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\*Printed for information

## CONSERVATION ADVISORY WORKING PARTY

**16 August 2011**

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

Councillors Allport, Becket, Mrs Burnett and Holland

Representing Outside Bodies:-

Mr L Chatterton – Newcastle Civic Society  
Mrs C Henshaw – Staffrs Historic Buildings Trust  
Mr J Worgan – Newcastle Civic Society

Apologies were received from Mr R Manning.

1. \* **MINUTES OF PREVIOUS MEETINGS**

**Resolved:-** That the minutes of the previous meeting held on 26 July 2011 be agreed as a correct record.

2. \* **PLANNING APPLICATIONS**

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

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

<u>App No</u>	<u>Proposed development and name of applicant</u>	<u>Comments</u>
11/272/FUL	Erection of new day nursery. Land to rear of Stephenson Building. Keele University Campus. University of Keele	No objections to the massing and orientation of the new nursery but the Conservation Advisory Working Party objected to the use of cladding.
11/375/FUL	Alterations to shop front. 11-15 High Street, Newcastle. Cornwells Chemist.	No objections to the proposed but Members suggested that a watching brief be considered in case evidence existed of a previous historic shop front.
11/378/FUL	Erection of 15m high floodlighting mast to the school sports field. Newcastle-under-Lyme School, Mount Pleasant, Newcastle. Newcastle-under-Lyme	No objections.

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	School.	
11/393/FUL	Sun shade sails to playground areas. Newcastle-under-Lyme School. Mount Pleasant, Newcastle. Newcastle-under-Lyme School.	Application not yet valid.
11/400/FUL	Conversion of existing two bedroom apartment to 2 one bed apartments. 36 High Street, Newcastle. Butters John Bee.	The Working Party had considered this proposal under 11/22/LBC.
11/402/FUL	Refurbishment of front façade including shop front. 61-63 High Street, Newcastle. Equality Partnerships (Osprey) Ltd.	No objections, the Conservation Advisory Working Party welcomed this proposal.
11/404/ADV	Illuminated fascia sign and one illuminated projecting sign. 57-68 Ironmarket, Newcastle. Britannia Building Society.	No objections.

3. \* **ANY OTHER BUSINESS**

(a) Local List SPD Consultation

Information was provided to Members for consideration at its next meeting.

**Resolved:** That the information be received

**MISS J COOPER  
Chair**

**DECISIONS OF THE BOROUGH COUNCIL ON APPLICATIONS WHICH  
HAVE PREVIOUSLY BEEN CONSIDERED BY THE WORKING PARTY**

For reports on all committee decisions, please follow the minutes and agendas search on the Council's website or refer to your copy of the Planning agenda for the permitted date. Reports for delegated items are attached to the agenda

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
11/190/FUL & 11/191/LBC	27 Marsh Parade Newcastle Mr R Manning	Change of use to include Beauty Therapy and Hairdressing and alterations to side elevation to rear of premises (Resubmission of 11/00168/FUL & 11/00169/LBC to reflect window layout)	Chair's Comments: No objections	Permitted under delegated powers 12 August, 2011
11/303/FUL	Grindley Cottage, Church Lane, Betley Mr & Mrs Cox	Two storey side and rear extensions and first floor balconies	Past extensions had not improved the property and this proposal would worsen the situation. The balconies, steps and gable extensions were inappropriate additions to the simple plan form of the building	Refused under delegated powers 15 August, 2011
11/334/FUL & 11/335/ADV	McDonalds. 84 High Street, Newcastle McDonalds	Alterations to shop front and two new internally illuminated fascia signs and projecting sign	No objections. Members felt that the proposal would be an improvement	

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## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Mr R Manning

**Application No.** 11/00190/FUL

**Location** – 27 Marsh Parade, Newcastle

**Description** – Change of use to include beauty therapy and hairdressing and alterations to side elevation to rear of premises. (Resubmission of 11/168/FUL to reflect window layout)

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

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

Policy QE1: Conserving and Enhancing the Environment  
Policy QE3: Creating a High Quality Built Environment for all  
Policy UR3: Enhancing the role of City, Town and District Centres

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

Policy D1: Sustainable Forms of Development  
Policy D2: The Design and Environmental Quality of Development  
Policy T1A: Sustainable Location  
Policy NC18: Listed Buildings

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

Policy B5: Control of development affecting the setting of a Listed building  
Policy B6: Extension or Alteration of Listed Buildings  
Policy 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 T16: Development – General Parking Requirements

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

Policy CSP1: Design Quality  
Policy CSP2: Historic Environment  
Policy CSP3: Sustainability and Climate Change  
Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP2: Spatial Principles of Economic Development  
Policy SP3: Spatial Principles of Movement & Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

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

##### **National Planning Policy**

PPS1: Delivering Sustainable Development (2005)  
Companion Guide to PPS1 “The Planning System: General Principles”  
PPS4: Planning for Sustainable Economic Growth  
PPS5: Planning for the Historic Environment  
PPG13: Transport

#### **Supplementary Planning Guidance**

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

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

## **Planning History**

A planning application (11/168/FUL) and listed building consent (11/169/LBC) were recently approved for this scheme with a different window layout at the rear. A new listed building consent (11/191/LBC) has also been submitted to reflect the proposed changes.

## **Views of Consultees**

The **Highway Authority** have no objections on Highway Grounds to the proposal. Notes were included specifying the following;

No on site parking is proposed to serve this development however given the close proximity of town centre car parks and public transport provision along with the availability of limited parking outside the property no objection on highway grounds is raised.

This application has been assessed against the requirement to pay a financial contribution to the Newcastle Transport and Development Strategy (NTADS). Consideration has been given to the existing use (B1) and the proposed use (A1) and the specific condition to be imposed by the LPA in restricting the proposed use to a hair and beauty salon. It has been judged that when comparing the existing and proposed traffic generation from the site during 17.00 and 18.00 Mon to Fri (NTADS calculation hours) there will not be any intensification of traffic to/from the site during this period and accordingly a contribution towards the NTADS strategy is not sought on this occasion.

**Environmental Health** have provided no response for this application within the specified timeframe however due to the nature of the application their comments for the previous application are felt pertinent. They stated no objections to the proposal subject to conditions relating to the prior approval of the following;

- Air Cooling/Extraction Equipment
- Recyclable Materials and Refuse Storage and Disposal Arrangements

## **Representations**

No representations received

## **Applicants/ Agents submission**

The requisite application forms and plans were submitted as well as a design and access statement. A report to support the application was also submitted.

Additional information was also submitted for this application to deal with conditions imposed on the previous permission.

## **Key Issues**

As planning permission has been previously granted for this proposal, the issue of the principle of the propose use has been accepted and consideration will therefore only be given, in this report, to the proposed window amendments and the additional information submitted to deal with previous conditions imposed.

## **The design of the proposals and their impact upon the listed building and Stubbs Walk Conservation Area**

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

PPS5 indicates that;



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

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

The minor alteration to the approved permission would result in an additional window to match the existing windows at second floor which provide some symmetry to the building. A larger window approved in the previous permission at first floor would also be replaced by a slightly smaller window to match the existing historic windows present. It is therefore felt that the proposed minor alterations would assimilate well with the character of the existing property which accords with the principles of policy B6 of the Local Plan as well as policy CSP2 of the Core Spatial Strategy.

#### Other Matters

In terms of the conditions previously imposed upon the permission, it is felt necessary both in terms of policy and highway issues (NTADS) that the condition restricting the use to beauty therapy and hairdressing and associated training is retained on the permission. No material change in circumstance has occurred to differ from the previous view taken.

In terms of the details of the brickwork, bond and glazing details these have been agreed on site by the Conservation officer with some works already having been undertaken in relation to this. The details are therefore felt to match the existing property however as a precautionary measure this will be specified as a condition.

The details submitted in relation to recyclable materials and refuse storage are felt to be acceptable and to ensure they are utilised an appropriate condition will be included.

As with the previous permission, the condition relating to air cooling/ extraction equipment is not felt to be required or justified. Due to the type of business proposed it is unlikely that this will be required and due to the nature of the building being listed, this is unlikely to be supported in planning policy terms.

Details have now been received in relation to the proposed floorplans and the associated uses and it is not now felt necessary to require details as part of the approval. A condition will be included specifying that the permission shall adhere with the floorplans submitted unless otherwise agreed in writing with the LPA.

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

The proposed change of use, subject to a condition that prevents it being changed to other uses within Class A1 of the Use Classes Order, would not have an adverse impact upon the principles of the live work office quarter or the vitality and viability of Newcastle under Lyme and due to the location of the unit in a sustainable location well served by several methods of transport, the proposal would also have no adverse impact upon highway safety. The proposed alterations to the building would also have a beneficial impact upon the appearance of the Grade II listed building as well as the Stubbs Walk Conservation Area. The proposal therefore accords with Policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B5, B6 and T16 of the Newcastle under Lyme Local Plan 2011 and the overarching aims and objectives of PPS 1, PPS 4 and PPS 5.

#### **Recommendation**

**Permit subject to the following conditions;**

1. **BA01** - The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

- Scheme Proposals Sheet 1 Drawing no. 03C date stamped received by the LPA on 27<sup>th</sup> June 2011.
- Scheme Proposals Sheet 2 Drawing no. 04C date stamped received by the LPA on 27<sup>th</sup> June 2011.

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

3. **BESPOKE** - The first and second floor of the premises shall be used for beauty therapy and hairdressing and training in these activities and for no other purpose, including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: To ensure that the development will not harm the vitality and viability of the Town Centre and will not result in additional vehicular movements at pm peak hours to comply with Policy SP3, ASP5 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy, and Policy IM1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of PPS4.

4. **BESPOKE**

The uses hereby approved shall accord with the following annotated floorplans dated 11<sup>th</sup> August 2011 unless otherwise agreed in writing by the LPA;

- Scheme Proposals Sheet 1 Drawing no. 03C
- Scheme Proposals Sheet 2 Drawing no. 04C

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

5. **BESPOKE**

The recyclable materials and refuse storage shall be located within the secure yard area of the premises unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with the principles of PPS1

6. **BESPOKE**

The materials to be utilised in the development hereby approved shall, unless otherwise agreed in writing by the local planning authority, closely match in type, texture, colour, bond and fenestration those of the existing building.

Reason: To ensure the quality and visual appearance of the development and Conservation Area and to comply with Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS5.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>29/7/11</b>	Decision Sent Out	

Case Officer Recommendation	<b>12/8/11</b>	8 Week Determination	<b>22/8/11</b>
Report checked by Back Office			
Management check	<b>18/8 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Mr R Manning

**Application No.** 11/00191/LBC

**Location** – 27 Marsh Parade, Newcastle

**Description** – Listed Building Consent for change of use to include beauty therapy and hairdressing and alterations to side elevation to rear of premises. (Resubmission of 11/169/LBC to reflect window layout)

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

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

Policy QE1: Conserving and Enhancing the Environment

Policy QE3: Creating a High Quality Built Environment for all

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

Policy D2: The Design and Environmental Quality of Development

Policy NC18: Listed Buildings

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

Policy B5: Control of development affecting the setting of a Listed building

Policy B6: Extension or Alteration of Listed Buildings

Policy B9: Prevention of harm to Conservation Areas

Policy B10: The requirement to preserve or enhance the character or appearance of a Conservation Area

Policy B13: Design and Development in Conservation Areas

Policy B14: Development in or adjoining the boundary of Conservation Areas

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

Policy CSP1: Design Quality

Policy CSP2: Historic Environment

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

#### **National Planning Policy**

PPS1: Delivering Sustainable Development (2005)

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

PPS5: Planning for the Historic Environment

#### **Supplementary Planning Guidance**

N/A

#### **Planning History**

A planning application (11/168/FUL) and listed building consent (11/169/LBC) were recently approved for this scheme with a different window layout at the rear. A new planning application (11/190/FUL) has also been submitted to reflect the proposed changes.

#### **Views of Consultees**

None received within statutory timeframe.

#### **Representations**

No representations received.

### **Applicants/ Agents submission**

The requisite application forms and plans were submitted as well as a design and access statement. A statement of significance to support the application was also submitted.

### **Key Issues**

As planning permission has been previously granted for this proposal, the issue of the principle of the propose use has been accepted and consideration will therefore only be given, in this report, to the proposed window amendments and the additional information submitted to deal with previous conditions imposed.

The key issue in the determination of the development is:

- The design of the proposals and their impact upon the listed building and Stubbs Walk Conservation Area

### **The design of the proposals and their impact upon the listed building and Stubbs Walk Conservation Area**

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

PPS5 indicates that;

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

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

The minor alteration to the approved permission would result in an additional window to match the existing windows at second floor which provide some symmetry to the building. A larger window approved in the previous permission at first floor would also be replaced by a slightly smaller window to match the existing historic windows present. It is therefore felt that the proposed minor alterations would assimilate well with the character of the existing property which accords with the principles of policy B6 of the Local Plan as well as policy CSP2 of the Core Spatial Strategy.

In terms of the details of the brickwork, bond and glazing details these have been agreed on site by the Conservation officer with some works already having been undertaken in relation to this. The details are therefore felt to match the existing property however as a precautionary measure this will be specified as a condition.

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

The proposed alterations to the building would have a beneficial impact upon the appearance of the Grade II listed building as well as the Stubbs Walk Conservation Area. The proposal therefore accords with Policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B5 and B6 of the Newcastle under Lyme Local Plan 2011 and the overarching aims and objectives of PPS 5.

## **Recommendation**

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

1. **BA01** - The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

- Scheme Proposals Sheet 1 Drawing no. 03C date stamped received by the LPA on 27<sup>th</sup> June 2011.
- Scheme Proposals Sheet 2 Drawing no. 04C date stamped received by the LPA on 27<sup>th</sup> June 2011.

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

### **3. BESPOKE**

The materials to be utilised in the development hereby approved shall, unless otherwise agreed in writing by the local planning authority, closely match in type, texture, colour, bond and fenestration those of the existing building.

Reason: To ensure the quality and visual appearance of the development and Conservation Area and to comply with Policy NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policies B9 and B10 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS5.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>29/7/11</b>	Decision Sent Out	
Case Officer Recommendation	<b>12/8/11</b>	8 Week Determination	<b>22/8/11</b>
Report checked by Back Office			
Management check	<b>18/8 ESM</b>		

## OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr and Mrs Cox      Application No 11/00303/FUL

Location Grindley Cottage Church Lane Betley

Description Two storey side and rear extensions and first floor side and front balconies

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

#### West Midlands Regional Spatial Strategy 2008

Policy QE1: Conserving and Enhancing the Environment

Policy QE3: Creating a High Quality Built Environment for all

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

Policy CSP1: Design Quality

Policy CSP2: Historic Environment

Policy ASP6: Rural Area Spatial Policy

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

Policy D2: The Design and Environmental Quality of Development

Policy D4: Managing Change in Rural Areas

Policy D5B: Development in the Green Belt

Policy NC1: Protection of the Countryside: General Considerations

Policy NC2: Landscape Protection and Restoration

Policy NC19: Conservation Areas

#### Newcastle Under Lyme Local Plan 2011

Policy S3: Development in the Greenbelt

Policy N17: Landscape character – general considerations

Policy N20: Areas of Landscape Enhancement

Policy H18: Design of residential extensions.

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

Policy B9: Prevention of Harm to Conservation Areas

Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area

Policy B13: Design and Development In Conservation Areas

Policy B14: Development in or Adjoining the Boundary of Conservation Areas

#### Other Material Considerations

##### Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

PPG2: Green Belts (1995)

PPS5: Planning for the Historic Environment (2010)

PPS7: Sustainable Development in the Rural Area (2004)

The Planning System - General Principles (Companion document to PPS1)

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

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

Betley Conservation Area Character Appraisal (December 2008)

Betley Conservation Area Management Proposals (CAMP) (December 2008)

### Planning History

N9717 Conversion of Grindley House into 2 units and formation of access. Permitted.

### Views of Consultees

Betley, Balterley and Wrinehill Parish Council – Supports the application, subject to the planning authority satisfying itself that the application is consistent with policy H18.

Conservation Area Working Party – Object. Past extensions had not improved the property and this proposal would worsen the situation. The balconies, steps and gable extensions were inappropriate additions to the simple plan form of the building.

### Representations

None received.

### Applicants/agents submission

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

### Key Issues

The proposed two storey side extension measures 4.2m by 6.3m by 7m in overall height and is to serve as a vestibule, larder and utility on the first floor and as an extension to the bedroom on the ground floor.

A first floor rear extension measures 4.8m by 1.3m by 5.5m in overall height, which is to serve as an extension to the dining room and lounge.

A first floor front extension is proposed measuring 4.4m by 2.2m by 7m in overall roof height.

The application site lies within the Green Belt, an Area of Landscape Enhancement and Betley Conservation Area as defined on the Local Development Framework Proposals Map.

St Margaret's Church is a Grade I Listed Building and is in the order of around 30 metres to the northwest of Grindley Cottage.

Given the location of the site in the Green Belt and the Betley Conservation Area, the main considerations in the determination of this application are:-

- whether or not the proposed extension would constitute appropriate development within the Green Belt and if inappropriate whether the required very special circumstances exist
- the design of the proposal, in particular the impact to the special character and appearance of the Betley Conservation Area and to the setting of St Margaret's Church
- impact on residential amenity

### Is the development appropriate within the Green Belt, and if inappropriate do the required very special circumstances exist?

Policy D5B of the Structure Plan states that the construction of new buildings can be considered appropriate if the works are extensions to existing dwellings which do not result in additions disproportionate to their original size. Further to this, Policy S3 of the Local Plan regarding developments in the Green Belt states that well-designed extensions may be acceptable as long as it does not result in disproportionate additions over and above the size of the original dwelling.



The proposal would increase the floor area of the original dwelling by somewhere in the order of 35 per cent and the overall volume of the dwelling by a similar amount. Given the scale of the increase involved the view taken is that the proposal would not result in disproportionate additions over and above the size of the original dwelling. The proposal is therefore appropriate development in the Green Belt and there is no requirement for the applicant to justify very special circumstances.

The design of the proposal and in particular the impact to the special character and appearance of the Betley Conservation Area and the setting of St Margarets Church

Policy H18 relates specifically to the design of residential extensions and considers that materials and design should fit in with those of the dwelling to be extended and not detract from the character of the original dwelling. In achieving this, the form, size and location of the extension should be subordinate in design to the original dwelling.

Policy B5 of the Local Plan seeks to resist development proposals that would adversely affect the setting of a listed building. Policy B9, B10, B13 and B14 of the Local Plan seek to prevent harmful impact on Conservation Areas and refer to the requirement to preserve or enhance the special character or appearance of a Conservation Area. Policy CSP2 of the Core Spatial Strategy also relates to the historic environment indicating that sites and areas of special architectural or historic interest should be preserved and enhanced.

The dwelling has already had a number of additions/alterations which are unsympathetic to the character and appearance of the property. Notwithstanding this Grindley Cottage has been identified in the Betley Conservation Area Character Appraisal and Management Proposals as a building of local significance which should be regarded as making a positive contribution to the special interest of the conservation area.

The Design and Access Statement (DAS) indicates that the purpose of the proposed extensions and alterations is to tidy up the appearance of the house and make it more like a dwelling than a shop. Whilst the statement in the DAS, that the property has a detrimental affect on its well designed neighbours and that it would help if the property was altered, is accepted it is not considered that the proposal achieves an improvement in the appearance of the property. The additions and alterations go far beyond what would be necessary to resolve the unsympathetic additions and alterations that have already taken place, further obscuring and harming the original character and appearance of the building. The proposal therefore is in conflict with policies that seek to preserve or enhance the special character and appearance of the Conservation Area.

The impact on residential amenity

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on residential extensions including the need for privacy, daylight standards, and environmental considerations. The application property is located well away from other neighbouring properties. Overall taking into account the advice of the SPG the view taken is that the proposal should not be resisted on amenity grounds.

**Recommendation**

**Refuse** for the following reason;

1. The proposed development by virtue of number of alterations and extensions, and their scale and appearance would have an adverse impact on the visual impact on this dwelling and would be harmful to the special character and appearance of Betley Conservation Area. The proposal is therefore contrary to Policies D2 and NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011; Policies CSP1 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026; Policies H18, B9, B10, B13 and B14 of the Newcastle-under-Lyme Local Plan 2011; as well as the aims of objectives of PPS5.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>22.7.11</b>	Decision Sent Out	
Case Officer Recommendation	<b>15.8.2011</b>	8 Week Determination	<b>15.8.11</b>
Management check	<b>17/8 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - McDonalds Restaurant LTD                      **Application No.** 11/00334/FUL

**Location** – McDonalds, 84-86 High Street, Newcastle

**Description** – Alterations to shop front

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

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

Policy QE1: Conserving and Enhancing the Environment  
Policy QE3: Creating a High Quality Built Environment for all  
Policy UR3: Enhancing the role of City, Town and District Centres

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

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

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

Policy CSP1: Design Quality  
Policy CSP2: Historic Environment

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

Policy 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 include:**

#### **National Planning Policy**

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

### **Supplementary Planning Guidance**

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

### **Planning History**

03/01253/FUL	New shop front	Permit
03/01242/ADV	Replacement fascia and projecting signs	Permit
11/00334/FUL	Two internally illuminated fascia signs and a hanging sign	Pending

### **Views of Consultees**

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

### **Representations**

The Civic Society point out that the absence of street numbers on properties is a problem and that the final design of the shop front/fascia includes the street number

### **Applicants/ Agents submission**

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

### **Key Issues**

Full planning permission is sought for alterations to the shop front. The property is a fast food restaurant in Newcastle town centre which is also designated as a Conservation Area, as indicated on the Local Development Framework Proposals Map.

Amended plans have been received reducing the amount of cladding on the shop frontage following officer comments.

The key issue in the determination of the development is:

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

### **The design of the proposals and their impact upon the Town Centre Conservation Area**

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

PPS5 indicates that;

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

Policy CSP2 of the Core Spatial Strategy also seeks to preserve and enhance the character and appearance of the historic heritage of the Borough.

The current shop frontage was approved in 2003 and the proposal now is to modernise and ‘freshen up’ the exterior façade of the building. The original proposal was to clad the whole of the ground floor of the building with Khaki Green aluminium panelling which would cover the existing grey tiled ground floor frontage and the brick pillar between the application property and neighbour (Thomas Cook). Officers felt that the cladding of the brick pillar would create an in balance on the frontage of the building, which includes the small shop next door ‘Amour’, which has an uncovered blue brick pillar. Therefore, amended plans have been submitted which do not clad

the brick pillar with the panelling now proposed to stop at the end of the large display window.

In terms of the materials and colours these are considered acceptable and are standard for these types of McDonald's premises. Therefore a condition requiring the submission of further details is not deemed necessary.

The modernisation of the frontage is considered to now respect the appearance of the façade of the building whilst also respecting and maintaining the character of the street scene and conservation area. The development would therefore have a positive impact upon the character of the surrounding Conservation Area. This accords with the principles of policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan as well as policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy.

Whilst the concerns of the Civic Society are noted there is no policy requirement that shop fronts should include the street number of that property and as such it would not be appropriate or reasonable to require as a condition of planning permission.

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

The proposed alterations to the building would have a beneficial impact upon the appearance on the façade of the building and would maintain the character and appearance of the Town Centre Conservation Area. The proposal therefore accords with Policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B9, B10, B13 and B14 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 and the overarching aims and objectives of PPS 5.

### **Recommendation**

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

1. **BA01** - The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

- Drawing number 4639\_0086\_03 Rev A, date stamped received by the Local Planning Authority on 15 July 2011.
- Drawing number 4639\_0086\_01 & 4639\_0086\_02, date stamped received by the Local Planning Authority on 17 June 2011.
- Photomontage, date stamped received by the Local Planning Authority on 15 July 2011.

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

3. **BE04** - No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.

To safeguard the appearance of the building and conservation area and to comply with the requirements of policy D1 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and PPS 5.

Performance Checks	Date		Date
Consultee/ Publicity Period	<b>22.07.2011</b>	Decision Sent Out	
Case Officer Recommendation	<b>17.08.2011</b>	8 Week Determination	<b>18.08.2011</b>
Report checked by Back Office			
Management check	<b>17.8 ESM</b>		

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** McDonalds Restaurant LTD      **Application No** 11/00335/ADV

**Location** McDonalds, 84-86 High Street, Newcastle

**Description** Two internally illuminated fascia signs and hanging sign

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

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

Policy QE3: Creating a high quality built environment

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

Policy D1: Sustainable forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

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

CSP1: Design Quality

CSP2: Historic Environment

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

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

### **Other Material Considerations:**

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

PPS1: Delivering Sustainable Development (2005)

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

PPG19: Outdoor Advertisement Control (1992)

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

PPS5: Planning for the Historic Environment

#### **Supplementary Planning Guidance**

Staffordshire County Council – Highways Standing Advice 2004

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

### **Relevant Planning History**

03/01253/FUL              New shop front              Permit

03/01242/ADV              Replacement fascia and projecting signs              Permit

11/00335/FUL              Alterations to shop front              Pending

## **Views of Consultees**

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

#### Representations

The Civic Society point out that the absence of street numbers on properties is a problem and that the final design of the shop front/fascia includes the street number

## **Applicants/agents submission**

The requisite application forms and drawings were submitted.

## **Key Issues**

The application is for advertisement consent for two fascia signs and a hanging sign. The hanging sign replaces the previously proposed projecting box sign which officers objected to.

One of the fascia signs would be a 'golden arch' acrylic brand symbol and one is a text sign with individual white acrylic letters internally illuminated. The hanging sign would be coloured khaki green with a 'golden arch' coloured brand symbol. This sign would be externally lit.

The application forms state that signs will have luminance levels of 600cd/m<sup>2</sup>.

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

The contents of the sign are not a matter that the LPA has any control over and is not material to the determination of an application, such as this, for advertisement consent. As such it is not possible to require the applicant to include the street number within any signage proposed.

The issues to address are therefore;

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

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

The proposed signs forms part of the modernisation of the shop front as proposed in planning application 11/00334/FUL. The signs would be similar in size and appearance to the existing signs but the shop front alterations as a whole are considered an improvement and so the proposed signs are considered to be an acceptable design that would respect the street scene. The proposed signs, given the context of the building and its frontage, will not harm the overall character of the area. The proposal would therefore adhere with the principles of policy D2 of the Staffordshire and Stoke on Trent Structure Plan.



The application property is located within the Town Centre Historic core. In terms of the impact on the conservation area policy B20 of the local plan indicates that illuminated signs should consist of individually lit letters fixed directly to the fascia or to an opaque panel. The proposed signs are considered to comply with this policy with the letters standing proud by 100mm and they are clearly distinguishable from the dark background. However, policy B20 of the Newcastle-under-Lyme Local Plan states that a maximum luminance of 300cd/m<sup>2</sup> should be adhered to within Conservation Areas. To ensure the proposal therefore does not have an adverse impact upon the Conservation Area, a condition would be included specifying that the maximum luminance for the signs should not exceed 300cd/m<sup>2</sup>. The proposed development would therefore adhere with the principles of policy B20 of the Newcastle under Lyme Local Plan.

The impact upon public and highway safety

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

**Recommendation**

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

1. BG09I Maximum luminance - Conservation

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

Reason: To protect the visual amenities of the area and comply with policy B20 of the Newcastle under Lyme Local Plan 2011.

**Informative**

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

- Drawing number 4639\_0086\_03 Rev A, date stamped received by the Local Planning Authority on 15 July 2011.
- Drawing number 4639\_0086\_01 & 4639\_0086\_02, date stamped received by the Local Planning Authority on 17 June 2011.
- Photomontage, date stamped received by the Local Planning Authority on 15 July 2011.

Performance Checks	Date		Date
Consultee/Publicity Period	<b>22.07.2011</b>	Decision Sent Out	
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Management check	<b>17/8 ESM</b>		

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**CONSERVATION ADVISORY WORKING PARTY**

Reference	Location and Applicant	Development	Remarks	Ward Councillors
11/393/FUL	Newcastle-under-Lyme School, Mount Pleasant, Newcastle Newcastle-under-Lyme School	Two sun shade sails to playground area and one sun shade sail/canopy to entrance hall play area	Within the Stubbs Walk Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/402/FUL	61 - 63 High Street, Newcastle, Equity Partnerships (Osprey) Ltd	Refurbishment of the front façade including installation of a new timber shop front to unit 61	Within the Newcastle Town Centre Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/404/ADV	Britannia Building Society, 57-58 Ironmarket, Newcastle, Britannia Building Society	One internally illuminated fascia sign with existing trough light and one internally illuminated projecting sign	Within the Newcastle Town Centre Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/413/FUL	Newcastle-under-Lyme School, Mount Pleasant, Newcastle Newcastle-under-Lyme School	Remodelling of existing courtyard (quad) area into a new school plaza incorporating connecting pathways, hard and soft landscape elements and associated infrastructure. (Resubmission of 10/00469/FUL to include additional connecting pathway, felling of 2 cherry trees and minor alterations)	Within the Stubbs Walk Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/417/COU	45 West Street, Newcastle, Bespoke Beauty Clinic & Mr S P & Mrs J C Jervis	Retrospective application for change of use to specialist beauty salon (sui generis)	Within the Stubbs Walk Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/423/FUL	Butterton Nurseries, Park Road, Butterton Mr Leath	Two storey single storey and first floor extensions	Within Butterton conservation area	Cllr A Howells Cllr D Loades Cllr Mrs F Myatt
11/424/FUL	Newcastle-under-Lyme School, Mount Pleasant, Newcastle Newcastle-under-Lyme School	Replacement modular teaching unit with covered link to main school building	Within the Stubbs Walk Conservation Area	Cllr D Clarke Cllr Mrs E Shenton
11/427 /FUL	Church Farm, Mucklestone Mr Friend	Retrospective consent to widen a farm/domestic access	Within Mucklestone conservation area.	Cllr A Howells Cllr D Loades Cllr Mrs F Myatt

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# Newcastle under Lyme School

11/393/FUL, 11/413/FUL & 11/424/FUL

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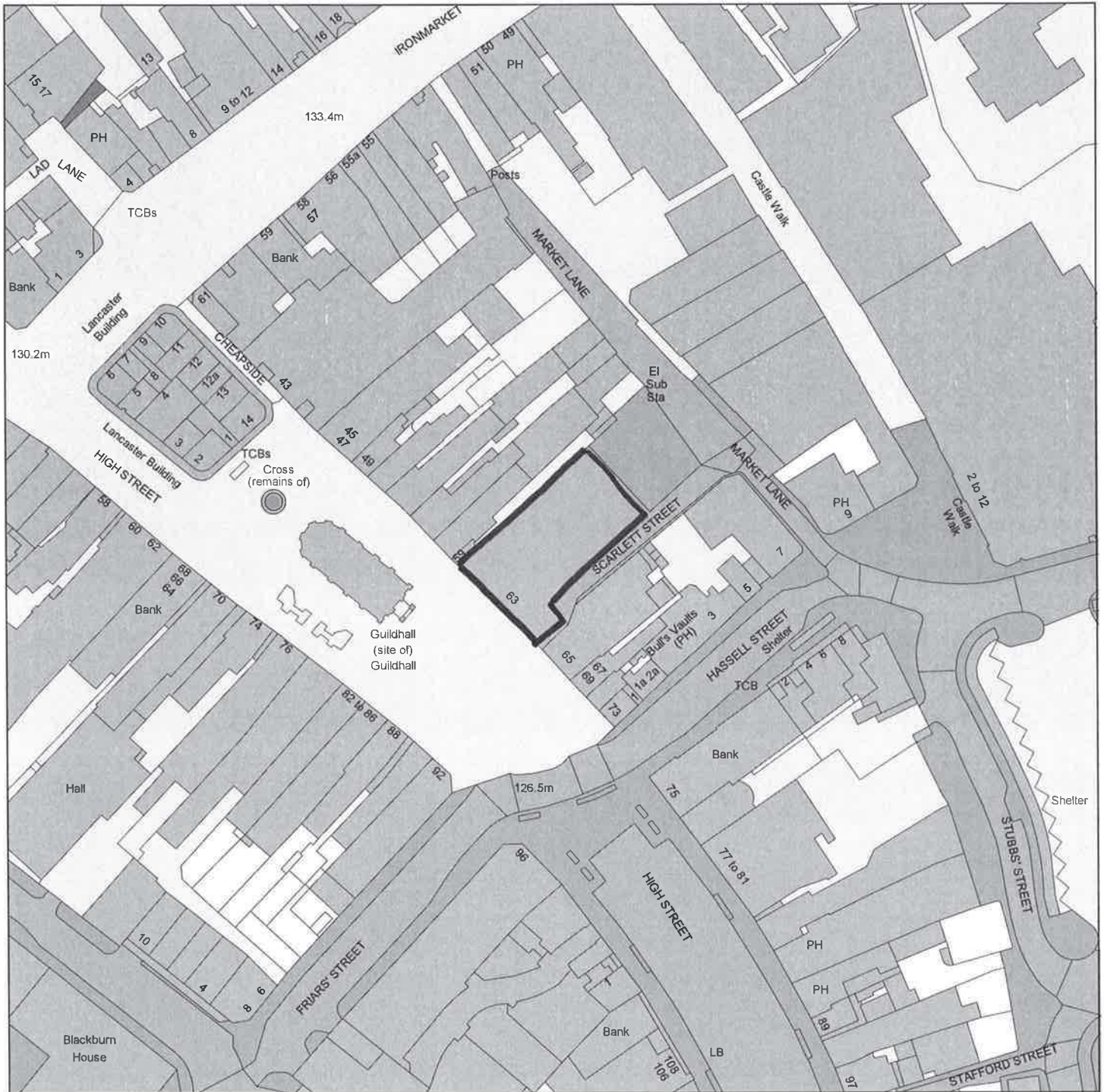
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# 61-63 High Street, Newcastle

11/402/FUL



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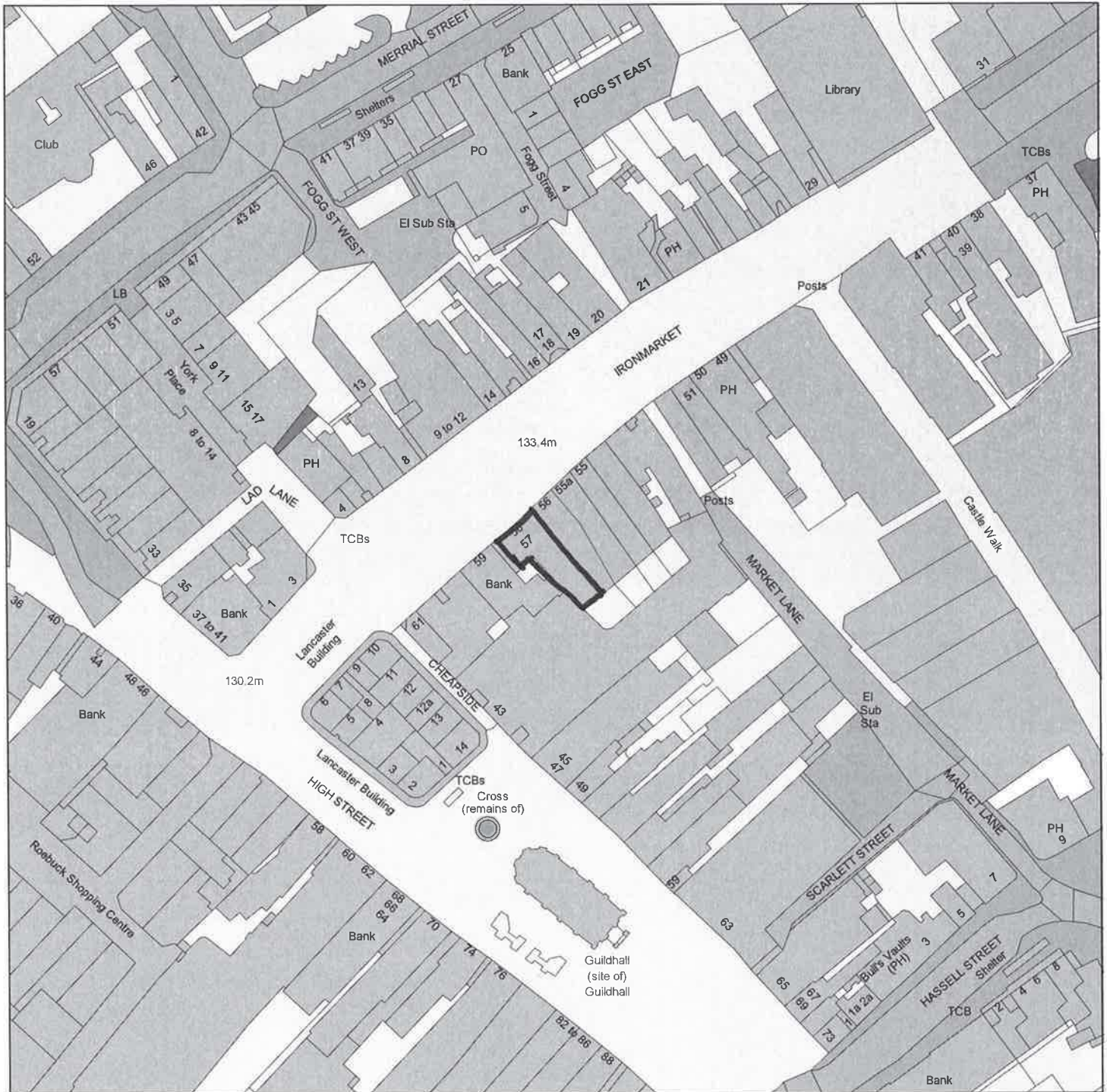
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# 57-58 Ironmarket, Newcastle

11/404/



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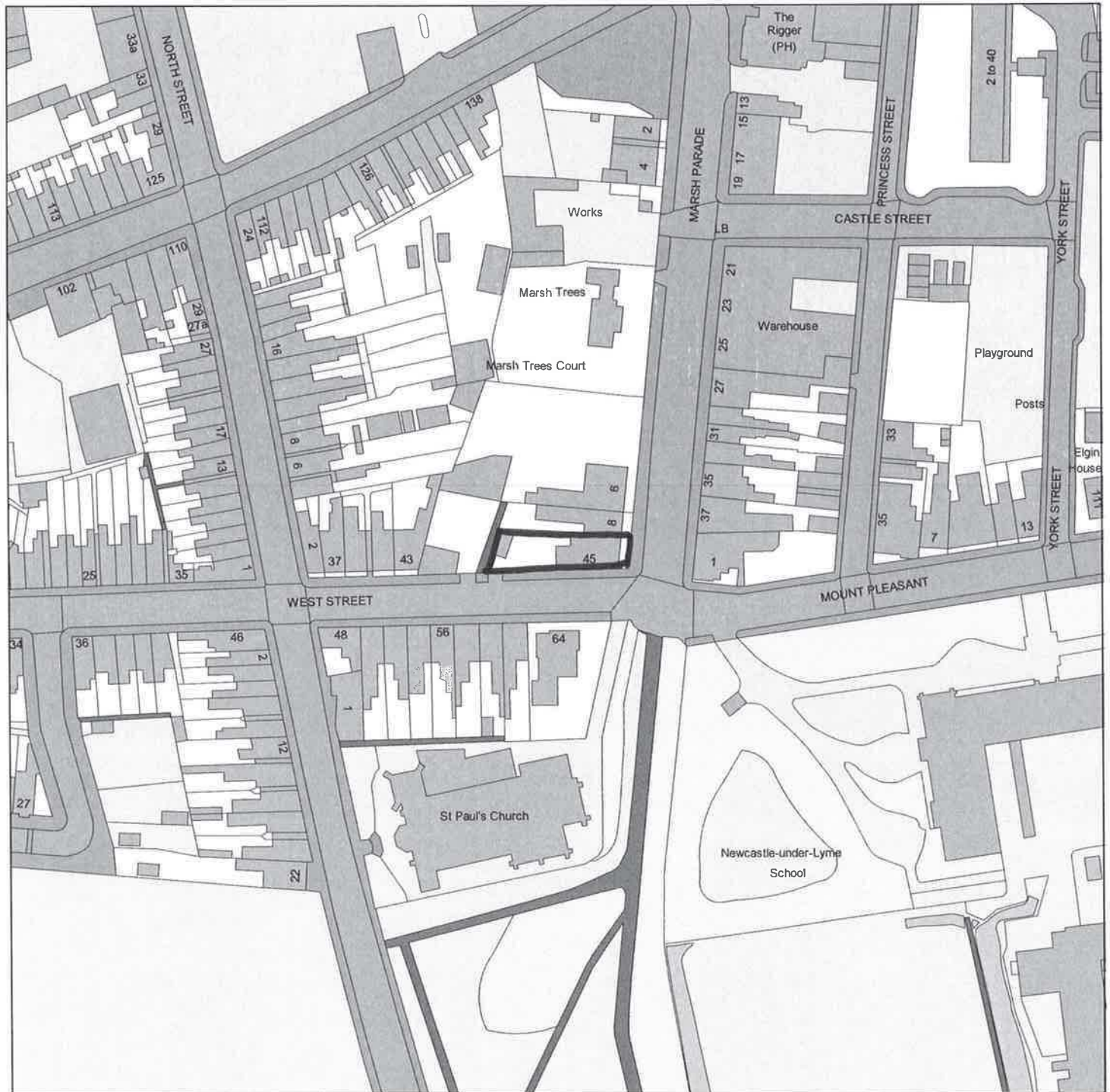
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# 45 West Street, Newcastle

11/417/COU



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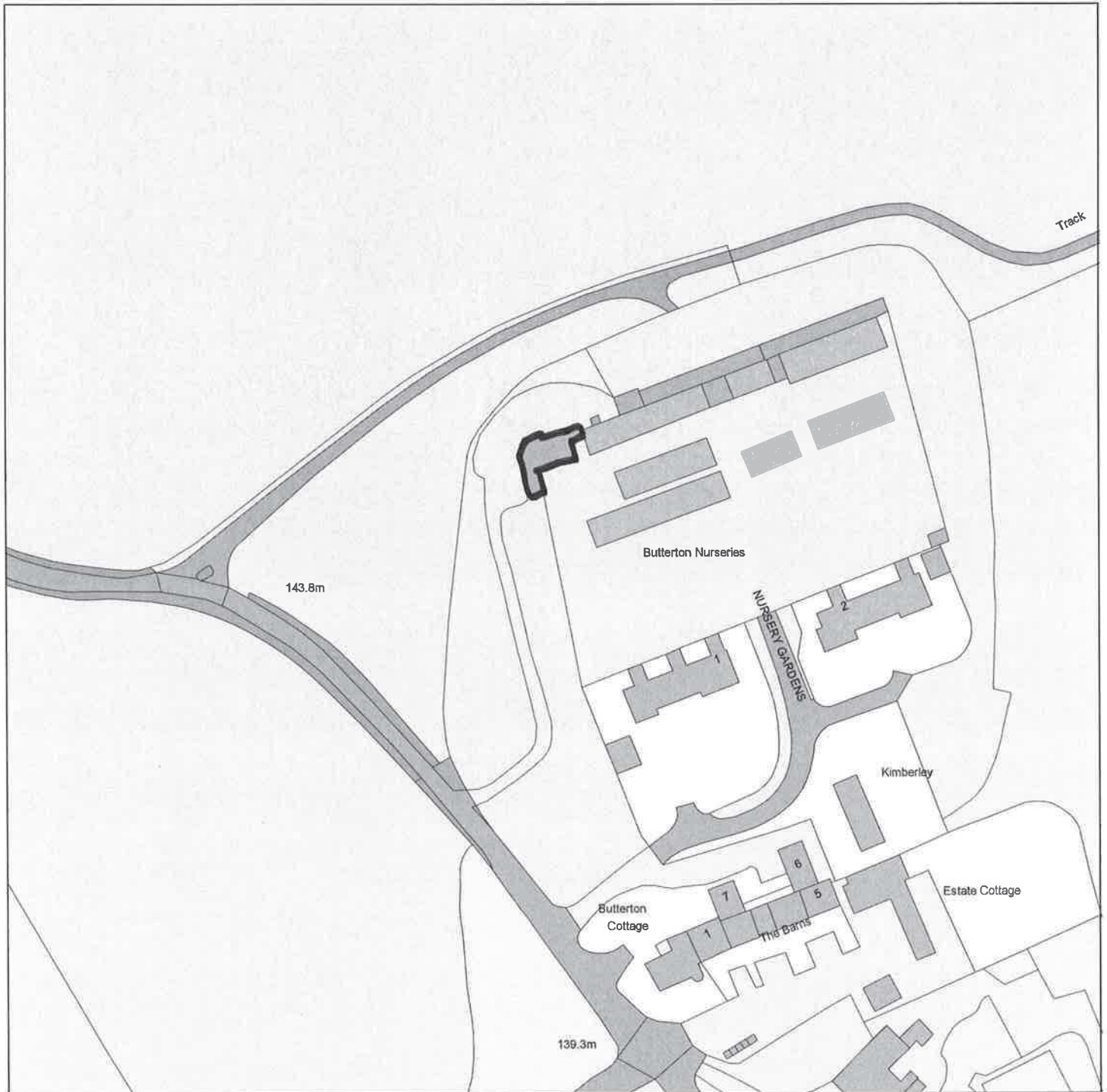
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# Butterton Nurseries, Park Road, Butterton

11/423/FUL



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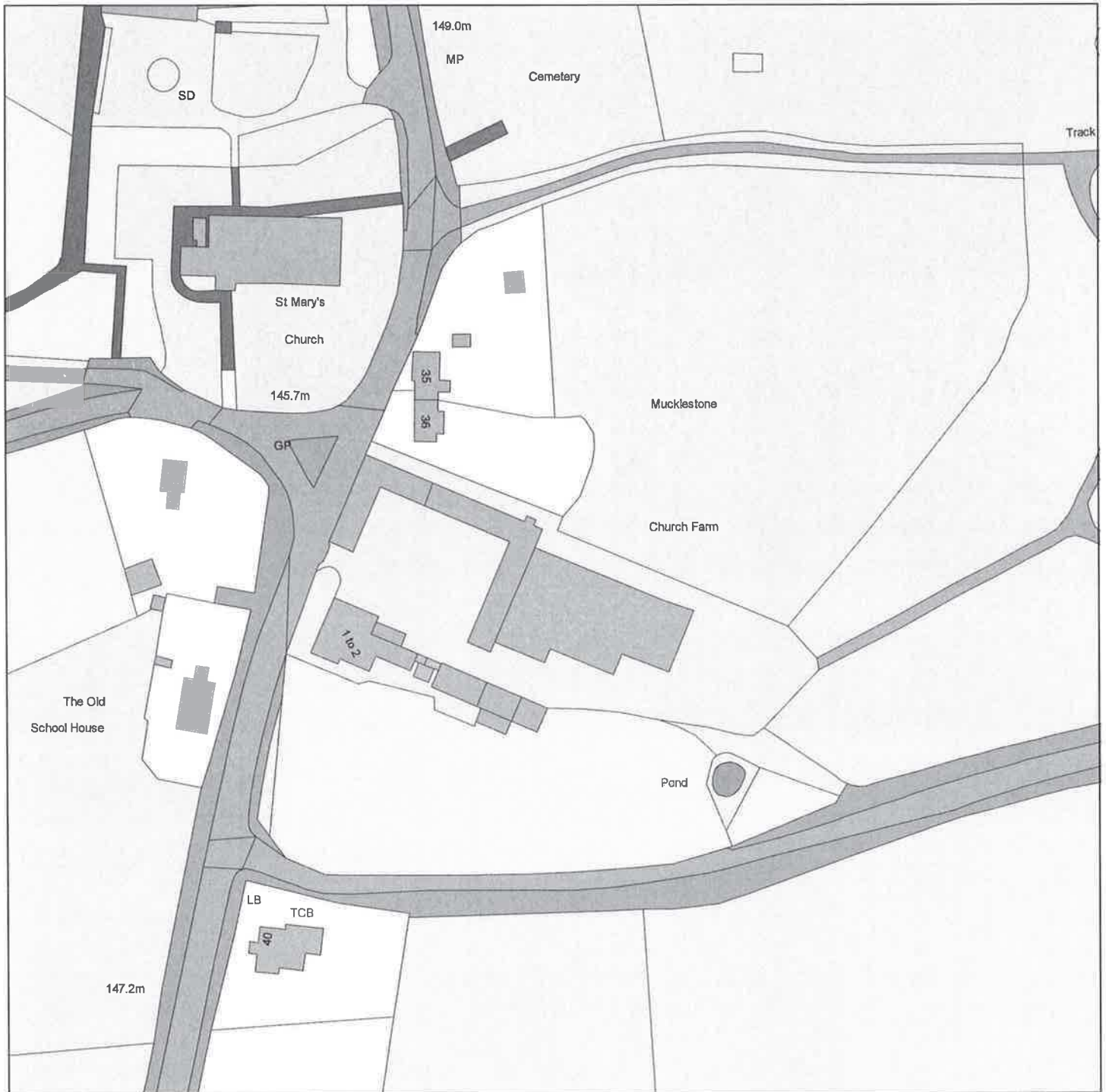
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# Church Farm, Mucklestone

11/427/FUL



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