



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

**CONSERVATION ADVISORY WORKING PARTY**

Tuesday, 8th November, 2011

**Present:-** Councillor Miss Julie Cooper – in the Chair

Councillors Allport, D Becket, Burnett, Manning and Worgan - Newcastle Civic Society

Representing  
Outside Bodies

**1. ALSO IN ATTENDANCE**

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Holland, Claire Henshaw and Pat Chatterton.

**3. DECLARATIONS OF INTEREST**

Councillor Becket declared an interest for application 11/00548/FUL in that he was a personal friend of both the applicant and the objector.

**4. MINUTES OF PREVIOUS MEETING**

That the minutes of the previous meeting held on 18 October were accepted as a true record subject to Pat Chatterton, Jim Worgan and Roy Manning being recorded as being in attendance and that the Working Party's comments for 11/00496/FUL be amended to read – "No objections providing the building is painted as proposed."

**5. APPLICATION PREVIOUSLY CONSIDERED**

That the decisions on applications previously considered by this Working Party be received.

**6. PLANNING APPLICATIONS FOR CONSIDERATION**

That the following observations be made on the applications listed below:-

<u>App No</u>	<u>Proposed Development and Name(s) of Appellant(s)</u>	<u>Comments</u>
11/00475/OUT	Erection of a community fire station to accommodate one fire appliance. Land off Market Drayton Road, Loggerheads. Stoke and Staffordshire Fire and Rescue Authority.	No objections.
11/00504/FUL	Change of use of existing brick and tile barn into a single dwelling and the	The repair and refurbishment of the barn will improve the setting of the listed barn.

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	<p>erection of a brick and tile outbuilding in the style of a hay barn in the same location as an existing stable/store which is to be demolished. Whitmore Riding School, Shut Lane Head, Whitmore. Mr G Richards.</p>	
11/00528/ADV	<p>Three part illuminated building signs, one non-illuminated sign and one part illuminated totem sign. ATS Euromaster, Lower Street, Newcastle. ATS Euromaster.</p>	<p>No objections.</p>
11/00541/LBC	<p>Relaying of external plaza paving and modifications to boundary wall and external lighting. Central Campus, Keele University, Keele. Keele University Estates and Development Directorate.</p>	<p>No objections.</p>
11/00542/FUL	<p>Remodelling of central campus landscape area including car parks. Central Campus, Keele University, Keele. Keele University Estates and Development Directorate.</p>	<p>No objections.</p>
11/00548/FUL	<p>Additional garage and replacement workshop Yew Trees, Main Road, Betley. Dr H Dobson.</p>	<p>The garage/workshop is excessively large and its impact will be harmful in relation to the listed wall. If the length and size was reduced, this would reduce the ridge height, or consideration might be given to another roof design including a flat roof.</p>

**COUNCILLOR MISS JULIE COOPER**  
**Chair**

**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
11/445/AGR	The Old Hall Farm, Main Road, Betley.	Cladding of existing dutch barn	The Working Party recommend that a timber cladding in untreated cedar is used and left to weather.	Permitted under delegated powers 13/10/11
11/459/CPO	Land at junction with A51, Maer Severn Trent Property Ltd.	Construction of sewage pumping station, kiosk, access road and landscaping.	The Working Party objected to the material proposed for the kiosk and suggested that it should be clad in cedar to make it more sympathetic to its surroundings	Observations to County council 7/10/11
11/427 /FUL	Church Farm, Mucklestone Mr Friend	Retrospective consent to widen a farm/domestic access	The Working Party felt that too much of the original wall had been removed, losing the sense of enclosure for what was a rural farm access.	Permitted by Planning Committee 11/10/11
11/468/COU	37 Marsh Parade, Newcastle Mr Stephen Gallet	Change of use of three first floor office rooms to use as a beauty salon	No objections	Permitted under delegated powers 3/11/11
11/461/LBC	14 Lancaster Buildings High Street, Newcastle Mr Padania	Installation of new shop fascia sign	The sign remained unchanged from its previous submission and the Working Party still found the sign inappropriate on this significant building. A similar sign with a smaller font may be more acceptable as sign shows in Chester Town Centre	Permitted by Planning Committee 11/10/11
11/486/DEEM3	Jubilee 2, Brunswick Street, Newcastle Newcastle Borough Council	Advertisement sign	No objections	Permitted by Planning Committee 6/10/11

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
11/490/LBC & 11/491/ADV	Yates's, 14-16 Ironmarket, Newcastle Stonegate Pub Company	Various illuminated and non-illuminated signage to front and rear elevations, steel skirting to 4 columns and timber cladding to 2 columns	No objections	(490) Permitted under delegated powers 11/11/11 (491) Permitted under delegated powers 10/11/11

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr J Burgess

**Application No** - 11/00445/AGR

**Location** The Old Hall Farm, Main Road, Betley

**Description** Cladding of existing Dutch Barn

### **Policies and proposals in the Development Plan relevant to this decision:**

#### **West Midlands Regional Spatial Strategy 2008**

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

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

ASP6: Rural Area Spatial Policy  
CSP1: Design Quality  
CSP 2: Historic Environment  
CSP 3: Sustainability and Climate Change  
CSP4: Natural Assets

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

Policy D1: Sustainable Development  
Policy D2: The Design and Environmental Quality of Development  
Policy D4: Managing Change in Rural Areas  
Policy D5B: Development in the Green Belt  
Policy NC1: Protection of the Countryside: General Considerations  
Policy NC2: Landscape Protection and Restoration  
Policy NC18: Listed Buildings  
Policy NC19: Conservation Areas

#### **Newcastle-under-Lyme Local Plan 2011**

Policy S3: Development in the Green Belt  
Policy N17: Landscape character: general considerations  
Policy N18: Area of Active Landscape Conservation  
Policy B5: Control of Development affecting the setting of a listed building  
Policy B9: Prevention of harm to Conservation Areas  
Policy B10: The requirement to preserve or enhance the character or appearance of a Conservation Area  
Policy B13: Design and Development in Conservation Areas  
Policy B14: Development in or adjoining the boundary of Conservation Areas

#### **Other Material Considerations**

##### **Relevant National Policy Guidance:**

PPS1 Delivering Sustainable Development (2005)  
The Planning System: General Principles (Companion Guide to PPS1)  
PPG2 Green Belts (1995)  
PPS7 Sustainable Development in rural areas (2004)  
PPS23 Planning and Pollution Control

##### **Supplementary Planning Guidance**

Newcastle under Lyme and Stoke on Trent Urban Design Guidance Supplementary Planning Document 2010

*Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, formally adopted on 10 May 2001*

#### Other

Newcastle under Lyme Borough Council's Betley Conservation Area Townscape Map 2008

Betley Conservation Area Character Appraisal 2008

Betley Conservation Area Management Plan 2008

#### **Planning History**

None considered relevant

#### **Views of Consultees**

**Betley, Balterley and Wrinehill Parish Council** – Objects to the proposal on the grounds that the enclosure of the open barn will adversely impact on the Conservation Area, and on views into and from the Conservation Area, in breach of Planning Policies B9, B10 and B14. The enclosure of the open barn will adversely impact on the setting and views of adjoining listed buildings, and the Planning Authority will need to assure itself that the design of the development is appropriate to the intended use.

**Conservation Advisory Working Party** – Recommends that a timber cladding in untreated cedar boarding be used, and left to weather

#### **Representations**

15 representations have been received, of which the main points are summarised below:

- The solid structure would be out of keeping with the surrounding buildings
- Once clad, the building lends itself for other activities apart from the storage of hay
- The site needs tidying up as various objects and materials are stored there
- The Dutch barn is within the curtilage of three No. Listed buildings: The Old Hall, the Model Farm and the Dovecote
- The Dutch barn, built in the 1960s, is alien in character and appearance to the surrounding buildings, but its current impact is reduced by its open design
- Cladding the barn will create an unsightly obstruction which will damage the special character and setting of these nationally important buildings
- The importance of these views and the special importance of this part of the Conservation Area is recognised in the Borough Council's Conservation Area Appraisal and Management Plan for Betley
- The open barn has been used to store hay for over 50 years.
- Forage is generally plastic wrapped and left outside
- The applicant has recently been using the stackyard, on which the Dutch barn stands, for the parking of vehicles belonging to his plant hire company.
- The proposal contradicts Policy CSP2 of the Newcastle and Stoke Core Spatial Strategy.
- It would be preferable to locate the proposed development elsewhere in the applicant's 170 acre farm, more suitable to the use
- The applicant does not store hay here
- It is important to maintain a rural setting for a beautiful building like the Old Hall
- The barn would be transformed into a large industrial type unit
- With buildings surrounding the Dutch barn dating from the 15<sup>th</sup> to the 19<sup>th</sup> centuries, so of which of national importance, the post – war barn should not be allowed to dominate the area or obscure part of the view of the buildings which it would do if clad.
- English Heritage explains that the surrounding listed buildings' importance is "recognised by their inclusion within the Betley Conservation Area to which they make a very distinctive contribution, both intrinsically and as a visual feature when seen from either the road or from across the surrounding fields (P00061656)"
- In August this year the Fire Service's Head of Risk Reduction warned barn owners of a spate of fires across Staffordshire caused by hay spontaneously igniting as a result of incorrect storage.



A representation has been received from Councillor David Becket, of which the key points are summarised below:

- Whilst hay should be kept undercover, (i.e. under a roof), care must be taken to ensure that it is adequately ventilated and that if the hay starts to overheat it can be moved quickly.
- Yorkshire Cladding is mainly used for animal shelter, with ventilation, and Councillor Becket suggests that if used to store hay it will increase the risk of fire, and increase the difficulty of being able to move the hay quickly if it heats up
- Taking into account the proximity of listed buildings Councillor Becket suggests that it is not an appropriate structure for storing hay, as it introduces too great a risk to these buildings
- Fire risks can be reduced by good management
- In view of the proximity of listed buildings, including a timber framed hall, if approval is granted the planning authority should put conditions in place to ensure that the hay storage is managed according to best practice.
- The cladding will have an adverse effect on the view of the adjacent listed dovecote, and will also introduce a modern closed structure in a setting of listed agricultural buildings. Most of these buildings are not owned by the applicant and are not used as part of the applicant's agricultural business.
- In light of this there must be special circumstances to permit. As the barn is currently used for equipment storage and not hay these circumstances do not exist at this site.

#### **Applicants/agents submission**

Nil

#### **Key Issues**

The application is for the prior approval of the appearance of cladding a Dutch barn, at The Old Hall Farm, Main Road, Betley. The site is within Betley's Conservation Area, and is also within the Green Belt and Area of Active Landscape Conservation as designated by the Local Development Framework Proposals Map.

It is therefore important in the first instance to be satisfied that the development constitutes agricultural permitted development.

Part 6 Class A rights are claimed so the Local Planning Authority must satisfy itself that;

- This is agricultural land
- That such land is comprised in an agricultural unit of more than 5ha
- The proposed buildings cover a ground area of less than 465m<sup>2</sup>
- That the works are reasonably necessary for the purposes of agriculture within that unit and the building is designed for the purposes of agriculture

Having visited the application site as well as viewing the application form submitted as part of this application, and aerial photography it would appear that these tests are met and the proposal constitutes agricultural permitted development. In view of this, full planning controls over this development do not exist. The principle of the development is accepted and the objective of the planning authority is to consider the effect of the development upon the landscape in terms of visual amenity, as well as the desirability of preserving listed buildings and their settings.

The remaining key issues to be addressed therefore are:

- Whether the external appearance of the buildings is acceptable in relation to its location in an area of landscape Conservation and the setting of the adjoining listed buildings.

The Council's Conservation Officer does not consider that the cladding of the Dutch barn would be out of keeping in its farm setting, and whilst the surrounding listed buildings are

significant within the farmstead and the wider Conservation Area, the Dutch barn does already exist and is a building that one would expect to find on a farm.

Policy B5 of Newcastle's Local Plan "Control of Development affecting the setting of a listed building" states that "the Council will resist development proposals that would adversely affect the setting of a listed building." Policy B9 "Prevention of harm to Conservation Areas states that "the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas."

The Dutch barn is located adjacent to an existing listed Dovecote. The Dovecote is located within the farm holding, and the Dutch barn is already in existence. To clad the barn would obstruct the views of the Dovecote from the South East (from the Old Hall) however this is not a designed view within the Conservation Area that warrants protection. Further, the cladding of the Dutch barn would not impact upon or obstruct the important views as identified in the "Betley Conservation Area Townscape Map" 2008.

Policy B10 of the Local Plan "the requirement to preserve or enhance the character or appearance of a Conservation Area" sets out the criteria that must be met in order to preserve or enhance the character or appearance of a Conservation Area. The criteria include the requirement for the form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing to respect the characteristics of the building in the area, and important views within into and out of the area to be protected. Whilst it is considered that the bulk of the building would be increased because of the cladding of the barn, it is not considered that this would be to the detriment of the setting of the listed building. It has to be acknowledged that the setting is also a farm stead, and that the cladding of a barn is a normal process in a farm setting.

Many of the objections received inferred that the applicant would not be storing hay in the Dutch barn. It would be unreasonable for the Borough Council to state that only hay shall be stored in a building. The Borough Council has no evidence that the applicant would or would not store hay. For the purposes of clarity, it is considered that a condition could be imposed stating that the barn is used for storage associated with an agricultural use, which is considered a reasonable condition for an agricultural building within a farm stead. It is noted, however, that planning permission would be required if the building was used for purposes other than uses associated with agriculture.

Further objections received relate to the fire risk of storing hay in an enclosed space. This, however, is not a material consideration given that this is an matter unrelated to the consideration of visual impact on the landscape and the setting of a listed building then it .

Overall, whilst the barn is currently open and affords more accessible views of the listed buildings, these views are not designed or identified as exceptionally important within the Betley Conservation Area, and it is not considered that the cladding of the Dutch barn would harm the setting of the surrounding listed buildings on this farm holding.

### **Recommendation**

Prior approval of the appearance of the agricultural building be **granted 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 development hereby approved, full and precise details of the proposed materials to be used in the construction shall be submitted to and approved in writing by the Local Planning Authority.
- R2: In the interests of visual amenity and to protect the character and quality of the landscape and the Betley Conservation Area, in accordance with policy D2 and NC19

of the Staffordshire and Stoke on Trent Structure plan 1996-2011 and policies B9, B10, B13 and B14 of the Newcastle-Under-Lyme Local Plan 2011.

3. The barn shall be used for storage associated with agricultural business, and not for any other purpose.

R3: For the purposes of clarity and to ensure the proper use of the building on this farm holding in close proximity to a residential building.

**Notes to applicant**

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

- Amended plan, drawing showing the proposed elevation of the Barn, Issue 2, date stamped received 29<sup>th</sup> September 2011

The applicant should seek professional advice on the storage of hay within this barn.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>10/10/2011</b>	Decision Sent Out	
Case Officer Recommendation	<b>13/10/11</b>	8 Week Determination	<b>17/10/2011</b>
Report checked by Back Office			
Management check	<b>17/10 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr Stephen Gallet **Application No** 11/00468/COU

**Location** 37 Marsh Parade, Newcastle

**Description** Change of use of three first floor office rooms to use as a beauty salon

### **Policies and proposals in the approved Development Plan relevant to this decision:**

#### **West Midlands Regional Spatial Strategy (WMRSS)**

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

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

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

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

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy SP2: Spatial Principles of Economic Development  
Policy CSP1: Design Quality

#### **Newcastle-under-Lyme Local Plan 2011**

Policy T16: Development – General Parking Requirements

### **Other Material Considerations**

#### **Relevant National Policy Guidance:**

PPS1: Delivering Sustainable Development (2005)  
PPS4: Planning for Sustainable Economic Growth (2009)  
PPG13: Transport (2001)

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

#### **Supplementary Planning Guidance**

Newcastle under Lyme Town Centre Supplementary Planning Document 2009

### **Relevant Planning History**

It appears that the properties were previously used for office accommodation. The ground floor is currently occupied by a firm of surveyors.

Since the submission of the application the use of the third room has been started with the applicant specifying that two rooms have been in use since the 18<sup>th</sup> August 2011.

### **Views of Consultees**

The **Environmental Health Division** have no objections to the proposal subject to the inclusion of a condition relating to prior approval of any air cooling/air extraction equipment.

The **Highway Authority** has no objection to the scheme however they have specified that an NTADS contribution of £1000 would be required based upon the additional trips in the pm peak over and above that was generated by the extant use.

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

### **Representations**

No representations received.

### **Applicants/agents submission**

The requisite application forms and plans were submitted.

### **Key Issues**

The application is for the retention of a change of use of three first floor office rooms to use as a beauty salon. The key issues to be considered in the determination of this application are the following:

- The principle of the development

#### The principle of the development

The three rooms applied for in this permission have been used to provide beauty salon services since mid August for two of the rooms and mid October for the other room. The Newcastle Town Centre SPD specifies that this area is part of the 'Live Work Office Quarter' and should be complimentary to the Town Centre Housing Area which lies around it. It also states that while the Town Centre Housing Areas are expected to remain little changed as relatively tranquil areas, albeit within an urban context, the live work quarter is expected to continue as a mixed use area where the main focus is offices with any housing development likely to be marketed for those who wish to live within a bustling business community.

The use of three rooms for beauty salon services including more specialist non-evasive cosmetic services fall within a sui generis use which is not defined in PPS4 as a main town centre use and the proposal is not, therefore, in conflict with policies that seek to protect the town centre. The rooms were previously used for offices therefore the change of use of these rooms has therefore resulted in the loss of office space (albeit small) within the area. It is felt however that there are still numerous office buildings, some of which are vacant, in the vicinity and it is not felt that this would have a detrimental impact upon the overall level of office space within the area. This view has taken into account the recent conversion of other office buildings to beauty salon uses in the immediate vicinity. The use of the premises as a beauty salon would be complementary to the Town Centre Housing Area and as such would not be in conflict with the SPD. The development is also located in a sustainable location and would meet the overarching aims and objectives of PPS 1 and PPS 4.

#### Other matters

Due to the proposed scale and nature of the development no adverse impact upon highway safety or amenity upon neighbouring units would ensue. The premises is located in a sustainable location served by a range of transport methods as well as existing short term parking and in close proximity to other parking facilities. The request for an NTADS contribution by the highway authority is not felt to be justified taking into account previous recent consultation responses for similar and larger developments in the immediate vicinity that did not require NTADS contributions.

In commenting upon a change of use of existing office floor space at 27 Marsh Parade (11/00168/FUL) to a hairdressing salon the Highway Authority concluded that there would no additional trips at the pm peak time and as such did not request a NTADS contribution. The proposed use was similar in nature and involved the loss of more office floor space than is proposed in this application. An application involving the retention of a beauty salon at 45 West Street, previously offices, again involving more floor space than is proposed in this application similarly did not result in a request for an NTADS contribution.

Given the similarities in the applications referred to above and that there have been no material changes in circumstance it is considered that to differ from the views previously expressed by the highway authority and require an NTADS contribution would be unreasonable.

Due to the scale of the operation relating to three rooms it is not felt necessary to control the amount of consulting rooms or professionals operating at the practice at any one time.

Due to no external alterations taking place as part of the proposals it has been determined that the proposals have no impact on the Conservation Area.

### **Reasons for the grant of planning permission**

The change of use would not have an adverse impact upon the principles of the live work office quarter and due to the operational nature of the use and its size, the development would not impact upon the adjoining units. Due to the location of the unit in a sustainable location well served by several methods of transport, the proposal would also have no adverse impact upon highway safety. The proposal accords with Policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policy T16 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of PPS1.

### **Recommendation**

#### **Permit subject to the following conditions;**

1. The beauty salon use shall only relate to the rooms indicated as;
  - Office 2
  - Office 3
  - Office 4

on the plans hereby approved.

R1: For the avoidance of doubt and to ensure the development does not have an adverse impact upon the aims and objectives of PPS4 in terms of main town centre uses.

2. The development hereby permitted shall be carried out in accordance with the following approved plans;
  - First floor plan scale 1:100 at A4, date stamped received by the Local Planning Authority on 22 September 2011
  - Site location plan (scale 1:1250), date stamped received by the Local Planning Authority on 09 September 2011

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

3 No fixed mechanical ventilation or refrigeration/air conditioning plant shall be installed until full and precise details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a BS4142: 1997 noise assessment and an assessment against relevant criteria in BS8233 and 1/3 octave frequency analysis with appropriate corrections for acoustic features and shall detail any mitigation measures, physical or operational. Thereafter the approved scheme shall be constructed and installed in accordance with the approved details and shall thereafter be maintained in accordance with the approved details.

R3. In the interests of amenity in accordance with the aims and objectives of PPS1.

### **Informative**

Please be aware that the installation of air cooling/air extraction equipment would require separate consent and should you be considering such a proposal I would advise you to contact the Local Planning Authority at an early stage due to the location of your property within Stubbs Walk Conservation Area.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>7/10/11</b>	Decision Sent Out	
Case Officer Recommendation	<b>3/11/11</b>	8 Week Determination	<b>4/11/11</b>
Management check	<b>3/11 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Stonegate Pub Company **Application No.** 11/00490/LBC

**Location** – Yates, 14-16The Ironmarket, Newcastle

**Description** – Replacement signage to front and rear elevations and steel skirting to four columns

### **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

#### **Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011**

Policy D2: The Design and Environmental Quality of Development  
Policy NC18: Listed Buildings

#### **Newcastle-under-Lyme Local Plan 2011**

Policy B6: Extension or Alteration of Listed Buildings  
Policy B9: Prevention of harm to Conservation Areas  
Policy B10: 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

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

Policy CSP1: Design Quality  
Policy 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

### **Supplementary Planning Guidance**

N/A

### **Planning History**

Two other applications have been submitted for determination.

11/491/ADV – Various illuminated and non-illuminated signage to front and rear elevations

11/511/FUL – Use of highway forecourt for outdoor seating area in association with adjacent café/bar.

### **Views of Consultees**



The **Conservation Advisory Working Party** had no objections to the proposal.

### **Representations**

No representations received.

### **Applicants/ Agents submission**

The requisite application forms and plans were submitted as well as a design and access statement.

### **Key Issues**

The application is for listed building consent for replacement signage to front and rear elevations and steel skirting to 4 columns. The property is a Grade II Listed building.

The property is located within the urban area of Newcastle as indicated on the Local Development Framework Proposals Map as well as being located within the Town Centre Conservation Area.

The key issue in the determination of the development is:

- The design of the proposals and their impact upon the listed building and Town Centre Conservation Area

### **The design of the proposals and their impact upon the listed building**

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.”*

PPS5 indicates that;

*“HE7.5 Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.”*

Policy B6 of the Local Plan indicates that the Council will resist alterations or additions to a listed building that would adversely affect its character or its architectural or historic features. Policy CSP2 of the Core Spatial Strategy also seeks to preserve and enhance the character and appearance of the historic heritage of the Borough.

The proposed alterations to the Listed building are felt to be appropriate in their scale and design and would not adversely impact upon the Listed building. The advertisement signs proposed are actually felt to be more sympathetic to the listed building and Conservation Area than those existing and the refurbishment and painting of the existing windows is to be welcomed. The timber pilasters and menu boards that the Conservation Officer was concerned with have been removed from the scheme and the small steel skirting at the base of the re-painted columns would provide a practical solution to prevent the building from being damaged by cleaning machines whilst not being prominent upon the frontage of the building. The installation of the awnings on the frontage are felt appropriate and sympathetic to the listed building and subject to the inclusion of a condition specifying precise details of the method of attachment and fixing to the building it is felt that the proposals would have a positive impact upon the character of the listed building as well as the visual amenity of the surrounding Conservation Area. This accords with the principles of policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan, policies B6, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan as well as policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

A verbal indication from the agent has specified that to the best of his knowledge no structural works are proposed within the building itself with only superficial upgrades taking place in

terms of painting and new furniture. This is not felt to raise any adverse issues from a listed building perspective.

**Reasons for the grant of planning permission**

The proposed alterations to the building would have a beneficial impact upon the appearance of the Grade II listed building. The proposal therefore accords with Policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B6, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011 and the overarching aims and objectives of PPS 5.

**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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act

2. **BESPOKE** - The development hereby permitted shall be carried out in accordance with the following approved plans;

- Planning Application Forms
- Projecting Sign Drawing Number: 163913 Rev. 0 date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011
- Halo Illuminated Letters Front Elevation date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.
- New Standard Menu date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.
- Existing and Proposed External Elevations (Sheet 2 of 3) Drawing Number: JS021/50C date stamped received by the Local Planning Authority on 7<sup>th</sup> November 2011.
- Awning illustration date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.
- Awning section drawing date stamped received by the Local Planning Authority on 7<sup>th</sup> November 2011.

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

3. **BESPOKE**

Notwithstanding the awning illustration and section details hereby approved, prior to the installation of these awnings, specific and precise details of the appearance and fixing mechanism of these shall be submitted to and approved in writing by the Local Planning Authority. The awnings shall then be installed in accordance with the approved details.

Reason: To ensure the quality and visual appearance of the development and Conservation Area and to comply with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policies B5, B6, B9, B10, B13 and B14 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	<b>21/10/11</b>	Decision Sent Out	

Case Officer Recommendation	<b>11/11/11</b>	8 Week Determination	<b>14/11/11</b>
Report checked by Back Office			
Management check	<b>14/11 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Stonegate Pub Company

**Application No** 11/491/ADV

**Location** 14-16 The Ironmarket, Newcastle

**Description** Various illuminated and non illuminated signage to front and rear elevations

### **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  
PPS5: Planning for the Historic Environment

### **Supplementary Planning Guidance**

Staffordshire County Council – Highways Standing Advice 2004

Newcastle Town Centre SPD– site is part of the Town Centre Historic core referred to in the Spatial Framework. Elements of Good Design include “respect the setting”, use “relevant and durable materials”, and “address all issues of external appearance”

### **Relevant Planning History**

Two applications are also being considered  
11/490/LBC – Replacement signage to front and rear elevations and steel skirting to 4 columns  
11/511/FUL – Use of highway forecourt for outdoor seating area in association with adjacent cafe/bar.

### **Views of Consultees**

**Conservation Advisory Working Party** – No objections

**Environmental Health** – No objections subject to control of the luminance in accordance with policy B20

Representations

No written representations received

**Applicants/agents submission**

The requisite application forms and drawings were submitted.

**Key Issues**

The application was amended during the course of the application and the timber columns and the advertisement signs that were to be placed upon them have now been removed from the scheme. The applicant has now proposed to replace the existing wall menu boxes in situ with an updated design.

2 awnings are shown to be located on the building as well with a small sign.

The application is now for advertisement consent for one fascia and one projecting sign at the front of the building and a sign in the form of individually applied letters at the rear. The signs at the front would both be illuminated internally. The application forms state that the fascia sign and the projecting sign will have luminance levels of 180cd/m<sup>2</sup>. The rear individually applied letters at the rear of the property would not be illuminated.

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 issues to address 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 signage does not have an adverse impact upon the character of the area due to the acceptable design of the proposal taking into account of the fact that the new signage is very similar in all respects to the existing signage. The proposals are suitable in scale and size and would not create a cluttered appearance to the shop frontage. The proposed signs, given the context of the building and its frontage, would not harm the overall character of the area. The proposal would therefore adhere with the principles of policy D2 of the Staffordshire and Stoke on Trent Structure Plan.

Although the proposed sign at the rear of the building would be located at a higher level than the existing sign, it is felt that its design is much more appropriate within the context of a listed building and Conservation Area. The

sign would be individually applied letters and would not be illuminated. Although it is sited within a service yard area, the proposed sign would provide a presence to the adjoining street (Merrial) and would also remove an unsightly fascia sign at lower level that currently has an adverse impact upon the surrounding area.

The proposed awnings are felt to be traditional in design and would appear appropriate on the listed building and also within the Conservation Area. It is therefore felt that this element would have no adverse impact upon the visual amenity of the surrounding area.

In terms of the illumination of the signage, the application forms state the proposed signs will be 180cd/m<sup>2</sup>. This luminance accords with policy B20 of the Newcastle-under-Lyme Local Plan, which states that a maximum luminance of 300cd/m<sup>2</sup> should be adhered to within Conservation Areas. To ensure the proposal therefore does not have an adverse impact upon the Conservation Area, a condition would be included specifying that the maximum luminance for the signs should not exceed 300cd/m<sup>2</sup>. The proposed development would therefore adhere with the principles of policy B20 of the Newcastle under Lyme Local Plan.

#### 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

**Approve subject to the standard conditions as well as the following conditions:**

1. The maximum luminance of any portion of the signs hereby approved shall not exceed **300** candelas m<sup>2</sup>

Reason: To protect the visual amenities of the area and comply 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
- Projecting Sign Drawing Number: 163913 Rev. 0 date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011
- Halo Illuminated Letters Front Elevation date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.
- New Standard Menu date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.
- Existing and Proposed External Elevations (Sheet 2 of 3) Drawing Number: JS021/50C date stamped received by the Local Planning Authority on 7<sup>th</sup> November 2011.
- Awning illustration date stamped received by the Local Planning Authority on 19<sup>th</sup> September 2011.

Performance Checks	Date		Date
Consultee/Publicity Period	<b>21/10/11</b>	Decision Sent Out	
Case Officer Recommendation	<b>10/11/11</b>	8 Week Determination	<b>16/11/11</b>
Management check	<b>14/11 ESM</b>		

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**CONSERVATION ADVISORY WORKING PARTY**

Reference	Location and Applicant	Development	Remarks	Ward Councillors
11/519/FUL	Wade Centre, The Avenue, Kidsgrove Rev Iain Baker	Installation of solar panels	Within Hardings Wood Conservation Area and affects the setting of a Listed Building	Cllr R Bailey Cllr K N Taylor
11/534/FUL	Hardingswood House, Hardingswood Road, Kidsgrove, Mrs K Stanworth	Replacement vehicular access	Within Hardings Wood Conservation Area	Cllr R Bailey Cllr K N Taylor
11/562/FUL	Ivy Cottage Lymes Road Butterton Mr M Colclough	Installation of 12 Solar PV panels (6 panels x2) on roof of garage	Application affects the setting of listed building	Cllr A Howells Cllr D Loades Cllr Mrs F Myatt
11/571/LBC 11/572/ADV	& Halifax, 13 Ironmarket, Newcastle Lloyds TSB Bank Plc	Illuminated projecting sign, non-illuminated ATM collars, replacement non-illuminated window marketing, blue film to glazing behind existing ATMs and reconfiguration of internal walls	Grade II listed building in Newcastle Town Centre Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/581/ADV	Former HMV, 43A High Street, Newcastle MBL Group PLC	Illuminated fascia sign and non-illuminated hanging sign	Within Newcastle Town Centre Conservation Area and adjacent to Listed Buildings	Cllr D Clarke Cllr Mrs E Shenton
11/584/FUL	Crispins. Sandy Lane, Newcastle Mrs J Bates	Proposed installation of ten solar PV panels on rear roof	Adjacent to the Brampton Conservation Area	Cllr J Bannister Cllr I Matthews Cllr S Tagg
11/586/FUL	Butterton Nurseries Park Road Butterton Mr Leath	First floor side extension	Within the Butterton Conservation Area	Cllr A Howells Cllr D Loades Cllr Mrs F Myatt
11/587/FUL	Wilbraham House Residential Home, Audley Wilbraham House Care Home	Erection of a rear conservatory	Within the Audley Conservation Area	Cllr Mrs A Beech Cllr Mrs D Cornes Cllr I Wilkes

Reference	Location and Applicant	Development	Remarks	Ward Councillors
11/590/FUL	at Land To The Rear of South Lodge Clough Hall Drive Talke Mr A Austin	Erection of 3 bedroom detached dwelling formation of new access	Affects the setting of a Grade II Listed Building). The proposed development does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated	Cllr D Allport Cllr R Slater
11/606/FUL	Butterton Nurseries Park Road Butterton Mr Leath	Installation of 96 ground mounted photovoltaic solar panels	Within the Butterton Conservation Area	Cllr A Howells Cllr D Loades Cllr Mrs F Myatt

# The Wade Centre, The Avenue, Kidsgrove

11/519/FUL



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<b>Comments</b>	Not Set
<b>Date</b>	16 November 2011
<b>SLA Number</b>	Not Set

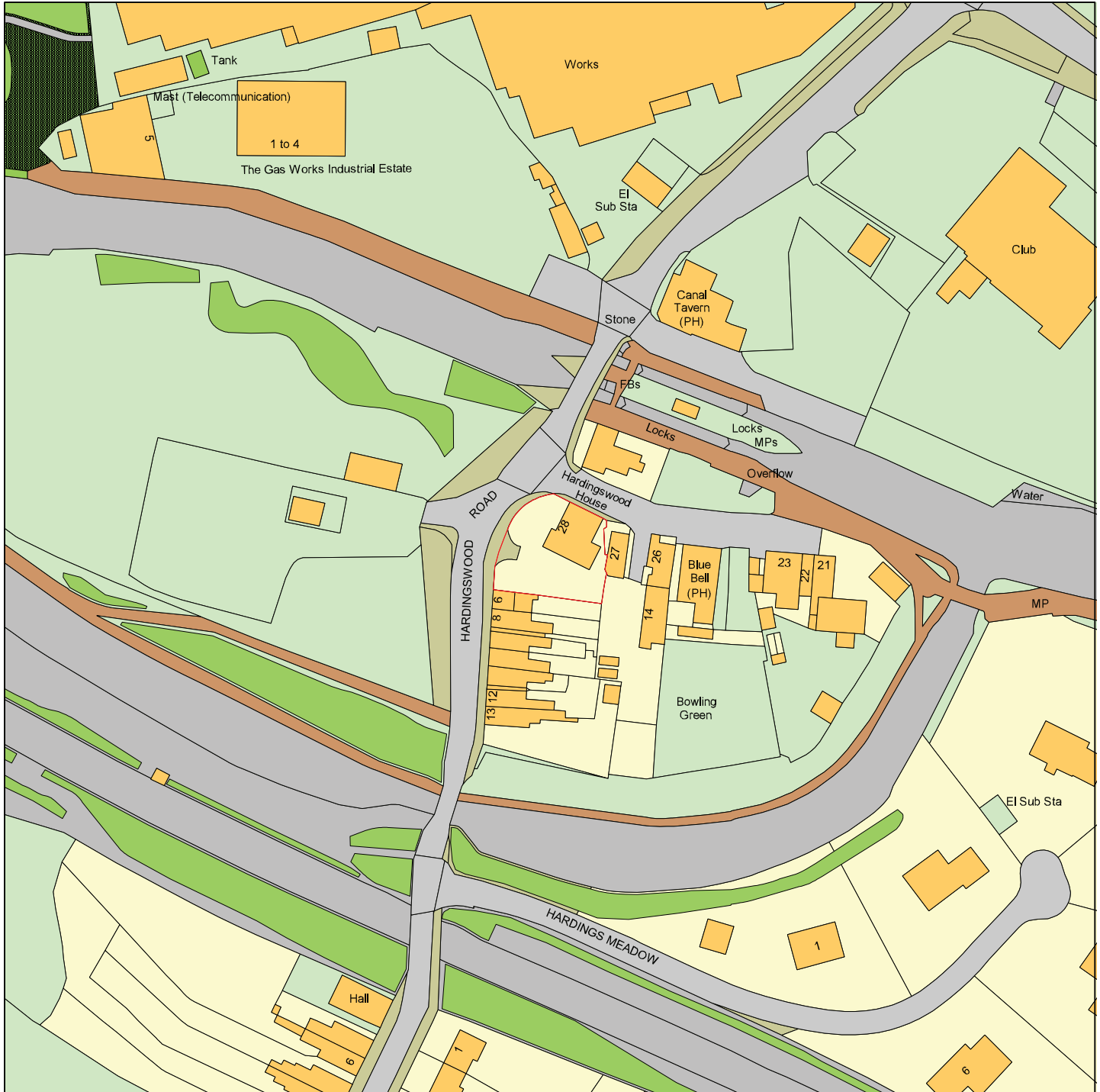
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# Hardingswood House, Hardingswood Road,

11/534/FUL



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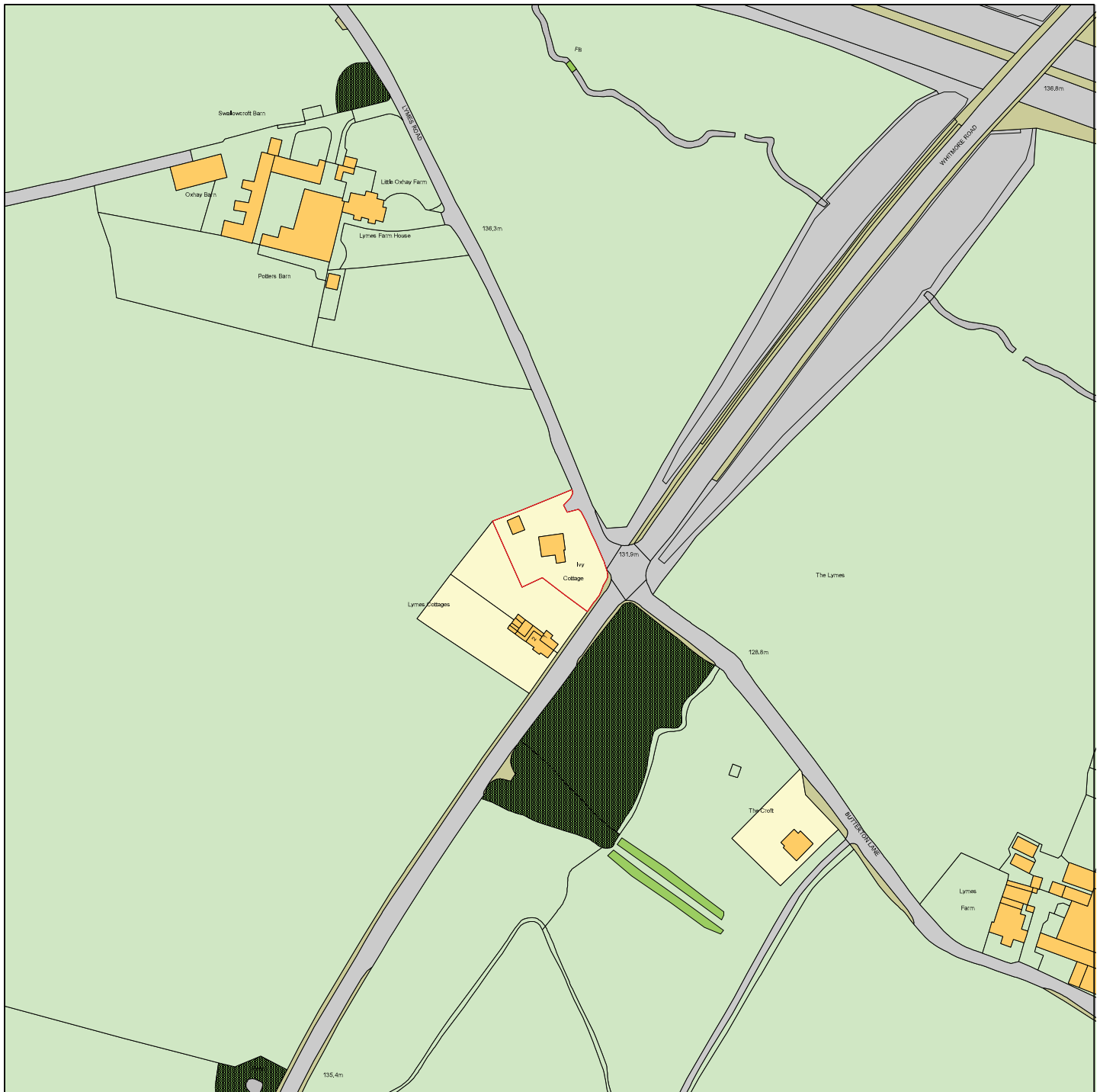
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# Ivy Cottage, Lymes Road, Butterton

11/562/FUL



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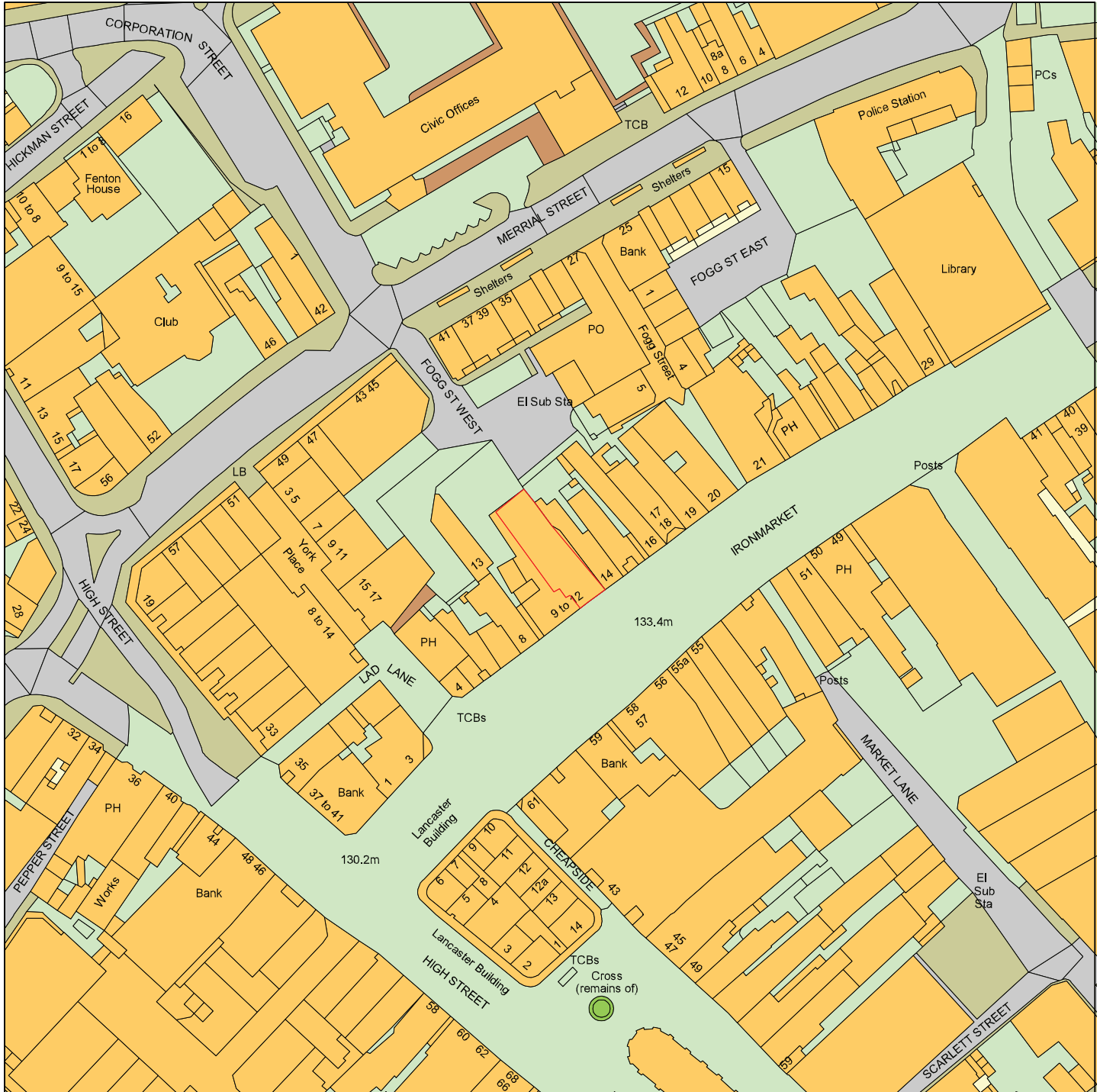


# Halifax. 13 Ironmarket, Newcastle

11/571/LBC & 11/572/ADV



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# 43A High Street, Newcastle

11/581/ADV



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# Crispins. Sandy Lane, Newcastle

11/584/FUL



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# Butterton Nurseries, Park Road, Butterton

11/586/FUL



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# Wilbraham House Residential Home, Audley

11/587/FUL



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# Land rear of South Lodge, Clough Hall Drive, Talke

11/590/FUL



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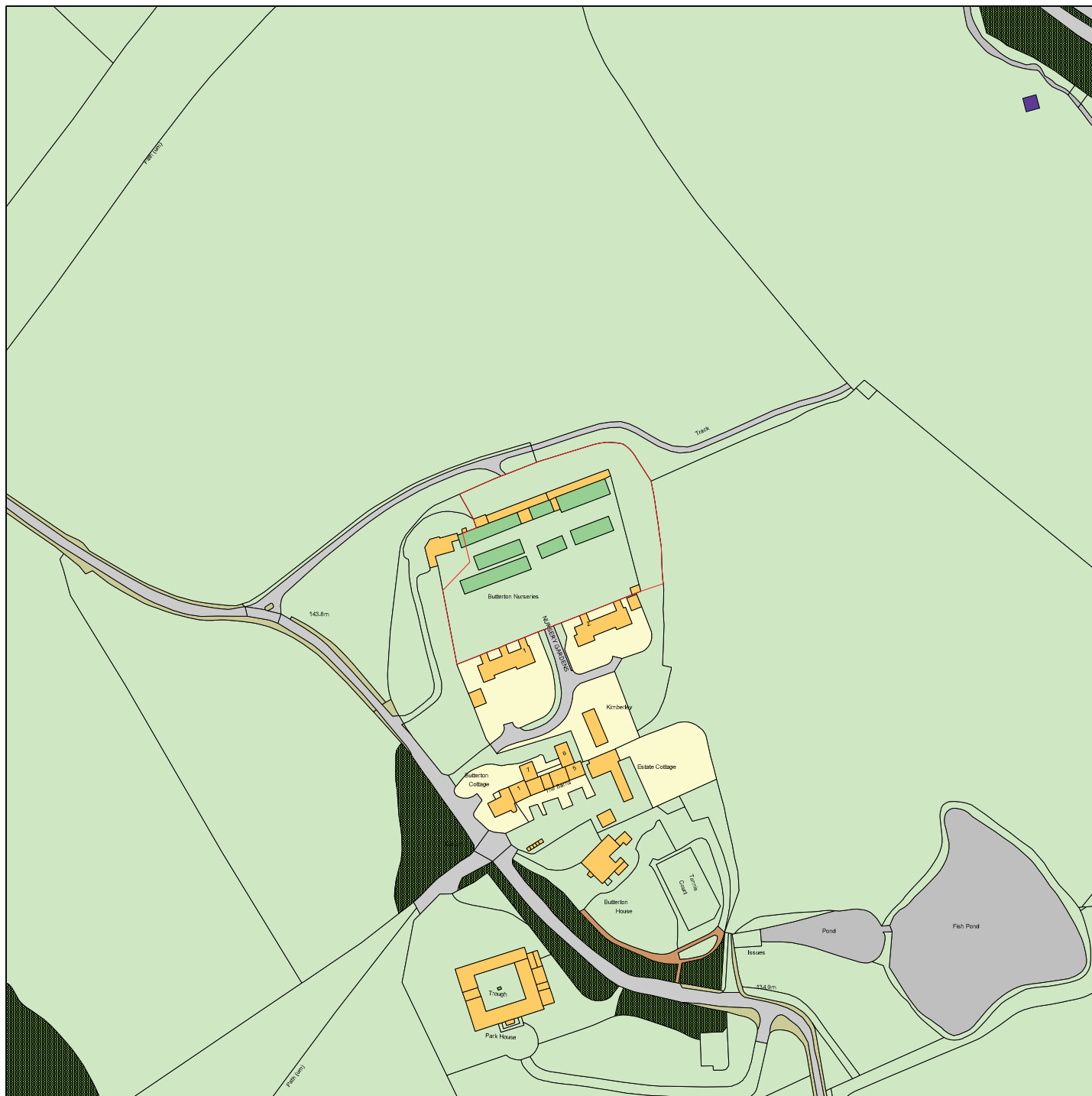
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# Butterton Nurseries, Park Road, Butterton

11/606/FUL



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