

# Public Document Pack

**Date of meeting**      **Tuesday, 23rd October, 2012**

**Time**                      **7.00 pm**

**Venue**                    **Council Chamber, Civic Offices, Merrial Street,  
Newcastle Under Lyme, Staffordshire ST5 2AG**

**Contact**                 **Peter Whalan**

## **Planning Committee ADDITIONAL SUPPLEMENTARY AGENDA**

### **PART 1– OPEN AGENDA**

- 11      REGISTER OF LOCALLY IMPORTANT BUILDINGS AND                      (Pages 1 - 2)**  
**STRUCTURES IN NEWCASTLE-UNDER-LYME - 2012 REVIEW**

Please replace the report included in your original agenda pack with this updated version.

- 12      Planning Committee Site Visit Protocol    (Pages 3 - 4)**

- 13      1200475FUL 123 Liverpool Road DJR    (Pages 5 - 6)**

### **PART 2 - DISCLOSURE OF EXEMPT INFORMATION**

To resolve that the public be excluded from this meeting because it is likely that there will be disclosure of exempt information as defined in paragraph 5 in Part 1 of Schedule 12A of the Local Government Act 1972.

- 14      Treacle Row Advance Supplementary    (Pages 7 - 8)**

**Members:**      Councillors Miss Baker, Boden, Cairns, Clarke (Vice-Chair), Fear (Chair),  
Hambleton, Mrs Hambleton, Howells, Jones, Matthews, Miss Reddish,  
Stringer, Studd, Sweeney, Williams and Mrs Williams

**'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'**

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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## **Register of Locally Important Buildings and Structures in Newcastle-under-Lyme - 2012 Review**

### **Purpose of the Report**

To approve the updated Register of Locally Important Buildings and Structures following the 2012 review.

### **Recommendation**

**That Members agree to the proposed additions to the Register, as set out Section 2 of this report.**

### **Reasons**

As previously resolved, to review the Register annually.

## **1.0 Background**

- 1.1 A report was considered in October 2010 to compile a list of locally important buildings and structures in the Borough. Members resolved to accept that list and call it a Register of Locally Important Buildings and Structures. Members also resolved to review the Register annually, plot the location of buildings on a publicly available plan and agreed that the membership of the Assessors' Panel that would consider all future nominations should be determined by the Conservation Advisory Working Party. A copy of the current Register is appended to this report.
- 1.2 Members may also recall that a Supplementary Planning Document (SPD) was adopted in March 2012 for the Register of Locally Important Buildings and Structures which sets out the procedure by which buildings and structures are added to the Register. During the production of the SPD, in considering the representations, the scoring system was revised slightly and as a result a number of previously considered buildings which just fell short of the required number were also reconsidered in this year's review.
- 1.3 A review of the Register has been undertaken and the proposed additions to the Register following consideration of the nominations by the Panel are set out below.

## **2.0 Alterations to the Register**

- 2.1 46 nominations were considered by the Panel in the 2012 review. 11 buildings and structures are now proposed to be added to the Register. These are as follows.

The Old Vicarage, Vicarage Lane, Madeley  
1 & 2 Castle Lane, Madeley  
School House, Newcastle Road, Madeley  
The Nook and View Fields, Newcastle Road, Madeley  
Scot Hay Chapel, Scot Hay (Leycett Road)

Telephone box and post box, Scot Hay (junction Leycett Road/Crackley Lane)  
Shraley Brook Chapel, Shraley Brook Road, Halmerend  
Miles Green Chapel, Miles Green  
Wood Lane Wesleyan Chapel, Wood Lane  
Bus Shelter, Bignall Hill, Bignall End  
Fingerpost, junction of Great Oak and Bignall End Road, Bignall End  
The Old Swan, Swan Bank Madeley Heath

### **3.0 Buildings scoring below the required amount**

- 3.1 There are a number of buildings which have been scored against the agreed criteria both this year and in previous years, and have just fallen short of the required number of points to warrant inclusion on the Register. Buildings and structures will be reconsidered if significant and appropriate additional information is provided to enable a better assessment to be made of the building. The Conservation Officer will notify those who nominated these buildings the outcome of the review and suggest that they may wish to provide more evidence to enable further assessment be made on the building in the next review. A list of these buildings is also to be posted on the Council's web site.

### **4.0 Next Steps**

- 4.1 The nominators and owners of the buildings which are to be added to the Register will be notified and a period of time given for them to send in any representations they may have for consideration by the Council at the next review.
- 4.2 The buildings will be added to the Council's Geographical Information System (GIS) and the amended Register will be put on the Council's website.

### **5.0 Conclusions**

- 5.1 The Register will continue to be regularly updated and reviewed as resources permit.

### **6.0 Background Papers**

English Heritage: Good Practice Guide for Local Listing: 2012 <http://www.english-heritage.org.uk/publications/good-practice-local-heritage-listing/>

## **NEWCASTLE UNDER LYME BOROUGH COUNCIL PLANNING COMMITTEE SITE VISIT PROTOCOL**

**At its meeting of the 9<sup>th</sup> September 2008 the Council adopted the following protocol:-**

- 1. Site visits are to be undertaken only where there is a clear and substantial benefit to the determination of the application. The member moving the visit should indicate this clearly at Committee or in writing when moving the vote for a visit. These reasons will be recorded in the minutes**
- 2. Information will be provided to members on safety issues. Only those members who are properly equipped with the necessary protective clothing should attend site visits. Third parties should only be allowed on to a site if the applicant/owner agrees to it and the Chair is generally satisfied about the safety risks they may be under. Where a landowner is unwilling to permit third parties to enter his land, members should enter either in the absence or any party other than their officer, or at least unaccompanied by the applicant, so as to avoid allegations about private lobbying or conversations**
- 3. Members should not enter on the site until there is a quorum of at least 4.**
- 4. Members should leave the site together.**
- 5. Officers will give a brief factual presentation explaining the application, site details and other relevant information. Officers should focus upon an explanation of the proposals by reference to any submitted drawings, and the highlighting to members of key features of the site/building/adjoining land and the pointing out and accompanying of members to relevant viewpoints and members should confine themselves to strictly factual questions, having regard to the fact that it is a site visit rather than a site meeting and they should accept the rulings of the Chair on such matters.**
- 6. No submissions by persons other than members of the Committee and the officer will be permitted at the site visit.**
- 7. Officers will briefly record the relevant issues arising at the site visit that are not otherwise included in the committee report and these will be reported at the relevant meeting.**
- 8. There should be no discussion of the merits or otherwise of the case. The proper place for discussion is at Committee to allow all members to participate in informed discussion.**

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**ADVANCE SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**DATE 23<sup>rd</sup> October 2012**

**Agenda item     5**

**Application 12/00475/FUL**

**Address                     123 Liverpool Road, Cross Heath, Newcastle**

The comments of the **Police Architectural Liaison Officer** have been received.

There is no objection to the proposed Change of Use from D1 to A3/A5 hot and cold food restaurant / takeaway. The proposed closing time of 4.00am each day is however objected to because of the noise and potential disturbance of local residents which would arise from such hours.

It is noted that the Council's Supplementary Planning Guidance on Hot Food Takeaways recognises the potential for this type of conflict and lays down clear guidance on acceptable closing hours for different areas of land use and it is agreed that this location undoubtedly falls into category C – Mixed Commercial Use. It is argued that it is a C1 location in that within 100m of the proposed site there is a significant continuity of predominantly residential uses other than north and south along Liverpool Road; C2 is an area in which further groups of commercial use would be encountered within 100m of the site.

**Your Officer's comments**

Notwithstanding the hours of opening that have been applied, in accordance with the advice of the Environmental Health Division the recommendation within the agenda report is that the hours of use are restricted to 9am to midnight on Monday to Saturday, and 9am to 11.30pm on Sundays and bank holidays. Such opening hours are in accordance with the guidance set out in the SPG for C2 areas which your officer, and the Environmental Health Division, considers the site to be located in.

**The recommendation remains as set out in the agenda.**

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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