

# Public Document Pack

**Date of meeting**      **Wednesday, 29th August, 2012**

**Time**                      **7.00 pm**

**Venue**                      **Committee Room 1. Civic Offices, Merrial Street,  
Newcastle-under-Lyme, Staffs ST5 2AG**

**Contact**                      **Julia Cleary 01782 742227**

## **Conservation Advisory Working Party**

### **AGENDA**

#### **PART 1- OPEN AGENDA**

- 1      Apologies**
- 2      DECLARATIONS OF INTEREST**  
To receive Declarations of Interest from Members on items included in this agenda
- 3      MINUTES OF PREVIOUS MEETINGS** **(Pages 1 - 4)**  
To agree as a correct record, the minutes of the meeting held on 17 July 2012.
- 4      APPLICATIONS CONSIDERED BY THE CHAIR IN  
CONSULTATION WITH THE WORKING PARTY**  
The Chair in consultation with the Working Party has considered the following planning applications and has no objections to either proposal.  
  
12/00389/FUL & 12/00391/LBC  
12/00418/FUL
- 5      PREVIOUSLY CONSIDERED APPLICATIONS** **(Pages 5 - 50)**  
To receive the decisions on applications which have previously been considered by this Working Party.
- 6      NEW APPLICATIONS RECEIVED** **(Pages 51 - 52)**  
To make observations on new applications received.
- 7      URGENT BUSINESS**  
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972.

**Members:** Councillors Allport, Mrs Burnett (Chair), Miss Cooper (Vice-Chair), Robinson and White

**'Members of the Council: If you identify any personal training / development requirements from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting'**

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

**CONSERVATION ADVISORY WORKING PARTY**

**Tuesday 17 July 2012**

**Present:-** Councillor Mrs G Burnett – in the Chair

Councillors Allport, Miss Cooper and Robinson

Representing Outside Bodies Mr L Chatterton – Newcastle Civic Society  
Mrs C Henshaw – Staffordshire Historic Buildings  
Mr R Bettley-Smith – Betley, Balterley & Wrinehill Parish Council  
Mr S Daly - Betley, Balterley & Wrinehill Parish Council

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor White and Mr J Worgan (Newcastle Civic Society).

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF PREVIOUS MEETINGS**

**Resolved:-** That the minutes of the previous meeting held on 26 June 2012 be agreed as a correct record.

**4. PREVIOUSLY CONSIDERED APPLICATIONS**

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

**5. NEW APPLICATIONS RECEIVED**

**Resolved:-** 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>   |
|---------------|--|---|
| 12/00237/LBC  | 12a Lancaster Buildings, High Street, Newcastle.<br>Mr M Parkes.<br>New shop fascia signage.       | No objections provided the lettering is standalone and not placed upon a fascia board.      |
| 12/00312/FUL  | Students Unions, Keele University.<br>University of Keele.<br>Students Unions façade improvements. | No objections and that the development would be an improvement upon the existing situation. |

**Conservation Advisory – 17/07/12**

|              |  |  |
|--------------|--|--|
| 12/00338/FUL | Land opposite 1 Church Villas,<br>The Butts, Church Lane, Betley.<br>P Robinson.<br>Erection of detached building. | No objections and that the development would be an improvement upon the scheme granted consent under reference 10/00435/FUL, particularly in terms of views from the south.  |
| 12/00344/FUL | Whitegates, Main Road, Betley.<br>Mr A Lees.<br>Retention of detached garage.                                      | No objections.   |
| 12/00345/FUL | Daisy House, New Road,<br>Wrinehill.<br>Mr David Speakman.<br>Replacement of boundary fence with wall.             | No objections and that the development would be an improvement upon the existing situation in terms of its impact upon the setting of the Listed Summer House.   |
| 12/00362/AGR | The Old Hall Farm, Main Road,<br>Betley.<br>Mr J Burgess.<br>Extension to existing Dutch barn.                     | Strongly object on the grounds that the introduction of a modern agricultural building at this location would be harmful to:<br>(i) the setting of the adjacent Listed Buildings which are an important collection of heritage assets and a Model Farm of particular significance and rarity value.<br>(ii) The relationship between these buildings.<br>(iii) The local landscape.<br>(iv) The character and appearance of the Betley Conservation Area which this group of buildings make a significant contribution to. |
| 12/00335/FUL | New Trees, Main Road, Betley.<br>Dr H Dobson.<br>Retention of a workshop and garage.                               | No objections.   |

6. **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANTS) FROM THE CONSERVATION AND HERITAGE FUND. THE OLD SCHOOL, CONGLETON ROAD, MOW COP**

**Resolved:-** That the Planning Committee be recommended to approve a grant of £245 for the Old School, Congleton Road, Mow Cop, subject to the appropriate standard conditions.

7. **65 LOWER STREET, (FORMER MAXIMS NIGHTCLUB), NEWCASTLE**

**Resolved:-** (a) That the Planning Committee agrees to the Historic Buildings Grant Fund being used to support the cost of preparing a schedule of work to form the basis of an Urgent Works Notice if required.

(b) That the Planning Committee agrees to the Council offering a grant to the owner of 65 Lower Street of 20% or up to £10,000 (whichever is the lesser) towards the cost of urgent works at the property on the production of two competitive quotes in accordance with the normal terms and conditions of the Historic Buildings Grant Fund.

8. **MADELEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENT**

**Resolved:-** That the Planning Committee commend the Madeley Conservation Area Appraisal and Management Plan Supplementary Planning Document as now amended.

**MRS G BURNETT  
Chair**

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**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  |
|--------------|---|---|---|--|
| 12/00114/ADV | Roebuck Centre, High Street, Newcastle<br>Ravenhill Estates Ltd | Two advertisement banners on the front elevation      | No objections   | Permitted 20 <sup>th</sup> July 2012                           |
| 12/00251/FUL | 1 Ravenshall Barns, Main Road, Betley<br>Mr D Siwoku            | Erection of a detached double garage                  | No objections   | Withdrawn 19 <sup>th</sup> July 2012                           |
| 12/00308/FUL | Arrice Moss Lane, Madeley<br>Mr S Foster                        | Single storey rear/side extension and loft conversion | No objections   | Permitted under delegated powers on 20 <sup>th</sup> July 2012 |
| 12/00315/ADV | Keele University  | Various advertisement signs                           | The Working Party has no objections in principle to the consolidation of the signs at Keele but feel that the proposals are not consistent and lack the continuity of design that is proposed particularly in relation to the signs on the buildings. There are also too many signs and would question if they are all required especially given many people are on foot or not new to the campus. They harm the visual amenity of the University Campus and do not provide a sense of quality in the approach. | Consent granted 23 July 2012                                   |

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| 12/00233/FUL<br>12/00234/LBC | The Old Dairy, Hills Barns,<br>Berrisford Road, Peatswood,<br>Mr Allan | Retention of 14 photovoltaic<br>solar panels to south facing<br>roof.                                | No objections  | Consent granted under<br>delegated powers 11 <sup>th</sup> July              |
| 12/00230/FUL                 | Garden Cottage, Pinfold<br>Lane, Hales<br>Mr R Hall                    | Erection of detached double<br>garage, log store and minor<br>extension to residential<br>cartilage. | No objections  | Permission granted under<br>delegated powers 23 <sup>rd</sup> July<br>2012   |
| 12/00312/FUL                 | Students Union, Keele<br>University                                    | Students Union signage<br>improvements   | No objections and that the<br>development would be an<br>improvement upon the existing<br>situation  | Permission granted 9 <sup>th</sup><br>August 2012                            |
| 12/00345/FUL                 | Daisy House, New Road,<br>Wrinehill<br>Mr Speakman                     | Replacement of boundary<br>fence with wall   | No objections and that the<br>development would be an<br>improvement upon the existing<br>situation in terms of its impact upon the<br>setting of the Listed Summer House. | Permission granted under<br>delegated powers 10 <sup>th</sup><br>August 2012 |



## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Ravenhill Estates (No.3) Ltd                      **Application No** 12/00114/ADV

**Location**                      Roebuck Centre, High Street, Newcastle

**Description**                      Two advertisement banners on the front elevation

### **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**

N/A

### **Other Material Considerations:**

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

National Planning Policy Framework (March 2012)

Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

#### **Supplementary Planning Guidance**

Staffordshire County Council – Highways Standing Advice 2004

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

#### **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 directly related to this permission.

### **Views of Consultees**

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

The **Conservation Officer** has provided the following comments,  
“This application is within the Town Centre Conservation Area. Following the numerous discussions on how to present and advertise the centre more successfully, the application is the most sensitive we have looked at. It is fairly simple and it does not entertain projecting banner signs any more and it is not illuminated. Providing the sign is not going to be fluorescent I have no objections”

### **Representations**

None received

### **Applicants/agents submission**

The requisite application forms and drawings were submitted.

### **Key Issues**

This application is for advertisement consent for two banner signs to the front of the shopping centre located within Newcastle town centre which is designated as a Conservation Area as indicated on the Local Development Framework Proposals Map.

The recently published National Planning Policy Framework now replaces the old PPG 19 which provided guidance on the display of outdoor advertisements. The NPPF still provides guidance on outdoor advertisements and details in paragraph 67 that,

“Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

The main issues to address are therefore:

- The impact of the sign on the amenity of the site it relates to and the surrounding 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 property is a shopping centre which occupies a prominent position at the junction of High Street and Ironmarket in the Newcastle Conservation Area.

The two banner signs that have been submitted are following detailed advice from the Borough Council Conservation Officer. The design of these banners, that wrap around two of the existing columns with a mesh material and respectful colour scheme, are felt to highlight the shopping centre's presence within the town centre without appearing dominant or incongruous in this part of the Conservation Area.

No specific detail on the type of colour to be used in the sign has been provided by the agent however they have specified verbally that they envisage it to be modest blue as indicated in the indicative illustration. The RAL colour chart has been examined and several blues that would be acceptable to the local authority have been identified. The consent would be conditioned on this basis. The agent has confirmed verbally his agreement to this to reduce the need for the discharge of a condition.

In terms of the mesh material to be utilised this appears to be a standard specification and therefore it is not felt that the appearance of this needs to be conditioned. The mesh material is often utilised as hoardings around buildings to reduce the wind load on the sign however in this instance it is felt that it will help soften the appearance of the sign with some of the column visible through the banner.

Based upon the above discussion and the inclusion of conditions it is felt that the proposed development would adhere with the principles of the NPPF.

#### The impact upon public and highway safety

Due to the proposed scale and location of the non-illuminated advertisements on a pedestrian area with limited vehicular movements, it is not felt that the advertisements would have an adverse impact upon public and highway safety.

#### Other Matters

Although no specific details have been provided on the other signs either side of the shopping centre name, these appear to meet the criteria for deemed consent as indicated by Class 5 of the Advertisement Regulations.

#### Recommendation

**Approve subject to the standard conditions plus the following additional conditions;**

- 1. The proposed banner sign shall be of a mesh pvc construction unless previously agreed in writing by the Local Planning Authority.**

**Reason: To protect the visual amenity of the area and respect the location of the site in the Conservation Area in compliance with policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 as well as the aims and objectives of the NPPF.**

- 2. The predominant colour of the banner signs hereby approved shall be in one of the following colours:  
RAL 5002, 5003, 5005, 5007, 5009, 5010 or 5017.  
unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To protect the visual amenity of the area and respect the location of the site in the Conservation Area in compliance with policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 as well as the aims and objectives of the NPPF.**

**Informative**

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

- Illustrative elevation drawing date stamped received by the Local Planning Authority on 2<sup>nd</sup> March 2012
- Elevation Proposals Drawing No. 286/PL01 date stamped received by the Local Planning Authority on 25<sup>th</sup> May 2012

| Performance Checks          | Date            |                      | Date           |
|-----------------------------|-----------------|----------------------|----------------|
| Consultee/Publicity Period  | <b>22/6/12</b>  | Decision Sent Out    |                |
| Case Officer Recommendation | <b>17/7/12</b>  | 8 Week Determination | <b>20/7/12</b> |
| Management check            | <b>19/7 ESM</b> |                      |                |

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr R Hall **Application No** 12/00230/FUL

**Location** Garden Cottage Pinfold Lane, Hales

**Description** Detached Double Garage, log store, formation of driveway and alterations to residential curtilage.

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

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

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 D4: Managing Change in Rural Areas

Policy NC18: Listed Buildings

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

Policy CSP1: Design Quality

Policy CSP 2: Historic Environment

Policy ASP6: Rural Area Spatial Policy

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

Policy B5: Control of Development affecting the Setting of a Listed Building

Policy N18: Area of Active Landscape Conservation

Policy H18: Design of Residential Extensions

### **Other Material Considerations**

#### **National Planning Policy Framework (March 2012)**

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

Pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan.

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

Space about Dwellings (July 2004)

### **Planning History**

11/00116/FUL Permit - Conversion of existing adjacent building and single storey extensions including link building.

11/00119/LBC Granted – Listed Building consent for the Conversion of existing adjacent building and single storey extensions including link building.

### **Views of Consultees**

**Loggerheads Parish Council** – No objections

**Conservation Officer** – advises the application for the garage on the site and the formalised nature of the driveway is regrettable. The appearance of the former barn is now fairly domestic and whilst some of this is expected given the new use, I am disappointed that the front of the barn and extension no longer has a soft edge but a large expanse of gravel and paving.

She requests more details for the stone retaining wall – i.e. is it to be mortared in, dry stone and regular coursing etc and suggests the existing hedge perhaps should be continued behind the proposed garage and the planting in front of the barn could be extended to the edge of the services area.

**Conservation Advisory Working Party** – No objections

### **Representations**

None Received

### **Applicants/agents submission**

A Design and Access statement as been submitted with the application.

### **Key Issues**

This is an application for full planning permission for the erection of detached double garage, log store, formation of new driveway and alterations to residential curtilage.

The application site relates to a recent conversion and extension of a building into Garden Cottage.

Garden Cottage is a curtilage listed building to the adjacent Hales Hall and Stable Block.

The conversion has been carried out and is ready for occupation. The site is within Area of Active Landscape Conservation as defined by the Local Development Framework proposal map.

The main considerations with this proposal are:-

- Impact on the character of the listed building
- Design of the proposal
- Acceptability of the alteration to the domestic curtilage boundary.
- Impact on the Landscape quality of the area
- Residential Amenity

### Impact on the character of the Grade II Listed Building.

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

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

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

Given the rustic, and sympathetic, design of the proposed garage building, the formation of a gravel driveway and the alteration to the domestic curtilage, it is considered that the proposed development would not harm the character of the building, in accordance with policy B6 of the Local Plan.

### Design

Paragraph 56 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

Policy D2 “Design and Environmental Quality of Development” of the Structure Plan states that the design of development should be informed by, or sympathetic to the character and qualities of its surroundings in its location, scale and design.

Part 12 of the National Planning Policy Framework “Conserving and Enhancing the Historic Environment” states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness

The garage and combined log store is sited at the side of the existing cottage. The detached building is of a hipped roof construction with timber posts and timber board cladding on two of its elevations under a clay tile tiled roof. Its footprint would be approximately 6 metres by 6.9 metres and an overall height of approximately 4.15 metres. The front of the building would be open.

The design of the building would have a rustic rural feel and there are no obvious similar design in the area it is considered the buildings design is acceptable in this rural location.

### Alterations to the domestic curtilage

To accommodate the proposed garage building the domestic curtilage to the property needs to be amended, the siting of the garage is required in this location due to the specific needs of the applicant.

The proposal is to move its boundary out by the location of the proposed garage and pull in the boundary to the east so that the boundary follows the line of the existing drive/access from the highway. The adjacent land, between the site and the public highway appears to have a paddock/orchard use. The formation of the drive entails the cutting out of some of the land and this would be bounded by a sandstone wall and retaining wall.

Given the land in question is not readily seen from the public highway due to the intervening paddock/orchard use it is considered this part of the proposal would be acceptable in visual terms.

The alteration to the domestic curtilage are considered to be acceptable given there would be no significant net increase to the area of the curtilage.

#### Impact on the Landscape quality of the area

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

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

#### Residential Amenity

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

#### Reasons for the grant of planning permission

It is considered that the proposal does not have any detrimental impact on the character or appearance of this Grade II Listed Building. The proposal complies with the relevant policies in the development plan indicated in the decision notice and there are no other material considerations which would justify refusal of planning permission in this case. The proposal complies with Policies CSP1 and CSP2 of Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 Policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011; Policies B5 and N18 of the Newcastle Under Lyme Local Plan 2011 and aims and objectives of the National Planning Policy Framework.

#### Recommendation

**Permit** subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.



R1. To comply with the provisions of Section 91 of the Town and Country Planning Act.

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

Architectural and Associated Services drawing no. 1118-18A  
Architectural and Associated Services drawing no. 1208- 01D  
1:1250 Location Plan "HALES LOC PLAN APRIL 2012"  
1:1250 Location Plan "Extent of original curtilage"

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

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

- a. Finishing colour/stain of the timber boarding cladding to the proposed garage.
- b. Proposed roof tiles
- c. The method of construction of the proposed sandstone wall/retaining wall to new driveway.

The development shall be undertaken in accordance with the approved details.

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

4. Notwithstanding the submitted details, the existing hedge on the western boundary shall be extended to the corner where the proposed sandstone wall commences. The hedge shall be a native mix of hedging plants and shall be planted in the first available planting season (October to March). Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

R4 To safeguard the visual amenity of the area in accordance with the requirements of, policy D2 of Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026 and Policies B5 and N18 of the Newcastle-under-Lyme Local Plan 2011

#### **Notes to applicant**

1. You are reminded of the requirement to comply with the conditions attached to this permission.

| Performance Checks          | Date               |                      | Date              |
|-----------------------------|--------------------|----------------------|-------------------|
| Consultee/ Publicity Period | <b>29.06.2012</b>  | Decision Sent Out    |                   |
| Case Officer Recommendation | <b>04.07.2012</b>  | 8 Week Determination | <b>27.06.2012</b> |
| Management check            | <b>12/7/12 ESM</b> |                      |                   |

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr. Oliver Allan      **Application No** 12/00233/FUL & 12/00234/LBC

**Location** The Old Dairy, The Hills Farm, Peatswood, Market Drayton

**Description** Retention of 14 Photovoltaic Solar Panels to Existing South Facing Roof

### **Policies and Proposals in the approved development plan relevant to the decision on the application for Listed Building Consent :-**

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

Policy NC18: Listed Buildings

#### **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

### **Policies and Proposals in the approved development plan relevant to the decision on the planning application**

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

Policy QE1: Conserving and Enhancing the Environment

Policy QE3: Creating a high quality built environment for all

Policy QE6: The Conservation, Enhancement and Restoration of the Region's Landscape

Policy EN1: Energy Generation

#### **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 D7: Conserving Energy and Water

Policy NC1: Protection of the countryside - General Considerations

Policy NC2: Landscape Protection and Restoration

Policy NC18: Listed Buildings

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

Policy ASP6: Rural Area Spatial Policy

Policy CSP1: Design Quality

Policy CSP2: Historic Environment

Policy CSP3: Sustainability and Climate Change

## 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: Area of Active Landscape Conservation

### **Other Material Considerations**

National Planning Policy Framework (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.

### **Relevant Planning History**

04/01222/FUL      Change of use of farm buildings to 3 residential units      Permit

04/01225/LBC      Conversion of farm buildings into 3 residential units and demolition  
of metal clad agricultural building      Permit

### **Views of Consultees**

**Conservation Advisory Working Party (CAWP)** raises no objections to both applications

The **Conservation Officer** has provided comments on both applications. She details that pre application advice was sought before the solar panels were installed on the roof. She details that the means of fixing ensures that the panels are removable without damaging the materials and so the panels do not harm the significance of the listed barns and any visual harm is outweighed by the benefits to sustainable energy conservation, in line with the NPPF. However, she does recommend a condition that once the panels become obsolete they should be removed and this requirement should be secured via a condition of any approval.

**Loggerheads Parish Council** raises no objections to both applications

**Environmental Health Division** raises no objections

### **Representations**

None received

### **Applicants/agents submission**

A Design and Access Statement, Heritage Asset Statement, Photograph of completed work, plans and solar panel product details have been submitted to support the application.

All of the documents are available to view at the Guildhall and on [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

### **Key Issues**

Planning permission and listed building consent is sought for the retention of 14 photovoltaic solar panels on the roof of the converted barns which are Grade II listed. The barns are located within the open countryside which is designated as an Area of Active Landscape Conservation, as indicated on the Local Development Framework Proposals Map.

It is considered that the key issues in the determination of the listed building consent are:-

- The design and impact of the development on the special character and appearance of this building and the setting of other adjacent listed buildings?

The key issues relevant to the determination of the planning application are:-

- The design and impact of the development on the special character and appearance of this building and the setting of other adjacent listed buildings?
- The impact on the character and quality of the landscape

### **The design and impact of the development on the special character and appearance of grade II listed buildings?**

Paragraph 132 of the recently 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. The more important the asset the greater the weight should be and any harm or loss should require clear and convincing justification.

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 barns are grade II listed with other neighbouring buildings that previously formed part a farm also being grade II listed.

As discussed, the solar panels have already been installed onto the south facing roof pitch. The panels have a black appearance and measure 13.9 metres in length with a height of 1.3 metres.

The applicant has detailed that the design and style of panels have been chosen because of their discreet appearance on both the building and the surrounding landscape. It is also detailed that the 100% black panels have a higher efficiency which means that the total area covered on the roof is much less than older PV panels.

In terms of the energy efficiency of the development the NPPF details in paragraph 98 that even small scale projects provide a valuable contribution to cutting green

house gas emissions and LPA's should not require applicants to demonstrate the overall need for renewable and low carbon energy.

The installation of the solar panels has been done sympathetically, thus not resulting in significant alterations to the existing roof structure or materials. The design, size and location of the panels are also considered acceptable and whilst they are clearly visible from the main access point to the cluster of listed buildings they are not visible from the other buildings and so any impact on the setting of the other buildings is marginal.

It is also considered that any marginal harm to the special character and appearance of the building is outweighed by the renewable energy benefits the development achieves. The sympathetic fixing results in the development being easily reversible should the panels be no longer required. It is considered that this should be secured via condition due to the listed status of the building.

In consideration of the above the view is that the development, as carried out, complies with the guidance of the NPPF and policies of the development plan.

#### The impact on the character and quality of the landscape

The barn buildings are located within the open countryside which is designated as an area of active landscape conservation. The barn forms an attractive cluster of brick farm buildings that have been sympathetically converted into residential dwellings. These contribute to an attractive rural landscape.

Policy N18 of the local plan details that within these areas consideration will be given to the siting, design, scale materials and landscaping of all development to ensure that it is appropriate to the character of the area with the emphasis being on conserving the high quality and distinctive character of the landscape.

In this instance the panels have been sited on the south facing elevation and so cannot be seen from the north or west. The land slopes up to the south with heavy tree coverage and so the panels cannot be seen from any main public vantage points. The black colouring and modest size also means that they represent a high standard of design that conserve the quality of the landscape. The proposal therefore complies with policy N18 of the local plan.

#### **Reason for the grant of listed building consent**

It is considered that the solar panels due to their design, size, location and method of fixing do not harm the architectural or historic features of this Grade II Listed Building, and accordingly the proposal complies with policies B5 and B6 of the Newcastle-Under-Lyme Local Plan 2011 indicated in the decision notice and national guidance on works to listed buildings. The Local Planning Authority has therefore exercised its duty of preserving the setting and features of special architectural or historic interest which it possesses, as detailed in section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

The solar panels as erected are not considered to harm the architectural or historic features of this Grade II Listed Building or the setting of neighbouring listed buildings due to their design, size, location and method of fixing with any marginal harm being outweighed by the renewable energy benefits they result in. The development also

conserves the high quality and distinctive rural landscape and does not harm the visual amenity of the area in general. The development therefore accords with the requirements and guidance of the NPPF and Policies D2, NC1, NC2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policies CSP1, CSP2 and CSP 3 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, and policies B5, B6, N17 & N18 of the Newcastle under Lyme Local Plan 2011.

**Recommendation**

12/00234/LBC

Permit subject to the following condition:

1. Should the solar panels become obsolete or non operational for a continuous period of 6 months then, unless otherwise agreed in writing by the Local Planning Authority, a programme for the removal of the panels and any other ancillary equipment shall be submitted to and agreed in writing by the Planning Authority within 3 months of the end of the cessation period. The programme shall be carried out within 3 months of the date of its agreement by the Local Planning Authority.

Reason: To safeguard the architectural and historic integrity of the listed structure in accordance with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy 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.

12/00233/FUL

**Permit** subject to the following condition:

1. Should the solar panels become obsolete or non operational for a continuous period of 6 months then, unless otherwise agreed in writing by the Local Planning Authority, a programme for the removal of the panels and any other ancillary equipment shall be submitted to and agreed in writing by the Planning Authority within 3 months of the end of the cessation period. The programme shall be carried out within 3 months of the date of its agreement by the Local Planning Authority.

Reason: To safeguard the architectural and historic integrity of the listed structure in accordance with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy 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.

**Notes to applicant**

1. You are reminded of the requirement to comply with the conditions attached to this permission.

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

|                                |           |                   |                      |                   |
|--------------------------------|-----------|-------------------|----------------------|-------------------|
| Consultee/<br>Period           | Publicity | <b>15.06.2012</b> | Decision Sent Out    |                   |
| Case Officer<br>Recommendation |           | <b>09.07.2012</b> | 8 Week Determination | <b>12.07.2012</b> |
| Management check               |           | <b>11/7 ESM</b>   |                      |                   |



## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr S Foster

**Application No** 12/00308/FUL

**Location** Arrice, Moss Lane, Madeley

**Description** Single Storey Rear/Side Extension and loft conversion

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

#### West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment for all

#### Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

NC19: Conservation Areas

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

CSP1 Design Quality

#### Newcastle Under Lyme Local Plan 2011

Policy H18: Design of Residential Extensions, where subject to planning control

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:

National Planning Policy Framework (March 2012)

#### Supplementary Planning Guidance

Space Around Dwellings (July 2004)

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

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

#### 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.

### **Planning History**

None relevant to this application however it is clear that a previous side extension or part of the original property has been recently removed.

### **Views of Consultees**

**Madeley Parish Council** have no objections to the application and have provided the following response,

“It is noted that the development relates to a property within the Conservation Area but it is believed that the alterations provide a substantial improvement to the property without detracting from the character of the locality. The area in front of the new laundry should provide parking off the very narrow road, it appears for two vehicles and removing a potential highway obstruction is regarded as a valuable road safety feature.

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

The **Borough Council Conservation Officer** has provided the following comments on the application,

“The application affects a historic cottage by the railway in Madeley Conservation Area. The proposal for single storey extensions is unlikely to be very visible, it has a pitched roof and will not harm the character of the Conservation Area. The plans are not very clear and I would like to condition that the gable verge of the extension matches the existing house, with a simple edge and heavy modern barge boards are not used. The eaves details they refer to again should match the existing front elevation”

### **Representations**

The occupiers of 12 neighbouring properties have been notified with no letters of representations received.

### **Key Issues**

The application is for a single storey side/rear single storey extension that would wrap around the existing property. The extension would extend the whole width of the property at the rear with a depth of 2.25m whilst the side extension would measure 4.5m in length projecting 1.9m beyond the rear elevation of the property. The maximum ridge height of the proposed extensions would be 4m with the rear extension having a single pitched roof and the side extension a traditional dual pitched roof. The eaves height would be 2.5m. Due to the nature of the narrow road on which this property is located, it is highly unlikely that on street parking could occur without causing obstruction to the public highway. The property is located within the village envelope of Madeley with the site also falling within Madeley Conservation Area as detailed on the Local Development Framework Proposals Map.

Ordinarily an extension of this type would not require planning permission and could be developed under permitted development rights however due to the location of this property within a Conservation Area, the side extension requires planning permission.

As this is attached to the rear extension it would also mean that this element requires planning permission however it must be noted that the rear extension could be developed first under permitted development rights and then an application submitted for the side extension.

The loft conversion would not require planning permission and the installation of roof lights would be permitted development subject to them not protruding more than 150mm beyond the plane of the roof slope.

The key issue in the determination of the development is:

- The design of the proposals and the impact upon the visual amenity of the area taking into account its location within the Conservation Area
- The impact upon residential amenity

#### Design of the proposals and the impact upon the visual amenity of the surrounding area

Paragraph 56 of the NPPF puts great emphasis on design and details that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

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

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

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

Due to the scale and nature of the proposals and its location shielded from view from public vantage points it is felt that the proposal would not have an adverse impact upon the Conservation Area and the extensions and general refurbishments of the building would improve the character of the existing dilapidated property.

No precise details have been provided for the eaves detailing and gable verge and due to its location within the Conservation Area it is felt that these need to replicate those of the existing dwelling. As such a condition would be included specifying that these details match.

The existing windows have been taken out and the applicant has specified that these would be replaced with PVC. Although this is not ideal, the Local Planning Authority have no control over this as there is not an Article 4 direction covering this area. An informative however will be included requesting that the owner consider the use of wooden windows from an aesthetic point of view.

The proposed skylights would not require planning permission so long as they don't protrude beyond 150mm beyond the plane of the roof and a condition would be included as part of this permission reflecting this permitted development allowance.

The materials are shown to match those on the existing building (brick and cement render) and to ensure this is the case a condition would be attached. This would ensure that the extension assimilates with the existing property.

The development therefore accords with the requirements and guidance of the NPPF, whilst also being in accordance with Policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policy D1, D2 and NC19 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.

#### The impact upon residential amenity

Due to the relatively tight nature of the application site and the close proximity of surrounding buildings, an assessment of the potential impact upon the residential amenity of neighbouring occupiers and future occupiers of this property needs to be considered.

To the West of the application site, the property (Rose Cottage) appears to have a large window facing towards the proposal however taking into account the following factors;

- The presence of a second large window/opening that opens into a conservatory for this room
- The slightly angled relationship between the properties and the slight difference in levels with Rose Cottage marginally higher
- The modest scale of the proposal and the location of the window taking into account views over the lower part of the pitched roof nearest the eaves rather than the ridge

it is not felt that the extensions would adversely impact upon the residential amenity of this property in relation to outlook or overshadowing.

To the North of the application site, the property (Ye Olde House) has an outbuilding built up to the boundary which appears to be used for ancillary residential purposes and which has windows in the elevation facing the application site. The application is not felt to raise any significant adverse impact upon this building due to the angled relationship of the property and its ancillary nature to the main dwelling house on the plot. In addition to the conclusions outlined above with regards to amenity, it must also be noted as discussed above that there is a fallback position available to the applicant with regards to the rear extension and therefore no purpose would be served by refusing on these grounds in this particular instance.

To the East of the application site, the property (Buff House) would not be adversely impacted upon by the proposals due to the position of the developments in relation to what appears to be its nearest habitable room window also taking into account the fallback position available to the applicant with the regards to the rear extension element of the proposal.

The proposal therefore adheres with guidance contained within Space around Dwellings in this regard.

#### Other Matters

Due to the tight nature of the plot only one definitive car parking space would be available at the property should the extensions be approved and implemented however in this particular instance it is felt that this would be acceptable in this regard due to the following reasoning.

The property has two bedrooms and although in reality the loft conversion could provide a further bedroom, due to the height constraints within this room, it is unlikely to be used for this purpose and if so it is likely to be for a child. As such one space is felt to be sufficient for a two bedroom property. It must also be noted that until recently no car parking spaces were available at this property due to the previous extension/part of the building that was present. Any future occupier would be well aware of any parking constraints at this property and those with multiple car ownership would be unlikely to entertain residing in this premises.

In terms of waste storage bins and recyclable storage, this would still be possible at the rear due to an access to the other side of the property. This would meet the guidance specified within the Waste Management and Recycling Planning Practice Guidance Note.

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

Due to the modest scale and appearance of the development and its location shielded predominantly from view from public vantage points, it is not considered that the extension has an adverse or prominent impact upon the visual amenity of the Conservation Area and the overall refurbishments and extensions will benefit the existing dilapidated building. The development would also have no adverse impact upon the residential amenity of the neighbouring properties or adversely affect highway safety. The development therefore accords with the requirements and guidance of the NPPF, whilst also being in accordance with Policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2010, Policy D1, D2 and NC19 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.

### **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 and documents;

- Proposed amendment No.2 to Rear and Side Extension date stamped received by the Local Planning Authority on 29<sup>th</sup> May 2012.

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

3. The development hereby permitted shall be constructed using materials to match the existing property unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the character and quality of the Conservation Area in accordance with the aims and objectives of the NPPF.

4. The gable verge and eaves detailing on the proposed extensions shall match those of the existing property unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the character and quality of the Conservation Area in accordance with the aims and objectives of the NPPF.

5. The proposed skylights shall be of a 'Conservation' type specification and/or shall not protrude more than 150mm beyond the plane of the roof.

Reason: In the interests of visual amenity and to protect the character and quality of the Conservation Area in accordance with the aims and objectives of the NPPF.

### **Informative**

Although the Local Planning Authority has no control over the type of windows to be installed within the property, we would ask you to consider the use of wooden windows to preserve the character of the Conservation Area. Even windows facing the public realm would help to ensure the character is retained.

| Performance Checks     | Date                        |                      | Date           |
|------------------------|-----------------------------|----------------------|----------------|
| Consultee/<br>Period   | Publicity<br><b>29/6/12</b> | Decision Sent Out    |                |
| Case<br>Recommendation | Officer<br><b>19/7/12</b>   | 8 Week Determination | <b>24/7/12</b> |
| Management check       | <b>19/7 ESM</b>             |                      |                |

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr G Picken

**Application No** 12/00312/FUL

**Location** Student Union Building, Keele University

**Description** Façade Improvements at Student Union Building

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

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

Policy PA4 Development related to H/FE and Research Establishments and Incubator Units  
Policy QE1 Conserving and Enhancing the Environment  
Policy QE3 Creating a High Quality Built Environment for All  
Policy QE5: Protection and Enhancement of the historic environment  
Policy QE6: The Conservation, Enhancement and Restoration of the Region's Landscape

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

Policy D1: Sustainable Forms of Development  
Policy D2: The Design and Environmental Quality of Development  
Policy NC1: Protection of the Countryside: General Considerations  
Policy NC2: Landscape Protection and Restoration  
Policy NC17A: Historic Parks and Gardens: Protection

#### **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 E8 Keele University and Keele Science Park  
Policy N17 Landscape Character – General Considerations  
Policy N19 Areas of Landscape Maintenance

### **Other Material Considerations**

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

National Planning Policy Framework

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

Planning for Landscape Change – Supplementary Planning Guidance to the Structure Plan

#### **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

An application has previously been determined for façade improvements at the student union (11/520/FUL) which is in the process of implementation.

This current application deals with other elements of the student union frontage that were not originally included within the original scheme.

### Consultation responses

**Keele Parish Council** has no comments to make on the application.

**Environmental Health** have requested that the application is invalidated pending receipt and assessment of a suitable noise assessment for the plant to the rear of the building and further details regarding the nature of the equipment to be installed here and whether it will be a source of odours.

**Conservation Advisory Working Party** has no objections to the proposal and specify that the development would be an improvement upon the existing situation.

**Conservation Officer** has no objections to the proposals stating that it will be an improvement to the frontages.

**Garden History Society** has not responded within the statutory timeframe so it must be assumed that they have no comments to make.

### Representations

No representations received.

### Applicants/agents submission

The requisite planning and application forms were submitted. A design and access statement was also submitted.

### Key Issues

The application is for full planning permission for façade improvements to the student union building. The proposal involves façade improvements to the student building to improve its appearance in an area at the heart of the campus where recent improvements have been granted for hard and soft landscape proposals. Previous façade improvements have already been granted to the main student union building and these works will complete the works along the frontage to also include the shopfronts. The façade improvements currently proposed include new windows, aluminium panelling where new or existing elevations are proposed/exist. Alterations are also proposed at the rear of the property in relation to the position of the ducting for the plant equipment. The site lies within an area surrounded by the Green Belt,



but not within it, and within an Area of Landscape Maintenance all as indicated on the Local Development Framework Proposals Map.

The main issues for consideration in this application are;

- Design of the Proposals

### Design of the Proposals

The proposals would involve the completion of the refurbishment of the outside of the student union building and adjacent shop frontages which would improve the overall aesthetics of the building.

The façade alterations around the building are felt to be beneficial in terms of their design principles and use of materials and would improve the aesthetics of this building that has no architectural merits. The new proposals would assimilate well with the existing scheme that already has planning permission and is currently in the process of being implemented. The slight extension to the corner/alcove of the building between the student union and the shop frontages would create a focal point and remove an area that was previously dark and unsightly. The materials indicated on the application form appear to be carefully considered and would provide a good contrast with each other whilst also matching the already approved scheme. In terms of the surrounding area it is considered that the proposals would have a beneficial visual impact taking into account the existing context (façade improvements underway) as well as the proposed alterations that have been approved within the immediate vicinity in relation to the modern hard and soft landscaping scheme. The materials specified will be conditioned to be utilised unless otherwise agreed with the Local Planning Authority.

It was previously specified that the balcony feature was to be painted with an indicative yellow shown. The painting would not have required planning permission however it was accepted that this could provide a striking feature on the building that would enhance the visual appearance of the building without appearing over dominant or incongruous. The new proposals now show this element as well as the feature element to be clad with aluminium panels in an indicative green colour (RAL 6018). Due to the cladding of the building, this would now require permission however it is felt that the appearance of the cladding would contrast well with the other elements and the colour scheme would also create a striking feature on the building.

The improvements to the shop frontages including re-cladding of the unsightly and dilapidated pillars would improve the aesthetics of this frontage and would create a well designed and holistic scheme that fronts on to the heart of the campus. As an overall package, this would have a beneficial impact upon the visual amenity of the wider area.

At the rear of the student union building, some modifications to the ducting previously approved have been highlighted on the plans. Although these go higher up the existing building than previously approved, due to their location at the rear of the building, not readily prominent from main public vantage points, this would not have a detrimental impact upon the visual amenity of the area. To ensure this is the case it is considered pertinent to specify that the ducting should be painted in a dark recessive colour (matt) unless otherwise agreed by the LPA. This will be done as a condition also requesting details of the plant compound which have yet to be agreed from the previous application.

Due to the beneficial impacts of the proposals in aesthetic terms, it is not felt that development would have an adverse impact upon the historic park and garden or the nearby listed building.

### Other Matters

Although Environmental Health have recommended that the application be invalidated due to the lack of a noise assessment for the plant equipment at the rear of the property, this was considered as part of the previous application with a condition relating to the noise levels. It is therefore pertinent to include this condition as part of the current application to ensure protection on the amenity of nearby dwellings.

### Reason for the Grant of Planning Permission

The proposed development would enhance the building in design terms. The proposals would also have no adverse impact upon the setting of the adjacent listed building or Historic Park and Garden. The proposed development therefore accords with the principles of Policies D1, D2 and NC17A of the Stoke on Trent Structure Plan 1996-2011, policies N17 and N19 of the Newcastle under Lyme Local Plan 2011 as well as Policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and all relevant national policy guidance.

### 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;

- Ground Floor Plan Proposed GA Drawing No: (2-) 01 Rev.P1 date stamped received by the LPA on 2<sup>nd</sup> June 2012
- Front Elevation Proposed Drawing No: (2-) 2 Rev. A date stamped received by the LPA on 2<sup>nd</sup> June 2012
- Rear Elevations Existing and Proposed Drawing No: (2-) 03 date stamped received by the LPA on 2<sup>nd</sup> June 2012

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

3. The external facing materials to be used in the construction of the development hereby permitted shall be those specified within the application form, plans and supplementary information unless otherwise agreed in writing with the Local Planning Authority.

Reason To protect the visual amenities of the area and respect the location of the site in compliance with policy D2 and NC17A of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and policy N19 of the Newcastle under Lyme Local Plan.

4. Prior to the installation of any storage compound for the plant hereby approved, details of the compound shall first be submitted to and approved in writing by the Local Planning Authority. The compound shall then be built in accordance with the approved details.

Reason To protect the visual amenities of the area and respect the location of the site in compliance with policy D2 and NC17A of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and policy N19 of the Newcastle under Lyme Local Plan.

5. The plant/air handling units hereby approved shall not exceed the operational noise levels specified within the noise assessment (prepared by Wardell Armstrong October 2011) submitted as part of application 11/00520/FUL unless otherwise agreed in writing by the Local Planning Authority.

Reason To ensure that the proposed development does not have an adverse impact upon the residential amenity of nearby dwellings in accordance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and the principles of the NPPF.

6. The ducting hereby approved shall be in a dark matt recessive colour unless otherwise agreed in writing by the LPA.

Reason To protect the visual amenities of the area and respect the location of the site in compliance with policy D2 and NC17A of the Staffordshire and Stoke on Trent Structure Plan 1996-2011 and policy N19 of the Newcastle under Lyme Local Plan.

| Performance Checks          | Date           |                      | Date           |
|-----------------------------|----------------|----------------------|----------------|
| Consultee/ Publicity Period | <b>13/7/12</b> | Decision Sent Out    |                |
| Case Officer Recommendation | <b>8/8/12</b>  | 8 Week Determination | <b>10/8/12</b> |
| Management check            | <b>9/8 ESM</b> |                      |                |

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## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Keele University **Application No** 12/00315/ADV

**Location** Keele University, Keele

**Description** Various advertisement signs

### **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 NC17A: Historic Parks and Gardens: Protection

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 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

Policy S3: Green Belt

Policy N17: Landscape Character – General Considerations

Policy N19: Landscape Maintenance Areas

### **Other Material Considerations:**

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

National Planning Policy Framework (March 2012)

Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

#### **Supplementary Planning Guidance**

Staffordshire County Council – Highways Standing Advice 2004

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

**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**

There have been previous advertisement applications on this wider site but nothing as comprehensive as this proposal.

### **Views of Consultees**

**Keele Parish Council** summarise their main objections as follows,

- (i) Negative environmental impacts of the size, number and location of additional signs
- (ii) The lack of legitimate consultation prior or during the application process

and go on to provide a more detailed response having considered each sign in detail under the headings 'the size, number and location of additional signs'. The Parish Council also advise that there has been a lack of legitimate consultation prior to and during the application, notwithstanding the statement within the application that pre-application consultations were undertaken.

The comments of the Parish Council conclude that they understand fully the need for an integrated approach to signage and that the University has recently undergone changes in branding. However they consider that the proposal will have a detrimental impact on the campus environment for its users, visitors and residents. Further more they are also concerned that this urbanisation will be extended in to the Hawthorns site in 3-6 months time as an extension to this exercise.

The **Highway Authority** have no objections on highway grounds to this proposal, however they have specified that any street naming signs erected on the public highway will need the permission of Newcastle Borough Council as the street naming authority.

**Conservation Advisory Working Party** provided the following comments,

"The working party have no objections in principle to the consolidation of the signs at Keele but feel that the proposals are not consistent and lack the continuity of design that is proposed particularly in relation to the signs on the buildings. There are also too many signs and would question if they are all required especially given many people are on foot or not new to the campus. They harm the visual amenity of the University Campus and do not provide a sense of quality in the approach"

The **Conservation Officer** has provided the following comments,

"This is a complex application for signage around the campus, which has multiple designations, listed buildings, historic park and garden and Conservation Area. I would concur with the Parish Council that whilst I understand why they have organised the application plans to the type of signs separately, that does not give you a clear picture of just how many signs will be present in one location. When you

start to look into this it becomes clear that the campus will be in my view over run with unnecessary signage and clutter. It certainly appears that the signage company has come up with this number of signs to create business and I would argue they are not all essential to navigate around the campus.

The campus university set in a historic park of a former estate gives it a unique character and whilst some of this has been compromised with the growth of the university over the years and incremental change, it is essential that proposals like this do not make it any worse. The campus is a sensitive location. The number of signs should be drastically reduced and the need for all of them challenged or it will harm the special character of the area with clutter”

A detailed response on each type and placement of signs is also included however due to the length of this response it is not included within the report. The views have been considered and are available to view on the website.

The **Garden History Society** has not provided a response so it must be assumed that they have no comments to make on the proposal.

### **Representations**

None received

### **Applicants/agents submission**

The requisite application forms and drawings were submitted. Following comments by Keele Parish Council, the Conservation Officer and Conservation Advisory Working Party, amended plans showing revised locations and some omitted signs, and a letter responding to the comments received, were submitted for consideration.

### **Key Issues**

This application is for advertisement consent for numerous free standing and fascia signs located around the campus. The area which encompasses where the signs will be located include several listed buildings, a conservation area and a historic park and garden as indicated on the Local Development Framework Proposals Map.

The recently published National Planning Policy Framework now replaces the old PPG 19 which provided guidance on the display of outdoor advertisements. The NPPF still provides guidance on outdoor advertisements and details in paragraph 67 that,

“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”

In line with this national guidance outlined above and having regard for the amount of signs being considered in this application, it is considered pertinent in this instance to consider the signs holistically within their type with only detailed reference made to those which are considered visually important within their setting or those that have raised particular concern.

The main issues to address are therefore:

- The impact of the signs on the amenity of the site it relates to and the surrounding area taking into account the listed buildings, Conservation Area and Historic Park and Garden
- The impact upon public and highway safety

The impact of the signs on the amenity of the site it relates to and the surrounding area taking into account the listed buildings, Conservation Area and Historic Park and Garden

The application site is a built up university campus based within a wider rural setting with part of the site covered by a Conservation Area as well as part covered by a historic park and garden. Several listed buildings are located within the university campus however the most important in relation to the location of signs is the Grade II listed chapel in the heart of the campus.

Campus Maps (as submitted 30 in total reference CM1-CM16, CM18-CM31 and CM33)

Following concerns raised by consultees in relation to these proposals five signs have been omitted from the scheme therefore 26 campus maps are now within the application proposals.

The proliferation of these relatively large signs has raised concerns by both the conservation officer as well as the parish council.

In terms of the principal of the signs, these do appear to serve a useful purpose providing maps to improve direction around the campus however the precise location and scale of signs does not appear to have been considered fully. Some of the signs appear to be located in positions that could impact upon public safety and visual amenity however this may be due to slightly inaccurate photomontage locations shown.

CM5 and CM23 appear to be located on a car parking space and within a junction that could impair visibility as well as lead to conflict between pedestrians and vehicular traffic. It is therefore considered that a condition be included specifying the precise location of these two signs on that basis.

Signs CM29 and CM31 are justifiable in their location providing useful guidance in remote and more sensitive parts of the campus however it is considered that the scale of the signs should be reduced to reflect this. A condition would therefore be included specifying that precise details of these are submitted.

The plans located in CM6, 7 and 8 are all sited in busy locations and generally they are considered to be appropriate. The precise location of the signs, however do not appear, to be the most sensitive and it is considered that a more preferable location could be agreed. The concern with siting may again be due to the photomontage software however it is considered that a condition be included to ensure the location is fine.

Wall Signs (as submitted 31 in total)



The wall signs to be located at secondary entrances to buildings do not raise any concerns in relation to visual amenity or public safety.

#### Built Up Lettering (as submitted 29 in total reference BL1-BL29)

In terms of the lettering/wall signs proposed on the buildings, there are no objections in principle to these however concerns have been raised on the typeface to be used and the illumination of this lettering.

The Conservation Officer raises concerns regarding inconsistency of colour and sizes of typeface to be used. The applicant has proposed to use a mixture of either white or stainless steel lettering. Although the campus is generally quite historic in its nature, there have been a range of modern buildings built within the heart of the campus as well as other buildings re-clad in more modern materials. As such it is not considered that one size of typeface or colour of sign would always be appropriate for a range of buildings of differing style and scale. The principle of these signs is therefore considered appropriate however prior to the installation of any of these signs it would be prudent to ensure that the details of each is first be agreed in writing given that only indicative photomontages have been provided.

Although numerous illuminated signs around the campus would alter the characteristic of this site in a rural setting, consideration also needs to be given to the evening use of university facilities and the number of signs to be illuminated. Within the context of all the signs proposed, only three building signs are proposed to be illuminated and this is with halo led illumination at 260cd/m<sup>2</sup> which is not considered to be excessive based upon the scale of the signs and the method of illumination. In the overall context of the site it is not therefore considered that an adverse impact upon the visual amenity of the site would therefore ensue.

#### Freestanding Monoliths (as submitted 28 in total reference F1-F28)

In response to comments raised as part of the consultation process, the university has revised the application to reflect some of the concerns voiced.

Issues were raised over the close proximity of signs F14 and F22 however the university has stated that due to the historic nature of the buildings in question and the range of both academic and residential users in the buildings, freestanding monoliths would be preferable in aesthetic terms than wall plates that would detract from the architectural merits of the building. This argument is accepted as it is considered that the architectural merits of the building have a greater benefit upon the visual amenity of the area than the relatively modest signs placed within their setting. It must also be noted that should these signs be removed in the future, it will not leave any lasting damage to the buildings.

The comments raised with regards to sign F8 is considered justified to some extent due to its location within the more historical part of the campus however it is not viewed within the backdrop of the listed buildings due to the separation distance and the extensive mature vegetation in the vicinity. It is therefore considered acceptable in visual amenity terms for a sign to be located in this position and due to the colour scheme proposed of the sign being predominantly dark recessive blue it would blend in within the backdrop of the vegetation to some extent. It would also provide an important directional guide for visitors to this part of the campus. It is considered appropriate to condition the size of this sign and a condition would be included stating that the sign should not exceed 1m in height with a sign width of 0.6m.

Signs F2 and F3 are located within close proximity to VMS signs in these locations however due to the precise placements of these signs in relation to those, also taking into account surrounding topography and sign orientation it is not considered that both sets of proposals will lead to a cluttered appearance in the vicinity.

#### Car Park Signs (as submitted 18 in total)

It is considered that signage which clearly highlights where staff and students can park is generally appropriate and the information provided on the siting of these signs is acceptable.

Comments have been raised by the parish council with regards to short stay spaces by the student union and although these are not to be identified on a sign as such, the university have specified that it is their intention to retain these. Local people would therefore know about these and it is these people that would make use of these. This element however is not material in the consideration of the signage generally with visual amenity and public safety the key determinants.

#### Vehicle Direction (as submitted 14 in total reference V1-V10, V11-VM15)

These are considered to be appropriate in their design and location with most replacing existing dilapidated signs that detract from the character of the surrounding area. Although an indicative size has been provided for one of the larger vehicle direction signs no further information has been provided. As such it is considered appropriate to include a condition specifying that the signage should not exceed the height of the signage to which it replaces unless otherwise agreed in writing by the local planning authority. Details of new signage scales would be required prior to its installation.

#### Street Signs (as submitted 32 in total reference SN1-SN32)

It is not considered that the introduction of these signs would adversely impact upon the visual amenity of the surrounding area whilst also providing a comprehensive consolidation and design to the signs that would improve the clarity of locations within the campus.

Concerns raised over the name of one of the signs in relation to its historical context however the content of the sign is not material to the determination of this application.

#### Variable Message Signs (as submitted 8 in total reference VMS1-VMS8)

Following comments from both the Conservation Officer and Keele Parish Council, the university have agreed to omit locations VMS 4 and 6 and relocate VMS 5 adjacent to the existing bus stop. This would reduce the proliferation of these signs and in the case of VMS 5, move it away from a sensitive location to an area which has more modern street furniture.

In terms of VMS 1, 2 and 3, it is considered that these are appropriate being strategically positioned within the context of the campus taking into account the primary route into the site.

In terms of signs VMS 7 and 8, ordinarily it would be inappropriate to have two signs in close proximity to one another however in the context of this busy location within the heart of the campus with the adverts seen within the backdrop of buildings and

modern street furniture of no design merit, it is not considered that these signs would adversely impact upon the visual amenity of the surroundings.

In terms of the lighting of these signs it is considered that the area would fall between Zone E1 (Intrinsically dark areas) and E2 (Low district brightness areas) within the Institute of Light Engineers. This indicates that E1 would allow a maximum 100 cd/m<sup>2</sup> for signs up to 10m<sup>2</sup> whilst E2 would allow up to 600 cd/m<sup>2</sup>. The application forms indicate that these would be between 300-450cd/m<sup>2</sup> (maximum in bright light) which is seen as acceptable based upon the relatively modest scale of the signs proposed. The applicant has stated that the signs will be time controlled and it is considered relevant in this instance to restrict the hours of operation of the signage. A condition would therefore be attached specifying the signs shall not be operational between the hours of 11pm and 7am.

### Woodland Walks

In terms of the woodland walk signs, these are considered to be acceptable in nature and would not impact upon the visual amenity of the surrounding area appearing similar to public footpath signs commonly seen in rural areas.

Concerns have been raised over the close proximity of two of the signs however the justification provided by the university appears appropriate and would ensure that people are directed appropriately within the area.

No specific dimensions have been provided for this sign and it is considered that 2m would suffice and therefore a condition would be included specifying this unless otherwise agreed in writing by the local planning authority.

### The impact upon public and highway safety

Due to the proposed scale, nature and location of the majority of the signs, it is not considered that the advertisements would have an adverse impact upon public and highway safety. It could in fact be argued that the comprehensive and consolidated sign design will actually improve public and highway safety directing pedestrians and vehicles more appropriately than is currently seen.

### Recommendation

**Approve subject to the standard conditions plus the following additional conditions;**

1. The woodland walk signs hereby approved shall not exceed more than 2m in height unless previously agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area and respect the location of the site in the Conservation Area and in close proximity to listed buildings and in compliance with policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies B5, B9, B10, B13, B14, N17 and N19 of the Newcastle under Lyme Local Plan 2011 as well as the aims and objectives of the National Planning Policy Framework.

2. The vehicle direction signs hereby approved shall not exceed in scale the size of the existing signage it replaces unless otherwise agreed in writing by the Local Planning Authority. Details of the scale of any new signage shall be

agreed in writing by the Local Planning Authority prior to its installation. All signage shall then be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area and respect the location of the site in the Conservation Area and in compliance with policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies B9, B10, B13, B14, N17 and N19 of the Newcastle under Lyme Local Plan 2011 as well as the aims and objectives of the National Planning Policy Framework.

3. The variable message signs hereby approved as well as the other illuminated signs (BL1, BL2, BL3 & F18) shall only operate/be illuminated between the hours of 7am and 11pm. At all other hours, the variable message signs and illumination on the signs shall be switched off.

Reason: To protect the visual amenity of the area and respect the location of the site in compliance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies S3, N17 and N19 of the Newcastle under Lyme Local Plan 2011 as well as the aims and objectives of the National Planning Policy Framework.

4. The freestanding monolith indicated as F8 on the submitted plans shall not exceed 1m in height and the sign width shall not exceed 0.6m unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area and respect the location of the site in the Conservation Area and in compliance with policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies B9, B10, B13, B14, N17 and N19 of the Newcastle under Lyme Local Plan 2011 as well as the aims and objectives of the National Planning Policy Framework.

5. Prior to the installation of the freestanding monolith indicated as F18 on the submitted plans, details of its precise location shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area and respect the location of the site in compliance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies N17 and N19 of the Newcastle under Lyme Local Plan as well as the aims and objectives of the National Planning Policy Framework.

6. Prior to the installation of any of the building lettering hereby approved, precise details of the materials, typeface and scale shall be submitted to and approved in writing by the Local Planning Authority. The signs shall then be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area and respect the location of the site in compliance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies N17 and N19 of the Newcastle under Lyme Local Plan as well as the aims and objectives of the National Planning Policy Framework.

7. Prior to the installation of the campus plans CM5, CM6, CM7, CM8 and CM23 precise details of their location and orientation shall be submitted to and approved in writing by the Local Planning Authority. The signs shall then be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area and respect the location of the site in compliance with policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011, policies N17 and N19 of the Newcastle under Lyme Local Plan as well as the aims and objectives of the National Planning Policy Framework.

8. The proposed campus plans indicated as CM29 and CM31 on the submitted plans shall not exceed 1.5m in height and 1m in width unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area taking into account the location of these signs away from the built up centre of the campus and in accordance with the aims and objectives of the National Planning Policy Framework.

### **Informative**

The decision hereby issued was made following consideration of the plans and documents submitted as part of this application taking into account further correspondence received on the 18<sup>th</sup> and 19<sup>th</sup> of July from Gary Picken where reference was made to the removal of a range of signs from the scheme.

**It must also be noted that signs indicated as BL30-BL33 on the above letters have not been accepted within this consent application.**

| Performance Checks          | Date           |                      | Date           |
|-----------------------------|----------------|----------------------|----------------|
| Consultee/Publicity Period  | <b>29/6/12</b> | Decision Sent Out    |                |
| Case Officer Recommendation | <b>23/7/12</b> | 8 Week Determination | <b>23/7/12</b> |
| Management check            | <b>23/7</b>    |                      |                |

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## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** Mr D Speakman **Application No** 12/00345/FUL

**Location** Daisy House, New Road, Wrinehill

**Description** Replacement of boundary fence with wall

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

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

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 D4: Managing Change in Rural Areas

Policy D5B: Development in the Green Belt

Policy NC18: Listed Buildings

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

Policy CSP1: Design Quality

Policy CSP 2: Historic Environment

Policy ASP6: Rural Area Spatial Policy

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

Policy S3: Development in the Green Belt

Policy N18: Area of Active Landscape Conservation

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

### **Other Material Considerations**

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

National Planning Policy Framework (2012)

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

Pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan.

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

### **Planning History**

09/00316/FUL Refused 27.08.2009 Retrospective application –  
decking in garden

07/00876/FUL Permitted 16.11.2007 Erection of new dwelling and  
garage block

### **Views of Consultees**

**Betley, Balterley and Wrinehill Parish Council** – No comments received by due date, therefore it must be assumed that they have no comments to make

**Conservation Advisory Working Party** – No objections and that the development would be an improvement upon the existing situation in terms of its impact upon the setting of the Listed Summer House

### **Representations**

One representation has been received from Councillor Becket, stating that he has no adverse comment to make.

### **Applicants/agents submission**

A Design and Access Statement has been submitted with the application, which can be viewed on public access.

### **Key Issues**

The property is a detached residential property located within Wrinehill, adjacent to the Grade II\* Listed Building the Summer House. It is located within the rural area, Area of Active Landscape Conservation and the Green Belt, as designated in the Local Development Framework Proposals Map.

The proposal is for to replace the existing fence with a new boundary wall on the boundary between Daisy House and the Summer House. The wall would be constructed of facing bricks to match the house.

The key issues in the consideration of this application are:

- Appropriate Development in the Green Belt?
- Design and impact on the Listed Building
- Impact on amenity

### **Appropriate Development in the Green Belt?**

Paragraph 89 of the National Planning Policy Framework states that engineering operations are appropriate development in the Green Belt. Whilst not an engineering operation, a wall is also not a building.

The Green Belt Section of the NPPF goes on to state at paragraph 88 that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt. "Very special circumstances" will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

It is considered that the proposed wall would not harm the openness of the Green Belt in this location, as it is a relatively modest wall in terms of height and design.

Overall, the proposed wall is considered appropriate development, which would not be harmful to the openness of the Green Belt. Very Special Circumstances are therefore not required. The development is considered to comply with Policy S3 of the Local Plan, D5B of the Structure Plan and the aims and objectives of the NPPF.

### **Design of the proposal and the impact on the Listed Building The Summer House**



Paragraph 56 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

Section 12 the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Further, it states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Policy B5 of the Local Plan states that the Council will resist development proposals that would adversely affect the setting of a listed building.

The brick plinths would be 1.7 metres in height and the wall would be 1.6 metres in height on the flat part of the site. At the rear part of the site, the height of the wall would be stepped to follow the gradient of the land which sloped downwards. The very rear part of the wall would be 3 metres in height. The wall would be located approximately 37 metres from the Summer House. This distance, coupled with the relatively modest scale of the proposed wall would not harm the setting of the listed building.

In terms of the impact of the proposed wall on the general street scene, it is considered that it would not have an adverse impact on the character and appearance of the dwelling or surrounding area.

In terms of the impact upon the Area of Active Landscape Conservation, it is considered that the proposed wall would not harm the high quality and distinctive character of the area's landscape. The scale, siting, design and materials to be used are all considered acceptable in the Area of Landscape Conservation.

The proposal is therefore considered in compliance with Policies NC18 of the Staffordshire and Stoke on Trent Structure Plan, Policies B5 and N18 of the Local Plan, Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026 and the guidance contained within the National Planning Policy Framework.

#### Impact on amenity

It is important to assess how a proposal will impact upon residential amenity in terms of loss of light and privacy, and the Borough Council's Space Around Dwellings Supplementary Planning Guidance sets out acceptable levels of amenity to be achieved for new development.

It is considered that the proposed wall would not have an impact upon residential amenity, and would therefore be acceptable in this regard.

**Reasons for the grant of planning permission**

The proposed development would not harm the setting of the listed building adjacent to the application site. The proposed development would have an acceptable impact upon residential amenity, and would have an acceptable impact upon the visual amenity of the surrounding street scene. The proposal therefore complies with policies D2, D4, and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies CSP 1, CSP 2 and ASP 6 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, policies S3, B5 and N18 of the Newcastle under Lyme Local Plan 2011. and the aims and objectives of the National Planning Policy Framework 2012.

**Recommendation**

**Permit** subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1. To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan, received 15<sup>th</sup> June 2012
  - Site plan, received 15<sup>th</sup> June 2012
  - Proposed plans 09.98.51, received 15<sup>th</sup> June 2012
  - Existing conditions 09.98.50, received 15<sup>th</sup> June 2012
  - Design and Access Statement, received 15<sup>th</sup> June 2012
- R2. For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of the development hereby approved, full and precise details of the materials to be used in the construction of the wall shall be submitted to and approved in writing by the Local Planning Authority.
- R3: In the interests of the protection of the setting of the adjacent listed building and the protection of the character of the street scene, in accordance with Policy D2 and N18 of the Structure Plan, Policies B5 of the Local Plan and the aims and objectives of the Urban Design Guidance SPD.

**Notes to applicant**

1. You are reminded of the requirement to comply with the conditions attached to this permission.

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

|                                |           |                  |                      |                  |
|--------------------------------|-----------|------------------|----------------------|------------------|
| Consultee/<br>Period           | Publicity | <b>13.7.2012</b> | Decision Sent Out    |                  |
| Case Officer<br>Recommendation |           | <b>9.8.2012</b>  | 8 Week Determination | <b>10.8.2012</b> |
| Management check               |           | <b>PR 9.8.12</b> |                      |                  |

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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>               |
|--------------------------------|---|--|--|---------------------------------------|
| 12/00328/FUL                   | 1,2,6,8,10,14 Laverock Grove,<br>3,5,7,11 Morningside, Madeley    | Removal of concrete panels and provision of replacement bricks and cavity wall and other alterations and improvements  | Partly within Madeley Conservation Area  | Cllr B Welsh<br>Cllr S White          |
| 12/00426/FUL                   | Highfields Cottage, 6 Maer Village, Maer<br>Mr Elphinstone-Walker | Removal of existing single storey conservatory/utility room and car port and erection of replacement single storey extension and car port  | Within Maer Conservation Area  |                                       |
| 12/00441/LBC                   | The White House, Poolside, Madeley<br>Mr Wilson                   | Replacement windows. Replacement conservatory roof and new bi-fold doors. New conservation rooflights. Alterations to pipework and drainage and new bi-fold doors to studio  | Within Madeley Conservation Area   | Cllr B Welsh<br>Cllr S White          |
| 12/00462/ADV                   | Students Union and Shops, Keele University                        | Advertisement signs and banners  | Adjacent to Keele Hall Conservation Area and may affect the setting a listed building and Historic Park and Garden | Cllr T Kearon<br>Cllr R Studd         |
| 12/00446/FUL                   | The Old School, Church Bank, Keele<br>Ms V Newman                 | Proposed new bay window extension and reinstatement of former bell tower.  | Within Keele Conservation Area and on Local Register   | Cllr T Kearon<br>Cllr R Studd         |
| 12/00383/FUL                   | David Weatherall Medical School, Keele University                 | Single storey rear extension, two storey side extension and first floor side extension   | Partly within Keele Historic Park and Garden   | Cllr T Kearon<br>Cllr R Studd         |
| 12/00493/LBC &<br>12/00492/FUL | Expressions, 12 Ironmarket, Newcastle                             | Replacement windows to front and side elevation and infilling an existing door opening with a new window and painted brickwork to match the existing. Internal alterations to create a small staffroom, workshop and safe store. | Within Newcastle Town Centre Conservation Area and Grade II listed building.                                       | Cllr Mrs Taylor<br>Cllr Mrs E Shenton |

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