

When calling or telephoning please ask for
Mr G Durham

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My ref
GD/EVB – R82/48

13 May 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, 24 MAY 2011** at **7pm**.

AGENDA

1. To receive Declarations of Interest from Members on items included in this agenda.
2. Minutes of meeting held on 3 May 2011 (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 the report on 'Partnership Schemes in Conservation Areas – Newcastle Town Centre – Review of Year One.
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.
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, Wemyss and Mrs Williams

Outside Representatives: Messrs Chatterton, Mrs C Henshaw, Manning, Dr M Nixon, Tribbeck and Worgan

The appropriate Parish Council representative(s) and Ward Members

“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.

PARTNERSHIP SCHEME IN CONSERVATION AREAS - NEWCASTLE UNDER LYME TOWN CENTRE

Review of the First Year of the Scheme 2010/11

Purpose of the Report

The purpose of this report is to inform members about the progress of the grant scheme for first year of a three year scheme. The report will consider how successful the scheme has been with grant take up and when we can expect to see the benefits to the town of providing grants.

Background

Cabinet in June 2009 agreed to join partners with English Heritage in progressing a Partnership Scheme in Conservation Area (PSiCA) for part of the Newcastle Town Centre Conservation Area. The Scheme for Newcastle was prepared, was submitted to English Heritage for approval and was successfully launched in April 2010. The objective of the scheme is to contribute towards the regeneration of the Town Centre through the reinvigoration of its historic environment, providing repairs to key historic buildings and reinstating traditional features and enhancing the Conservation Area within the commercial core.

Running of the Scheme

The day to day running of the scheme is dealt with by the Council's Conservation Officer and a Steering Group which was set up at the start of the Scheme and meets regularly to discuss progress. Whilst not a decision making body, this group supports the Officer and helps to assist in publicity for the scheme. Current membership of the Group is: the Council's Conservation Officer, the Council's Historic Environment Champion, representatives from English Heritage, the Civic Society, the Chamber of Trade, an officer from the Council's Community Partnership and Projects Section and the Chairman of the Conservation Advisory Working Party.

Progress for Year One

The first year began successfully with contacts being made with owners of key target buildings within the PSiCA area, namely the warehouse building in Market Lane and 11-17 High Street and 56 Merrial Street. Publicity took the form of press releases, a live radio interview, podcast and informal launch event.

There will be a need for further publicity during the next two years of the scheme but it is not unusual for the take of grants and implementation to be slow in the first year of a grant scheme of this type and experience from similar schemes in neighbouring boroughs is that once a building or shop front is improved and the changes and benefits are visible, the Council will get further requests for help.

In Quarter 1 the first building grant was offered to the Council as the owner of unit 13 Lancaster Buildings for shop frontage improvements and reinstatement. This work has been carried out to a high standard and this shop has now been let.

In Quarter 2 progress was made in offering preparatory grants to facilitate improvements to buildings and a public realm scheme on Market Lane. This public realm scheme is an innovative "lumiMotion" lighting scheme. The scheme will install LED motion sensing technology along the Lane which will help to increase safety whilst at the same time reducing energy usage and the environmental impact of lighting along the route. The PSiCA grant will provide more appropriate lighting columns for the scheme. This lighting scheme will begin in the summer and will compliment the work proposed to the warehouse building that is referred to below.

Quarter 3 was very quiet in terms of the number of grants offered but time was spent on a publicity launch and further contacts were made with prospective grant recipients.

Quarter 4 was successful and a grant was offered to the owner of Mellards Warehouse on Market Lane for the refurbishment and repair of the building. The building has been vacant for many years and is now derelict and unsightly which has a negative impact on the appearance of the Conservation Area. £85,356 has been awarded to the owner of the building who will give the former warehouse a new lease of life. The total cost of the contract is over £153,000 not including the cost of fitting out the building for its new use. The owner is applying for planning permission for a change of use for the building and work on site will begin shortly, subject to that planning permission being obtained.

Future of the Scheme – Year 2

In reviewing the previous year, English Heritage requested as normal that consideration be given to whether the funding is still required for the next financial year. It specifically asks if the economic climate has significantly changed since the Delivery Plan was drawn up – to establish if property values have increased so that it can be reasonably expected that buildings will be repaired and renovated without the need for grant aid.

In Newcastle-under-Lyme the property market is considered slightly worse than when the scheme was put together in terms of property values and vacancy rates. On this basis English Heritage have been advised that there is still a need for the scheme to continue providing grants and contributing towards the regeneration of the town centre.

The Council has set aside £50,000 for this project in its Capital programme for 2011/12 and English Heritage has also confirmed their £50,000 allocation for this financial year

Once schemes begin to be implemented it is hoped that such visible improvements will enhance the town centre and help to further promote the scheme.

Conclusions

Currently the scheme offers grants for repairs at 50% and reinstatement of historic features such as architectural decorative detailing and shop frontages at 60%. Grant recipients apply for grant eligible work and must implement the work within 2 years from the date of the offer. Any grant offer which is over £40,000 must be referred to English Heritage for their endorsement.

The scheme has successfully offered the full allocation of £100,000 to owners of historic assets within the town centre as a percentage contribution towards improvements. Year 2 begins with tender contracts being secured for Mellards Warehouse and work on site will start very soon. However the scheme needs to encourage further owners to take up grants as interest is currently fairly limited. In order to provide more of an incentive, the Council proposes to put a case forward to English Heritage that the scheme gives up to 75% grant towards the cost of the reinstatement of appropriate shop frontages on eligible properties.

The Council's Conservation Officer and the Steering Group will continue to promote the scheme and encourage as much publicity as possible.

Recommendation

That the report be noted and any comments the Working Party wishes to make be passed onto the Council's Planning Committee.

**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 |
|------------------------------------|--|---|---|--|
| 11/116/FUL & 11/119/LBC | Garden Cottage, Pinfold Lane, Hales. Mr R Hall. | Extensions comprising conversion of storage buildings and link building. | The Working Party was pleased with the simpler and contemporary approach that had been negotiated and could perhaps be 'lighter' architecturally. | Permitted under delegated powers 4 May, 2011 |
| 08/70/EXTN & 08/72/EXTN | 31 Ironmarket, Newcastle. MIC Properties Ltd. | Extension to the time limit to implement planning permission 08/70/LBC and 08/72/FUL for the change of use from offices to ground floor offices with apartments at first and second floor level (6 in total) with associated internal and external alterations. | No objections. | Permitted under delegated powers 27 April, 2011 |
| 11/86/LBC | Aston Manor Farm, Aston. Mr P McCormack. | Retrospective application for the demolition and rebuild of existing brickwork on the south gable to the west wing (due to its unsafe and dangerous condition). | No objections. | Permitted under delegated powers 3 May, 2011 |
| 11/87/ADV | 33 Ironmarket, Newcastle. Leek United Building Society. | Display of 3 replacement signs, 1 fascia and projecting signs externally lit and one rear illuminated box sign. | No objections. | Permitted under delegated powers 9 May, 2011 |

Cont...

| Reference | Location and Applicant | Development | Working Party Comments | Planning Decision |
|------------------------------------|---|--|--|---|
| 11/89/FUL | Twemlow Cottage, Ivydene, Betley. Mr & Mrs S Hinds. | Relocation of garden wall with new guarding and paving. | No objections. | Permitted under delegated powers 9 May, 2011. |
| 11/130/FUL | 50-54 Church Street, Audley. Mr F Akhtar. | Retention of alterations to roof of rear single storey area. | No objections. | Permitted under delegated powers 3 May, 2011. |
| 11/131/FUL & 11/132/CON | Old Brown Jug, Bridge Street, Newcastle. Marstons Brewery. | Demolition of the existing 1.9 high rear perimeter wall and erection of a new wall – max height 3.1m high. | No objections to both the demolition and rebuilding of the wall. The Conservation Advisory Working Party welcomed the attention to detail in the design of the wall. | Permitted under delegated powers 5 May, 2011. |

CONSERVATION ADVISORY WORKING PARTY

| Reference | Location and Applicant | Development | Remarks | Ward Councillors |
|----------------------------|---|---|--|---|
| 11/216/ADV | 13 Ironmarket, Newcastle. Lloyds Banking Group. | Replacement internally illuminated Facia and projecting sign. | Grade II Listed Building within the Newcastle Town Centre Conservation Area. | Cllr D Clarke Cllr Mrs E Shenton |
| 11/215/FUL & 11/217/LBC | 13 Ironmarket, Newcastle. Lloyds Banking Group. | Alterations to shop front including replacement fascia and projecting sign. Internal changes to the branch involving the removal and installation of stud partitions. | Grade II Listed Building within the Newcastle Town Centre Conservation Area. | Cllr D Clarke Cllr Mrs E Shenton |
| 11/183/FUL | Kimberley, Park Road, Butterton. Mr Neville Leath. | Erection of boundary fence. | Within the Butterton Conservation Area. | Cllr A Howells Cllr D Loades Cllr Mrs F Myatt |
| 11/243/FUL | Mellards Warehouse, Market Lane, Newcastle. Mr W Mercer. | Conversion of former warehouse to ground floor café and first floor office and masonry and roof repairs and re-instatement of windows and doors to side elevation. | Within Newcastle Town Centre Conservation Area. | Cllr D Clarke Cllr Mrs E Shenton |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr R.N.C. Hall **Application No:** 11/00116/FUL

Location: Garden Cottage Pinfold Lane Hales

Description: Conversion of existing adjacent building and single storey extensions including link building.

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

West Midlands Regional Spatial Strategy

Policy QE1: Conserving & Enhancing the Environment
Policy QE3: Creating a High Quality Built Environment for all
Policy QE5: Protection and enhancement of the Historic Environment

Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy 2006-2026

CSP1: Design Quality
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 NC18: Listed Buildings

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 N18: Area of Active Landscape Conservation
Policy H18: Design of Residential Extensions

Other Material Considerations

Relevant National Policy Guidance:

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

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

Space about Dwellings (July 2004)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (Nov 2010)

Relevant Planning History

There is an associated application for listed building consent that accompanies this application, reference 11/00119/LBC.

Views of Consultees

The **Conservation Advisory Working Party** was pleased with the simpler and contemporary approach that had been negotiated and could perhaps be 'lighter' architecturally.

Loggerheads Parish Council has no objections.

Representations

None.

Applicant's/Agent's Submission

A Design and Access Statement, a Structural Survey and an Archaeology Report.

Amended plan have been submitted showing a simpler squared off "entrance" area.

Key Issues

This is an application for full planning permission for the conversion of an existing adjacent building to Garden Cottage and the erection of a single storey link building and single storey extension. Garden Cottage is a curtilage listed building to the adjacent Hales Hall and Stable Block. The cottage is in residential use. The site is within Area of Active Landscape Conservation as defined by the Local Development Framework proposal map.

The proposal involves the removal of a lean to extension to the dwelling and garage building attached to the adjacent building.

It is understood the proposal would provide ground floor accommodation for the current occupiers of Hales Hall who have mobility problems following their son moving into the main Hall.

The proposal would provide a kitchen, dining room/garden room, drawing room and two additional bedrooms and ensuite facilities.

The main considerations with this proposal are:-

- **Impact on the character of the listed building**
- **Design of the proposal**
- **Impact on the Landscape quality of the area**
- **Residential Amenity**

Impact on the character of the Grade II Listed Building.

The Local Planning Authority has a duty to pay special attention to proposals involving Listed Buildings.

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

The property is a curtilage property within the grounds of a Grade II listed building and in particular, Policy B6 is of importance in this instance, albeit the cottage is some distance from the main Hall and the Stable Block.

Given the contemporary, albeit sympathetic, design of the extension, it is considered that the proposed development would not harm the character of the building, in accordance with policy B6 of the Local Plan.

Design of the proposals

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

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

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

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

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

The proposal has been the subject of numerous discussions with officers, the applicant and their agents and the applicant has been encouraged to explore the use of a contemporary design. Since the submission of the application further amendments has been sought to simplify the design of the area by the entrance area, satisfactory amended plans have been received.

The design of the link building is considered contemporary, albeit subordinate to the cottage of the existing detached building, providing a light airy link.

The design of the extension at the end of the existing building would match the design of the existing building.

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

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

Impact on the Landscape quality of the area

The dwelling sits within Area of Active Landscape Conservation as defined by the Local Development Framework proposals map. The Policy N18 advises the Council will support proposals that will help to conserve the high quality and distinctive character of the areas landscape. Development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to the siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area.

This proposal is within the confines of a domestic curtilage and it is considered given the scale of the proposal and its setting it would not have a detrimental impact on the quality of the surrounding landscape.

Residential amenity

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

Reason for the grant of planning permission

It is considered that the proposal does not have any detrimental impact on the character or appearance of this Grade II Listed Building. The proposal complies with the relevant policies in the development plan indicated in the decision notice and there are no other material considerations which would justify refusal of planning permission in this case. The proposal complies with Policies CSP1 and CSP2 of Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 Policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011; Policies B6, N18 and H18 of the Newcastle Under Lyme Local Plan 2011 and aims and objectives of PPS1 and PPS5.

Recommendation/Conditions

Permit subject to:-

1. **BA01 Commencement within 3 years (full)**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- R1: To comply with Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and the further details sought and approved by condition 3 of this permission:

- Buntings Drawing no 0202GA- 08 received 7 March 2011
- Buntings Drawing 0202-01/01 received 7 March 2011
- Buntings Draing no. 0202-02/01
- Buntings Drawing no 202GA-01/01 received 7 March 2011 **partially amended** by drawings received 14 April 2011, (squaring off the entrance area).

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

3. Prior to the commencement of development the following shall be submitted to and approved in writing by the local planning authority:-

- (a) Large scale architectural drawings to a scale of not less than 1:5 of all new windows and doors, including drawings of sections and profiles of jambs, heads, cills and glazing bars together with their relationship to masonry apertures.
- (b) Details of all new and replacement rainwater goods.
- (c) Details of the treatment of the ceiling
- (d) Details of the type, texture and colour of the roofing materials
- (e) Details of the type, texture and colour of the external wall finishing materials
- (f) Large scale architectural drawings of the proposed fascia eaves detailing.

R3: To safeguard the architectural and historic appearance of the listed structure in accordance with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policies B5 and B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS5.

| Performance Checks | Date | | Date |
|-----------------------------|-------------------|----------------------|-------------------|
| Consultee/ Publicity Period | 08/04/2011 | Decision Sent Out | |
| Case Officer Recommendation | 04/05/2011 | 8 Week Determination | 05/05/2011 |
| Management Check | 4/5 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr R.N.C. Hall **Application No:** 11/00119/LBC

Location: Garden Cottage Pinfold Lane Hales

Description: Conversion of existing adjacent building and single storey extensions including link building.

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

West Midlands Regional Spatial Strategy

Policy QE1: Conserving & Enhancing the Environment
Policy QE3: Creating a High Quality Built Environment for all
Policy QE5: Protection and enhancement of the Historic Environment

Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy 2006-2026

CSP1: Design Quality
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 NC18: Listed Buildings

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

Other Material Considerations

Relevant National Policy Guidance:

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

Companion Guide to PPS1 "The Planning System: General Principles

Relevant Planning History

There is an associated application for planning permission that accompanies this application, reference 11/00116/FUL.

Views of Consultees

The **Conservation Advisory Working Party** was pleased with the simpler and contemporary approach that had been negotiated and could perhaps be 'lighter' architecturally.

Loggerheads Parish Council has no objections.

Representations

None

Applicant's/Agent's Submission

A Design and Access Statement, a Structural Survey and an Archaeology Report.

Amended plan have been submitted showing a simpler squared off “entrance” area.

Key Issues

This application is for listed building consent for the erection of ground floor extensions. The property is a curtilage building in the grounds of two Grade II Listed buildings (Hales Hall and the adjacent Stable Block). An application for planning permission for the extensions is also being considered (Ref. 11/00116/FUL).

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 architectural or historic features.

The proposal involves the removal of a lean to extension to the dwelling and garage building attached to the adjacent building.

It is understood the proposal would provide ground floor accommodation for the current occupiers of Hales Hall who have mobility problems following their son moving into the main Hall.

The proposal would provide a kitchen, dining room/garden room, drawing room and two additional bedrooms and ensuite facilities. The single storey extensions would be in two parts – a link extension between the main cottage and the existing building and an extension at the end of the existing building.

The link element would be of a more contemporary design having a high proportion of glazing, the end extension would replicate the design of the existing detached building. The design of link building has been slightly amended since the original submission to provide a simpler squared off entrance area.

The design of the proposal was considered during a pre application and post application meetings/discussions whereby recommendations were made to the applicant. The recommendations made have resulted in the proposal being of a form, size and location as submitted.

Given the above including the submission of amended details it is considered the proposal would not dominate the appearance of the listed building and is of an acceptable design.

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

Reason for the grant of listed building consent:

It is considered that the proposal does not have any detrimental impact on the character or appearance of this Grade II Listed Building, and accordingly the proposal complies with policy NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 -2011, Policy B6 of Newcastle under Lyme Local Plan 2011 and aims and objectives of PPS5.

Recommendation/Conditions

Grant Consent 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and the further details sought and approved by condition 3 of this permission:
 - Buntings Drawing no 0202GA- 08 received 7 March 2011
 - Buntings Drawing 0202-01/01 received 7 March 2011
 - Buntings Draing no. 0202-02/01
 - Buntings Drawing no 202GA-01/01 received 7 March 2011 **partially amended** by drawings received 14 April 2011, (squaring off the entrance area).

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

3. Prior to the commencement of development the following shall be submitted to and approved in writing by the local planning authority, and then implemented as approved prior to the commencement of the development.

- (a) Large scale architectural drawings to a scale of not less than 1:5 of all new windows and doors, including drawings of sections and profiles of jambs, heads, cills and glazing bars together with their relationship to masonry apertures.
- (b) Details of all new and replacement rainwater goods.
- (c) Details of the treatment of the ceiling
- (d) Details of the type, texture and colour of the roofing materials
- (e) Details of the type, texture and colour of the external wall finishing materials
- (f) Large scale architectural drawings of the proposed fascia eaves detailing.

R3 : To safeguard the architectural and historic appearance of the listed structure in accordance with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policies B5 and B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS5.

| Performance Checks | Date | | Date |
|-----------------------------|-------------------|----------------------|-------------------|
| Consultee/ Publicity Period | 08/04/2011 | Decision Sent Out | |
| Case Officer Recommendation | 04/05/2011 | 8 Week Determination | 05/05/2011 |
| Management Check | 4/5 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant:- MIC Properties Ltd. **Application No:** 08/00070/EXTN

Location: 31 Ironmarket, Newcastle

Description: Extension to the time limit to implement 08/70/LBC for the conversion of first floor and second floor to six apartments with associated internal and external alterations.

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

West Midlands Regional Spatial Strategy 2008

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a high quality built environment for all
Policy 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 H6: Conversions
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 a listed building
Policy B7: Listed Buildings – Change of use

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

CSP2: Historic Environment

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPS5: Planning for the Historic Environment

Planning History

The listed building consent to which this relates is 08/00070/LBC and the decision was issued on 19 March 2008.

Views of Consultees

The Conservation Advisory Working Party has no objections to the proposal.

Environmental Health have no objection to the proposal subject to the inclusion of the conditions that were specified on the original permission.

Representations

No representations received

Applicant's/ Agent's Submission

The requisite application forms and plans were submitted.

Key Issues

As this is an application to replace an extant listed building consent in order to extend the time limit for implementation the key issue is whether there have been any changes in planning policy or other relevant material considerations that would indicate that the proposal should no longer be treated favourably

The most significant change in policy since the previous permission was granted is the adoption of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 at a local level and the introduction of PPS5 at a national level.

The introduction of these documents has not created a material change in policy terms and the principle of this mixed use development within a sustainable location is still supported. PPS 5 still has the same overarching aims of its predecessor PPG15 however it has brought in new guidance that puts the onus upon the applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance and this should form part of the design and access statement when required. Due to this being an extension of time application for a listed building consent previously deemed acceptable this was not felt to be necessary in this instance taking into account Government legislation on these types of applications. The conservation officer and the conservation advisory working party have re-examined the previously approved proposal in light of the new policy context and no objections have been raised.

No new issues have been raised by any of the consultees and having studied the conditions previously included, it is not felt necessary to either add to these or remove any previously included.

Reasons for the grant of planning permission

Taking into account changes to the Development Plan which have arisen since the determination of application 08/00070/LBC there is no substantive basis for coming to a different view on this application from that which was reached in 2008. Therefore, it is felt that the proposal does not harm the special character or appearance of the Grade II listed building or its setting and accords with the principles of policy PPS 5. Therefore the proposal is in accordance with Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and Policies B5, B6, B7, B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.

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. Prior to the commencement of the works hereby approved, a method statement and schedule of works shall be submitted to and approved in writing by the Local Planning Authority showing the retention and protection of the staircase, handrail, banisters/ balusters, cornices, architraves, skirtings, windows, doors and any other historic features. The relevant work shall be carried out in strict accordance with the approved details.
- R2 To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B5 of the Newcastle under Lyme Local Plan 2011
3. No development shall be undertaken until details of a positive input ventilation system for the proposed residential units, including its installation and noise levels, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the residential units and be retained in working order for the life of the development. This consent does not require, or grant consent for, the replacement of existing windows by double glazed units, or the provision of secondary glazing

- R3 In the interests of residential amenity and to ensure the special character, architectural interest and integrity of the building is preserved, in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 & Newcastle-Under-Lyme Local Plan Policy B7.
4. Before any part of the development hereby approved first commences, a plan shall be submitted to the Local Planning Authority indicating details of all new windows, external doors, including cross sections of glazing bars, to a scale of not less than 1:20. The details which are approved by the Local Planning Authority shall be carried out in full.
- R4: To ensure that the external appearance of the building / structure is acceptable in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 & Newcastle-Under-Lyme Local Plan Policy B7.
5. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the approved drawings or otherwise first approved in writing by the Local Planning Authority.
- R5 To ensure the special character, architectural interest and integrity of the Listed building is preserved in accordance with the principles of policy B5 of the Newcastle under Lyme Local Plan 2011
6. No development shall be carried out until details of the proposed railings, including their type, materials, installation and colour have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before any of the residential units are occupied.
- R6 To ensure the satisfactory appearance of the development and its impact on the Listed Building and Conservation Area in accordance with the principles of policies B5 and B10 of the Newcastle under Lyme Local Plan 2011.
7. The development hereby approved shall be carried out in total accordance with the approved plans numbered AS-04RevB date stamped received by the Local Planning Authority on 18/2/08.
- R7 For the avoidance of doubt and to specify the plans to which the permission / consent relates.
8. Any new doors shall match the design of the original doors i.e. they shall be provided with panels
- R8 To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
9. Prior to the commencement of the works hereby approved a detailed colour scheme for the painting of the buildings shall be submitted to and approved in writing by the Local Planning Authority, and the works shall proceed in accordance with that detailed scheme
- R9 To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
10. The removal of the galvanised metal boiler metal flue and the redundant chimney at the rear of the building shall be undertaken in accordance with a programme that shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved
- R10 To ensure the benefits of the removal of such features are achieved, and to enhance the special character and appearance of the building and the character and appearance of the Conservation area in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
11. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting information:-
- Hulme Upright Manning drawing no. 19848 AS (-)01 Rev A
 - Upright Manning drawing no. 19848 AS (-)04 Rev B
- R11 For the avoidance of doubt and in the interests of proper planning.

| Performance Checks | Date | | Date |
|-------------------------------|-----------------|----------------------|---------------|
| Consultee/ Publicity Period | 8/4/11 | Decision Sent Out | |
| Case Officer Recommendation | 27/4/11 | 8 Week Determination | 2/5/11 |
| Report checked by Back Office | | | |
| Management check | 27/4 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: MIC Properties Ltd. **Application No:** 08/00072/EXTN

Location: 31 Ironmarket, Newcastle

Description: Extension to the time limit to implement planning permission 08/72/FUL for change of use from offices to ground floor offices with apartments at first and second floor level (6 in total) with associated alterations.

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

West Midlands Regional Spatial Strategy 2008

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a high quality built environment for all
Policy 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 H6: Conversions
Policy NC18: Listed buildings
Policy NC19: Conservation Areas

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

SP1: Spatial Principles of Targeted Regeneration
CSP1: Design Quality
CSP2: Historic Environment
ASP4: Newcastle Town Centre Area Spatial Policy
ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Newcastle-under-Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H6: Encouragement of the Provision of Living Accommodation by the Conversion of existing non-residential urban buildings
Policy B5: Control of development affecting the setting of a listed building
Policy B6: Extension or alteration of a listed building
Policy B7: Listed Buildings – Change of use
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 E11: Development of Employment Land for Other Uses

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPS3: Housing
PPS4: Planning for Sustainable Economic Growth
PPS5: Planning for the Historic Environment
PPG24: Planning and Noise

Supplementary Planning Guidance

Waste Management and Recycling Planning Practice Guidance Note

Newcastle Town Centre Supplementary Planning Document – The site lies within the town centre historic core and within the primary shopping area but it is not within the primary shopping frontage.

Planning History

The planning permission to which this relates is 08/00072/FUL and the decision was issued on 19 March 2008.

Views of Consultees

The **Highway Authority** has no objections to the proposal subject to the conditions included on the previous application being completed. They further advise that the application has been assessed in regard to NTADS, however no contribution is required as this development does not generate sufficient additional quantifiable trips onto the highway network within the pm peak.

The Conservation Advisory Working Party have no objections to the proposal.

Environmental Health has no objection to the proposal subject.

Representations

A representation was received from the Newcastle under Lyme Civic Society who wishes to support the application with reference also made to the need to provide secure parking for each flat and visitor spaces.

Applicant's/Agent's Submission

The requisite application forms and plans were submitted.

Key Issues

As this is an application for planning permission to replace an extant planning permission in order to extend the time limit for implementation the key issue is whether there have been any changes in planning policy or other relevant material considerations that would indicate that the proposal should no longer be treated favourably

The most significant change in policy since the previous permission was granted is the adoption of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 at a local level and the introduction of PPS4 and PPS5 at a national level.

The introduction of these documents has not created a material change in policy terms and the principle of this mixed use development within a sustainable location is supported within these new policy documents. The development would ensure a business use would be retained within the heart of the town centre whilst also creating high quality housing within a town centre location. This would also provide a level of natural surveillance within the town centre and provide accommodation for individuals who would help assist the night time economy of the town centre. The development would also bring into use a currently underused property and it is accepted that vacant properties are more likely to fall into disrepair which would have adverse impacts upon this listed building and the surrounding Conservation Area in this prominent location opposite Queen's Gardens.

No new issues have been raised by any of the consultees and having studied the conditions previously included, it is not felt necessary to either add to these or remove any previously included.

With regards to the issue raised by Newcastle Civic Society in terms of parking spaces, the proposal has seven parking spaces included as part of the scheme that would cater for the development. It is felt that this is acceptable due to the location of the premises within a town centre that is accessible by different forms of public transport.

Reasons for the Grant of Planning Permission

Taking into account changes to the Development Plan which have arisen since the determination of application 08/00072/FUL there is no substantive basis for coming to a different view on this application from that which was

reached in 2008. Therefore, the proposed development is considered to be acceptable in policy terms creating a mixed use scheme within a sustainable location that remains sensitive to its location within a listed building and Newcastle Conservation Area. Therefore the principle of residential development is considered acceptable and in accordance with Policy CF1 of the West Midlands Regional Spatial Strategy 2008; Policies SP1, ASP5 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and Policies H1, B5, B6, B7, B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.

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. Prior to the commencement of the works hereby approved, a method statement and schedule of works shall be submitted to and approved in writing by the Local Planning Authority showing the retention and protection of the staircase, handrail, banisters/ balusters, cornices, architraves, skirtings, windows, doors and any other historic features. The relevant work shall be carried out in strict accordance with the approved details.
- R2: To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B5 of the Newcastle under Lyme Local Plan 2011
3. No development shall be undertaken until details of a positive input ventilation system for the proposed residential units, including its installation and noise levels, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the residential units and be retained in working order for the life of the development. This consent does not require, or grant consent for, the replacement of existing windows by double glazed units, or the provision of secondary glazing
- R3: In the interests of residential amenity and to ensure the special character, architectural interest and integrity of the building is preserved, in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 & Newcastle-Under-Lyme Local Plan Policy B7.
4. Before any part of the development hereby approved first commences, a plan shall be submitted to the Local Planning Authority indicating details of all new windows, external doors, including cross sections of glazing bars, to a scale of not less than 1:20. The details which are approved by the Local Planning Authority shall be carried out in full.
- R4: To ensure that the external appearance of the building / structure is acceptable in accordance with Policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 & Newcastle-Under-Lyme Local Plan Policy B7.
5. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the approved drawings or otherwise first approved in writing by the Local Planning Authority.
- R5: To ensure the special character, architectural interest and integrity of the Listed building is preserved in accordance with the principles of policy B5 of the Newcastle under Lyme Local Plan 2011
6. No development shall be carried out until details of the proposed railings, including their type, materials, installation and colour have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before any of the residential units are occupied.
- R6: To ensure the satisfactory appearance of the development and its impact on the Listed Building and Conservation Area in accordance with the principles of policies B5 and B10 of the Newcastle under Lyme Local Plan 2011.

7. The development hereby approved shall be carried out in total accordance with the approved plans numbered AS-04RevB date stamped received by the Local Planning Authority on 18/2/08.
- R7: For the avoidance of doubt and to specify the plans to which the permission / consent relates.
8. Prior to the development commencing, full and precise details of recyclables and refuse storage including designated areas to accommodate sufficient refuse receptacles to service both the residential and commercial developments shall be forwarded to the Local Planning Authority for its approval.
- R8: In the interests of residential, visual and environmental amenity and to comply with Policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011.
9. Any new doors shall match the design of the original doors i.e. they shall be provided with panels
- R9: To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
10. Prior to the commencement of the works hereby approved a detailed colour scheme for the painting of the buildings shall be submitted to and approved in writing by the Local Planning Authority, and the works shall proceed in accordance with that detailed scheme
- R10: To ensure the special character, architectural interest and integrity of the building is preserved in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
11. The removal of the galvanised metal boiler metal flue and the redundant chimney at the rear of the building shall be undertaken in accordance with a programme that shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the works hereby approved
- R11: To ensure the benefits of the removal of such features are achieved, and to enhance the special character and appearance of the building and the character and appearance of the Conservation area in accordance with the principles of policy B10 of the Newcastle under Lyme Local Plan 2011.
12. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting information:-
- Hulme Upright Manning drawing no. 19848 AS (-)01 Rev A
 - Upright Manning drawing no. 19848 AS (-)04 Rev B
- R12. For the avoidance of doubt and in the interests of proper planning.

| Performance Checks | Date | | Date |
|-------------------------------|-----------------|----------------------|---------------|
| Consultee/ Publicity Period | 8/4/11 | Decision Sent Out | |
| Case Officer Recommendation | 27/4/11 | 8 Week Determination | 2/5/11 |
| Report checked by Back Office | | | |
| Management check | 27/4 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr P McCormack **Application No:** 11/00086/LBC

Location: Aston Manor Barns, Aston Manor

Description: Retrospective application for the demolition and rebuild of existing brickwork on the south gable to the west wing due to its dangerous condition

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

West Midland Regional Spatial Strategy 2008 (WMRSS)

Nil

Staffordshire and Stoke on Trent Structure Plan 1996 – 2011 (SSSP)

Policy NC18: Listed Buildings

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

Policy CSP2 – Historic Environment

Newcastle Under Lyme Local Plan 2011 (NLP)

Policy B4: Demolition of Listed Buildings
Policy B5: Control of Development Affecting the Setting of a Listed Building
Policy B6: Extension or Alteration of Listed Buildings
Policy B7: Listed Buildings – Change of Use

Other Material Considerations

Relevant National Policy Guidance:

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

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

Planning History

There is an extensive planning history relating to Aston Manor Farm and its outbuildings but the following applications are particularly relevant:

| | | |
|------|----------------------------|---|
| 1990 | 90/20282/N | Conversion of barn into two dwellings – Approved |
| 1992 | 92/286/FUL | Conversion of derelict barns into holiday accommodation – Approved |
| 1993 | 93/27/LBC | Conversion of derelict barns into holiday accommodation – Approved |
| 2002 | 02/352/FUL | Conversion of existing stable to holiday accommodation – Approved |
| 2005 | 05/317/LBC & 05/615/FUL | Change of use and conversion of former stables/agricultural buildings to 5 dwellings with associated parking – Refused |
| 2006 | 06/13/FUL & 06/14/LBC | Conversion of traditional agricultural buildings to 3 dwellings and two self-contained tourist units and for listed building consent for the works to the buildings – Approved |
| 2010 | 09/531/FUL & 09/534/LBC | Conversion of traditional agricultural buildings to three dwellings and two self-catering tourist units and for listed building consent for the works to the buildings – Approved |

Views of Consultees

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

No comments have been received from **Maer and Aston Parish Council**. As the period for comments has ended, it must be assumed that they have no comments regarding this application.

Representations

Nil

Applicant's/Agent's Submission

A Statement of Significance and a Design and Access Statement have been submitted. The main points of the Statement of Significance are as follows: -

- Aston Manor Barns have a strong historic value and form a significant part of the local history in the village of Aston.
- Whilst the structure is approximately 97% sound and requires only surface treatment, the south gable of the west wing has been deemed to be structurally unstable and therefore approximately 29 square metres of the brickwork needs to be taken down and rebuilt using the same brickwork and bull nose window feature bricks. This is the minimum area to achieve a safe and secure building.

Key Issues

Aston Manor Farmhouse is a Grade II Listed Building and therefore, the outbuildings are “curtilage listed buildings”. Full planning permission and listed building consent were granted in 2006 for the conversion of the outbuildings to three dwellings and two self-catering tourist units (Refs. 06/13/FUL & 06/14/LBC) and then in 2010 amendments to the scheme were granted consent (Refs. 09/531/FUL & 09/534/LBC).

Listed building consent is now sought retrospectively for the demolition and rebuilding of the south gable of the west wing. The previous listed building consent included some localised rebuilding of this gable but the applicant received advice from the Building Inspector that it was unsafe to build upwards from the retained lower section of brickwork as it was unstable and needed to be demolished. The work has been carried out without consent and the applicant has stated that it was urgently required for health and safety reasons.

PPS5 states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Policy B6 of the Local Plan states that the Council will resist alterations or additions to a listed building that would adversely affect its character or its architectural or historic features.

The gable has been rebuilt and the work has been carried out to a very high standard. The work does not result in the loss of historic fabric and it is not considered that there would be any adverse impact on the character or architectural or historic features of the building.

Reason for the Grant of Listed Building Consent:

It is considered that the proposal does not have any detrimental impact on the character or architectural or historic features of this Listed Building, and accordingly the proposal complies with Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011; Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026; and Policies B4, B5, B6, and B7 of the Newcastle Under Lyme Local Plan 2011; and national guidance on works to listed buildings set out in PPS5.

Recommendation

Permit - No conditions

| Performance Checks | Date | | Date |
|--------------------|------|--|------|
| | | | |

| | | | |
|-----------------------------|-----------------|----------------------|---------------|
| Consultee/ Publicity Period | 15.4.11 | Decision Sent Out | |
| Case Officer Recommendation | 3.5.11 | 8 Week Determination | 5.5.11 |
| Management check | 4/11 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Leek United Building Society **Application No:** 11/00087/ADV

Location: 33 Ironmarket, Newcastle

Description: Display of three replacement signs, 1 fascia and projecting sign externally lit and 1 rear illuminated box sign.

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

West Midlands Regional Spatial Strategy

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 NC19: Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B19: Illuminated signs in Conservation Areas
Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Relevant Planning History

2000 00/00058/ADV Illuminated fascia and projecting sign Permit

Views of Consultees

Conservation Advisory Working Party raised no objections.

Representations

No written representations received.

Applicant's/Agent's Submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for an externally illuminated fascia sign and externally illuminated hanging sign on the front elevation with an internally illuminated box sign on the rear elevation of the commercial building.

The property is located within the Town Centre Conservation Area, as indicated on the Local Development Framework proposals map.

The proposed signs would be coloured green with white lettering which would be a reverse of the existing colour scheme. The application forms state that the fascia sign will have luminance levels below 250cd/m² with the other two signs having luminance levels of 556cd/m².

PPG 19 states that the display of outdoor advertisements can only be controlled in the interest of amenity and public safety. Paragraphs 11-14 of PPG 19 explain what is meant by the term amenity – the effect on the appearance of a building or on the visual amenity in the immediate neighbourhood in which the sign is to be developed.

The key issues for consideration are therefore:-

- The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area.
- The impact upon public and highway safety.

The impact of the advertisements on the amenity of the property it relates to and the surrounding Conservation Area

The location of the property within the conservation area makes it important to achieve a good quality design that would not harm the appearance of the conservation area (CA) and wherever possible it should enhance the appearance of these areas.

Policy B20 of the Local Plan indicates that within conservation areas illuminated signs should consist of individually lit letters fixed either directly to a fascia sign or to an opaque panel.

The immediate area has an attractive appearance with Queens gardens being opposite. The neighbouring buildings are all commercial properties that have existing signs on the front of the building. These are predominantly fascia and hanging/ box signs. The application building has existing signs and the proposed signs would directly replace these signs.

The fascia sign would measure 4.8 metres by 0.8 metres in width and height respectively with a depth of 0.3 metres. This would be similar in size and appearance to the existing sign and would also be externally trough lit.

The hanging sign again would have a similar size (0.85m by 0.7m by 0.1m) and appearance to the existing. This would be spot lit externally.

As discussed the colour of the signs would be green with white lettering which would be a reverse of the existing. These signs would not dominate the frontage of the building and whilst the letters are not individually lit letters fixed directly to the fascia sign or to an opaque panel, the design is of a modest size that would not harm the appearance of the conservation area.

The sign proposed on the rear elevation again is a direct replacement and would measure 0.91m by 1.27m by 0.18m and would be internally lit. The rear of the building can be seen from public vantage points (Merrial Street) but is predominantly a service area and car park. It is therefore considered that the size, location and appearance of the sign would not dominate the visual amenity of the street scene.

This area, particularly at the rear of the building, is quite dark at night and therefore to comply with policy B20 of the local plan it is considered necessary to restrict light intensity to 300 candelas per square metre. Subject to this it is considered that it would not harm the appearance of the conservation area.

The impact upon public and highway safety

Due to the proposed scale and location of the advertisements and the condition to be included in relation to luminance levels, it is not felt that the advertisements would have an adverse impact upon public and highway safety.

Recommendation

Permit subject to the standard conditions as well as the following conditions;

1. The maximum surface brightness of the advertisement signs hereby permitted shall not exceed 300cd/m².
- R1: To protect the visual amenity of the Conservation Area, in accordance with policy B20 of the Newcastle under Lyme Local Plan 2011.

Informative

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

- Planning Application Forms
- Drawing description – Fascia sign and projecting sign, date stamped received by the Local Planning Authority on 17 February 2011
- Drawing description – rear box sign, date stamped received by the Local Planning Authority on 17 February 2011
- Photomontage, received by the Local Planning Authority on 30 March 2011
- Site location plan scale 1:1250, date stamped received by the Local Planning Authority on 16 March 2011

| Performance Checks | Date | | Date |
|-----------------------------|--------------------|----------------------|-------------------|
| Consultee/ Publicity Period | 15.04.2011 | Decision Sent Out | |
| Case Officer Recommendation | 09.05.2011 | 8 Week Determination | 11.05.2011 |
| Management check | 9/511 GM NV | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr & Mrs Shaun Hinds **Application No:** 11/00089/FUL

Location: Twemlow Cottage Ivydene Betley

Description: Erection of a garden wall, with new guarding and paving

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

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 NC19: Conservation Areas

Newcastle Under Lyme Local Plan 2011

Policy B9: Prevention of Harm to Conservation Areas
Policy B10: Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations

Newcastle-under-Lyme and Stoke on Trent Urban Design Guidance Supplementary Planning Document (December, 2010)

Supplementary Planning Guidance Space Around Dwellings (July, 2004)

Betley Conservation Area Article 4 Direction

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"
Planning and Climate Change Supplement to PPS1

Planning History

None considered relevant.

Views of Consultees

Betley, Balterley and Wrinehill Parish Council – No objections.

Conservation Advisory Working Party – No objections

Representations

One letter of representation has been received from the occupier of "Atlast" objecting to the development on the grounds that:-

- The proposal will erode privacy levels

Applicant's/Agent's Submission

A Design and Access Statement has been submitted.

Key Issues

The proposal is for the erection of garden wall, with new guarding and paving to provide an enlarged patio area. The walling inclusive of railings is to have an overall height of approximately 2.5 metres. New steps are proposed adjacent to the boundary adjoining Atlas also measuring 2.5 metres in maximum height. The key issues in the determination of the development are:

- The design of the proposal and the impact on the character and appearance of the Betley Conservation Area,
- The impact on residential amenity

The design of the proposal, particularly on the character and appearance of the Conservation Area

Policy B9 of the Local Plan states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. Policy B10 of the Local Plan states some criteria which must be met when permitting development that would alter the appearance of any building within a Conservation Area, including respecting the form, scale, bulk, height, materials and colours of the existing buildings, respecting historic features and boundaries, and protecting and enhancing views. Policy B13 of the Local Plan states that applicants should demonstrate how they have taken account of the need to preserve or enhance the character or appearance of Conservation Areas in the design of their development proposals.

The application is located within the comparatively newly developed backland area within Betley Conservation Area. The work comprises relatively minor landscaping. The materials will match the existing and the retaining wall to create the level patio area will be very similar to the character of the adjacent property.

The proposal is in keeping with the character of the main dwelling house. With respect to the impact on the important views within the Betley Conservation Area and the special attention that should be paid to protecting the area's character the view taken is that the proposal would assimilate well into its surroundings and would not result in any significant harm. Overall the proposal will not have any adverse impact on the character of the conservation area and accords with policies B9, B10 and B13 of the Local Plan.

The impact on residential amenity

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on residential extensions including the need for privacy, daylight standards, and environmental considerations.

Contrary to the letter of representation received it is not supported that the proposed alterations will result in significant harm to neighbouring privacy levels. Given the difference in levels between Twemlow Cottage and Atlas the hedgerow along the boundary between the properties could be retained. Overall the view taken is that the proposal should not be resisted on amenity grounds.

Reasons for the Grant of Planning Permission

The proposed development is of a scale and design that is in keeping with the character of the main dwelling house and would not be detrimental to the special character and appearance of the Betley Conservation Area. Taking into account the position of the development and its scale it will not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The development is in accordance with Policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026.

Recommendation

Permit subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1: To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - 1:500 Site Plan and Proposed elevation drawing received 27th February 2011.
- R2: For the avoidance of doubt and in the interests of proper planning.
3. The external facing materials to be used in the construction of the development hereby permitted shall match as closely as possible in all respects (size, texture and colour) those of the brick elevations of the existing dwelling and detached garage.
- R3: In the interests of amenity and to protect the character and appearance of the Betley Conservation Area in accordance with the requirements of policies CSP1 and CSP2 of the Staffordshire and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, and Policies D2 and NC19 of the Stoke on Trent Structure Plan 1996-2011.

| Performance Checks | Date | | Date |
|-----------------------------|------------------|----------------------|---------------|
| Consultee/ Publicity Period | 20.4.11 | Decision Sent Out | |
| Case Officer Recommendation | 9.5.11 | 8 Week Determination | 4.5.11 |
| Management check | RK 9.5.11 | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr F Akhtar **Application No:** 11/00130/FUL

Location: 50-54 Church Street, Audley, Newcastle

Description: Retention of alterations to roof of rear single storey area.

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

West Midlands Regional Spatial Strategy 2008 (WMRSS)

Policy QE3: Creating a high quality built environment.

Staffordshire and Stoke-on-Trent Structure Plan (SSSP) 1996-2011

Policy D1: Sustainable forms of Development;
Policy D2: The Design and Environmental Quality of Development;
Policy NC19: Conservation Areas

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

Strategic Aim 5: To foster and diversify the employment base.
Strategic Aim 11: To focus development within the communities of...Audley Parish;
Strategic Aim 16: To eliminate poor quality development;
Policy CSP1: Design Quality;
Policy CSP2: Preserve and enhance the character of appearance of the historic heritage

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy B1: Historic Heritage
Policy B9: Prevention of Harm to Conservation Areas
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area

Other Material Considerations include:

National Planning Policy

PPS1: Delivering Sustainable Development (February 2005)
Companion Guide to PPS1: The Planning System: General Principles.
PPS5: Planning and the Historic Environment (2010).
PPS6: Planning for Town Centres (March 2005)
PPG24: Planning and Noise (1994)

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

Supplementary Planning Guidance

Space Around Dwellings (July 2004)
Waste Management and Recycling Planning Practice Guidance Note (January 2011)
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (Nov 2010).

Relevant Planning History

| | | |
|------|--------------|---|
| 2006 | 06/00373/FUL | PER 13.6.2006 Change of Use of part of shop premises to a dwelling house and associated external works. |
| 2008 | 08/00431/FUL | PER 8.8.2008 Change of Use of part of shop to two dwelling houses with new vehicle access. |
| 2008 | 08/00821/FUL | PER 12.11.2008 Change of Use from shop to Dwelling House Renewal of 06/00373/FUL with amendments |

| | | |
|------|--------------|---|
| 2010 | 10/00164/FUL | PER 5.5.2010 Change of Use to Restaurant with managers accommodation over and alterations to the shop front. |
| 2010 | 10/00617/FUL | Change of use to restaurant with managers accommodation over and alterations to shop front, rear fire escape and ground floor rear extension. |

Views of Consultees

Environmental Health:

The development relates to the raising of the existing roof line/void to accommodate the necessary extract fan and horizontal ductwork to the restaurant kitchen area. Environmental Health do not have any further objections to the above application.

Audley Parish Council:

Supported.

Conservation Advisory Working Party:

No objections.

Representations

None.

Applicant's/Agent's Submission:

Design and access statement

The scheme is to enable the horizontal ductwork of the fume extraction system to be accommodated internally rather than externally. The roof of the lower section of the rear outrigger needs to be raised to do this.

The extract fan and ductwork is influenced by the need to serve the cooking area while minimizing the impact on the streetscene.

Key Issues

The present application is for retention of alterations to the roof of the rear single storey area. The main issues to be addressed are whether such work complies with policies on amenity.

Amenity

Policy D2 of the Structure Plan holds that in determining planning applications for any type of development, the Council will have regard to the conservation and where possible improvement of the quality of life. This includes (a) the development being informed by, or sympathetic to the character and qualities of its surroundings, in its location, scale and design; and (d) avoiding hazards to health and safety.

The change in the external appearance of the building is required as a result of the need to accommodate a flue to an odour extraction system and involves the raising of the inner part of the roof of the lower rear part of the rear outrigger to bring it in line with the higher inner part. The alteration to the building has a minimal impact on the character and appearance of the Conservation Area. The Conservation Advisory Group are happy with the proposal, there is no reason to disagree, it is infinitely more acceptable to incorporate the flue within the roof pitch rather than externally which is the only alternative.

The outrigger is located on the edge of the property with the public highway beyond, the increase in roof height will cause no material loss of neighbour or public amenity.

Reasons for the Grant of Planning Permission

The development complies with Policies B1; B9 and B10 of the Newcastle-under-Lyme Local Plan 2010, NC19 and D2 of the Stoke-on-Trent Structure Plan 1996-2011 and CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 because it is of a scale and design that would not be detrimental to the character of the original building and the visual amenity of the Conservation Area.

Policy D2 of the Stoke-on-Trent Structure Plan 1996-2011 is further met in that the development does not result in an adverse harm to neighbouring amenity levels in terms of visual intrusion, overlooking or loss of light.

Recommendation

Permit subject to:-

- 1. BE06I Materials to match existing
The materials to be used in the construction of the development hereby permitted shall match in all respects (size, texture and colour) those of the existing buildings.
- R1. 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.
- 2. The development hereby permitted shall be carried out in accordance with the following approved plan:
 - Hulme Upright Project 21464_07 – Plan as Existing Drawn Feb 2011; Received by the Council 7 Mar 2011.
 - Hulme Upright Project 21464_08 – Plan as Existing Drawn Feb 2011; Received by the Council 7 Mar 2011.
- R2. For the avoidance of doubt and in the interests of proper planning.

| Performance Checks | Date | | Date |
|-----------------------------|-------------------|----------------------|-------------------|
| Consultee/Publicity Period | 15.04.2011 | Decision Sent Out | |
| Case Officer Recommendation | 28.04.2011 | 8 Week Determination | 2.05.2011. |
| Management check | 28.4 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr Ian Reeley, Marstons Brewery **Application:** 11/00132/CON

Location: Old Brown Jug, Bridge Street, Newcastle

Description: Demolition of the existing 1.9m high rear perimeter wall and erection of a new wall maximum height 3.1m

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

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy NC19: Conservation Areas

Newcastle under Lyme Local Plan 2011

Policy B9: Prevention of harm to Conservation Areas
Policy B10: The requirement to preserve or enhance the character or appearance of a Conservation Area
Policy B11: Demolition in Conservation Areas
Policy B13: Design and Development in Conservation Areas

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

Strategic Aim 16 (SA16) – To eliminate poor quality development and establish a culture of excellence in built design by developing design skills and understanding by requiring good, safe design as a universal baseline and distinctive design excellence in all development proposals and by promoting procurement methods which facilitate the delivery of good design.

Policy CSP2: Historic Environment

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 “The Planning System: General Principles”
PPS5: Planning for the Historic Environment

Newcastle Town Centre Supplementary Planning Document

Planning History

An application for conservation consent is being considered concurrently to this for the demolition of the existing wall (reference 11/00132/CON).

Views of Consultees

Conservation Advisory Working Party – No objections to the demolition of the wall and welcomed the attention to detail in the design.

Environmental Health – No objections subject to a condition relating to hours of construction for the wall.

Representations

Nil

Applicant's/Agent's Submission

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

Key Issues

Full planning permission is sought for the demolition of the existing 1.9m high rear perimeter wall and erection of a new wall maximum height 3.1m which is located within the Newcastle Town Centre Conservation Area. The proposed wall would be a maximum 3.1m in height with several pillars within the wall with a height of 3.25m. The wall would be constructed predominantly of red brick with two bands of Staffordshire Blue Brick running through the wall. Several design features such as coping to the top of the wall and the use of a bull nose brick to create a plinth would also be included.

The main issue in the determination of the application is considered to be the impact of the demolition of the wall and its replacement on the character and appearance of the Conservation Area.

Impact upon the Conservation Area

PPS 5 "Planning and the Historic Environment" states that the Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations (para 7).

Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan "Conservation Areas" states that, "there will be a presumption in favour of retaining and enhancing buildings, groups of buildings, or other features, including open spaces and views through, into or out of the areas which contribute to their special character, appearance or interest." Policy B10 of the Local Plan "Requirement to Preserve or Enhance the character or appearance of a Conservation Area" generally reflects Policy NC19 of the Structure Plan, and Policy B11 "Demolition in Conservation Areas" states that, "consent to demolish a building or any part of a building in a Conservation Area will not be granted unless it can be shown that each of the following is satisfied:

- The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal would benefit the appearance or character of the area.
- Detailed plans for redevelopment are approved where appropriate
- An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate.

In design terms, the existing wall to be demolished in this instance is of no particular merit and is not considered to be a significant heritage asset. It is constructed predominantly of an inferior modern red brick with only the first few courses utilising historic brick.

It is felt significant however in terms of its strategic purpose separating the beer garden and the public house from the surrounding uses. This is felt necessary to retain the historic curtilage of the public house from the surrounding car park and streetscene. It is therefore felt pertinent to include a condition as part of any consent to ensure that a suitable replacement is erected in its place within a reasonable timeframe.

With regards to the elements of B11 it is considered that the current wall in design terms is of no particular merit and its replacement would have a beneficial impact upon this part of Newcastle Conservation Area.

The design of the wall is of high standard with considered design features included to create a wall that would typically be seen in the Conservation Area. The materials proposed also appear appropriate in type and design however to ensure this is the case a condition will be included specifying that these should be submitted to the Local Planning Authority for prior approval. The use of flat white concrete flags as copings for the top of the wall are not felt to be appropriate however, but this can be dealt with by condition and the submission of samples.

It is accepted that the proposed wall would be larger in scale and more dominant than the previous wall however with the incorporation of the design features proposed and the use of different materials, the wall will not appear as a stark and incongruous feature within the surrounding streetscene. The proposal would also appear more attractive than the existing wall and as a secondary benefit would shield most of the paraphernalia contained within the beer garden that detracts to some extent from the Newcastle Town Centre Conservation Area.

The proposal would also improve the side elevation facing Froghall with a new timber door and wall replacing the existing wall, existing painted gate, modern close boarded fencing and steel mesh. The proposed timber door would also be incorporated within the wall which as well as providing a more secure and sturdy structure would also appear

as a more appropriate design feature. To ensure this is undertaken in appropriate materials this would be conditioned as part of an application.

Other matters

The condition requested by Environmental Health relating to hours of construction is not felt necessary in this instance due to the modest scale of the development that would not create a significant amount of noise or disturbance. There are also other forms of legislation that can be utilised if noise disturbance is an issue.

This application is a result of noise issues arising from the extant use of the beer garden and the applicant's wish to overcome these from a licensing perspective. This is not a material consideration however in the determination of this planning application with the merits of the design of the scheme the primary consideration.

Reasons for the Grant of Planning Permission

The proposal would replace an existing wall with one that would enhance the character and appearance of the Newcastle-under-Lyme Town Centre Conservation Area. The development therefore accords with the principles of policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies B9, B10 and B11 of the Newcastle under Lyme Local Plan as well as policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

Recommendation

Permit subject to the following conditions:-

1. **BESPOKE** - The development must be begun not later than the expiration of 39 months beginning with the date of this permission.
- R1: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended and having regard to the period of consent granted for the Conservation Area Consent and the period of time given for its completion.
2. **BESPOKE** - The development hereby permitted shall be carried out in accordance with the following approved plans;
 - Site and Block Plans Drg. No. 2CD00832-SBP date stamped received by the LPA on 16 March 2011.
 - Proposed Layout Drg. No. 2CD00832-PL1 Rev. A date stamped received by the LPA on 16 March 2011.
 - Existing Layout Drg. No. 2CD00832-EL1 date stamped received by the LPA on 16 March 2011.
- R2: For the avoidance of doubt and in the interests of proper planning.
3. AE03 - Prior to the commencement of development, details of the types, colours and textures of the bricks, coping stones and timber door of the wall hereby approved 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.
- R3: In the interests of the visual amenities of the area and to comply with the requirements of Policy H18 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.
4. **BESPOKE** – Within nine months of Conservation Area Consent reference 11/00132/CON being implemented, the development hereby approved must be completed.
- R4: To ensure a satisfactory replacement to the wall that would be taken down which would have a beneficial impact upon the Newcastle Town Centre Conservation Area in accordance with the principles of policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies B9, B10 and B11 of the Newcastle under Lyme Local Plan as well as policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

| Performance Checks | Date | | Date |
|----------------------------------|----------------|----------------------|----------------|
| Consultee/ Publicity Period | 22/4/11 | Decision Sent Out | |
| Case Recommendation Officer | 5/5/11 | 8 Week Determination | 24/5/11 |
| Management check | 9/5 ESM | | |

OFFICER REPORT ON DELEGATED ITEMS

Applicant: Mr Ian Reeley, Marstons Brewery **Application:** 11/00132/CON

Location: Old Brown Jug, Bridge Street, Newcastle

Description: Demolition of the existing 1.9m high rear perimeter wall

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

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy NC19: Conservation Areas

Newcastle under Lyme Local Plan 2011

Policy B9: Prevention of harm to Conservation Areas
Policy B10: The requirement to preserve or enhance the character or appearance of a Conservation Area
Policy B11: Demolition in Conservation Areas
Policy B13: Design and Development in Conservation Areas

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

Strategic Aim 16 (SA16) – To eliminate poor quality development and establish a culture of excellence in built design by developing design skills and understanding by requiring good, safe design as a universal baseline and distinctive design excellence in all development proposals and by promoting procurement methods which facilitate the delivery of good design.

Policy CSP2 Historic Environment

Other Material Considerations

Relevant National Policy Guidance

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 “The Planning System: General Principles”
PPS5: Planning for the Historic Environment

Newcastle Town Centre Supplementary Planning Document

Planning History

An application is being considered concurrently to this for the demolition of the wall and its replacement with a new wall with a maximum height of 3.1m (reference 11/00131/FUL).

Views of Consultees

Conservation Advisory Working Party – No objections to the demolition of the wall and welcomed the attention to detail in the design.

Representations

Nil

Applicant's/Agent's Submission

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

Key Issues

Conservation Area Consent is sought for the demolition of the existing 1.9m high rear perimeter wall which is located within the Newcastle Town Centre Conservation Area.

The main issue in the determination of the application is considered to be the impact of the demolition of the wall on the character and appearance of the Conservation Area.

Impact upon the Conservation Area

PPS 5 "Planning and the Historic Environment" states that the Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations (para 7).

Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan "Conservation Areas" states that, "there will be a presumption in favour of retaining and enhancing buildings, groups of buildings, or other features, including open spaces and views through, into or out of the areas which contribute to their special character, appearance or interest." Policy B10 of the Local Plan "Requirement to Preserve or Enhance the character or appearance of a Conservation Area" generally reflects Policy NC19 of the Structure Plan, and Policy B11 "Demolition in Conservation Areas" states that, "consent to demolish a building or any part of a building in a Conservation Area will not be granted unless it can be shown that each of the following is satisfied:

- The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal would benefit the appearance or character of the area.
- Detailed plans for redevelopment are approved where appropriate
- An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate.

In design terms, the existing wall to be demolished in this instance is of no particular merit and is not considered to be a significant heritage asset. It is constructed predominantly of an inferior modern red brick with only the first few courses utilising historic brick.

It is felt significant however in terms of its strategic purpose separating the beer garden and the public house from the surrounding uses. This is felt necessary to retain the historic curtilage of the public house from the surrounding car park and streetscene. It is therefore felt pertinent to include a condition as part of the associated application for planning permission for the replacement wall to ensure that it is erected in its place within a reasonable timeframe.

With regards to the elements of B11 it is considered that the current wall in design terms is of no particular merit and its replacement would have a beneficial impact upon this part of Newcastle Conservation Area. A planning permission has been granted on this basis and the two decisions will be intrinsically linked by condition to ensure the replacement is undertaken within a suitable timeframe.

Conclusions

In conclusion, it is considered that the demolition of this unattractive wall and its replacement with a more considered boundary treatment would have a beneficial impact upon the character and appearance of the Newcastle under Lyme Town Centre Conservation Area.

Reasons for the Grant of Conservation Area Consent

The proposal would facilitate the replacement of this wall with one that would enhance the character and appearance of the Newcastle-under-Lyme Town Centre Conservation Area. The development therefore accords with the principles of policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies B9, B10 and B11 of the Newcastle under Lyme Local Plan as well as policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

Recommendation

Grant Conservation Area Consent subject to the following condition;

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. **BESPOKE** Within three months of the permission hereby approved being implemented planning application reference 11/131/FUL must be commenced.
- R2: To ensure a satisfactory replacement to the wall that would have a beneficial impact upon the Newcastle Town Centre Conservation Area in accordance with the principles of policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies B9, B10 and B11 of the Newcastle under Lyme Local Plan as well as policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

| Performance Checks | Date | | Date |
|-----------------------------|----------------|----------------------|----------------|
| Consultee/ Publicity Period | 22/4/11 | Decision Sent Out | |
| Case Officer Recommendation | 5/5/11 | 8 Week Determination | 11/5/11 |
| Management check | 9/5 ESM | | |