



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

**CONSERVATION ADVISORY WORKING PARTY**

**Wednesday 6 June 2012**

**Present:-** Councillor Mrs G Burnett – in the Chair  
Councillors: Allport, Miss Cooper and Robinson  
Also in attendance Mr L Chatterton – Newcastle Civic Society  
Mr J Worgan – Newcastle Civic Society

1. **DECLARATIONS OF INTEREST**

There were none.

2. **MINUTES OF PREVIOUS MEETINGS**

**Resolved:-** That the minutes of the previous meeting held on 15 May 2012 be agreed as a correct record.

3. **PRESENTATION TO NEW MEMBERS ON CONSERVATION AND HERITAGE MATTERS**

The Conservation Officer gave a presentation to new members on conservation and heritage matters.

4. **PLANNING APPLICATIONS**

**Resolved:-** (a) That the decisions on applications previously considered by this Working Party be received.

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

<u>App No</u>	<u>Proposed development and name of applicant</u>	<u>Comments</u>
12/00218/FUL	8-10 High Street, Newcastle. Mr D Sooch. Super Foodmarket Ltd. Erection of a replacement building to be used as a retail/shop unit.	No objections.
12/00233/FUL & 12/00234/LBC	The Old Dairy, Hills Barns, Berrisford Road, Peatswood, Market Drayton. Mr O Allan. Retention of 14 photovoltaic solar panels to south facing roof.	No objections.
12/00246/FUL	4 Highway Lane, Keele. Mrs Naylor. Proposed new window to north east	No objections.

elevation first floor level.

12/00230/FUL      Garden Cottage, Pinfold Lane,  
Hales.  
Mr R Hall.  
Erection of detached double garage,  
log store and minor extensions to  
residential curtilage.

**5. ANY OTHER BUSINESS**

(i)      Historic Building Grant Fund Report

A report was circulated on the changes to the terms and conditions of the Historic Building Grant Fund. These recommendations were accepted by the Working Party and it was proposed that they be accepted by the Planning Committee on 19 June 2012.

**MRS G BURNETT**  
**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.

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
12/157/FUL	The Holy Trinity Roman Catholic Church, London Road, Newcastle Rev Philip Griffin	Installation of gate and railings mounted on a low level brick plinth	No objections to the scheme, but the posts should be properly embedded into the stone	Permitted under Delegated powers 24/05/12
12/161/FUL & 12/162/LBC	Old Springs Hall, Old Springs, Market Drayton Mr & Mrs R Lee	Demolish existing kennels and replace with a domestic office, alterations to landscaping including new and reused garden walls and railings. Form a covered glazed link to the house from the stable range. Retrospective extension to the lake	The Working Party supports and commends this scheme to improve the setting of the Hall. However it has concerns about the nature of proposal for this modest country house and wants to ensure that the design is historically appropriate. The council should get advice from appropriate bodies before accepting the designs for the walls, railings and groundworks.	Permitted under delegated powers 30/05/12
12/181/FUL	Newcastle-under-Lyme School, Mount Pleasant, Newcastle Newcastle-under-Lyme School	Extension and alterations to Sports Block	No objections	Permitted under delegated powers 29/05/12
12/183/FUL & 12/184/LBC	Former Methodist Chapel, Chapel Lane, Knighton, Market Drayton Mr Jonathan Woodcock	Conversion of Methodist chapel to two storey residential dwelling and a single storey rear extension	Not considered, likely to be withdrawn	Applications withdrawn

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## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant**      Rev Philip Griffin                      **Application No**      12/00157/FUL

**Location**        Holy Trinity RC Church, London Road, Newcastle

**Description** – Installation of gate and railings mounted on a low level brick plinth

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

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

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

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

Policy D1: Sustainable Development  
Policy D2: The Design and Environmental Quality of Development  
Policy NC18: Listed Buildings  
Policy NC19: Conservation Areas

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

Policy CSP1: Design Quality  
Policy CSP2: Historic Environment

#### **Newcastle Under Lyme Local Plan 2011**

Policy B5: Control of development affecting the setting of a Listed building  
Policy B6: Extension or Alteration of Listed Buildings  
Policy B9: Prevention of Harm to Conservation Areas  
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area  
Policy B13: Design and Development In Conservation Areas  
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

#### **Other Material Considerations**

National Planning Policy Framework (March 2012)

Manual for Streets

#### **Supplementary Planning Guidance/Documents**

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

#### **The Secretary of State's announcement of his intention to abolish RSS**

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan.

Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

#### Relevant Planning History

None relevant to the determination of this planning application

#### Views of Consultees

The **Highways Authority** raises no objections subject to a condition that any gates should open away from the highway.

The **Conservation Advisory Working Party** raises no objections but the posts should be properly embedded into the stone.

#### Representations

None received

#### Applicant's Submission

A design and access statement and heritage statement have been submitted with the application, which outline the following:

- The church building is listed Grade II and falls within the Newcastle-under-Lyme Town Centre Conservation Area, being located just within the south-east most point of the area boundary.
- The purpose of the planning application is to seek approval to fit wrought iron railings to the side of the church between the Walsingham Chapel and the Nursery.
- The railings are intended to prevent casual access around the back of the chapel where there is a secluded corner which is often used as an unofficial public lavatory, as well as other activities inappropriate to the location.
- The railings would take up an on area on plan of 800mm wide x 4.5m long. It is proposed that they will stand on a brick plinth with the railings extending to an overall height of 1.8m above the plinth.
- There is a low wall built in front of the west elevation of the church which forms a shallow boundary between the boundary between the footpath and the building. The wall is built of blue brick with a stone coping and curves in towards the chapel which is a relatively recent extension to the north-west corner of the church.
- The chapel is arranged in a semi-circular layout as simple blue brick single storey extension to the west side of the north aisle, with long narrow windows.
- The railings will be set back from the line of the low wall to the front of the church and nursery and curved in response to the existing structures.

#### Key Issues

The application is for full planning permission for the installation of a set of railings for security purposes which will also include a gate.

The railings would be attached to a the Grade II listed Holy Trinity Roman Catholic Church which is also located within the Newcastle conservation area, as indicated on the Local Development Framework Proposals Map.



In this instance listed building consent is not required because Church buildings have ecclesiastical exemption and the catholic denomination is part of the faculty jurisdiction, which is a separate Church system of control. It comes under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994.

It is considered that the main issues in the determination of this application are:

- The impact of the proposal on the setting of the Listed Building and the wider character and appearance of the Conservation Area.
- The impact on highway or pedestrian flow and safety

#### The impact of the proposal on the setting of the Listed Building and the wider character and appearance of the Conservation Area

The NPPF has now been published and with regards to the development plan it states that at present decision-takers may continue to give full weight to relevant policies adopted since 2004 even in cases where there is a limited degree of conflict with the NPPF and in all other cases due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework.

Paragraph 132 of the newly published NPPF details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.....substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

The proposed railings would be attached to the chapel building and no.21 London Road (children's nursery). The railings would provide security between the two buildings and would prevent members of the public using these areas which is attracting and encouraging hygiene issues, crime and anti-social behaviour problems.

The proposed railings are to be wrought iron that would be embedded into a brick plinth with stone coping. The railings would be painted with black gloss and the bricks would be blue with cast stone coping to match the existing front boundary wall to the church. The height would vary due to a slight difference in ground levels but the railings would measure 1.8 metres in height and the overall height (at its highest point) would be 2.1 metres. The maximum width of the railings (including the gate) would be 4.3 metres.

Policy B5 of the Local Plan details that the Council will resist proposals that would adversely affect the setting of a listed building. In terms of the impact on the conservation area the local plan details that there is a requirement to preserve or enhance its character or appearance. This is also echoed in the CSS.

It is considered that the scale, form and use of materials, represents an acceptable design that would not significantly harm the special architectural character of the listed building, or its setting. Furthermore, any minimal impact on the setting of the listed building is outweighed by the social/ community improvement that the proposal would bring i.e. preventing crime and anti-social behaviour.

Its design would also preserve the character and appearance of the conservation area, which would meet the policies of the local plan, CSS and NPPF.

#### The impact on pedestrian flow and/ or highway safety

The siting of the railings would not impede pedestrian flow due to their position between the chapel and the nursery. The highways authority has raised no objections but they advised

that a condition should be attached to the decision that requires the gate to open inwards. The applicant has detailed that the gate would have an infrequent use but the condition is considered appropriate because of the problems it could cause if it is left open.

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

The proposed development is considered to represent a sympathetic and acceptable design that would not adversely affect the setting of the listed building. The proposal would also preserve the character and appearance of the Newcastle conservation area, and visual amenity in general. Any minimal impact would be outweighed by the community benefits that the proposal would bring to the area. The proposal is unlikely to result in any significant pedestrian or highway safety concerns. The proposed development would therefore support the principles set out within the NPPF and comply with policies D2, NC18 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies B6, B5, 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 2006-2026.

### **Recommendation**

**Permit** with the following conditions:

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing no. PL01; PL02 & PL03, date stamped received by the LPA on 29 March 2012

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

3. No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.

Reason: To safeguard the setting of the listed building and character of the conservation area to comply policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the requirements of the NPPF.

4. The proposed gates shall only open inwards into the site curtilage.

Reason: In the interests of highways and pedestrian safety to comply with the requirements of the NPPF.

### **Note to the applicant**

1. You are reminded of the need to comply with the conditions attached to the planning permission.

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Mr R Lee

**Application No.** 12/00161/FUL

**Location** – Old Springs Hall, Old Springs, Market Drayton

**Description** – Full Planning Permission to demolish existing kennels and replace with a domestic office, alterations to landscaping including new and revised garden walls and railings. Form a covered glazed link to the house from the stable range. Retrospective extension to the lake.

### **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 NC1: Protection of the Countryside – General Considerations  
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 N17: Landscape Character – General Considerations  
Policy N18: Areas of Active Landscape Conservation

#### **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 Framework (NPPF) (March 2012)

The Secretary of State's announcement of his intention to abolish RSS

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

#### **Supplementary Planning Guidance**

N/A

#### **Planning History**

A listed building consent application (12/162/LBC) for the same works is currently awaiting determination.

A listed building consent application (12/72/LBC) for fenestration works and internal works was recently granted.

## **Views of Consultees**

**Loggerheads Parish Council** has no objection to the proposals.

**English Heritage** have provided the following comments on the application;

- No objection to the extension and remodelling of the lake or the creation of a glazed link to the details shown between the house and the stable block
- We are sympathetic to the principle of some remodelling of the present office/service wing to create accommodation better suited to 21st century living but have serious concerns about the extent of the works shown and the lack of information clarifying the significance of what is to be removed; how the enlarged or new openings will be supported following removal of existing presumed structural walls; and the architectural detail of new openings (ie. Will there be nibs or ceiling downstands to reflect the former plan form, or will an entirely new ceiling line be adopted; what finishes are to be used?). Fuller information should be provided to help assess the significance of the present rooms and plan form and the likely impact of the proposed works on that significance; and to show the proposed alternative arrangements more clearly.

***Comments on the internal works have not been taken into account as this application has already been determined***

- Although there is no landscape plan to show where the new screen walls and railings are to be positioned English Heritage shares your conservation officer's concern that their erection, certainly to the extent shown, risks formalising and possible urbanising the present flowing and open landscape style. There may well be scope for some new enclosures but we strongly advise that this aspect of the proposal be reconsidered and revised proposals depicted on a comprehensive plan of the site.
- English Heritage does not object to the proposed demolition of the modern kennels nor in principle to the erection of a garden office to the design shown. It would nonetheless be helpful to see a plan identifying where on site these structures are located to be able to set the works and their impact in context.

**Environment Agency** have no objections in principle to the proposed development but wishes to make the following comments regarding the lake extension.

"We are informed by the agent that the lake is fed by springs and as such no abstraction licence is required. However a licence would be required for any subsequent abstraction from the pond since this is now classed as a source of supply"

**Natural England** state that,

"This proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils, nor is the proposal EIA development"

They also specify that standing advice should also be followed in relation to the consideration of the document.

The **Conservation Advisory Working Party** supports and commends the scheme to improve the setting of the Hall. It has concerns however about the nature of the proposal for this modest country house and wants to ensure that the design is historically appropriate. It advises that the Council should get advice from appropriate bodies before accepting the designs for the walls, railings and groundworks.

## **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 full planning permission to demolish existing kennels and replace with a domestic office, alterations to landscaping including new and revised garden walls and railings. Form a covered glazed link to the house from the stable range. Retrospective extension to the lake. In terms of the principle of the proposed developments above there is both local and national policy support for these subject to other material considerations being given due weight. In this instance the most pertinent factor is the listed Grade II listed building which sits at the heart of this site and therefore it is felt that the key issue in the determination of the development is:

- The design of the proposals and their impact upon the Grade II listed building taking into account its location within an Area of Active Landscape Conservation

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 proposals include replacing existing boundary treatments which have created a modern and enclosed site and replacing this with more considered treatments and framed views. The original proposals included a range of walls, fencing and hedge treatments and elements of these were felt to be too elaborate and fussy and began to dominate the surrounding site of the listed building. It must also be noted that no historic records or justifications for this type of boundary treatment were included as part of the application. The revised proposals show a more formalised arrangement for the site with a simple layout which is more in keeping with what is a simple country house in design terms. The scale of the walls that are proposed on the Western side of the building have been reduced in scale and that will allow the proposed landscaping to create the framed views over time with a ha-ha also proposed to re-create a more open setting for the house. This is deemed to be a more sympathetic approach to the improvements that they are trying to create for the wider site.

The proposed replacement office building would have a beneficial impact upon the setting of the listed building replacing the existing flat roof kennels which have no architectural merit and detract from the listed building. The design was altered during the course of the application following officer advice and consultee comments. This has resulted in a simplified design that is felt more appropriate in design terms respecting the character of the listed building much more sympathetically.

Due to the scale and design of the glazed link and its relevant position between the main building and the stable block, it is not felt that this would have an adverse impact upon the setting or character of the listed building.

The proposed amendments to the hardstandings at the front of the property as well as the hard landscaping surrounding the property are felt to create a better entrance and setting to the property and do not harm the setting of the listed building. To ensure this is done sympathetically, careful control over the types of materials to be used needs to be secured and this will be done by condition.

In terms of the retrospective extension to the lake, this is not felt to have an adverse impact upon the setting of the listed building. The extension has taken place at the far end of the lake some distance from the building itself however it does not have any impact upon the setting of the building. The timber jetty that has been erected within the lake is not felt to have a detrimental impact upon the setting of the listed building due to its modest scale and use of natural materials. No details of the bird hide or boat house have been provided and it will be made clear that this permission does not imply consent for these structures. Separate permission would be required for these.

The block plan also indicates a summerhouse to the South-West of the property and no details or historical justification have been provided at this stage to accept this within the setting of the listed building. This would therefore require a separate application and this will be made clear on any decision.

Due to the nature of the proposals involving substantial amounts of landscaping that will impact upon the setting of the listed building it is felt pertinent in this instance to request a landscaping scheme to

be submitted. This is to ensure that appropriate species will be utilised that will enhance the setting of the building.

Based upon the discussions above it is felt that the revised proposals would assimilate well with the character of the existing property whilst also improving the setting of the historic building. This is felt to accord with the principles of policies B5 and B6 of the Local Plan as well as policy CSP2 of the Core Spatial Strategy as well as the aims and objectives of the NPPF.

In terms of the specific materials to be utilised no precise details have been submitted. It is therefore felt pertinent to include this by condition on any permission.

Policy N18 of Newcastle under Lyme Local Plan states that the Council will support subject to other plan policies, proposals that will help to conserve the high quality and distinctive character of the area's landscape. The proposals discussed above are felt to not only conserve the setting of the listed building and the surrounding landscape but also improve the visual amenity of the surrounding landscape removing elements that detract from the aesthetics of the area. As such it is felt that the proposals accord with the principles of policy N17 and N18 of the local plan as well as policy NC1 of the Staffordshire and Stoke on Trent Structure Plan.

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

The proposed alterations are acceptable in principle and would have no adverse impact upon the appearance of the Grade II listed building whilst also improving the setting of the listed building and the surrounding countryside. The proposal therefore accords with policies N17, N18, B5 and B6 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and the overarching aims and objectives of NPPF.

### **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.

Reason: 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;
  - Location Plan Drawing no. 1 date stamped received by the LPA on 28<sup>th</sup> March 2012
  - Block Plan Drawing no. 2 Rev. C date stamped received by the LPA on 30<sup>th</sup> May 2012 (excluding summer house at the South West corner of the property)
  - Proposed Garden Walls Drawing no. 20 Rev. B date stamped received by the LPA on 30<sup>th</sup> May 2012.
  - Computer Generated Images (1-4) date stamped received by the LPA on 30<sup>th</sup> May 2012.
  - Proposed Ground Floor Plan Drawing no. 07 Rev.E date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed First Floor Plan Drawing no. 08 Rev.D date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed Link Plans & Elevations Drawing no. 22 date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed Lake Plan Drawing no. 24 date stamped received by the LPA on 28<sup>th</sup> March 2012 (excluding bird hide and boat house)

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

3. Notwithstanding the above plans, this permission does not grant or imply the grant of planning permission for any of the following features;
- Boat house
  - Bird hide
  - Summer house

Reason: For the avoidance of doubt and in the interests of proper planning taking into account no specific details on these being submitted.

4. Development shall not commence until details of the type, texture, colour and bond of the brickwork to be used in the construction of the external walls and the roofing materials have been submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details. For the avoidance of doubt the following details shall be included;
- Facing materials of the office building
  - Materials to be used in the walls including coping/stone cap piers
  - Materials to be used in the hard landscaping
  - Materials to be used in the glazed link

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

5. Prior to the installation of the gate to be utilised in Elevation C of the plans labelled 'Proposed Garden Walls', full and precise details of the gate shall first be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the agreed details. (For the avoidance of doubt details of the materials to be utilised should also be submitted)

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

6. Prior to the installation of the indicative decorative urns to be utilised in Elevation A of the plans labelled 'Proposed Garden Walls', full and precise details of the urns shall first be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the agreed details. (For the avoidance of doubt details of the materials to be utilised should also be submitted)

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

7. Prior to the commencement of development, details of a soft landscaping scheme for the site including a programme for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the aforesaid agreed programme. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority. (For the avoidance of doubt the details shall also include topographical information for the proposed ha-ha)

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990 and to ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

#### **Informative**

Prior to the removal of any trees please satisfy yourself with the requirements of the legislation on protected species such as nesting birds and bats.



## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Mr R Lee

**Application No.** 12/00162/LBC

**Location** – Old Springs Hall, Old Springs, Market Drayton

**Description** – Listed Building Consent to demolish existing kennels and replace with a domestic office, alterations to landscaping including new and revised garden walls and railings. Form a covered glazed link to the house from the stable range. Retrospective extension to the lake.

### **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 B5: Control of development affecting the setting of a Listed building  
Policy B6: Extension or Alteration of Listed Buildings

#### **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 Framework (NPPF) (March 2012)

The Secretary of State's announcement of his intention to abolish RSS

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

#### **Supplementary Planning Guidance**

N/A

#### **Planning History**

A planning application (12/161/FUL) for the same works is currently awaiting determination.

A listed building consent application (12/72/LBC) for fenestration works and internal works was recently granted.

#### **Views of Consultees**

**Loggerheads Parish Council** has no objection to the proposals.

**English Heritage** have provided the following comments on the application;

- No objection to the extension and remodelling of the lake or the creation of a glazed link to the details shown between the house and the stable block
- We are sympathetic to the principle of some remodelling of the present office/service wing to create accommodation better suited to 21st century living but have serious concerns about the extent of the works shown and the lack of information clarifying the significance of what is to be removed; how the enlarged or new openings will be supported following removal of existing presumed structural walls; and the architectural detail of new openings (ie. Will there be nibs or ceiling downstands to reflect the former plan form, or will an entirely new ceiling line be adopted; what finishes are to be used?). Fuller information should be provided to help assess the significance of the present rooms and plan form and the likely impact of the proposed works on that significance; and to show the proposed alternative arrangements more clearly.

***Comments on the internal works have not been taken into account as this application has already been determined***

- Although there is no landscape plan to show where the new screen walls and railings are to be positioned English Heritage shares your conservation officer's concern that their erection, certainly to the extent shown, risks formalising and possible urbanising the present flowing and open landscape style. There may well be scope for some new enclosures but we strongly advise that this aspect of the proposal be reconsidered and revised proposals depicted on a comprehensive plan of the site.
- English Heritage does not object to the proposed demolition of the modern kennels nor in principle to the erection of a garden office to the design shown. It would nonetheless be helpful to see a plan identifying where on site these structures are located to be able to set the works and their impact in context.

**Environment Agency** have no objections in principle to the proposed development but wishes to make the following comments regarding the lake extension.

"We are informed by the agent that the lake is fed by springs and as such no abstraction licence is required. However a licence would be required for any subsequent abstraction from the pond since this is now classed as a source of supply"

**Natural England** state that,

"This proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils, nor is the proposal EIA development"

They also specify that standing advice should also be followed in relation to the consideration of the document.

The **Conservation Advisory Working Party** supports and commends the scheme to improve the setting of the Hall. It has concerns however about the nature of the proposal for this modest country house and wants to ensure that the design is historically appropriate. It advises that the Council should get advice from appropriate bodies before accepting the designs for the walls, railings and groundworks.

### **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 key issue in the determination of the development is:

- The design of the proposals and their impact upon the Grade II listed building

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

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 proposals also include replacing existing boundary treatments which have created a modern and enclosed site and replacing this with more considered treatments and framed views. The original proposals included a range of walls, fencing and hedge treatments and elements of these were felt to be too elaborate and fussy and began to dominate the surrounding site of the listed building. It must also be noted that no historic records or justifications of this type were included as part of the application. The revised proposals show a more formalised arrangement for the site with a simple layout which is more in keeping with what is a simple country house in design terms. The scale of the walls that are proposed on the Western side of the building have been reduced in scale and that will allow the proposed landscaping to create the framed views over time with a ha-ha also proposed to re-create a more open setting for the house. This is deemed to be a more sympathetic approach to the improvements that they are trying to create for the wider site.

The proposed replacement office building would have a beneficial impact upon the setting of the listed building replacing the existing flat roof kennels which have no architectural merit and detract from the listed building. The design was altered during the course of the application following officer advice and consultee comments. This has resulted in a simplified design that is felt more appropriate in design terms respecting the character of the listed building much more sympathetically.

Due to the scale and design of the glazed link and its relevant position between the main building and the stable block, it is not felt that this would have an adverse impact upon the setting or character of the listed building.

The proposed amendments to the hardstandings at the front of the property as well as the hard landscaping surrounding the property are felt to create a better entrance and setting to the property and do not harm the setting of the listed building. To ensure this is done sympathetically, careful control over the types of materials to be used needs to be controlled and this will be done by condition.

In terms of the retrospective extension to the lake, this is not felt to have an adverse impact upon the setting of the listed building. The extension has taken place at the far end of the lake some distance from the building itself however it does not have any impact upon the setting of the building. The timber jetty that has been erected within the lake is not felt to have a detrimental impact upon the setting of the listed building due to its modest scale and use of natural materials. No details of the bird hide or boat house have been provided and it will be made clear that this permission does not imply consent for these structures. Separate permission would be required for these.

The block plan also indicates a summerhouse to the South-West of the property and no details or historical justification have been provided at this stage to accept this within the setting of the listed building. This would therefore require a separate application and this will be made clear on any decision.

Due to the nature of the proposals involving substantial amounts of landscaping that will impact upon the setting of the listed building it is felt pertinent in this instance to request a landscaping scheme to be submitted. This is to ensure that appropriate species will be utilised that will enhance the setting of the building.

Based upon the discussions above it is felt that the revised proposals would assimilate well with the character of the existing property whilst also improving the setting of the historic building. This is felt to accord with the principles of policies B5 and B6 of the Local Plan as well as policy CSP2 of the Core Spatial Strategy as well as the aims and objectives of the NPPF.

In terms of the specific materials to be utilised no precise details have been submitted. It is therefore felt pertinent to include this by condition on any permission.

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

The proposed alterations to the building would have no adverse impact upon the appearance of the Grade II listed building whilst also improve the setting of the listed building. The proposal therefore accords with policies B5 and B6 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and the overarching aims and objectives of NPPF.

### **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.

Reason: 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;
  - Location Plan Drawing no. 1 date stamped received by the LPA on 28<sup>th</sup> March 2012
  - Block Plan Drawing no. 2 Rev. C date stamped received by the LPA on 30<sup>th</sup> May 2012 (excluding summer house at the South West corner of the property)
  - Proposed Garden Walls Drawing no. 20 Rev. B date stamped received by the LPA on 30<sup>th</sup> May 2012.
  - Computer Generated Images (1-4) date stamped received by the LPA on 30<sup>th</sup> May 2012.
  - Proposed Ground Floor Plan Drawing no. 07 Rev.E date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed First Floor Plan Drawing no. 08 Rev.D date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed Link Plans & Elevations Drawing no. 22 date stamped received by the LPA on 28<sup>th</sup> March 2012.
  - Proposed Lake Plan Drawing no. 24 date stamped received by the LPA on 28<sup>th</sup> March 2012 (excluding bird hide and boat house)

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

3. Notwithstanding the above plans, this permission does not imply or grant permission for any of the following features;
  - Boat house
  - Bird hide
  - Summer house

Reason: For the avoidance of doubt and in the interests of proper planning taking into account no specific details on these being submitted.

5. Development shall not commence until details of the type, texture, colour and bond of the brickwork to be used in the construction of the external walls and the roofing materials have been submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details. For the avoidance of doubt the following details shall be included;
  - Facing materials of the office building
  - Materials to be used in the walls including coping/stone cap piers

- Materials to be used in the hard landscaping
- Materials to be used in the glazed link

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

6. Prior to the installation of the gate to be utilised in Elevation C of the plans labelled 'Proposed Garden Walls', full and precise details of the gate shall first be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the agreed details. (For the avoidance of doubt details of the materials to be utilised should also be submitted).

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

6 Prior to the installation of the indicative decorative urns to be utilised in Elevation A of the plans labelled 'Proposed Garden Walls', full and precise details of the urns shall first be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the agreed details. (For the avoidance of doubt details of the materials to be utilised should also be submitted).

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

7. Prior to the commencement of development, details of a soft landscaping scheme for the site including a programme for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the aforesaid agreed programme. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority. (For the avoidance of doubt the details shall also include topographical information for the proposed ha-ha)

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990 and to ensure the quality and visual appearance of the listed building and to comply with Policies B5 & 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 the NPPF.

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Newcastle under Lyme School                      **Application No.** 12/00181/FUL

**Location** – Newcastle under Lyme School, Mount Pleasant, Newcastle

**Description** – Extension and alterations to Sports Block

### **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 D1:         Sustainable Forms of Development  
Policy D2:         The Design and Environmental Quality of Development  
Policy D3:         Urban Regeneration  
Policy NC19:       Conservation Areas  
Policy T13:         Local Roads

#### **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 the Conservation Area  
Policy B13:        Design and Development in Conservation Areas  
Policy B14:        Development in or Adjoining the Boundary of Conservation Areas  
Policy T16:        Development – General Parking Requirements  
Policy T18:        Development – Servicing Requirements

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

CSP1:              Design Quality  
CSP2:              Historic Environment

#### **Other Material Considerations include:**

National Planning Policy Framework 2012

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

#### **Views of Consultees**

**Environmental Health** – No objection to the application subject to conditions relating to;

- Air conditioning plant approval
- Report of Unexpected Contamination
- Importation of Soil/Material

**Conservation Advisory Working Party** – No objections.

#### **Representations**

None received.

#### **Applicants/ Agents submission**

A Design and Access Statement has been submitted with the application.

### **Key Issues**

Full planning permission is sought for an extension to the existing sports hall to provide improved changing facilities, to provide a painted render external finish to the building over the existing brickwork and screening panels to the roof top plant/equipment

The site is located within the urban area of Newcastle as shown on the Local Development Framework Proposals Map. The application site is in the Stubbs Walks Conservation Area. The sports block is visible across the green space and "Stubbs Walks" to the east of Victoria Road. The proposed extension would be between two existing buildings of the sports hall and as such views of the extension would be very limited from any public view.

The key issues in the determination of this application are :

#### **Visual Amenity and Impact upon the Conservation Area**

The NPPF at paragraph 131 indicates that in determining planning applications, local planning authorities should take account of, amongst other things, the desirability of sustaining and enhancing the heritage asset. At paragraph 132 it indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given the asset's conservation.

As stated previously the proposal would not be readily seen from any public vantage point and as such its visual impact of the proposal including the new rendering on the wider Conservation Area would be limited.

The materials shown to be utilised in the proposed development are felt to be acceptable and these will be conditioned as such unless otherwise agreed in writing by the Local Planning Authority.

It is therefore felt that the proposed development adheres with policies CSP 1 and CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009) as well as the principles of policies B9 and B14 of the Newcastle-under-Lyme Local Plan 2011.

#### **Other Matters**

The conditions recommended by Environmental Health are felt to be appropriate including details of any noise generating plant, report of unexpected contamination and the control of the importation of soil/material.

#### **Reason for the Grant of Planning Permission**

Due to the scale and location of the proposal, the development would not have any adverse impact upon the visual amenity of the surrounding area and the character and appearance of the Stubbs Walk Conservation Area within which it is located. The proposal therefore accords with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policy CSP 1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (Adopted 2009) as well as the principles of policies B9 and B14 of the Newcastle-under-Lyme Local Plan 2011.

#### **Recommendation**

##### **Permit subject to**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R. To comply with the provisions of Section 91 of the Town and Country Planning Act .

2. No materials other than those indicated on the approved plans, application forms and design and access statement shall be used without the approval in writing of the local planning authority.
- R. To safeguard the visual amenities of the area and to comply with the requirements of 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.
3. The development hereby permitted shall be carried out in accordance with the following approved plans;
- Site Location Plan Associated Architects Drawing No: 3185 AA-AL(0)001 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)002 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)003 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)005 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)004A (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)007 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)008 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)009 (date stamped received by the Local Planning Authority 06/04/2012)
  - Associated Architects Drawing No: 3185 AA-AL(0)006 (date stamped received by the Local Planning Authority 06/04/2012)
- R. For the avoidance of doubt and in the interests of proper planning.
4. No noise generating plant including mechanical ventilation or refrigeration/air conditioning plant shall be installed in any part of the development until full and precise details have been submitted to and approved in writing by the Local Planning Authority. The details shall include a BS4142:1997 noise assessment and 1/3 octave frequency analysis with appropriate corrections for acoustic features and shall detail any mitigation measures, physical or operational to safeguard amenity. Thereafter the system shall be operated and maintained in full accordance with the approved details.
- R. To protect the amenity of adjacent residential occupiers in accordance with policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan (1996-2011).
5. In the event that contamination is found or is suspected to be present, at the site when carrying out the approved development then development shall be halted (unless otherwise agreed in writing with the Local Planning Authority), and it must be reported in writing to the Local planning authority. An investigation and risk assessment must be undertaken, in accordance with the requirements of BS10175 (2001) – Investigation Of Potentially Contaminated Sites Code of Practice, BS485 (2007) Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments, and CLR 11 Model Procedures For The Management Of Land Contamination, issued by The Environment Agency, and any remedial proposals submitted and agreed in writing prior to the recommencement of the development.

Prior to commencement of the proposed use of the site written confirmation that no contamination was found or suspected or if remedial actions were required independent validation that proposed remedial measures have been carried out in accordance with the agreed scheme. The validation report shall contain:

- (i) A full description of the works undertaken in accordance with the Remediation Proposals.



- (ii) Results of any additional monitoring or testing carried out between the submission of the Remediation Proposals and the completion of remediation works.
- (iii) Movement permits of all materials taken to and from the site
- (iv) A statement signed by the developer or the approved agent, confirming that all the works specified in the Remediation Proposals have been completed.

R To ensure the safety of construction worker and the future occupiers of the premises in accordance with policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan (1996-2011).

6. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development a suitable methodology for testing this material should be submitted to the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency testing schedules criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

R. To ensure the safety of construction worker and the future occupiers of the premises in accordance with policy D2 of the Staffordshire and Stoke-on-Trent Structure Plan (1996-2011).

Note to applicant

1. In pursuance of condition 6 above further information regarding the requirements of Newcastle under Lyme Borough Council can be obtained from <http://www.newcastle-staffs.gov.uk/general.asp?id=SXC118-A7804E47&cat=562> or 01782 742 595

2. You are advised that should any non virgin materials be brought onto site as part of the development e.g. construction and demolition arisings, road planings, recovered aggregates, or, should there be a need to dispose of materials on site for example by burying or burning that an exemption from a requirement to hold an Environmental Permit may be required from the Environment Agency. In certain cases an application for an Environmental Permit may be required.

Further details can be obtained from the Environment Agency:

Web: <http://www.environment-agency.gov.uk/>

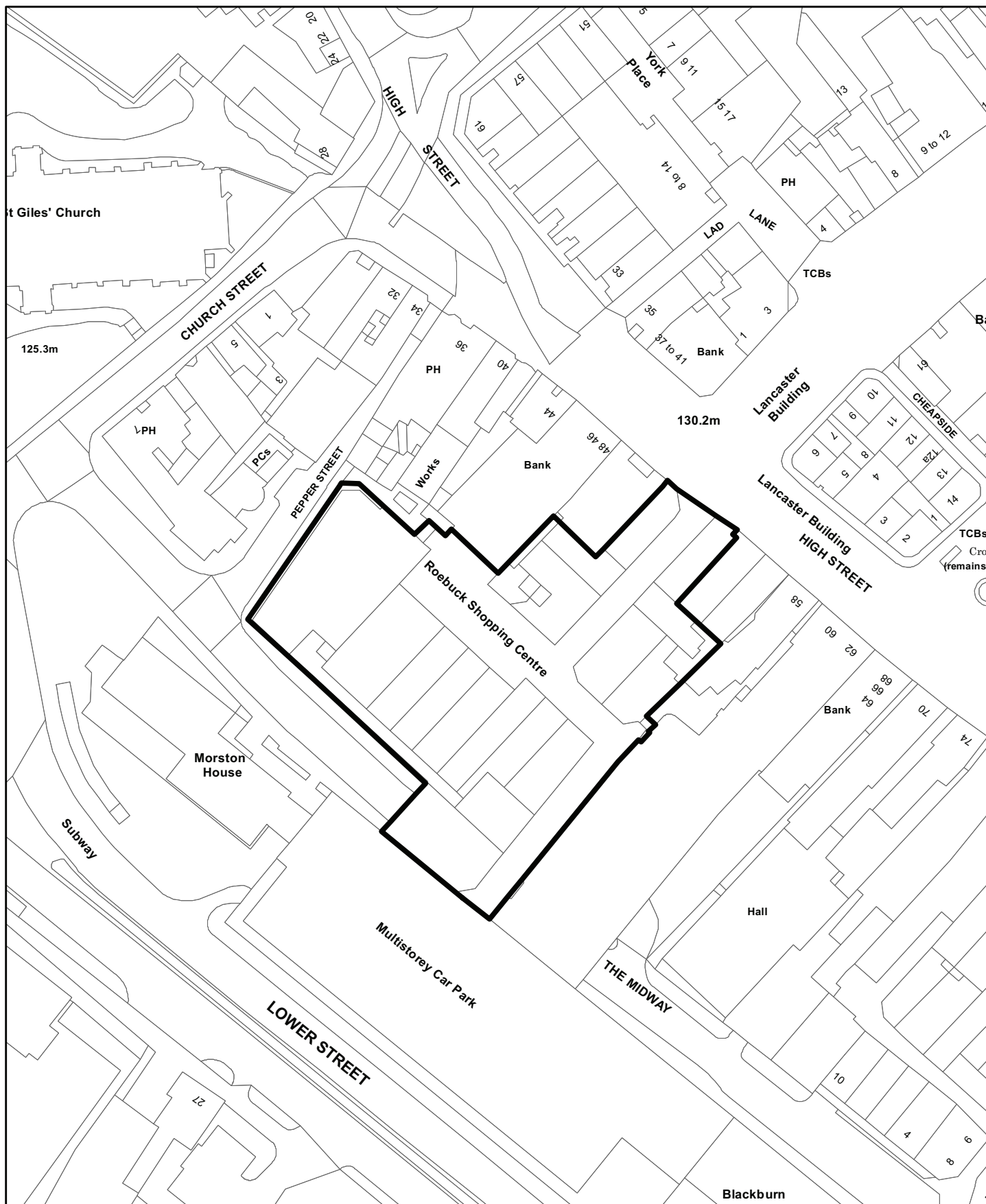
Enquiries: 08708 506506

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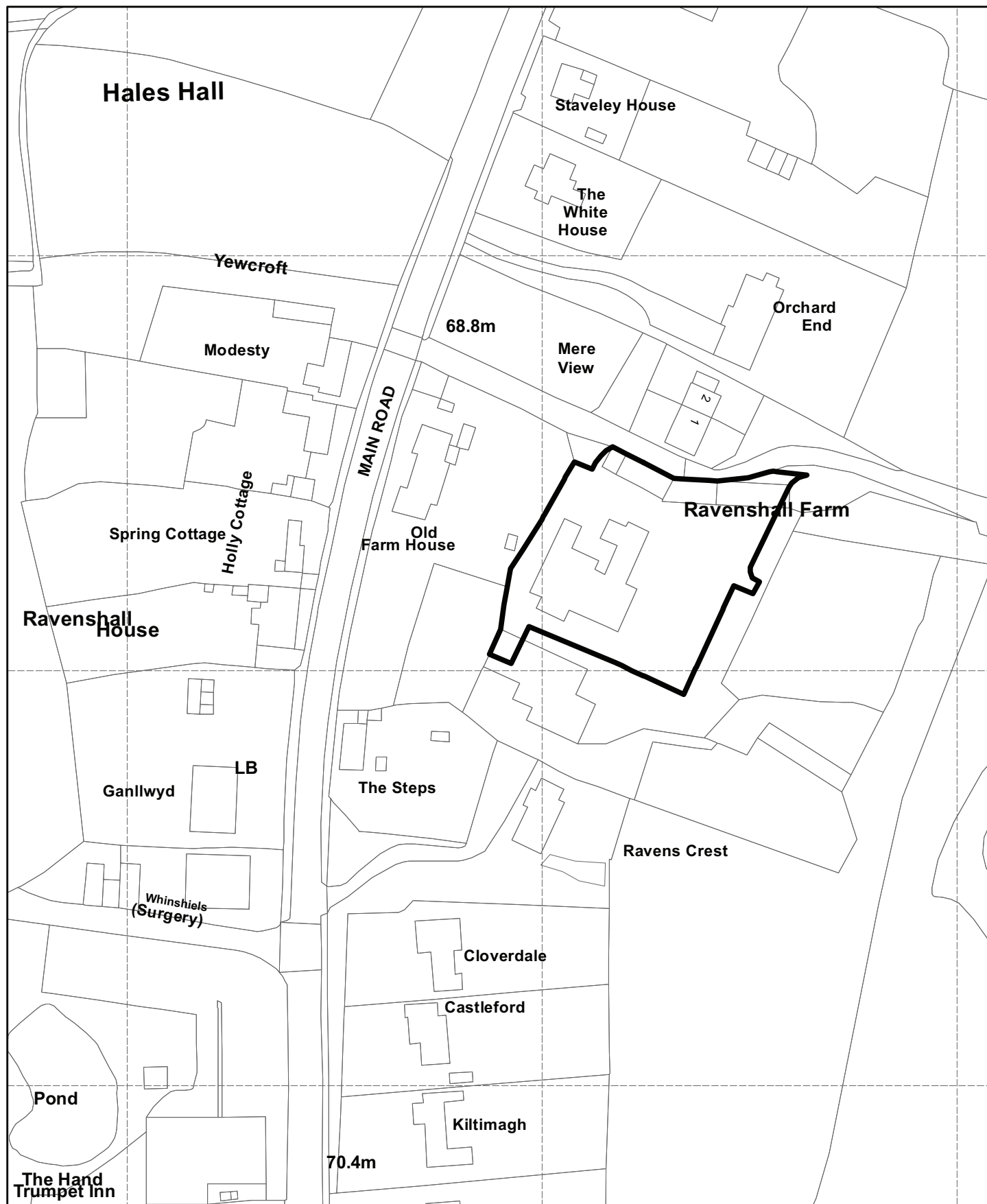
**CONSERVATION ADVISORY WORKING PARTY**

<b>Reference</b>	<b>Location and Applicant</b>	<b>Development</b>	<b>Remarks</b>	<b>Ward Councillors</b>
12/114/ADV	Roebuck Centre, High Street, Newcastle Ravenhill Estates (No.3) Ltd	Two advertisement banners on the front elevation	Within Newcastle Town Centre Conservation Area and is adjacent to Grade II listed buildings	Cllr Mrs E Shenton Cllr M Taylor
12/251/FUL	1 Ravenshall Barns, Main Road, Betley Mr D Siwoku	Erection of a detached double garage	Within the curtilage of a listed building	Cllr D Becket Cllr A Wemyss
12/308/FUL	Arrice Moss Lane Madeley Mr S Foster	Single storey rear/side extension and loft conversion	within the Madeley Conservation Area	Cllr B Welsh Cllr S White
12/315/ADV	Keele University, Keele, Newcastle Keele University Estates and Development Directorate	Various advertisement signs	within Keele Hall and Keele Conservation Areas and affects the settings of listed buildings	Cllr T Kearon Cllr R Studd

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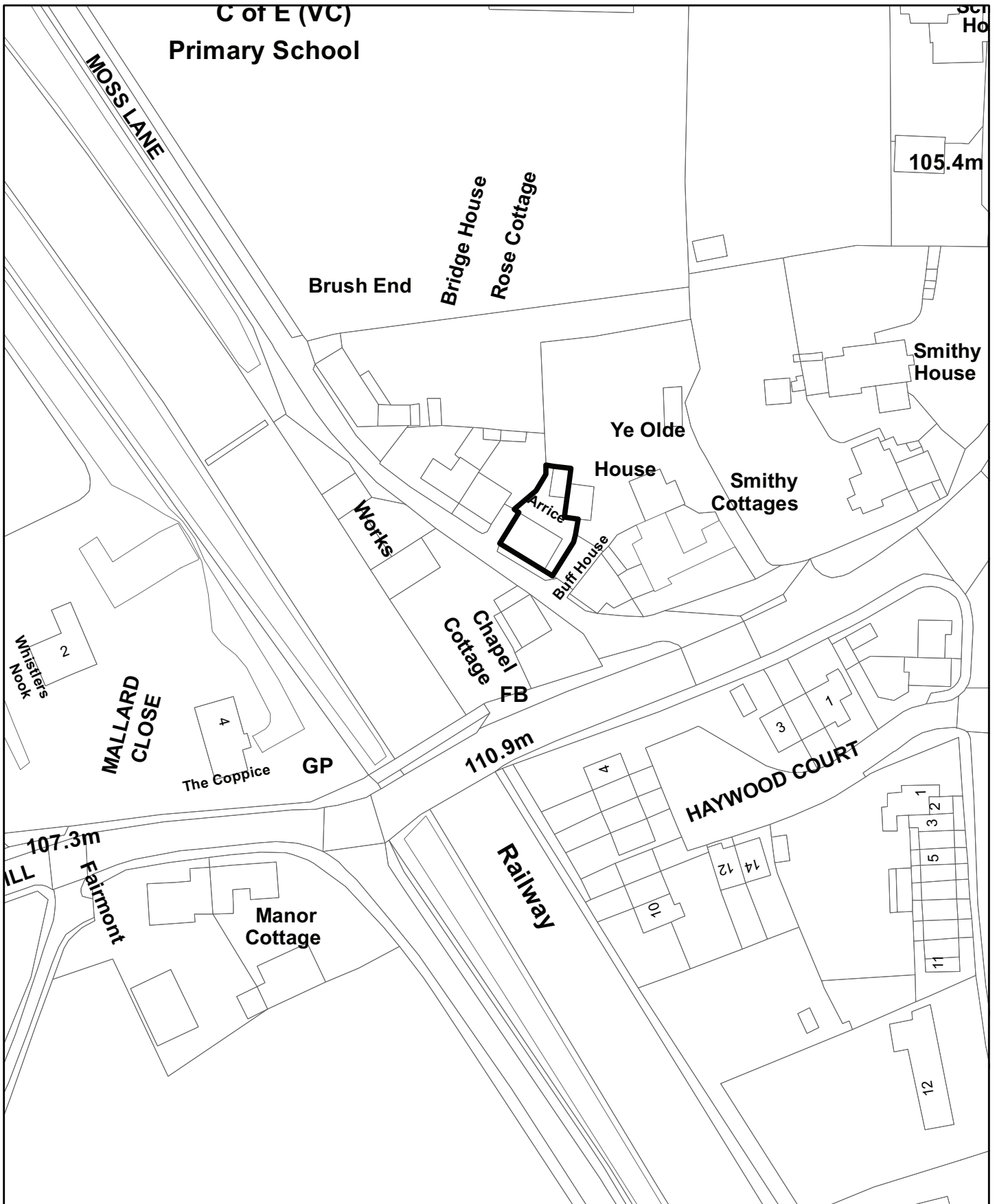


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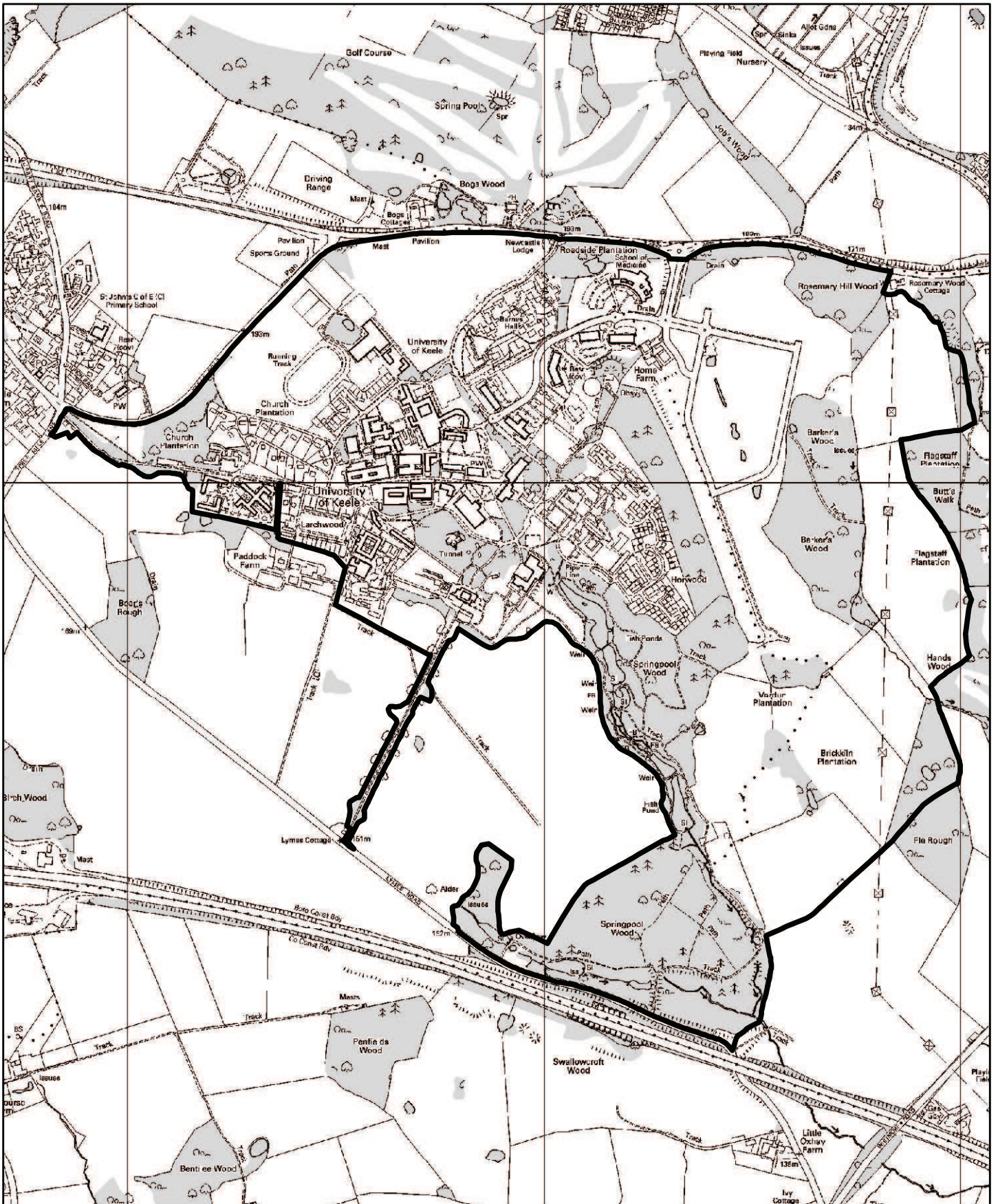
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# 12/315/ADV Keele University, Various advertisement signs within Keele campus



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