, 4 Policy recommendations and 3 specific recommendations for Betley. These are summarised for your

information in Appendix 1 which also provides officer comment against each of the recommendations.

Boundary Changes

Newcastle Town Centre Conservation Area

The CAMP recommends extending the boundary at Grosvenor Roundabout in the Town Centre. There are five Buffer Zones proposed around the Town Centre. See Plans in Appendix 2.

Betley Conservation Area

The CAMP recommends adding the area to the north west of the Model Farm Complex and the church yard in Betley and deleting the modern development at Ladygates. Two buffer zones to the north and west of Betley are proposed. See Plan in Betley Management Plan - Appendix 2.

Monitoring and Review

The CAMPs recommend that high priority is given to the control of all CAs (**A.16**), including reviewing boundaries, reviewing CAMPs on a five year cycle, and considering new areas for designation.

Other Tasks Not Included Within the CAMPs

Area of Special Control of Advertisements for Newcastle Town Centre

The Town Centre is a major area of economic activity in the Borough and is its main shopping centre and most of the shops have both fascia and hanging signs. The Council as Local Planning Authority may declare Areas of Special Control of Advertisements within all or part of a Conservation Area in order to preserve or enhance its special architectural or historic interest. The quality of design and appearance of some of the signs in the Town Centre Conservation Area are lacking and it is proposed that declaring an area of special control could improve the quality of signs and help preserve the special character of the area.

Railing Restoration Scheme in Betley and the Town Centre Conservation Area

Your officers have discussed with a number of property owners in both the Town Centre and Betley Conservation Areas the possibility of returning railings to the front of the properties, mainly Listed Buildings. Returning the railings would help enhance the special architectural and historic interest of these buildings and the Conservation Areas and it is proposed that a scheme should be included within the management plan.

Commitment and Adoption

A recommendation is contained within the Management Plan that the Management Plans are adopted as SPD and form part of the Local Development Framework. This recommendation is not supported by your officers. Preparing an individual SPD for every Conservation Area in the borough has major resource implications given the rigorous procedures for public consultation and sustainability appraisals that must be followed. As such, an alternative approach, which is set out in the approved Local Development Scheme and emerging Core Spatial Strategy, is to produce a single Conservation and Heritage Guidance SPD. This would amplify broad references in the Core Spatial Strategy to preserving the character and appearance of the historic heritage of the borough and make reference to supporting Character Appraisals and Management Plans. These in turn would define the specific character that is to be preserved and enhanced in a given Conservation Area, and its proposed management strategy. Such an approach is consistent with English Heritage and Planning Advisory Service guidance on the management of Conservation

Areas, which indeed states that “a conservation area character appraisal, with or without a related management strategy, cannot itself be a SPD”.

It should also be noted that in the interim period before the Core Spatial Strategy and Conservation and Heritage Guidance SPD are approved, saved local plan policies B9-B20 provide a policy mechanism for preserving the character of the boroughs Conservation Areas, which will also be further supported by any Character Appraisals and Management Plans that are produced.

Financial Implications

The cost of preparing the Town Centre and Betley CAMPs is £17,000, and is within the budget of £95,000 set aside from Planning Delivery Grant to undertake for the programme of conservation work approved by Cabinet in March 2007.

Implementing the actions and recommendations that arise from this report will have resource implications that are capable of being funded from within the current existing budget, but the extent of the work may raise staff resource issues.

Outcomes Linked to Corporate Priorities

The Conservation Area Appraisal and Management Plan Programme accords with the Corporate Priorities 2007-12, “Creating a Borough of Opportunity”, the preparation of character appraisals is a Best Value Performance Indicator and meets the recommendations of English Heritage.

Reasons

The Town Centre and Betley CAMPs contain a number of recommendations, which when successfully implemented will meet the Council’s statutory duties and responsibilities under the planning and conservation legislation to preserve and enhance the special architectural or historic interest of these areas.

RECOMMENDATIONS: -

That the Conservation Advisory Working Party support Members’ decision to approve the following:-

- (a) That the Conservation Area Appraisal and Management Plans for the Town Centre and Betley Conservation Areas be approved, as set out in the report, with minor amendments as set out in B and C below, and that delegated authority be given to the Development Control Manger to approve the final draft which will include photographs.**
- (b) That Members agree to alter the Newcastle Town Centre Management Plan to include reference to Areas of Special Control of Advertisements with a recommendation that officers will consider whether it is appropriate to pursue this special control.**
- (c) That Members agree to alter both Management Plans to include reference to the potential for a railing replacement scheme as a longer term project as this will require some match funding.**
- (d) That Members accept the boundary changes as proposed in the Management Plans for both Conservation Areas and grant authority to the Development Control Manager to carry out the necessary statutory arrangements to make those boundary changes.**

DETAILED RECOMMENDATIONS

The Appendix sets out all the recommendations set out in the Conservation Area Appraisal and Management Plans for Betley and the Town Centre Conservation Areas.

General Recommendations	Comment
A.1: Adopt a consistent and considered interpretation of what is considered to be a material change requiring planning permission.	This is an operational service matter.
A.2: Adopt Article 4 (2) Directions for the conservation areas (CAs).	This process has been undertaken for Basford and Butterton Conservation Areas. See specific recommendation 7 below.
A.3: Promote consistent decision making through training for the decision makers.	Regular training is provided for Members and Officers, and will continue to be provided.
A.4: Develop an Enforcement Strategy to explain which actions are taken and the priority given to the historic environment.	The Corporate Enforcement Strategy needs to be revised to include the wider issues.
A.5: Reinforce and support the role of the Heritage and Design Champion (HDC).	The importance of this role in the organisation should be maintained.
A.6: Keep the information on conservation matters on the Council's Website updated and expanded as necessary.	This action has already been undertaken and is ongoing.
A.7: Ensure that information is available to facilitate understanding the significance of CAs and the consequences of living and working within them.	Information on the Website could be supplemented by written guidance, and other mechanisms. Public consultation is required with CAMP process.
A.8: Explain planning decisions in detail where contrary to the advice of the Conservation Advisory Working Party (CAWP) or Parish Councils.	Determination reports fully explain the decision and are reported to CAWP.
A.9: Give the CAWP the opportunity to comment on all applications affecting the Borough's historic environment.	Accept the recommendation.
A.10: Extend and update published guidance <ul style="list-style-type: none"> • Advertisements in CAs • Historic Buildings • Living in a CA • Shopfronts and security shutters 	The Council is committed to publish guidance on shutters and shop fronts. A programme of producing updated/new guidance could be introduced.
A.11: Promote the historic environment and ensure that adequate policies are included in the LDF and accompanying documents.	This forms part of the statutory plan making process. Accept the recommendation.
A.12: Assess applications for Listed Building Consent in accord with Council policy and PPG15 including archaeological evaluation.	Accept the recommendation.
A.13: Prepare a Local List including appropriate criteria, in planning policy; and involving local communities in the selection of buildings and	The Council has already agreed in principle to this and it needs to be actioned and a local list established

structures.	as soon as resources permit. See Appendices 2 & 3 of MPs.
A.14: Ensure publicity about CAs highlights the consequences of designation including the presumption of retaining positive buildings.	Accept the recommendation.
A.15: Applications for the demolition of any 'positive' building in a CA will be required to provide evidence that the building is beyond economic repair, and has been marketed as an alternative to demolition.	Requirement could be included in CA consent guidance notes and at pre-application discussions or in notes on the Web Site.
A.16: Control carefully all conservation areas reviewing boundaries; undertake preparation of CAMPs on a five year cycle, and considering new areas for designation.	The Council has approved a five year CAMPs programme.
A.17: Monitor applications for development which affect Scheduled Monuments or sites of archaeological potential carefully, and consider refusal if there is potential for harm.	Current practice involves monitoring of applications where there is potential for harm through consultation with Staffs County Council.
Specific Recommendations – Town Centre	
SR.1: St Giles Churchyard: Draw up a Management Plan for St George's churchyard identifying areas of concern; provide a schedule of maintenance and possible improvements.	This is an operational matter.
SR.2: St Georges Churchyard. The Management Plan is urgently needed to raise funds and provide an impetus to action arising from the first recommendation and to preserve the present eco-system.	This is an operational matter.
SR.3: Maintain Queen's Gardens including support for fund raising for the repairs to Queen Victoria's statue.	This is an operational matter and is already the case.
SR.4: Prepare a shopfront design guide and update guidance on security shutters	See A10
SR.5: Draw-up a Local List for the Town Centre CA after consulting the local community.	Please refer to A13 above and Appendix 3 of MP.
SR.6: Consider applying for a Townscape Heritage Initiative (THI) grant scheme to the HLF, to provide a three year grant programme.	The Council could use its statutory powers for dealing with Buildings at Risk and will consider the potential for additional investigations and subsequent external grant aid.
SR.7: Adopt an Article 4 (2) Direction for nos. 1-27 Well Street, nos. 54-82, Garden Street and some of the residential properties in London Road.	See action 2 above. Add nos. 1-27 Well Street to the Local List due to the high survival of original details).
Policy Recommendations - Betley	
PR.1: Monitor all applications on the edge of the CA, particularly in the Buffer Zones and will refuse those which could adversely affect the CA.	Implement "saved" policies in the Local Plan 2011 and in National Policy Guidance, and include a policy in the LDF.

PR.2: Protect and where possible, enhance, the rural qualities of the CA, including refusing applications which would result in the removal or reduction of trees or established planting.	Implement "saved" policies in the Local Plan 2011 and in National Policy Guidance, and include a policy in the LDF.
PR.3: (i) New development must accord with policies within the Local Plan, the emerging LDF, and national guidance - PPG15 and PPG16.	This is already the case.
(ii) Applications for development in or on the edge of the Betley Conservation Area which would result in the loss of garden space or conflict with the historic form or structure will be refused.	Devise a policy in the LDF.
iii) 'Positive' as well as listed buildings must be retained and their settings protected from unsympathetic development.	Devise a policy in the LDF.
(iv) New development should follow the guidelines as set out in the Management Plans (summary below) <ul style="list-style-type: none"> • The scale and form should follow established historic precedent • Replacement of an existing building should not increase the volume of development on the site; • New development should be sympathetic to the scale, materials and details of the surrounding historic buildings; • new development should reflect the traditional roof forms, pitches, materials and details of existing historic properties; Development should be designed to reduce its impact on existing views, within and without, the area. Development which might adversely affect views out of the conservation area will be carefully monitored.	Implement "saved" policies in the Local Plan 2011 and in National Policy Guidance, and include a policy in the LDF. This is an operational matter.
PR.4: All applications for change to historic buildings (listed, locally listed and 'positive') must use the correct materials and design details.	Apply local plan policies. Importance of training and understanding for decision makers.
Specific Recommendations - Betley	
SR.1: Survey all non-listed buildings in Betley, including interiors, and if of merit seek inclusion in the Statutory List.	When resources become available.
SR.2: Draw-up a Local List for Betley CA after consulting the local community.	Refer to A13 above and Appendix 2 of MP.
SR.3: Prepare an Article 4 (2) Direction for all 'positive' unlisted dwellings in the Betley CA, including those which are proposed for the Betley Local List.	See A2 above.

APPRAISAL AND MANAGEMENT PLANS