

# Public Document Pack

**Date of meeting** Tuesday, 2nd January, 2018  
**Time** 6.30 pm  
**Venue** Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG  
**Contact** Geoff Durham



**NEWCASTLE  
UNDER LYME**  
**BOROUGH COUNCIL**

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

## **Planning Committee (Development Management)**

### **AGENDA**

#### **PART 1 – OPEN AGENDA**

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**  
To receive Declarations of Interest from Members on items included on the agenda.
- 3 MINUTES OF PREVIOUS MEETING(S)** (Pages 5 - 10)  
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR MAJOR DEVELOPMENT - GRAVEL BANK, MUCKLESTONE ROAD, LOGGERHEADS. MULLER PROPERTY GROUP . 17/00787/OUT** (Pages 11 - 24)
- 5 APPLICATION FOR MAJOR DEVELOPMENT - LAND AT END OF GATEWAY AVENUE, BALDWIN'S GATE. KIER LIVING LTD. 13/00426/OUT** (Pages 25 - 28)
- 6 APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF SHELTON BOULEVARD, FORGE LANE, ETRURIA, STOKE-ON-TRENT. STOKE-ON-TRENT REGENERATION LTD. 348/250** (Pages 29 - 34)
- 7 APPLICATION FOR MINOR DEVELOPMENT - LAND EAST OF CONEYGREAVE FARM AND SOUTH OF NEWCASTLE ROAD,WHITMORE. HIGH SPEED TWO (HS2) LIMITED. 17/00908/COU** (Pages 35 - 38)

Full report to follow.

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|-----------|---|--------------------------|
| <b>8</b>  | <b>APPLICATION FOR MINOR DEVELOPMENT - LAND SOUTH-EAST OF HOLLYCROFT FARM, LORDSLEY LANE, ASHLEY. MRS J DERRICOTT. 17/00926/FUL</b> | <b>(Pages 39 - 44)</b>   |
| <b>9</b>  | <b>APPLICATION FOR OTHER DEVELOPMENT - LONDON ROAD BOWLING CLUB, LONDON ROAD, NEWCASTLE. LONDON ROAD BOWLING CLUB. 17/00808/FUL</b> | <b>(Pages 45 - 50)</b>   |
| <b>10</b> | <b>APPLICATION FOR OTHER DEVELOPMENT - 3 STATION DRIVE, KEELE. MR &amp; MRS BENNETT. 17/00775/FUL</b>                               | <b>(Pages 51 - 58)</b>   |
| <b>11</b> | <b>TREE PRESERVATION ORDER - 8 BARFORD ROAD, NEWCASTLE . TPO 186</b>  | <b>(Pages 59 - 62)</b>   |
| <b>12</b> | <b>TREE PRESERVATION ORDER - 47 LIVERPOOL ROAD EAST. TPO 187</b>  | <b>(Pages 63 - 66)</b>   |
| <b>13</b> | <b>HALF YEARLY REPORT ON PLANNING OBLIGATIONS</b>   | <b>(Pages 67 - 78)</b>   |
| <b>14</b> | <b>DRAFT KEELE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENT</b>                                  | <b>(Pages 79 - 110)</b>  |
| <b>15</b> | <b>QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED</b>                               | <b>(Pages 111 - 116)</b> |
| <b>16</b> | <b>OPEN ENFORCEMENT CASES</b>   | <b>(Pages 117 - 118)</b> |
| <b>17</b> | <b>URGENT BUSINESS</b>  |                          |

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

**Members:** Councillors Burgess, Fear, S Hambleton, Heesom, Northcott, Panter, Proctor (Chair), Reddish, Simpson, Spence (Vice-Chair), Sweeney, S Tagg, G White, G Williams, J Williams and Wright

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

**Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.**

**FIELD\_TITLE**

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

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**PLANNING COMMITTEE**

Wednesday, 6th December, 2017  
Time of Commencement: 6.30 pm

**Present:-** Councillor Chris Spence – in the Chair

Councillors Burgess, S Hambleton, Heesom, Holland, Naylor, Northcott, Owen, Panter, Reddish, Simpson, Sweeney, S Tagg, G Williams, J Williams and Winfield

Officers Guy Benson, Geoff Durham - Member Training and Development Officer, Rachel Killeen and Darren Walters

Apologies Councillor(s) Fear, Proctor, G White and Wright

**1. APOLOGIES**

Apologies were received from Councillors' Fear, Proctor, White and Wright.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

**3. MINUTES OF PREVIOUS MEETING(S)**

**Resolved:** That the minutes of the meeting held on 7 November, 2017 be agreed as a correct record.

**4. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WOODROW WAY, ASHLEY. MARCUS MACHINE TOOLS. 17/00605/FUL**

**Resolved:** That the application be refused for the following reasons:

- (i) The proposed development, because of its isolated location away from a higher level of services, employment and public transport links, would mean that residents would be dependent on the use of private motor vehicles. The development of this greenfield site would not materially enhance or maintain the viability of a rural community in a significant way and is considered to be an unsustainable form of development. Notwithstanding that the Council cannot demonstrate an up to date 5 year plus 20% supply of deliverable housing sites, there is no presumption in favour of the proposal. For these reasons the proposed development is contrary to the requirements and guidance of the National Planning Policy Framework (2012). It would also create a precedent for the consideration of similar proposals around the village envelope of Ashley.

- (ii) The adverse impacts of the development, namely the reliance on the use of private motor vehicles and the extension of built development into the open countryside would significantly and demonstrably outweigh any benefits of the development when assessed against the policies of the National Planning Policy Framework (2012) taken as a whole and the proposal therefore represents an unsustainable development.
- (iii) In the absence of a secured planning obligation, the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well-functioning housing market, as referred to in the Newcastle-under-Lyme Borough Council Affordable Housing Supplementary Planning Document (2009) and the Newcastle-under-Lyme Borough Council Supplementary Planning Document on Development Contributions (2007). The proposal would thus be contrary to Policies CSP6 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policy IM1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2012).
- (iv) In the absence of a secured planning obligation and having regard to the likely additional pupils arising from the development and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards education provision as referred to in the Staffordshire County Council Education Planning Obligations Policy (November 2003, as subsequently updated) and the Newcastle-under-Lyme Borough Council Supplementary Planning Document on Development Contributions (2007). For this reason the proposal would fail to provide a sustainable form of development and would be contrary to Policy CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policy IM1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2012).

**5. APPLICATION FOR MAJOR DEVELOPMENT - FORMER GE DIAMOND BUILDING, WEST AVENUE, KIDSGROVE. RELIANCE MEDICAL LTD. 17/00848/FUL**

**Resolved:** That the application be permitted subject to the undermentioned conditions:

- (i) Variation of condition (ii) to reflect the revised drawings.
- (ii) Any other conditions of 14/00736/FUL as continue to apply to the development.

**6. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE COLLEGE, KNUTTON LANE, NEWCASTLE. NEWCASTLE-UNDER-LYME COLLEGE. 17/00839/FUL**

**Resolved:** That the application be permitted subject to the undermentioned conditions:

- (i) Variation of condition 57 stating that the highway works, as detailed on the General Arrangement Drawing number CDD0039/R01/01 Rev C0 is hereby approved.
- (ii) All other conditions attached to planning permission 06/01180/OUT that have not already been discharged.

**7. CONSULTATION - LAND AT CEDAR AVENUE ALSAGER. MCCARTY AND STONE RETIREMENT LIFESTYLES LTD. 17/5537C 348/245**

**Resolved:** That Cheshire East Council be informed that the Borough Council has no objections to the application.

**8. CONSULTATION - FORMER MMU ALSAGER CAMPUS SITE. DAVID WILSON HOMES LTD. 17/5557C 348/248**

**Resolved:** That Cheshire East Council be informed that the Borough Council has no objections to the application.

**9. APPLICATION FOR MINOR DEVELOPMENT - FORMER AUDLEY WORKINGMENS CLUB. NEW ROAD, BIGNALL END. BRAMPTON HOMES LTD. 17/00673/FUL**

*Councillor Beech spoke on this application.*

*Proposed by Councillor Tagg and seconded by Councillor Heesom.*

**Resolved:** That the application be refused for the following reason:

There would be an adverse impact on the residential amenity of the occupiers of adjacent dwellings including those under construction.

**10. APPLICATION FOR MINOR DEVELOPMENT - MCDONALDS RESTAURANT, DIMSDALE PARADE WEST. MCDONALDS. 17/00856/FUL**

*Proposed by Councillor Hambleton and seconded by Councillor Tagg.*

**Resolved:** That the application be refused for the following reason:

The proposed additional opening hours of the restaurant and drive-thru facility would result in an unacceptable and harmful impact to the living conditions and quality of life of the occupiers of no. 279 Dimsdale Parade West and the amenity of the area in general by virtue of unacceptable levels of noise and disturbance which would be contrary to the guidance and requirements of the National Planning Policy Framework 2012.

**11. APPLICATION FOR MINOR DEVELOPMENT - 8 BARFORD ROAD, NEWCASTLE. MR A MOSS. 17/00878/FUL**

*Councillor Owen left the room during discussion of the following item.*

*Proposed by Councillor Holland and seconded by Councillor Tagg.*

**Resolved:** That the application be refused for the following reasons:

- (i) The scale, form and appearance of the development scheme is out of keeping with its immediate surroundings and is visually detrimental to Bunny Hill and the prevailing form and character of the local area.
- (ii) The development, due to its scale and position, would have an unacceptable impact on the occupiers of neighbouring properties by virtue of being overbearing.

**12. APPLICATION FOR OTHER DEVELOPMENT - NEW SPRINGS COTTAGE, AUDLEY ROAD, TALKE. MR C PURKISS. 17/00651/FUL**

**Resolved:** That the application be permitted subject to the undermentioned conditions:

- (i) Time limit relating to the commencement of development.
- (ii) Approved Plans.
- (iii) Prior approval of any external lighting.
- (iv) Prior approval of any boundary treatment/means of enclosure of the menage
- (v) Non-commercial use only
- (vi) Prior approval of jumps or similar features.
- (vii) Submission of a contaminated land verification report.

**13. MID-YEAR DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2017/2018**

- Resolved:**
- (i) That the report be received.
  - (ii) Head of Planning with the Development Management Team Leader seeks to maintain performance of the Development Management team where satisfactory and improve the service provided where our level of performance falls significantly below the targets set out in the Planning Service Plan for 2017/18.
  - (iii) The next 'Development Management Performance Report' be submitted to Committee around June 2018 reporting on performance for the complete year 2017/18

**14. QUARTERLY REPORT ON EXTENSIONS TO TIME PERIODS WITHIN WHICH OBLIGATIONS UNDER SECTION 106 CAN BE ENTERED INTO**

- Resolved:**
- (i) That the report be noted.
  - (ii) That the Head of Planning continue to report, on a



quarterly basis, on the exercise of his authority to extend the period of time for an applicant to enter into Section 106 obligations.

**15. BUILDING AT RISK SURVEY RESULTS**

- Resolved:**
- (i) That the findings of the Survey for buildings found to be “at risk” accepted and it was agreed that the Conservation Officer and other officers work with owners and their agents to get these buildings removed from the At Risk Register.
  - (ii) That the Conservation Officer and other officers work with owners and their agents for those buildings identified from the Survey as buildings “requiring monitoring” to stop them worsening and becoming “At Risk”.
  - (iii) That officers undertake a survey of all of statutorily Listed Buildings every 5 years or as resources permit and that the survey is updated as necessary if individual buildings are removed from the list or new ones are identified as “at risk”
  - (iv) That the list of Buildings at Risk in the Borough is published on the Council’s website
  - (v) That the Conservation Officer be thanked for an excellent report

**16. URGENT BUSINESS**

**FORMER MMU ALSAGER CAMPUS SITE. 17/5778C 348/249**

**Resolved:** That Cheshire East to be informed that the Borough Council has no objections to this application.

**17. URGENT BUSINESS**

**8 Barford Road Appeal and S106 - 17/00483/FUL**

- Resolved:**
- (i) That, With respect to the appeal against the decision on 17/00483/FUL that Officers to now write to the appellant to confirm that the obligation referred to in the recommendation that was provided to the Planning Committee on 12<sup>th</sup> September is required by the Local Planning Authority;
  - (ii) That, `In preparing the Council’s Statement of Case with respect to 17/00483/FUL, officers include reference to the above requirement; and
  - (iii) That, should the appellant seek before the appeal against the decision on 17/00483/FUL is determined to

enter into a Section 106 agreement with the Council containing such an obligation, officers have the appropriate authority to enter into such an agreement.

- (iv) That in the event of an appeal being lodged against the refusal of 17/00878/FUL the same position be taken with respect to that appeal as set out in (a), (b) and (c) above

**COUNCILLOR CHRIS SPENCE**  
**Chair**

Meeting concluded at 9.10 pm

**GRAVEL BANK, MUCKLESTONE ROAD, LOGGERHEADS  
MULLER PROPERTY GROUP**

**17/00787/OUT**

The application is for outline planning permission for the erection of up to 70 dwellings. Access is in part for consideration in this application with all other matters (appearance, landscaping, layout and scale) reserved for subsequent approval.

The application site lies on the north side of Mucklestone Road which is a B classified road outside the village envelope of Loggerheads and within the open countryside and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map. The site area is approximately 2.2 hectares. The existing house at Gravel Bank and part of its outbuildings are not affected by the proposal. A milepost on the site frontage is a Grade II Listed Building.

**The 13 week period for the determination of this application expires on the 2<sup>nd</sup> January 2018 but the applicant has agreed to extend the statutory period until the 5<sup>th</sup> January 2018.**

**Refuse for the following reasons:**

- 1. The development would have an urbanising effect on the open countryside and would have a significant adverse impact on the character and appearance of the area.**
- 2. The adverse impacts of the development, namely the harm to the character and appearance of the countryside and the high level of the use of the private car, significantly and demonstrably outweigh the benefits of the development. The proposal therefore represents an unsustainable development that is contrary to the guidance of the National Planning Policy Framework (2012).**
- 3. In the absence of a secured planning obligation and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards education provision.**
- 4. In the absence of a secured planning obligation the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well-functioning housing market.**
- 5. In the absence of a secured planning obligation the development fails to make appropriate contributions towards travel plan monitoring and preparation which is required to provide a sustainable development.**

### **Reason for Recommendation**

The proposal would extend built development into the open countryside and would have a significant adverse impact on the character and appearance of the area. Due to the location of the site away from a higher level of services, employment and public transport links, there is likely to be a somewhat high level of the use of the private car. Overall, the adverse effects of allowing the development of this proposal, significantly and demonstrably outweigh the benefits.

The proposed development would result in additional pressure on limited secondary school places and in the absence of a financial contribution, such an adverse impact would not be appropriately mitigated against. A planning obligation is also required to secure affordable housing and travel plan monitoring in accordance with policy.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

Additional information has been requested and provided where necessary to progress the determination of the application. It is considered that the proposals are unsustainable and do not conform to the core planning principles of the National Planning Policy Framework and it is considered that the applicant is unable to overcome the principal concerns in respect of this development.

## **Key Issues**

1.1 Outline planning permission is sought for residential development of up to 70 dwellings. Access is in part for consideration as part of this application with all other matters (appearance, landscaping, layout and scale) reserved for subsequent approval.

1.2 The application site, of approximately 2.2 hectares in extent, is within a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map, in the open countryside outside the village envelope of Loggerheads.

1.3 Outline planning permission was allowed on appeal in March 2017 for up to 128 dwellings on the adjacent site to the east, Tagedale Quarry (Ref. 15/00015/OUT). Whilst the current application needs to be considered independently of that site, given that it has an extant consent, account has to be taken of that planning permission in the consideration of some issues, including education capacity and highway realignment. However the Authority also has to consider the scenario in which Tagedale quarry does not proceed.

1.4 The main issues for consideration in the determination of this application are therefore:-

- Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?
- Would the proposed development have any impact on the setting of any Listed Buildings?
- Would the proposed development have a significant adverse impact on the character and appearance of the village or the wider landscape?
- Would the proposed development have any material adverse impact upon highway safety and does it provide appropriate pedestrian access to village facilities?
- What planning obligations are considered necessary and lawful?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

## **2. Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?**

2.1 The application site lies within the Rural Area of the Borough, outside of the village envelope of Loggerheads, in the open countryside.

2.2 Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

2.3 CSS Policy ASP6 states that in the Rural Area there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

2.4 Furthermore, Policy H1 of the Newcastle Local Plan (NLP) indicates that planning permission for residential development will only be given in certain circumstances – one of which is that the site is within one of the village envelopes.

2.5 As indicated above this site is neither within a village envelope nor would the proposed dwellings serve an identified local need as defined in the CSS. As such its development for residential purposes is not supported by policies of the Development Plan.

2.6 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also states that relevant policies for the supply of housing cannot be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites (as defined in paragraph 47).

2.7 The Council is currently unable to robustly demonstrate a five year supply of specific, deliverable housing sites (plus an additional buffer of 20%) as required by paragraph 47 of the Planning Policy Framework (NPPF). The latest position was reported to the Planning Committee at its meeting on 15<sup>th</sup> August 2017 and that report indicated a supply of 1.8 years' worth, in terms of the borough's housing requirements. The starting point therefore is set out in paragraph 14 of the NPPF which sets out that there is a presumption in favour of sustainable development, and for decision taking this means, *unless material considerations indicate otherwise granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.*

2.8 The site is outside the village envelope of Loggerheads. Loggerheads is identified within the CSS as being one of the three Rural Service Centres which are detailed as providing the most comprehensive provision of essential local services. The Borough's Rural Services Survey (2011), an update of that undertaken in 2008, states that Loggerheads, one of the borough's larger rural settlements, *"has a wide range of local services and is located within a very sustainable and accessible location along the A53"*. At that time it confirmed that within the village there was a post office, 2 food shops, 2 restaurants/takeaways, a school, a pub, a cash point, a library and other local amenities. The Survey went on to conclude that Loggerheads and the other settlements defined as Rural Service Centres offered the most sustainable locations for additional development to meet local needs and to support the vitality and viability of local service provision.

2.9 Loggerheads currently has a food store, a primary school, a public house, a pharmacy, a library, a cash point, a post office, a butcher, a restaurant, a takeaway, a hairdresser, a barbers, a veterinary surgery and a bus service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury. Reference will be made to this bus service later on in this report. The centre of the site would be approximately 1200m walking distance from the village centre of Loggerheads, i.e. the food store, post office and library, and approximately 1100m from the nearest bus stops which are located on the A53 in the vicinity of the double mini roundabouts.

2.10 The Newcastle Rural Accessibility Appraisal report (September 2015) concludes that Loggerheads experiences very mixed accessibility in terms of travel times to different services and facilities. The settlement has good access to GP surgeries, supermarkets and primary schools but longer travel times to secondary schools, further education and a range of employment destinations.

2.11 In the Transport Assessment that accompanies the application, it is concluded that the development is within acceptable walk and cycle distances of all key facilities within Loggerheads and that Loggerheads is served by a good bus service. It highlights that the Inspector considering the adjacent Tadgedale Quarry appeal confirmed that the proposal would be sufficiently accessible to a range of services and would reduce reliance of St Mary's CE School on out of catchment children. It is asserted that given that the Tadgedale Quarry site is located adjacent to the development site, the Inspector's conclusions must be applicable to this application.

2.12 In the Tadgedale appeal decision referred to above (March 2017), the Inspector acknowledged that in terms of access to services such as bulk food and comparison goods shopping, most evening entertainment, secondary and further education and hospital visits, occupiers of that proposed development would rely on trips outside Loggerheads. He acknowledged that given the limitations to the bus service and the location, accessibility to employment is likely to be primarily by car. It is relevant to note that since the Tadgedale appeal, the bus service has been reduced and there is now no evening service or Sunday service. However the Inspector accepted that the proposal before him would be sufficiently accessible to a range of services and that by providing a safer and more convenient pedestrian crossing across the A53 close to the village centre, would help encourage walking within the village.

2.13 The application site here being considered is to the west of the Tadgedale Quarry site and therefore walking distances from the centre of the development site to shops and services in the village centre are slightly greater (1200m compared to approximately 1100m for Tadgedale Quarry). Manual for Streets (MfS) advises that walkable neighbourhoods are typically characterised as having facilities within 10 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot. However, the Chartered Institution of Highways and Transportation

(CIHT) document, "Providing for Journeys on Foot" refers to 2km as the preferred maximum walking distance for commuters and education, with 1200m to other types of locations. In the Tadgedale appeal decision, the Inspector stated that the distances referred to in MfS and the CIHT documents are indicative only and do not constitute firm thresholds. He went on to state that no guidance concerning walking distances to services has been set out in national planning policy since the former Planning Policy Guidance 13: Transport was replaced in 2012 and even that did not set firm thresholds. He pointed out that MfS has a focus on urban streets rather than villages and that the CIHT documents are somewhat dated. He stated that the proposal would be sufficiently accessible to a range of services but went on to conclude that its heavy reliance on private car use for daily commuting trips, together with the distance likely to be covered by these, would conflict to some extent with national and local policies relating to sustainable transport and that this would constitute harm.

2.14 The Tadgedale Quarry scheme provided a link from the northern end of that site onto Rock Lane which shortened the walking distance to the catchment primary school, St. Mary's in Mucklestone. For the current site it has been suggested that if Tadgedale is developed, pedestrians could use the footway from the Tadgedale site to access Rock Lane and that if it were not developed, then pedestrians could use the proposed footway along Mucklestone Road in order to access the existing route along Rock Lane. Without the footpath link onto Rock Lane from Tadgedale Quarry, your Officer considers that it would be highly unlikely that occupiers of the dwellings would consider that walking to school would be a reasonable option given the distance involved would be about 2.3km, (as opposed to 1.6km with the link). Walking along Mucklestone Road to the west of the site would not be safe. Distance to facilities is however only one element of whether this is considered to be a sustainable development.

2.15 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

2.16 The applicant's agent states that benefits of the proposal are the provision of new housing including the affordable housing element, support for local shops and services, support for the school, new areas of public open space, provision of construction jobs and additional tax revenues and a New Homes Bonus for the Local Authority.

2.17 It is the case that the development would undoubtedly create associated construction jobs and the construction of housing in the rural area in a district that does not have a five year supply of housing. The development would fulfil a social role by delivering a mix of market housing and affordable housing in the rural area and the issue of the environmental impact of the scheme will be considered fully below. Whilst the development could be expected, under current arrangements, to result in the payment to the Council of New Homes Bonus (NHB) – a local finance consideration (unlike Council tax revenue) to which regard must be had in planning decision as far as it is material, such materiality depends upon whether the NHB could help to make the development acceptable in planning terms which given the purposes on which NHB is spent in the Borough would not be the case. The National Planning Practice Guidance is clear – it would not be appropriate to make a planning decision based on the potential of the development to raise money for a local authority.

2.18 In assessing accessibility from the site to the village, it is necessary to consider whether a safe route can be achieved. At present the footway from the village terminates at the junction with Mucklestone Wood Lane. The application proposes a footway linking the site to Mucklestone Wood Lane as well as a pedestrian crossing point with a refuge and tactile paving at the junction with Mucklestone Wood Lane, connecting to the footway to the village.

2.19 In allowing the Tadgedale Quarry appeal, the Inspector gave weight to the fact that a safer and more convenient pedestrian crossing across the A53 close to the village centre, would help encourage walking within the village. No such crossing is proposed as part of this application and therefore consideration must be given to whether, if the Tadgedale Quarry development does not proceed or takes place after this development, such a pedestrian crossing on the A53 should be required as part of any permission granted for this current application.

2.20 This matter has been discussed with the Highway Authority (HA) who have advised that a controlled pedestrian crossing on the A53 is not necessary to make the development acceptable.

Furthermore planning permission was granted for a residential development to the east of this site on the opposite side of Mucklestone Road (Ref. 15/00202/OUT), and in approving that development, it was not considered reasonable to require such a crossing.

2.21 In terms of the accessibility of the site to the services within the village, the introduction of a footway along the site frontage will provide a continuous pedestrian link to the A53 and centre of Loggerheads. This will improve linkages from the site to the village, will help to reduce the requirement for residents to use their car and to ensure a sustainable development. That there is likely to be a somewhat high level of the use of the private car, both for commuting and trips to higher order facilities but also in relation to primary education should the scheme proceed without the development of Tagedale Quarry, is however a factor which weighs against the proposal and it needs to be taken into account in the planning balance.

### 3. Would the proposed development have any impact on the setting of any Listed Buildings?

3.1 There is a Grade II Listed milestone on Mucklestone Road to the south-east corner of the site. NLP Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a Listed Building and this would include such a feature. The Highway Authority has suggested that the milestone would be on the line of the proposed new footway on Mucklestone Road but an additional plan has been submitted to show that the footpath would be to the south of the milestone. Given that the proposed access would be further to the west on Mucklestone Road, and taking into account the associated widening of the carriageway that is proposed it is not considered that the setting of the milestone would be adversely affected.

### 4. Would the proposed development have a significant adverse impact on the character and appearance of the village or the wider landscape?

4.1 CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

4.2 The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered that it is consistent with the NPPF and therefore, can be given weight. Section 10.1 of the SPD indicates that the aims for development within, or to extend, existing rural settlements are

- a. *To respond to the unique character and setting of each*
- b. *Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location*
- c. *Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character*

4.3 It goes on to state that new development in the rural area should respond to the typical forms of buildings in the village or locality.

4.4 Paragraph 58 of the NPPF states that decisions should aim to ensure that developments optimise the potential of the site to accommodate development and respond to local character and reflect the identity of local surroundings.

4.5 Section 10.5 of the Urban Design SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality. It states that in doing so, designers should respond to the pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety.

4.6 Although an indicative layout has been submitted to show how the site may be developed, layout, scale, appearance and internal access arrangements are all matters reserved for subsequent approval, and therefore, it is not considered necessary to comment in detail on or consider the layout submitted. Up to 70 dwellings are proposed comprising a variety of house types, which would be limited to 2-storeys in height. The density of the proposed scheme would be 31.8 dwellings per hectare. This density is per developable hectare and therefore takes into account the whole site including its open space and any land required for drainage. Taking into account the Public Open Space and drainage attenuation areas and an appropriate area for landscaping across the site frontage, the developable area reduces somewhat but a density of less than 40 dwellings per ha. would still be achievable.

4.7 It is considered that the number of dwellings indicated could be accommodated within the site satisfactorily. There is a mix of dwelling size and style in the area and it is considered that the proposed scheme, as shown on the indicative layout drawing, both respects local character and optimises the potential of the site to accommodate development. The proposed development would achieve a mix of housing types and would help to deliver a wide choice of homes and create a sustainable, inclusive and mixed community as required by the NPPF.

4.8 The main principles of the proposed design and layout of the site are outlined in the Design and Access Statement. The content of this document is considered appropriate as a basis for the reserved matters submission and therefore should planning permission be granted, a condition is recommended requiring any subsequent reserved matters applications to be in accordance with the principles of the Design and Access Statement.

4.9 CSS Policy CSP4 indicates that the location, scale, and nature of all development should avoid and mitigate adverse impacts (on) the area's distinctive natural assets and landscape character. This policy is considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

4.10 Supplementary Planning Guidance to the former Staffordshire and Stoke-on-Trent Structure Plan, which was adopted in 2001, identifies the site as being within a 'Sandstone Hills and Heaths' landscape character type. It states that this is a landscape varying from intensive arable and pastoral farming. The SPG was used in the NLP to set policies for landscape consideration. This site is within a Landscape Maintenance Area and NLP Policy N19 states that within such an area it will be necessary to demonstrate that development will not erode the character or harm the quality of the landscape.

4.11 A Visual Appraisal has been submitted to accompany the application. It assesses the impact of the proposed development from a number of viewpoints and asserts that the site is well screened from all directions because of the undulating topography and dense hedgerows and tree planting surrounding the site. Landscaping is proposed to help integrate the development into the wider area by screening the principal views from the north and west through native hedge and tree planting. The supporting Planning Statement concludes that through the integration of these mitigation measures the impact upon the Landscape Maintenance Area and the local landscape quality is minimal.

4.12 The proposed development would be visible on the approach from the west along Mucklestone Road. From a distance, views would be filtered through hedgerows and trees but closer to the site, the development would be clearly seen. There are currently substantial conifers along the boundary with the Tadgedale Quarry site but these would be removed. If the development on that adjacent site was to go ahead, the dwellings would be seen against the backdrop of that development, albeit encroaching further into the open countryside. Should Tadgedale not be developed however, then the development would be viewed as detached from the existing built development in the village and would be more conspicuous in views from the west.

4.13 Rock Lane to the north of the application site is used predominantly for recreation and access to St. Mary's School in Mucklestone as vehicular access along it is difficult. From the middle of the southern section of Rock Lane, the site is visible but the views are to some extent filtered by trees. However, along the western section of Rock Lane, where it follows an east-west direction, the proposed development would be clearly visible to users of the lane at certain points. The Tadgedale



Quarry site, if developed, would be only visible in glimpsed views though intervening landscaping, but the Gravel Bank site would be viewed as a significant encroachment into the rural landscape.

4.14 The Tadgedale Quarry site is particularly unattractive at present and its appearance has a detrimental impact on the landscape. In allowing the appeal, the Inspector stated that in an area outside the village, and part of which is greenfield, the proposal before him would have an urbanising effect but he gave weight to the fact that the development would secure the removal of the HGV yard and buildings. In his overall balancing exercise, the Inspector also made reference to the environmental benefit of remediation of a contaminated site.

4.15 Much of the current application site is greenfield and although there are a number of buildings present, they are agricultural in appearance and are the type of buildings that are in keeping with this rural location. Whilst the Visual Appraisal suggests that landscape mitigation would have a beneficial impact on views that are currently available of the outbuildings on the site, your Officer disagrees and considers that the proposed development would not bring with it any positive impact on views. The proposal would be a significant encroachment of the village into what is presently open countryside.

4.16 Associated with the access proposals, which involve the widening of the road in order to form a right hand turning lane for traffic approaching the site from Loggerheads, is the loss of a tree and a section of hedgerow on the opposite side of Mucklestone Road. An addendum Arboricultural Impact Assessment (AIA) has been submitted which states that the tree is category B1/C1 (Category B refers to trees of moderate quality and value and Category C refers to trees of low quality and value), and that it is not particularly significant in the wider landscape and is compromised by its twin stem habit. It is stated that the hedgerow is of limited importance and does not meet the criteria to be considered under the Hedgerow Regulations. The Landscape Development Officer does not consider that sufficient information has been submitted to properly assess the impact on the trees and hedgerows.

4.17 A further visual impact of the access proposals is the creation of a widened section of carriageway which particularly when combined with similar widening of Mucklestone Road associated with the Tadgedale proposals will create an engineered urbanising feature, contrasting with the existing country road character of Mucklestone Road.

4.18 A footpath link is proposed from the site access to the junction with Mucklestone Wood Lane and the addendum AIA states that the footpath will require the removal of a small section of hedgerow. It states that there are a number of trees but a 'no dig' construction method would be used to form the footpath, and the drawing shows that in part the footway would be achieved by extending the kerb line out into existing highway. The AIA indicates that this would prevent any damage to the roots of the trees. Whilst the Landscape Development Officer has expressed some concern about the hedgerow and arboricultural impact of this footway, the impact may not be unacceptable.

5. Would the proposed development have any adverse impact upon highway safety and does it provide appropriate pedestrian access to village facilities?

5.1 Vehicular access to the site would be provided from the B5026 Mucklestone Road at the southern boundary of the site through the introduction of a priority controlled ghost island right turn lane junction, just to the east of the existing access to the site (which would remain). As already indicated the proposal includes a pedestrian footway on the northern side of Mucklestone Road designed to provide a connection to the existing footway provision at Mucklestone Wood Lane. As referred to above, the adjacent site to the east, Tadgedale Quarry, was granted outline planning permission in March 2017 for up to 128 dwellings. That site also proposed a new access and associated road widening to provide a right turn lane junction.

5.2 Details of the proposed access have been submitted along with a Transport Statement (TS) which states that visibility splays exceed the requirements set out in the Design Manual for Roads and Bridges for the speed of the road. It also states that the proposed development would generate a maximum of 33 two-way trips in the AM peak hour and a further 34 two-way trips in the PM peak hour which equates to approximately one additional vehicle movement every 2 minutes on average which would not have a material impact on the local highway network. The TS concludes that there are no highway-related reasons to withhold planning permission for the scheme.

5.3 The Highway Authority (HA) initially objected to the proposal on the grounds that additional information was required. A Stage 1 Road Safety Audit (RSA) of the access was requested including a designer's response to the issues raised. It was recommended that the RSA takes into account the proposed new access for the Tadgedale Quarry site. Further information has been submitted and the Highway Authority raises no objections to the proposal subject to the imposition of conditions.

5.4 The NPPF indicates (in paragraph 32) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are *severe*. Given the relatively limited number of additional traffic movements that a development of up to 70 dwellings would create and noting that the Highway Authority are unlikely to have objections to the application, following consideration of the additional information, your Officer's view is that subject to the imposition of conditions the impact of the proposed development on transport grounds would not be severe and therefore an objection on such grounds could not be sustained.

5.5 In terms of the accessibility of the site to the services within the village, the introduction of a pedestrian footway linking the site to the existing footway on Mucklestone Wood Lane will improve linkages from the site to the village, will help to reduce the requirement for residents to use their car and be part of achieving a sustainable development.

#### 6. What planning obligations are considered necessary and lawful?

6.1 Certain contributions are required to make the development acceptable. These are, in no particular order, the provision of 25% affordable housing, a contribution of £132,976 towards education provision, a travel plan monitoring fee of £6,430 and a contribution of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme for St.Mary's Primary School. These contributions are ones which make the development policy compliant and 'sustainable'. They are considered to meet the requirements of Section 122 of the CIL Regulations being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

6.2 However, it is also necessary to consider whether the financial contributions comply with Regulation 123 of the CIL Regulations, which came into force on 5<sup>th</sup> April 2015. Regulation 123 stipulates that a planning obligation may not constitute a reason for granting planning permission if it is in respect of a specific infrastructure project or a type of infrastructure and five or more obligations providing for the funding for that project or type of infrastructure have already been entered into since 6 April 2010.

6.3 Staffordshire County Council has requested an education contribution towards the provision of spaces at Madeley High School. More than 5 obligations have already been entered into providing for a contribution to Madeley High School. The first five obligations that have been entered into since April 2010 in which an education contribution has been secured for Madeley High School, will be utilised towards a specific project to provide additional classrooms and an extension to the dining room. Any subsequent planning obligations will be for a different project or projects than mentioned above. On this basis, it is considered that the contribution complies with CIL Regulation 123, as do the others that have been requested.

#### 7. Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

In conclusion, the proposal would make a significant contribution towards addressing the current shortfall in housing supply, and bring about limited economic benefits associated with its construction and occupation. However, the development, which would comprise an encroachment of the village into what is presently open countryside, would have a significant adverse impact on the character and appearance of the rural area. It would also result in a somewhat high level of the use of the private car. Overall, the adverse effects of allowing the development of this proposal, significantly and demonstrably outweigh the benefits.

APPENDIX

**Policies and proposals in the approved development plan relevant to this decision:-**

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

Policy SP1	Spatial Principles of Targeted Regeneration
Policy SP3	Spatial Principles of Movement and Access
Policy ASP6	Rural Area Spatial Policy
Policy CSP1	Design Quality
Policy CSP2	Historic Environment
Policy CSP3	Sustainability and Climate Change
Policy CSP4	Natural Assets
Policy CSP5	Open Space/Sport/Recreation
Policy CSP6	Affordable Housing
Policy CSP10	Planning Obligations

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy H1	Residential Development: Sustainable Location and Protection of the Countryside
Policy B5	Control of Development Affecting the Setting of a Listed Building
Policy N3	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4	Development and Nature Conservation – Use of Local Species
Policy N17	Landscape Character – General Considerations
Policy N19	Landscape Maintenance Areas
Policy T16	Development – General Parking Requirements
Policy C4	Open Space in New Housing Areas
Policy IM1	Provision of Essential Supporting Infrastructure and Community Facilities

[Minerals Local Plan for Staffordshire \(2015-2030\)](#)

Policy 3.1 and 3.3 on Mineral Safeguarding Areas

**Other Material Considerations include:**

[National Planning Policy](#)

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(March 2014\)](#)

[Community Infrastructure Levy Regulations \(2010\)](#) as amended and related statutory guidance

[Supplementary Planning Guidance/Documents](#)

[Developer contributions SPD \(September 2007\)](#)

[Affordable Housing SPD \(2009\)](#)

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

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

[Waste Management and Recycling Planning Practice Guidance Note \(July 2011\)](#)

[Other Material Considerations](#)

[Newcastle-under-Lyme Open Space Strategy \(March 2017\)](#)

[Staffordshire County Council Education Planning Obligations Policy](#)

### Relevant Planning History of this site

None relevant

### Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding a construction method statement, hours of demolition and construction, details of electric vehicle charging points and cycle storage, arrangements for recyclable materials and refuse storage, noise levels, noise assessment of noise from activities on Tadgedale Quarry site and the onsite pumping station, details of external lighting, an assessment of light spillage from the Tadgedale Quarry site and contaminated land.

The **Crime Prevention Design Advisor** states that the illustrative layout has reasonably sound crime prevention credentials with a strong sense of community, a single overlooked site entrance and good natural surveillance. Any reserved matters application should demonstrate how crime prevention and community safety measures have been considered and incorporated in the design proposal.

Staffordshire County Council as the **Mineral and Waste Planning Authority** states that the site is within a minerals safeguarding area for Bedrock Sand but given that the land was not worked in association with the former quarry and given the proximity of Tadgedale House and Farm as well as the area of the site, it is unlikely that any sand or gravel could be extracted in an environmentally acceptable manner. It is reasonable to conclude that the proposed development would not lead to the sterilisation of significant mineral resources and therefore no objection is raised.

The **Housing Strategy Section** agrees with the applicant's intention to provide a policy compliant level of affordable housing. 25% of the dwellings should be affordable housing, with 60% of the 25% being social rented and the rest being shared ownership. The design and standard of construction should be as a minimum be the same as the open market dwellings, and the affordable units should be sufficiently spread across the development.

The **Lead Local Flood Authority** notes that the Flood Risk Assessment and Drainage Strategy identifies a number of options for the treatment and disposal of surface water however the LLFA observes that there are potential constraints to each option. It is suggested (in the Strategy) that most of the site is likely to be highly compatible for infiltration SuDS but this has not been confirmed by on-site infiltration testing and contamination could potentially prevent this method. Discharge to an ordinary watercourse may be possible but would require third party landowner agreement, and connection to the nearest surface water sewer would require pumping which is an unsustainable drainage method. The applicant would be required to attempt to discharge as much surface water runoff via a gravity system. If it can be demonstrated that partial or completely pumped drainage system is the only viable option, the risk of flooding due to failure of the pumps should be investigated. To provide more certainty it is recommended that further investigation is undertaken prior to determination of the application but if this is not possible, then a condition is recommended securing an acceptable drainage design.

The **Education Authority** states that the development falls within the catchments of St. Mary's CE (VA) Primary School (Mucklestone) and Madeley High School. Excluding the 17 Registered Social Landlord (RSL) dwellings from the secondary calculation only, a development of 70 houses could add 15 Primary School aged pupils and 8 Secondary School aged pupils. St. Mary's Primary School is expected to have sufficient space to accommodate the likely demand but Madeley High School is projected to be full for the foreseeable future. An education contribution is sought for 8 high school places (8 x £16,622 = £132,976).

The **Waste Management Section** acknowledges that the layout plan is only indicative at the moment but highlights some design issues which need to be designed out of the final layout. A layout which provides circulation of the site and designs out the need to reverse to make collections would be preferable. Areas where significant number of properties share private accesses where the properties are a long way from where they will be collected from, is likely to result in residents leaving containers out between collections. A swept path analysis for 26 tonne refuse vehicles is required.

The **Conservation Officer** states that there are no heritage assets which will be directly affected but there is the potential for the setting of the Listed milepost to be affected. The milepost, which is in a good state of repair, is adjacent to the road within the grass verge. The setting of the asset will remain unchanged and therefore not harmed. White House Farmhouse is a Grade II Listed Building some considerable distance from the application site. The farmhouse does sit in an elevated position and does have a view over the site but this site is not part of the formal setting of the Listed Building and there are many intervening features including roads, trees, hedgerows and topography which make the site even less visible. It is concluded that the setting of the asset will not be harmed by the proposed development.

The **Conservation Advisory Working Party** has no objections.

The **Landscape Development Section** states that a LAP (Local Area for Play) and LEAP (Local Equipped Area for Play) are required. The onsite open space ratio would be 0.004ha per dwelling (0.28 ha for a 70 unit development). This figure should not include the drainage area. Concerns are raised that the amount and layout of public open space as shown on the indicative layout would not meet the requirements and distances in the National Playing Field Association document 'Beyond the six acre standard'. The dwellings should be facing the open space to allow for natural surveillance. New open space should be maintained by the developer. The new layout appears to have no link to the adjacent recently approved development or proposals for a footpath to link the site to the village. The internal indicative layout leaves very little space for structural landscaping.

The **Highway Authority** has no objections subject to conditions requiring full details of the proposed site access and footway along Mucklestone Road linking through to Mucklestone Wood Lane, implementation of the above prior to first occupation, full details of the site layout, means of surface water drainage and surfacing materials, submission of a residential travel plan and submission of a construction method statement. It is requested that the developer enters into a Section 106 Agreement to secure a £6,430 travel plan monitoring fee, and a sum of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme for St. Mary's Primary School to encourage sustainable access.

**Loggerheads Parish Council** objects on the following grounds:

- The site is outside the Loggerheads Village Envelope and doesn't comply with policies
- Since the Tadgedale Quarry decision, a further 120 units have been approved
- This is an Area of Landscape Maintenance
- This would bring the number of approved dwellings not started to over 500 in Loggerheads, more than 15 years' worth of plots at a historic rate of development, so this site is unlikely to make any contribution to 5 year housing land supply
- There has been no pre-application consultation with the parish or the borough
- No Local Equipped Area for Play is included and if the permissions are considered together, the area should have a Neighbourhood Equipped Area for Play
- This is not a sustainable location for development and it is even further from the village centre
- The bus service has had a reduction to its service so there is no longer an evening service
- There is no case to be made that this application should be considered the same as Tadgedale Quarry and each site must be considered on its merits
- There is no safe walking route or provision of a footway to St. Mary's School at Mucklestone
- Whilst the walking distances to facilities in Loggerheads are just below the 2km judged to be acceptable in the Tadgedale appeal, this site does not have the advantage of a well-lit footway from the site as there is a significant stretch of Mucklestone Road with no street lighting
- Given the proximity of the site to Tadgedale Quarry, groundwater testing should be insisted on urgently
- An intrusive ground investigation should be undertaken before the application is considered
- The reported phenol incident in 1994 at Tadgedale Quarry is not represented in the submitted report

The Borough Council's **Leisure Strategy Manager**, the County's **Health and Wellbeing Development Section** and **Cadent** (the former National Grid) were consulted upon the application, the date by which their comments were requested has passed without comments being received from them and they must be assumed to have no observations to make

Representations

None

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Drainage Strategy
- Arboricultural Impact Assessment
- Visual Appraisal
- Ecological Assessment
- Transport Statement
- Road Safety Audit
- Heritage Assessment
- Phase 1 Environmental Assessment

All of these documents are available for inspection at the Guildhall and as associated documents to the application in the Planning Section of the Council's website via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00787/OUT>. The applicant has also provided response to various comments received from consultees.

Background papers

Planning files referred to

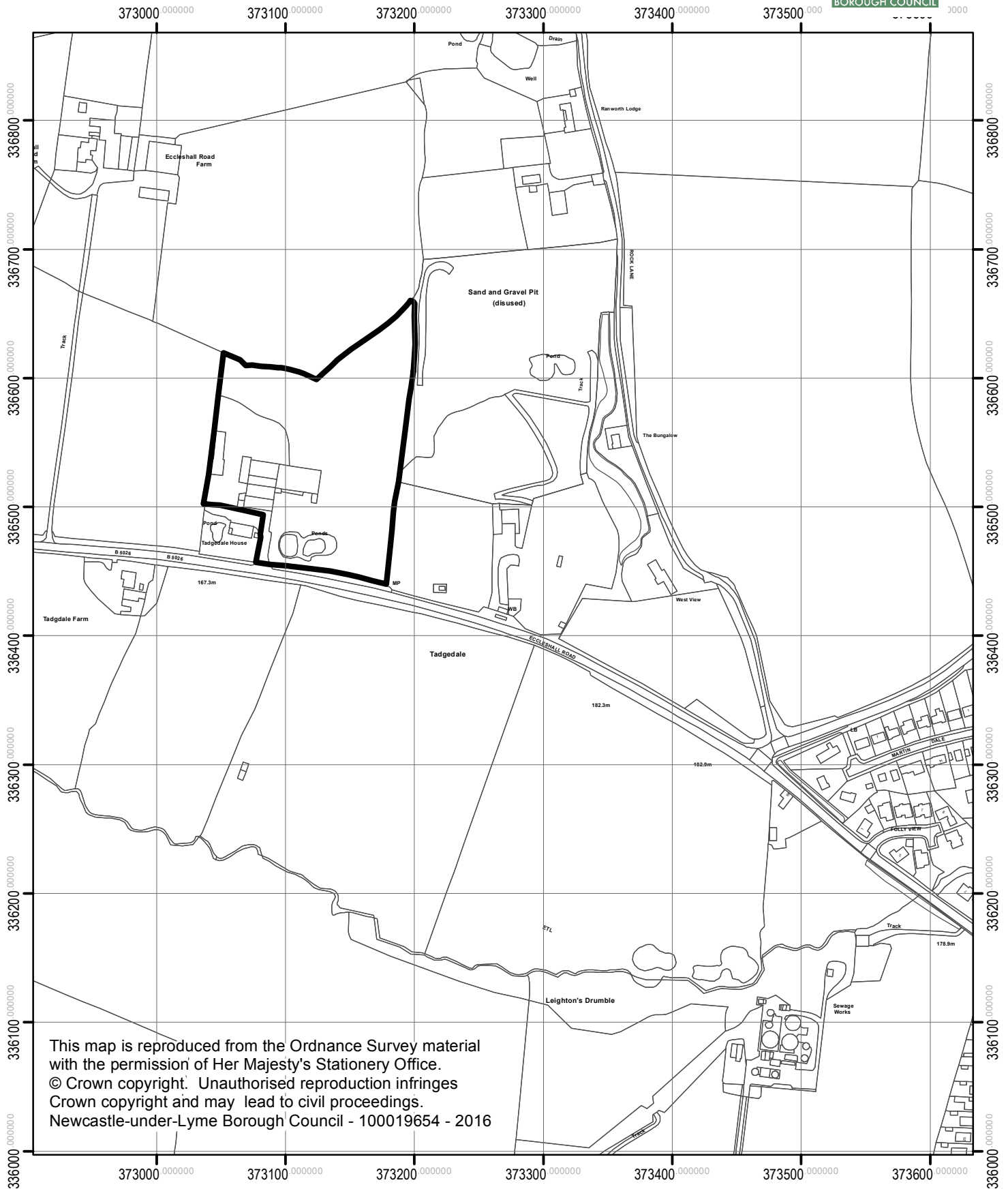
Planning Documents referred to

Date report prepared

14<sup>th</sup> December 2017

# Gravel Bank, Mucklestone Road, Loggerheads

17/00787/OUT



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**LAND AT END OF GATEWAY AVENUE, BALDWIN'S GATE  
KIER LIVING LTD**

**13/00426/OUT**

Outline planning permission was allowed on appeal in January 2015 for the erection of up to 113 dwellings on land at the end of Gateway Avenue, Baldwin's Gate (Ref. 13/00426/OUT). Reserved matters were subsequently approved for 109 dwellings in October 2016 (Ref. 16/00676/REM) and development has commenced on site. Prior to the grant of the outline planning permission a Unilateral Undertaking was entered into which secured, amongst other things, 16% of the dwellings on-site as affordable units.

The developer is in the process of entering into a contract with Aspire Housing in relation to the affordable housing units and is seeking some minor variations to the Unilateral Undertaking.

**RECOMMENDATION**

**That the developer be advised that the Council as the Local Planning Authority is willing to agree to a variations to the Unilateral Undertaking to extend protection from liability to future mortgagees .**

**Key Issues**

Outline planning permission was allowed on appeal in January 2015 for the erection of up to 113 dwellings on land at the end of Gateway Avenue, Baldwin's Gate (Ref. 13/00426/OUT). Reserved matters were subsequently approved for 109 dwellings in October 2016 (Ref. 16/00676/REM) and development has commenced. Prior to the grant of the outline planning permission a Unilateral Undertaking was entered into which secured, amongst other things, 16% of the dwellings on-site as affordable units.

The developer is in the process of entering into a contract with Aspire Housing in relation to the affordable housing units and is seeking some minor variations to the Unilateral Undertaking.

The variations are requested to extend protection from liability to future mortgagees so that funding can be obtained by future purchasers of the units. The amendments are very minor and have no bearing upon the obligation sought. On this basis, it is recommended that the request to vary Unilateral Undertaking is agreed.

## **APPENDIX**

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

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

Policy CSP6: Affordable Housing  
Policy CSP10: Planning Obligations

### **Other Material Considerations**

National Planning Policy Framework (NPPF) (2012)  
Planning Practice Guidance (PPG) (2014)

Supplementary Planning Documents/Guidance

Developer Contributions SPD (September 2007)

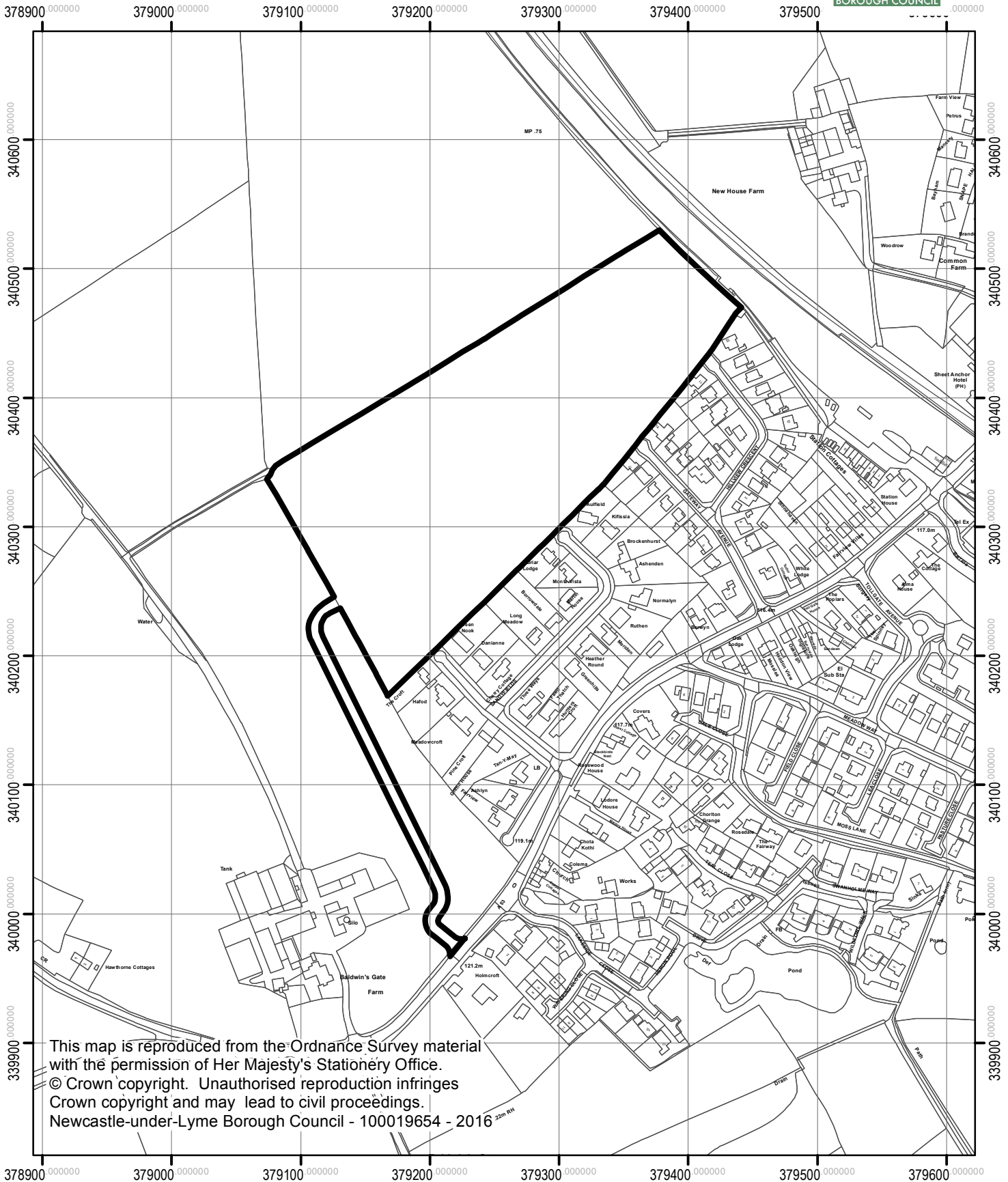
Affordable housing SPD (2009)

### **Views of Consultees**

None undertaken

### **Date report prepared**

15<sup>th</sup> December 2017



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**LAND OFF SHELTON BOULEVARD, FORGE LANE, ETRURIA, STOKE-ON-TRENT**  
**STOKE-ON-TRENT REGENERATION LTD      SOTCC ref 61990/FUL (NuIBC ref 348/250)**

The Borough Council has been recently consulted by the City Council on a planning application for the erection of employment buildings (B1(c) light industrial, B2 general industrial, B8 storage and distribution) with ancillary office areas, associated vehicle parking, drainage infrastructure, landscaping, access and external works. A total of 7,756m<sup>2</sup> of floor space is proposed.

The site is accessed off Shelton Boulevard.

**For any comments that the Borough Council may have on these proposals to be taken into account, they have to be received by the City Council by no later than 3rd January.**

**RECOMMENDATION**

**That the City Council be informed that the Borough Council has no objections to the proposed development subject to the City Council receiving no objections from the Highway Authority and/or Highways England in respect of any unacceptable impact the developments may have on the A53/A500 junction at Basford Bank.**

**Reason for Recommendation**

The proposals involve Class B1(c), B2 and Class B8 development which would accord with policies of the Core Spatial Strategy and of the NPPF and as such developments would not adversely affect the Borough Council's interests subject to no objections being received from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact the developments may have on the A53/A500 junction.

**Key Issues**

The application site comprises an undeveloped parcel of land located within at Phase 3a and Phase 2a of the wider Etruria Valley redevelopment site which previously had outline planning permission for employment development of Class B2 and B8 uses with ancillary.

The Borough Council have been consulted over the years on a number of proposals within Etruria Valley and have objected where such proposals involve the provision of Class B1(a) office development, other than where such floorspace is ancillary to other employment uses. Such objections were based upon office floorspace being a main town centre use and that it had not been demonstrated through a sequential assessment that such office floor space could not be provided within Newcastle Town Centre. In doing so, the Borough Council concluded it had no particular interest in the proposed B2 or B8 uses on the site. The Borough Council expressed a similar view when consulted upon the draft Etruria Valley Supplementary Planning Document.

The current proposal includes, in addition to B2 and B8 uses, B1(c) light industrial floorspace. However as this is not a main town centre use the location of such floorspace at Etruria Valley does not raise issues of interest to the Borough either.

The transport information submitted in support of the application indicates that the trips generated by the proposed development would not exceed the previously approved trip envelope agreed as part of the previous Phase 2 and 3 applications. The development would therefore generate traffic flows onto the highway network within previously accepted levels. It is not, therefore, anticipated that the Highway Authority or Highways England will object to the proposal but it is noted that to date their consultation responses have not been received. It is therefore considered that it would be prudent to make respond in a similar manner to the response previously given.

## **APPENDIX**

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

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

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP2: Spatial Principles of Economic Development  
Policy ASP2: Stoke-on-Trent Inner Urban Core Area Spatial Policy  
Policy ASP4: Newcastle Town Centre Area Spatial Policy

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

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Etruria Valley Enterprise Area Supplementary Planning Document](#) (adopted by the City Council March 2013)

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

### **Relevant Planning History**

Permission has been granted for the following developments on the site:

- SOT/52732. Business Park comprising Use Classes B1 business, B2 general industrial and B8 storage and distribution was granted outline permission in 2012. The Borough objected to this application. NuLBC Ref 348/187
- SOT/56150/OUT Business Park comprising up to 13,720m<sup>2</sup> of floorspace comprising 20% Use Classes B1 business, B2 general industrial and B8 storage and distribution was granted outline permission in 2013. The Borough had no objections to this development subject to the City Council receiving no objections from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact on the A53/A500 junction at Basford Bank. NuLBC Ref 348/206
- SOT/56151/OUT Business Park comprising up to 33,950m<sup>2</sup> of floorspace comprising 20% Use Classes B1 business, B2 general industrial and B8 storage and distribution was granted outline permission in 2013. The Borough had no objections to this development subject to the City Council receiving no objections from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact on the A53/A500 junction at Basford Bank. NuLBC Ref 348/207
- SOT/61494/OUT for employment development of B1(c) light industrial, B2 general industrial, B8 storage and distribution, and ancillary B1(a) offices (62,000m<sup>2</sup> total floorspace) was submitted earlier this year and remains undetermined. The Borough had no objections to this development subject to the City Council receiving no objections from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact on the A53/A500 junction at Basford Bank. NuLBC Ref 348/207

### **Applicants Submission**

The application is supported by a number of documents as follows:-

- Planning and Design Statement
- Flood Risk Assessment and Drainage Strategy
- Air Quality Review – Technical Note
- Site Investigation

- Coal Mining Risk Assessment
- Transport Technical Note
- Framework Travel Plan
- Ecology Report
- Framework Travel Plan

All these documents are available to view on Stoke City Council's website  
<https://planning.stoke.gov.uk/online-applications/plan/61990/OUT>

### **Background Papers**

Planning Policy documents referred to  
Planning files referred to

### **Date Report Prepared**

15<sup>th</sup> December 2017

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348/250

Land off Shelton Boulevard, Forge Lane, Etruria,  
Stoke-on-Trent, ST1 5GR - 61990/FUL



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Newcastle-under-Lyme Borough Council - 100019654 - 2016

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**LAND EAST OF CONEYGREAVE FARM AND SOUTH OF NEWCASTLE ROAD,WHITMORE**  
**HIGH SPEED TWO (HS2) LIMITED** **17/00908/COU**

The application is for temporary planning permission for the change of use of land from agricultural use to use as a compound to facilitate off-site ground investigation works from 1<sup>st</sup> January 2018 to 31<sup>st</sup> December 2018

The site is located within the Green Belt and within an Area of Landscape Restoration as defined within the Local Development Framework.

**The statutory 8 week determination period for this application expires on 8<sup>th</sup> January.**

A report on this application will follow in due course

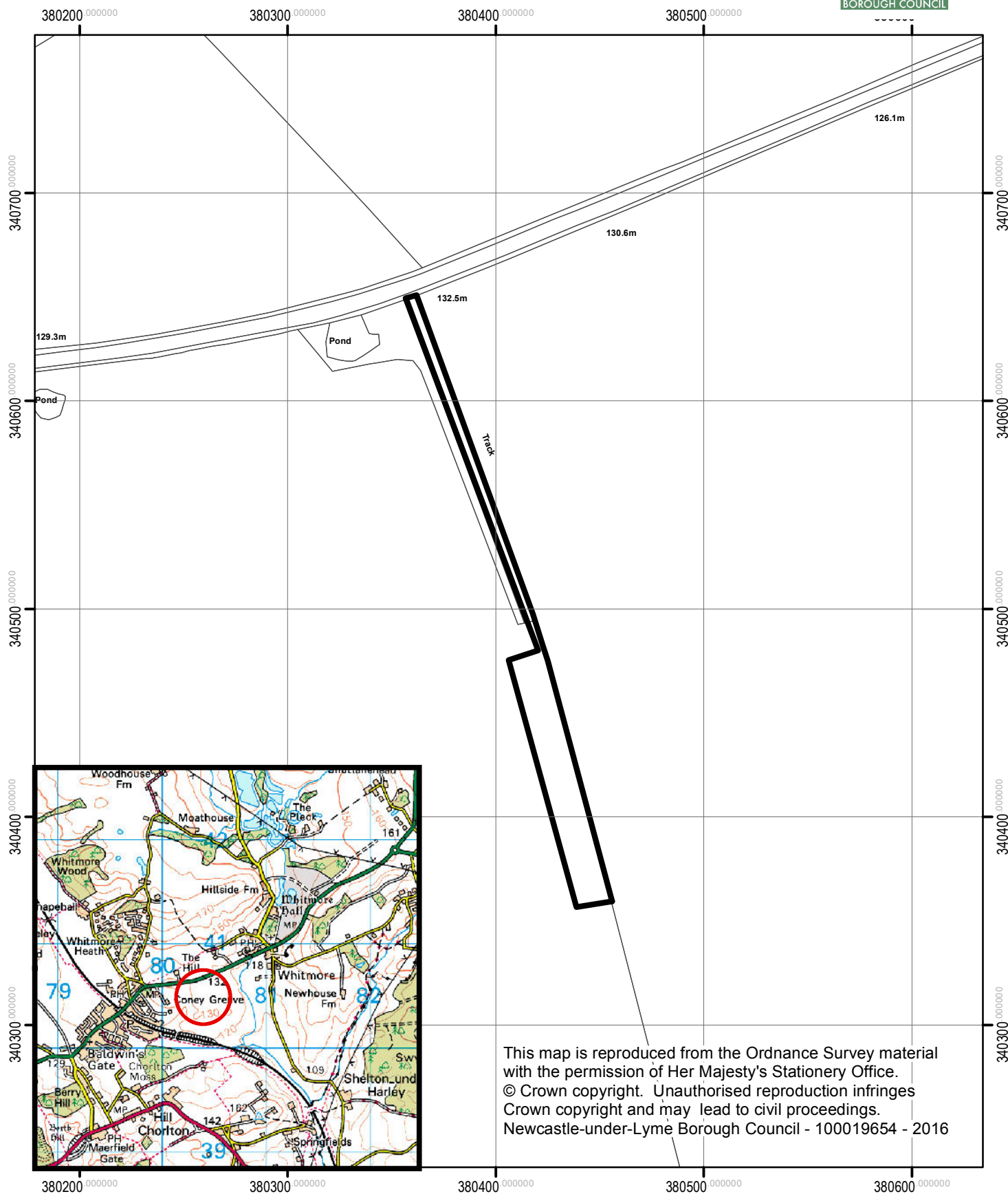
The application details can be accessed via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00908/COU>

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# Land East Of Coneygreave Farm Newcastle Road, Whitmore

17/00908/COU



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**LAND SOUTH-EAST OF HOLLYCROFT FARM, LORDSLEY LANE, ASHLEY  
MRS J DERRICOTT**

**17/00926/FUL**

The application seeks to vary condition 2 of planning permission 15/00814/FUL which granted permission for the erection of a new dwelling at land south-east of Hollycroft Farm, Lordsley Lane, Ashley. Condition 2 lists approved drawings and the variation sought seeks to substitute amended plans to allow for amendments to the approved elevations.

The site lies within the Open Countryside and an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expires on 10<sup>th</sup> January 2018.**

## **RECOMMENDATION**

**PERMIT the variation of condition 2 of 15/00814/FUL to list the revised plans;**

**And subject to the imposition of all other conditions attached to planning permission 15/00814/FUL that remain relevant at this time.**

## **Reason for Recommendation**

The proposed amendments are relatively minor and are considered appropriate to the rural context. It is not considered that the proposed revisions would have any adverse impact on the quality and character of the Area of Active Landscape Conservation.

## **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

## **Key Issues**

The application seeks to vary condition 2 of planning permission 15/00814/FUL which granted permission for the erection of a new dwelling at land south-east of Hollycroft Farm, Lordsley Lane, Ashley. The condition lists the approved plans and the variation as proposed seeks to substitute amended plans.

The amendments being sought are;

- Insertion of larger full-length windows in the south facing elevation
- Insertion of one additional window and 5 rooflights in the north facing elevation
- Smaller door in the east facing elevation
- Replacement of the two windows in the west facing elevation with three smaller windows and the insertion of a section of full-height glazing
- Construction of a larger chimney on the west elevation

The sole issue to consider is whether the proposed elevational changes would have any adverse impact on the character and appearance of the area.

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered that it is consistent with the NPPF and therefore, can be given weight. Section 10.5 of the SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality.

The footprint of the dwelling remains as approved and the proposed amendments, which are principally to the fenestration, are relatively minor and are considered appropriate to the rural context. It is not considered that the proposed revisions would have any adverse impact on the quality and character of the Area of Active Landscape Conservation.



## APPENDIX

### **Policies and proposals in the approved development plan relevant to this decision:-**

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

Policy CSP1: Design Quality

[Newcastle-under-Lyme Local Plan](#) (NLP) 2011

Policy N17: Landscape Character - General Considerations

Policy N18: Areas of Active Landscape Conservation

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

[National Planning Policy Framework](#) (NPPF) (2012)

[Planning Practice Guidance](#) (PPG) (2014)

#### Relevant Planning History

94/00239/FUL	Erection of building as a field shelter for lambing and rearing of sheep Approved
15/00613/COUNOT	Prior notification for conversion of existing agricultural building to residential use Approved
15/00814/FUL	Erection of a new dwelling Approved

#### Views of Consultees

None received.

#### Representations

None received.

#### Applicant's/Agent's submission

Application forms and plans have been submitted. These documents are available for inspection at the Guildhall and under the application reference number 17/00926/FUL on the website page that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00926/FUL>

#### Background papers

Planning files referred to  
Planning Documents referred to

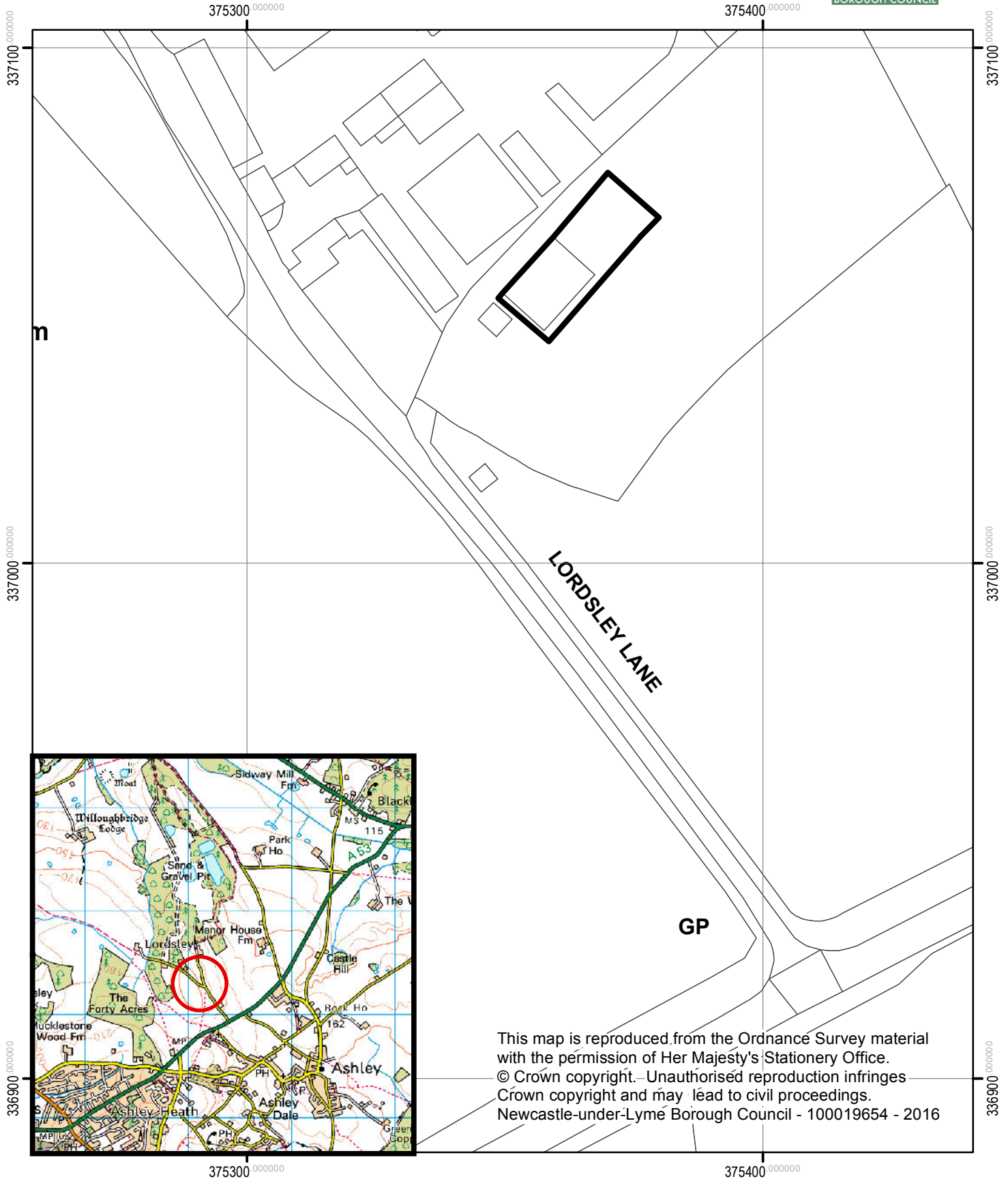
#### Date report prepared

12<sup>th</sup> December 2017

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# Land S E of Hollycroft Farm, Lordsley Lane, Ashley

17/00926/FUL



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**LONDON ROAD BOWLING CLUB, LONDON ROAD,  
NEWCASTLE UNDER LYME**

**17/00808/FUL**

The application is for full planning permission for the retention of the change of use of land to car park, and alterations to access and traffic calming measures with signage.

The application site is located London Road in Newcastle-under-Lyme. The site is located within the Green Belt as defined within the Local Development Framework.

**The statutory 8 week determination period for the application has been extended until the 4<sup>th</sup> January 2018.**

**RECOMMENDATION**

**PERMIT subject to the following conditions;**

- 1. Car park shall be provided in accordance with the approved plan and shall thereafter be retained for the approved use only for the life of the development.**
- 2. The access improvements, traffic calming and passing place shall be implemented in accordance with the approved plans within 3 months of the date of the decision and thereafter be retained for the life of the development.**
- 3. The emergency parking / turning space shall be signed and marked out in accordance with the approved plan within 3 months of the date of the decision and shall thereafter be retained for the approved use only for the life of the development.**
- 4. Any external lighting will require the prior approval of the LPA.**

**Reason for recommendation**

Whilst the proposal includes inappropriate development in the Green Belt it is considered that the impact on the openness of the Green Belt would be limited and the development would not conflict with the purposes of including land in Green Belt. The income derived from the car park provides additional income for the Bowling Club improving its viability which will enable such facilities to continue to be provided for the benefit of the wider community. In the absence of any highway safety concerns that cannot be addressed through condition, such factors are considered to represent the very special circumstances necessary to justify the development. In these circumstances, planning permission should be granted

**Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application**

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**KEY ISSUES**

The application seeks planning permission, retrospectively for the change of use of the land, which is located within the curtilage of the London Road Bowling Club, to a car park. The parking area identified is not used by club members, but by employees for the hospital opposite upon payment.

The application site is located within the Green Belt as defined within the Local Development Framework. The key issues to consider as part of the development are as follows;

- Is the development inappropriate development within the Green Belt?
- Highway implications
- Impact of the development upon the character of the area
- Impact upon the amenities of neighbouring residents

- Should it be concluded that the development is inappropriate in Green Belt terms, do the required very special circumstances exist?

#### Is the development considered appropriate development in the Green Belt?

Paragraph 87 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Since the introduction of the NPPF in March 2012, only “due weight” should now be given to relevant policies of existing plans according to their degree of consistency with the NPPF; the closer the policies in the plan to the policies in the framework, the greater the weight that may be given.

Policy S3 of the Local Plan states that development for sport and recreation uses of a predominantly open character, whether formal or informal, or for other uses of land that preserve the openness of the area, may be located in the Green Belt so long as it does not disrupt viable farm holdings. The development does not fall into this exception criteria listed as the extension to the parking on site has been created for purposes not associated with the Bowling Club, but in order to generate an income stream for the club.

Paragraph 90 of the Framework states that certain types of development are not inappropriate, providing that they maintain openness of the Green Belt. The engineering operations that have been undertaken to form the extended car park fall into this category, however change of use of land as has taken place is not identified as appropriate.

In light of the above, the development must, in part, be considered as inappropriate development within the Green Belt and should not be approved except in very special circumstances. This will be addressed below.

#### Are there any highway safety issues?

The existing access to the Bowling Club and its car park is directly off the A34. The access has a limited width and there is the potential that vehicles trying to enter the car park will have to wait on the A34 to allow vehicles as the access is of insufficient width to accommodate two vehicles.

In recognition of this the application includes proposals to improve the access by widening it and providing a speed hump as a traffic calming measure. In addition a designated passing place is proposed within the site providing a safe place for vehicles wait while giving way to vehicles entering the site. Such improvements, together with associated signage, have been agreed between the applicant and the Highway Authority prior to the application being made.

A parking barrier is in place within the site in order to ensure that only hospital staff uses the parking as agreed within their lease with the bowling club.

The Highway Authority has viewed the proposal and raises no objections to the proposal on highway safety grounds providing that the improvements as referred to above and shown on the proposed plans are implemented.

#### The design of the development and impact on the character of the area

Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the areas character and identity.

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

The additional car parking spaces have already been provided on site. The car parking area is acceptable in appearance, and cannot be viewed beyond the site on the A34 due to the significant planting of mature trees around the site, or from the Lyme Valley for the same reason.

The widened access would be viewed from the A34, but would not be visually harmful given the context of the area.

Is the impact on residential amenity acceptable?

The Framework states within paragraph 9 that pursuing sustainable development involves seeking positive improvements in peoples quality of life, including improving the conditions in which people live, work, travel and take leisure. The impact upon the amenity of surrounding residents has to be taken into consideration. Paragraph 17 sets a core principle that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The proposed alterations to the access and provision of additional parking on site would not adversely affect the amenities of neighbouring properties. The closest residential dwelling is 35m away from the site.

It is noted that the Environmental Health Division raise no objections to the proposal, however request that no external lighting is put in place without prior approval from the Local Planning Authority. Whilst there is existing lighting of the car park which is beyond the control of the LPA it would be reasonable and appropriate that any additional lighting proposed in future requires prior approval.

Do the required very special circumstances exist to justify inappropriate development?

The NPPF states in paragraph 88 that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that 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 circumstances. Inappropriate development by definition is harmful to the interests of the Green Belt. However, beyond that, no element of 'other harm' has been identified associated with the change of use of land.

The Bowling Club states that the additional income from the parking on site is to facilitate the running of the club. Whilst no financial information has been submitted to support this claim, it is accepted that local sports facilities are facing financial difficulties and that any additional income that can be generated improves viability and goes towards ensuring that such facilities continue to be provided for the benefit of the wider community. In addition, as set out above, the additional car parking provided has had a very limited impact upon the openness of the Green Belt, and does not conflict with the purposes of including land within it.

On balance, in the absence of any identified harm relating to highway safety or residential amenity, it is considered that the required very special circumstances can be considered to exist in this case.

## **APPENDIX**

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

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

Policy ASP6: Rural Area Spatial Policy

Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy S3: Development in the Green Belt

Policy T16: Development – General Parking Requirements

### **Other material considerations include:**

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG) (2014)

Relevant Planning History

The club has been on the site for a long time, and has been granted permission for extensions over the years. The existing parking on site was granted approval in the 1960s.

Views of Consultees

**Sport England:** Confirm that a Statutory consultation was not required as part of the application process.

**National Grid:** No objections however highlight advice the applicant should follow.

**Highway Authority:** No objections subject to conditions relating to the following:

- Provision of the car park as approved and thereafter retained.
- Access improvements, traffic calming and passing places implemented and retained.
- Emergency parking/turning space signed and marked and thereafter retained.

**Environmental Health Division:** No objections, and request a condition relating to external lighting

Representations

None received, the application was advertised by Press Advert and Site Notice.

Applicant/agent's submission

Application forms and plans have been submitted which are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00808/FUL>

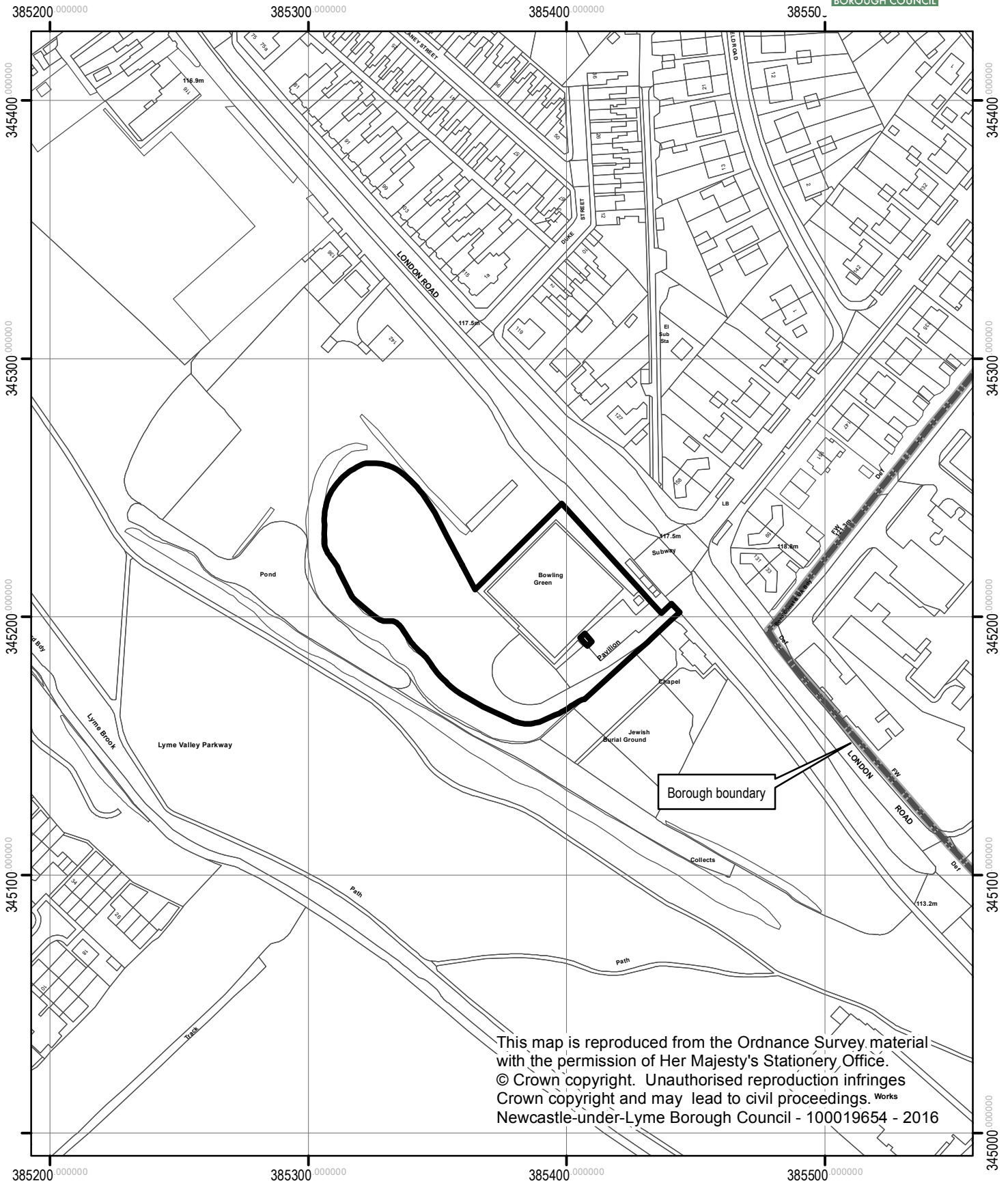
Background Papers

Planning File  
Development Plan

Date report prepared

12<sup>th</sup> December 2017





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**3, STATION DRIVE, KEELE**  
**MR & MRS BENNETT**

**17/00775/FUL**

The application is for full planning permission for the change of use of land to domestic curtilage and a 2-storey extension to the dwelling.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map. The property is on the Council's Register of Locally Important Buildings and Structures.

**The 8 week determination period expired on the 14<sup>th</sup> November 2017 but the applicant has agreed to an extension of the statutory period to 8<sup>th</sup> January 2018.**

**RECOMMENDATION**

**PERMIT subject to conditions relating to the following matters:**

- 1. Time limit relating to the commencement of development**
- 2. Approved plans**
- 3. Sample of materials**
- 4. Removal of permitted development rights for outbuildings**

**Reason for Recommendation**

The change of use of land to domestic curtilage constitutes inappropriate development within the Green Belt. Very special circumstances are considered to exist as the land would remain relatively open, and given the existing uses of the land, no harm to the Green Belt's openness or to any of the purposes of including land within the Green Belt would arise from the use as domestic curtilage. In addition, the development by virtue of its design, scale and materials, would not harm the character of the locally listed building, the rural area or the Area of Landscape Restoration.

**Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

Amended plans have been received and the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**KEY ISSUES**

The application is for full planning permission for the change of use of land to domestic curtilage and a 2-storey extension to this dwelling which lies within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map. The property is on the Council's Register of Locally Important Buildings and Structures.

It is not considered that there are any issues of impact on highway safety, residential amenity or trees and therefore, the key issues in the determination of the development are:

- Is the proposal appropriate development within the Green Belt?
- Is the design of the proposed extension acceptable?
- Should it be concluded that the development is inappropriate in Green Belt terms, do the required very special circumstances exist?

Is the proposal appropriate development within the Green Belt?

Paragraph 79 of the recently published NPPF details that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 89 of the NPPF states that the construction of new buildings is inappropriate development in the Green Belt with a number of exceptions which include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The property has existing garage and conservatory extensions. The garage was built as an extension to existing outbuildings and therefore the applicant argues that much of its volume was original. Even taking the whole garage and the conservatory as additions, they amount to approximately 90 cubic metres in volume and with the extension now proposed, they would result in a cumulative increase in volume of less than 50% over and above the size of the original dwelling. It is not considered that this results in a disproportionate addition and therefore it is concluded that the proposed extension represents appropriate development within the Green Belt.

To accommodate the proposed extension, a change of use of the land to domestic curtilage is proposed. A change of use of land is not listed within the NPPF as appropriate development and therefore the starting point for the consideration of this element of the proposal must be that it comprises inappropriate development in this Green Belt location and should not be approved except in very special circumstances. This will be addressed below.

#### Is the design of the proposed extension acceptable?

The property is on the Council’s Register of Locally Important Buildings and Structures. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF places great importance on the requirement for good design, which is a key aspect of sustainable development. CSS Policy CSP1 broadly reflects the requirements for good design contained within the NPPF, and the Urban Design Supplementary Planning Document provides detailed policies on design and layout of new housing development.

Saved Local Plan Policy H18 relates specifically to the design of residential extensions and advises that the form, size and location of an extension should be subordinate in design to the original dwelling, the materials and design of each extension should fit in with those of the dwelling to be extended and 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.

The applicant has amended the proposal to reduce the width of the extension. Given its reduced width and the proposed set down in the ridge line of the extension below that of the main house, it is now considered that the proposed extension would be subordinate in design to the original dwelling.

Concerns were originally expressed by the Conservation Officer, the Conservation Advisory Working Party (CAWP) and Keele Parish Council regarding the size and design of the extension and its impact on the character of the dwelling which is on the Council’s Register of Locally Important Buildings and Structures. The Conservation Officer considers that the amended scheme is acceptable and would not be harmful to the building as an important heritage asset. The comments of CAWP and Keele Parish Council on the revised plans are awaited and will be reported to Members once received.

It is considered that the revised scheme, by virtue of its design, scale and materials, would not harm the character of the locally listed building, the rural area or the Area of Landscape Restoration.

#### Do the required very special circumstances exist to justify inappropriate development?

The NPPF states in paragraph 88 that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that 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 circumstances. Inappropriate development by definition is harmful to the interests of the Green Belt. However, beyond that, no element of 'other harm' has been identified associated with the change of use of land.

The applicant's assertion is that very special circumstances exist in this case for the following reasons:

- The existing garage to the rear of the building is served by a driveway to the north of the property and within the existing domestic curtilage. It is not possible to provide an alternative driveway access through the existing garden and the extension to the domestic curtilage would therefore be necessary to facilitate the new driveway to provide vehicular access to the garage.
- Should the proposed extension be located to the south of the dwelling, then the property would lose most of its private amenity space.
- As the building is locally listed and the primary view of the property from public vantage points is from the driveway to the south west, an extension to the south may not be desirable.
- The land to the north of the site is currently used as land for open storage of potted Christmas trees. The proposed use of part of the site for garden land would not harm openness in comparison to the use as open storage and in any event would be extended to accommodate the extension itself rather than to facilitate the siting of other domestic paraphernalia.

Some of the above arguments are not accepted by your Officer. For example, an extension to the south of the dwelling would leave sufficient private amenity space for a family home and the primary view of the property is considered to be its front elevation. However, the proposed change of use of the land to domestic curtilage is to accommodate the proposed extension to the dwelling which, as stated above, comprises appropriate development. To the north-east of the dwelling is a gas sub-station and to the east is open storage land and commercial buildings associated with the Christmas Tree Farm. Subject to a condition removing permitted development rights for garden outbuildings, the land would remain relatively open, and given the existing uses of the land, no harm to the Green Belt's openness or to any of the purposes of including land within the Green Belt would arise from the use as domestic curtilage.

Given the lack of substantial harm to the openness of the Green Belt the change of use of the land it is considered that the required very special circumstances can be considered to exist in this case.

## APPENDIX

### Policies and Proposals in the approved Development Plan relevant to this decision:-

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

Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt  
Policy H18: Design of Residential Extensions  
Policy N17: Landscape Character – General Consideration  
Policy N21: Area of Landscape Restoration

### Other material considerations include:

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

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

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

Relevant Planning History

None

Views of Consultees

Regarding the revised plans, the **Conservation Officer** states that the combination of alterations ensures that the extension is not read as part of the original building. The attention to detail has always been commended but with the extension as large as the original proposal, it would have been misleading and would have been harmful to the building as an important heritage asset, especially from the principal elevation. The combination of alterations and features are the removal of the bay, the set back and set down of the roof to emphasise the original gable, and most importantly, the reduction in the size of the extension. A condition is recommended requiring a sample of bricks and tiles.

In relation to the first amended plans, the **Conservation Advisory Working Party (CAWP)** considers that the extension should be more subordinate to the original building that currently proposed, requiring a reduction in its width, an increased set back from the front elevation and a lower ridge height. They welcomed the removal of the bay window but noted that this has resulted in attention being drawn to the first floor en-suite and family bathroom windows, the proportions of which do not reflect the proportions of the original windows.

In relation to the first amended plans, **Keele Parish Council** state that the application should be refused. The extension does not increase the amount of accommodation provided in the parish and thus is not in line with the developing Neighbourhood Plan or the suggested rationale for building on greenbelt proposed in the developing Joint Local Plan. Permitting this encroachment onto greenbelt land would set an undesirable precedent for further development of this type. The property is the old

Station House for Keele, a building of historic significance, and is locally listed. The proposed development would double the frontage of the building and significantly impact on the building's character, eroding its value to the heritage of the parish. When working with local listed buildings the rule of thumb should be to allow minimum development to achieve modern standards of comfort, but not allow anything which would be intrusive and a detriment of the original structure.

**Cadent** state that although National Grid does have a pipeline in the vicinity, the proposed development is outside the criteria requiring National Grid to carry out any improvements.

#### Representations

None

#### Applicant/agent's submission

Application forms and plans have been submitted along with a Planning Statement. These documents are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00775/FUL>

#### Background Papers

Planning files referred to

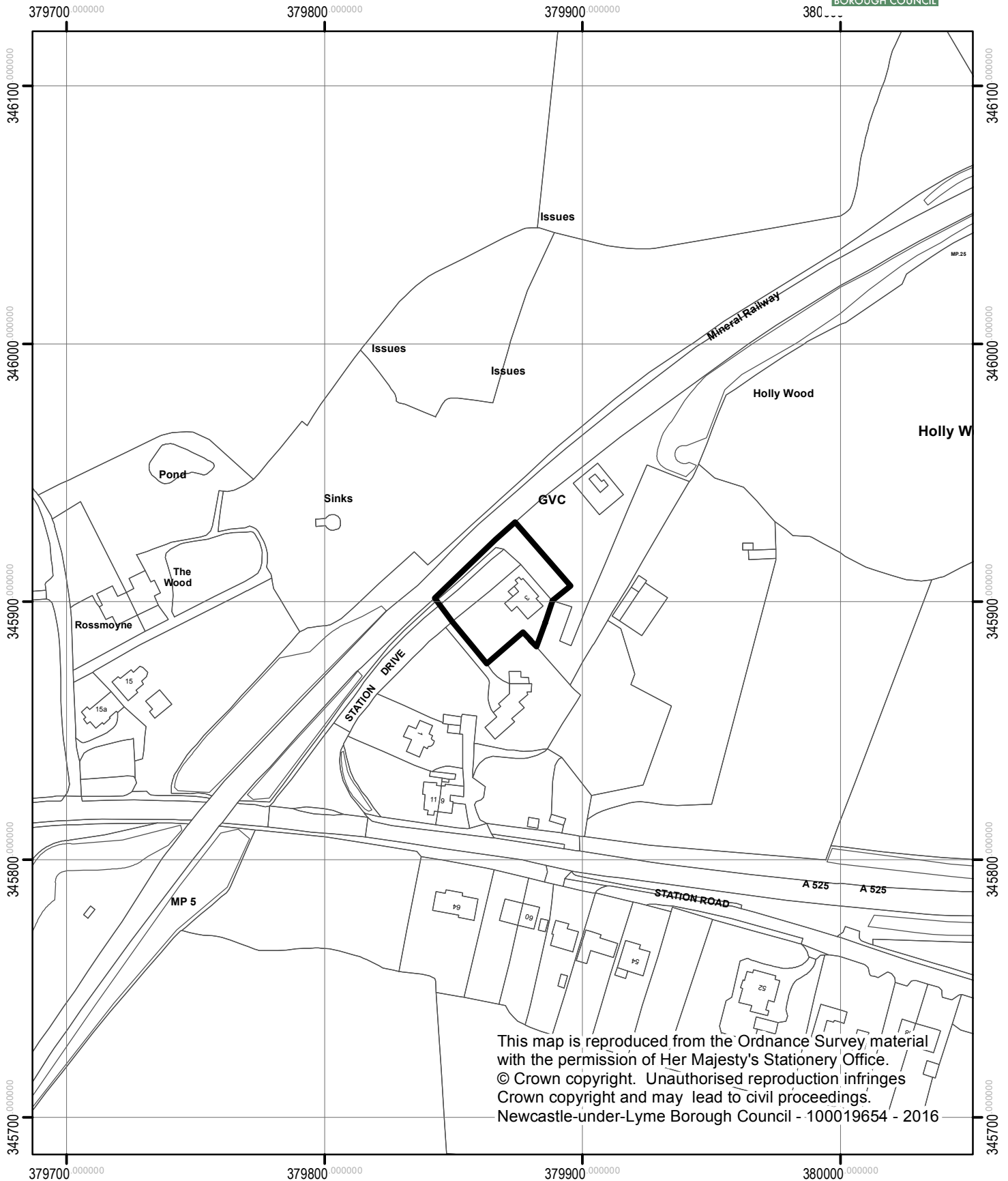
Planning Documents referred to

#### Date report prepared

13<sup>th</sup> December 2017

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## **Confirmation of Tree Preservation Order**

Scots Pine Tree to the rear of 8 Barford Road

### **Tree Preservation Order No 186 (2017)**

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

### **The Provisional Order**

The Provisional Tree Preservation Order protects an individual mature Scots Pine, situated in a visually prominent position to the rear of 8 Barford Road.

The provisional Tree Preservation Order was served using delegated powers on 08/08/17. The consultation period ended on 05/09/17

Approval is sought for the order to be confirmed as made.

**The 6 month period for this Order expires on 7<sup>th</sup> February 2017**

### **RECOMMENDATION**

That Tree Preservation Order No 186 (2017), 8 Barford Road, Newcastle be confirmed as made and that the owners of the site be informed accordingly.

### **Reasons for Recommendation**

#### **Background**

The Scots Pine tree makes an important contribution to the local landscape. The tree is clearly visible from Bunny Hill (public open space), and is also visible from Stockwood Road, Barford Road, Kensworth Close, Ridgemont Road, Langford Road.

The Pine occupies an elevated position and is a visually prominent backdrop tree. There are distant views of the tree from a wide area within the locality.

The tree makes a valuable contribution to the local landscape and its loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

This individual tree is of a good shape and form, with a full and healthy crown and is sufficient quality to be retained.

A planning application was been submitted which would have resulted in the loss of all of the trees on the site.

Following an assessment of all of the trees on the site, the Scots Pine was found to meet the criteria for protection; other trees on the site did not meet these criteria.

The order was served in order to protect the long term well-being of this tree.

## **Representations**

Following the consultation period two representations were received:

A representation from the applicant's agent expressed frustration that the borough council had served the Tree Preservation Order and suggested that this type of situation encourages applicants to cut down trees before they submit applications. The agent stated that he always tries to get applicants to retain trees with the view that the local authority will take a sensible view of the trees and the protection. He suggests that the sensible view had not been taken on this occasion.

The agent then went on to explain that the tree could be retained and protected.

A second representation from a neighbour was received stating that they are pleased that the TPO has been served as they feel the tree is important and prominent. They agree with officer comments that the layout of the proposed development should be altered to allow for the Pine to be retained and protected, and to allow space for its future growth.

The neighbour goes on to say that they hope the landscape department can continue to support them in ensuring that the tree remains protected.

## **Issues**

Since the provisional order was made the applicant revised the layout of the development and two new planning applications have been submitted. Planning applications 17/00878ful (refused at planning committee of 6/12/2017) and 17/00483/ful (appeal now lodged).

Adjustments made to recent submissions mean that the tree can now be accommodated within the proposed development, which allows sufficient space for the tree to be retained and protected and for its future growth.

Landscape officers would have no objection to new proposals (subject to detailed matters which could be dealt by way of planning conditions).

The making of the Order will not prevent the owner from carrying out good management of the trees, nor improving or developing the site, and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction.

In order to protect the long term well-being of this tree, it should be protected by a Tree Preservation Order.

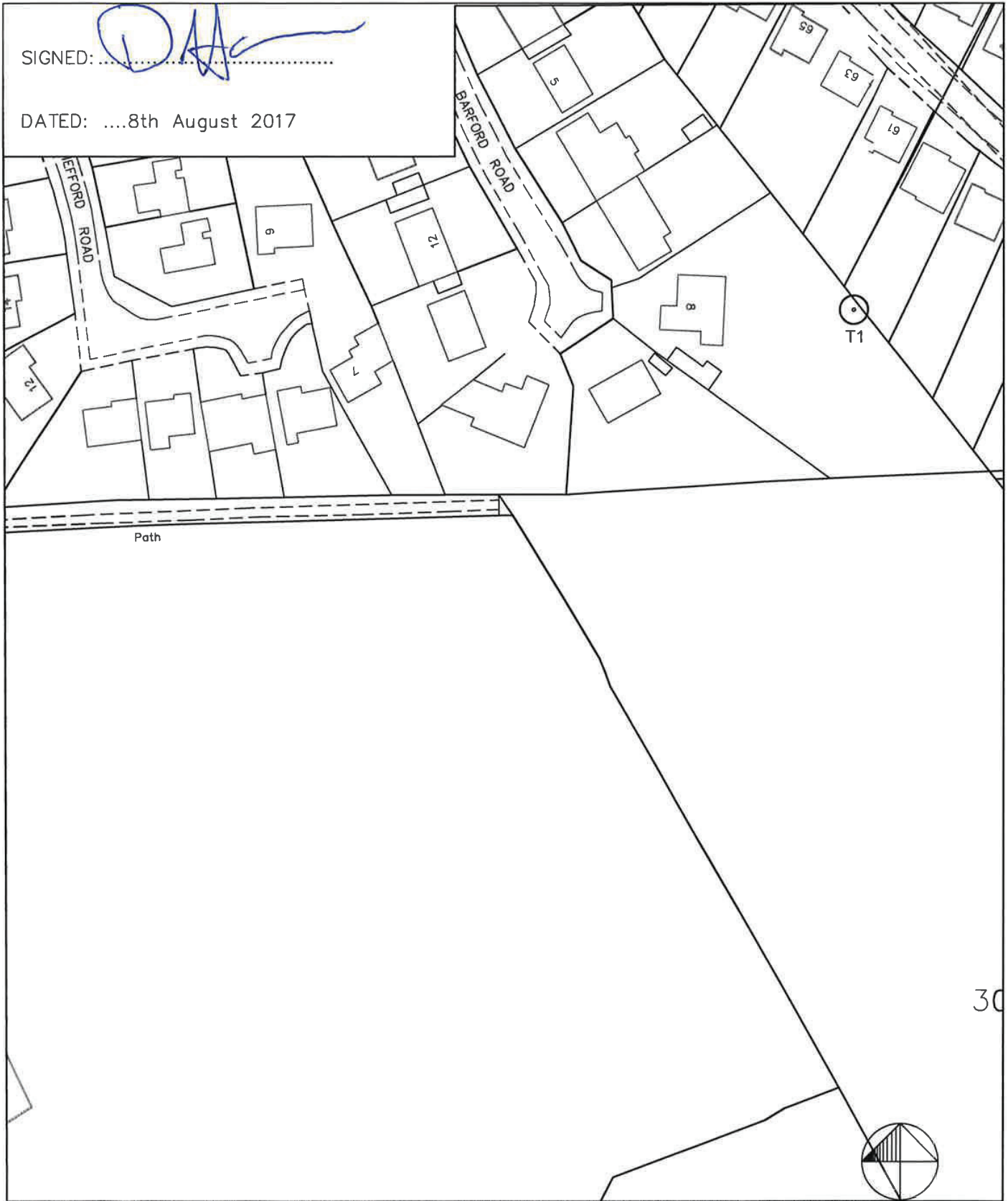
## **Date report prepared**

11<sup>th</sup> December 2017

SIGNED: .....

*DA*

DATED: ....8th August 2017



OS DATA REPRODUCED WITH THE PERMISSION OF THE CONTROLLER OF HMSO 2008 LICENCE NO. 100019654



DAVE ADAMS  
EXECUTIVE DIRECTOR -  
OPERATIONAL SERVICES  
CIVIC OFFICES, MERRIAL  
STREET  
NEWCASTLE, STAFFORDSHIRE,  
ST5 2AG

TITLE:  
Land at 8 Barford Road

DESCRIPTION:  
TREE PRESERVATION ORDER  
NUMBER 186 (2017)

SCALE:  
1:1000

DATE:  
Aug 2017

DRAWN BY:  
J.H.  
DRAWING NO.  
TPO 186

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## **Confirmation of Tree Preservation Order**

Five Beech trees at 147 Liverpool Road East

### **Tree Preservation Order No 187 (2017)**

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

### **The Provisional Order**

The Provisional Tree Preservation Order protects five individual mature Beech trees, situated in a visually prominent roadside position on Liverpool Road, immediately adjacent to the Liverpool Road Aqueduct.

The provisional Tree Preservation Order was served using delegated powers on 11/08/17. The consultation period ended on 08/09/17

Approval is sought for the order to be confirmed as made.

**The 6 month period for this Order expires on 10<sup>th</sup> February 2018**

### **RECOMMENDATION**

That Tree Preservation Order No 187 (2017), 47 Liverpool Road East be confirmed as made and that the owners of the site be informed accordingly.

### **Reasons for Recommendation**

#### **Background**

The five Beech trees are highly visually prominent, roadside trees, positioned along one of the busy main routes towards Kildersleepe. They make a valuable contribution to the local setting and are clearly from the adjacent aqueduct on the Macclesfield Canal.

The trees occupy an elevated roadside frontage position.

The trees have been pruned by utilities companies in the past, and to clear branches and foliage from streetlights, nonetheless, they have retained a good shape, and have sufficient space to grow and develop in the future.

A smaller Beech tree positioned within the group does not meet the criteria for protection due to it being suppressed and of poor form and has not been included in this order. Since the order was made this tree has been reduced to a stump.

The trees make a valuable contribution to the local landscape and their loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

The five Beech trees are of a good shape and form, with full and healthy crowns, and are of a sufficient quality to be retained.

The order was made following notification of the owners' intention to fell the trees.

In order to protect the long term well-being of these trees, they should be protected by a Tree Preservation Order.

### **Representations**

Following the consultation period no representations were received.

### **Issues**

It became apparent that the owner/occupier of the site wished to fell the trees.

An officer inspection determined that five individual Beech trees are of sufficient quality to be retained.


The making of the Order will not prevent the owner from carrying out good management of the trees, nor improving or developing the site, and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction.

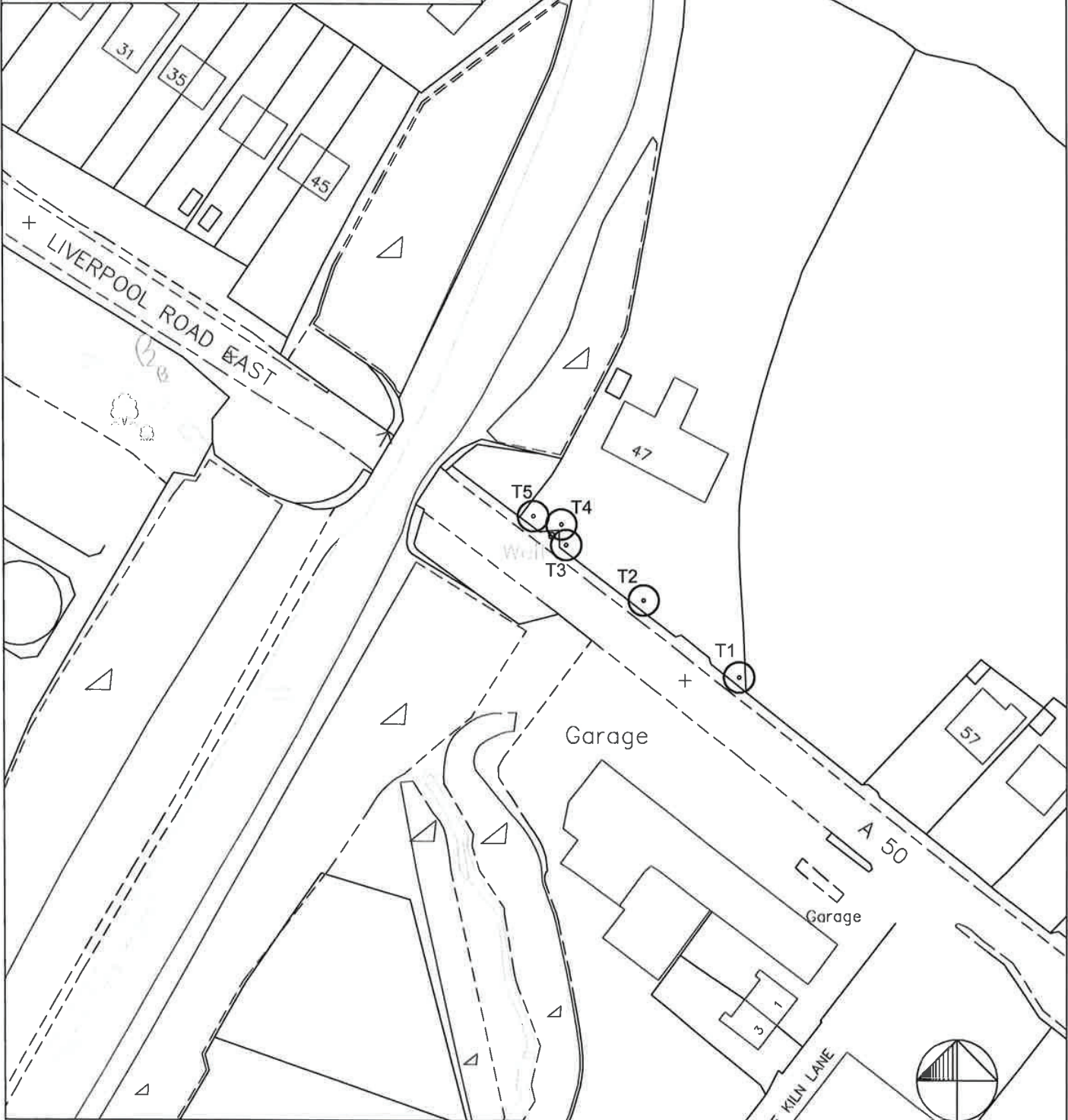
In order to protect the long term well-being of the five Beech trees, they should be protected by a Tree Preservation Order.

### **Date report prepared**

5<sup>th</sup> December 2017



SIGNED:   
 DATED: ....11th August 2017



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DAVE ADAMS  
 EXECUTIVE DIRECTOR -  
 OPERATIONAL SERVICES  
 CIVIC OFFICES, MERRIAL  
 STREET  
 NEWCASTLE, STAFFORDSHIRE,  
 ST5 2AG

TITLE:  
 Land at 47 Liverpool Road East

DESCRIPTION:  
 TREE PRESERVATION ORDER  
 NUMBER 187 (2017)

SCALE:  
 1:1000

DATE:  
 Aug 2017

DRAWN BY:  
 J.H.

DRAWING NO.  
 TPO 187

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## HALF YEARLY REPORT ON PLANNING OBLIGATIONS

### Purpose of the Report

To provide Members with a report on planning obligations which have been secured over the 6 month period referred to in this report, obligations which have been modified either by application or agreement, works that have been funded in part or in whole by planning obligations within this period, and compliance with their requirements

### Recommendations

- a) That the report be noted
- b) That the Head of Planning continue to provide such a report on a half yearly basis to the Planning Committee

### Introduction

The last half yearly report on planning obligations was provided to the Committee at its meeting on 20<sup>th</sup> June 2017 and covered the period between 1st October 2016 to 31st March 2017. This report now covers the period between 1<sup>st</sup> April and the 30<sup>th</sup> September 2017 and sets out planning obligations which have been secured during this 6 month period, obligations which have been amended either by application or by agreement, works that are known to have been funded during that period in whole or in part by planning obligations, and compliance with their requirements. Members should however note that the information on payments received and funded expenditure may be incomplete.

Planning obligations can be secured by agreement or by unilateral undertaking. These are sometimes known as Section 106 agreements or undertakings – being entered into pursuant to Section 106 of Town and Country Planning Act 1990, as amended.

As with previous half yearly reports the relevant Section 106 information is reported in various Tables.

**Table 1 - Developments where planning obligations by developers/owners of land have been entered into (1st April 2017 to 30th September 2017)**

This Table identifies developments where planning obligations by agreement or by undertaking have been entered into by developers/owners. It does not include the obligations entered into by the public authorities, except where they are the landowner/developer. The cases involve both financial contributions, the provision of development such as affordable housing and obligations which restricts the use of a development e.g. non-severance of ancillary accommodation. Contributions are usually payable upon commencement of the development (the payment “trigger”), but that can vary. If a development is not undertaken it follows that there is no requirement to pay the contribution.

<b>Application reference and date of agreement or undertaking</b>	<b>Location of development</b>	<b>Development</b>	<b>Purpose of the obligation(s) entered into by developers/owners</b>	<b>The level of contribution(s) payable when development trigger achieved</b>
16/01014/FUL, 16/01015/FUL & 16/01016/FUL  9 <sup>th</sup> June 2017	Lindsay, Horwood & Barnes Halls, Keele University, Keele	Development on the University Campus – the description of each development, as set out in the decision notices.	Travel Plan Monitoring fee	£2,200 in total for all 3 schemes (Index Linked)
			Contribution to development of real-time travel information data feed for mobile apps	£15,000 in total for all 3 schemes (Index Linked)
			Contribution to Toucan signal controlled crossing on Cemetery Road	£39,000 in total for all 3 schemes (Index Linked)
16/01107/OUT  11 <sup>th</sup> April 2017	Land at Selbourne Pinewood Road Ashley	2 residential units	Public Open Space contribution towards enhancement and maintenance of the playground at Burntwood	£5,886 (Index Linked)
16/00902/DEEM4	Land Off Deans Lane and Moss Grove, Red Street	Development of up to 50 dwellings	Unilateral Undertaking to secure visibility splays on neighbouring land at the Deans	Not Applicable

25 <sup>th</sup> August 2017			Lane/ Moss Grove junction and to keep the splays permanently clear from obstruction.	
16/00796/OUT 20 <sup>th</sup> July 2017	Former Orme Centre Orme Road, Newcastle	(A) Conversion of former Orme Centre into student accommodation, demolition of single storey toilet block and other attached buildings and red brick schoolroom; and (B) erection of a new building to provide student accommodation	Public Open Space contribution towards improvement and maintenance of Queen Elizabeth Gardens but only should a financial reappraisal be required and demonstrate one can be provided	Nil but upon appraisal up to £93,408 (index linked)
			Travel Plan Monitoring Fee but only should a reappraisal be required and demonstrate one can be provided	Nil but upon appraisal up to £2,200.00 (Index Linked)
			A contribution to fund Resident Parking Zones if established to be required, but only should a financial reappraisal be required and demonstrate one can be provided	Nil but upon appraisal up to £50,000.00 (Index Linked)
			Financial Viability Re-Appraisal Mechanism	Not Applicable
17/00179/FUL 20 <sup>th</sup> June 2017	2-4 Marsh Parade Newcastle-under-Lyme	Proposed demolition of existing buildings and the erection of a 4-storey apartment block with parking	Public Open Space contribution towards Stubbs Walk open space improvement and maintenance but only should a financial reappraisal be required and demonstrate one can be provided	Nil but upon appraisal up to £64,897.20 (Index Linked)
			Affordable housing but only should a financial reappraisal be required and demonstrate this can be provided	Nil but upon appraisal up to 25% on site
			Financial Viability Re-Appraisal Mechanism	Not Applicable

17/00193/FUL 17 <sup>th</sup> July 2017	Land East Of Home Farm Keele Road Keele	Erection of a building to be used an Innovation and Leadership Facility	Travel Plan Monitoring fee	£2,200 (Index Linked)
17/00252/FUL 21 <sup>st</sup> July 2017	Former Jubilee Baths Nelson Place Newcastle	Demolition of former swimming baths and construction of 273 room student development with associated communal area and car parking	Travel Plan Monitoring fee	£2,200 (Index Linked)
			Public Open space contribution to enhancement and maintenance (Queens Gardens)	£228,892 (Index Linked) – comprising £139,295 (Capital Sum) and £89,597 (Maintenance Sum).
			A financial contribution to fund Resident Parking Zones if established to be required	£50,000 (Index Linked)
17/00240/FUL 16 <sup>th</sup> May 2017	New Look, Pit Head Close, Lymedale	Removal of condition 4 (scheme of landscaping) of planning permission 16/00712/FUL - Extension to existing storage facility (class B8), 2 storey office extension and associated car park works	Travel Plan Monitoring fee	£2,200 (Index Linked)
			Contribution to implementation of Landscaping Plan	£17,500 (Index Linked)
17/00417/FUL 26 <sup>th</sup> September 2017	Club Heathcote Street, Chesterton	Proposed residential development of 14 dwellings	Public Open Space contribution towards Chesterton Memorial Park and/or Crackley Recreation Ground contribution but only should a financial reappraisal be required and demonstrate one can be provided	Nil but upon appraisal up to £23,202 (Index Linked)
			Contribution to Education Places at Chesterton Community High School – additional science laboratory and ancillary accommodation but only should a financial reappraisal be required	Nil but upon appraisal up to £33,244 (Index Linked)

			and demonstrate one can be provided.	
			Financial Viability Re-Appraisal Mechanism	Not Applicable
16/01036/FUL 12th April 2017	Audley Working Mens Club New Road Bignall End	Variation of condition 2 (approved plans) of planning permission 15/00692/FUL - Erection of 12 houses	Deed of Variation securing the same terms as original agreement concluded on 27 <sup>th</sup> May 2016	

**Table 2 – Developments where planning obligations by developers/owners of land have been agreed to be modified or discharged by application or by agreement (1st April 2017 to 30th September 2017)**

This Table identifies developments where planning obligations by agreement or undertaking have been modified or discharged. The list includes decisions made under Section 106A (to vary or discharge the terms of an obligation), and where the Council has, without a formal application having been made, agreed to amend or modify an existing agreement.

<b>Application Number (if applicable) &amp; Reference Number of original related permission and date of modified /discharged agreement</b>	<b>Location of Development</b>	<b>Application</b>	<b>Decision</b>
17/00026/DOB 7 <sup>th</sup> April 2017	Former Corona Park Sandford Street Chesterton	Application to remove/discharge planning obligations relating to Planning Permission 10/00480/FUL - Erection of 16 terraced dwellings	Obligation discharged on the grounds that it has been demonstrated that the scheme is financially unviable with any level of affordable housing or financial contribution towards public open space.



**Table 3 - Development where financial contributions have been made (1st April 2017 to 30th September 2017)**

This Table identifies the developments where a planning obligation requires the payment of a financial contribution and the trigger for payment has been reached and payments have been made. The sum of the contribution may differ from that originally secured due to it being a phased payment of the contribution, or the application of indexation. Whilst information has been received from the County Council your officers are seeking clarification that no payments have been received in this period. If an update is available prior to the meeting then one will be provided.

<b>Permission reference</b>	<b>Location of development</b>	<b>Development</b>	<b>Purpose of the obligation(s) subject of contributions received</b>	<b>Contribution made and to whom</b>
17/00252/FUL	Sky Building, Former Jubilee Baths Nelson Place Newcastle Under Lyme	Demolition of former swimming baths and construction of 273 room student development with associated communal area and car parking, alternative to Planning Approval 15/00166/FUL	Public Open Space Contribution (Improvements and Redevelopment)	£139,295  NBC
16/00958/FUL	(Marks and Spencer) Wolstanton Retail Park, Newcastle	Variation of condition 3 (To increase the amount of floorspace within the M&S store that can be used for convenience goods sales to 1,496sqm) of planning permission 11/00611/FUL - Demolition of existing retail warehouse units, distribution unit and redundant methane pumping station. Construction of new retail store with ancillary refreshment facilities, new and altered car parking, servicing and sewerage facilities	Business Improvement Contribution	£11,221  NBC

**Table 4 - Development where financial contribution have been spent. (1st April 2017 to 30th September 2017)**

This Table identifies those developments where the spending authority have advised the Planning Authority that they have spent within the above period a financial contribution secured via planning obligations. The Table refers to expenditure by the Borough Council only because no money has been spent by the Education Authority during this period and no information has been received from the Highways Authority and accordingly the Table may be incomplete. Furthermore, the Table only refers to the spending of financial contributions, it does not refer to on-site affordable housing that has been provided as a consequence of planning obligations.

<b>Permission associated with the planning obligation as a result of which funding was received</b>	<b>Location of development referred to in the permission</b>	<b>Development</b>	<b>Amount received as a result of planning obligation and purpose of contribution as indicated in the planning obligation</b>	<b>How the contribution has been spent</b>
17/00252/FUL	Sky Building, Former Jubilee Baths Nelson Place Newcastle Under Lyme	Demolition of former swimming baths and construction of 273 room student development with associated communal area and car parking, alternative to Planning Approval 15/00166/FUL	Public Open Space contribution of £139,295 towards improvements and redevelopment of Queens Gardens.	£117,000 spent on improvements works to Queens Gardens
03/01033/OUT	Former Evans Halshaw Hassell Street Newcastle (now Hassells Bridge)	Residential Development	Public Open Space contribution of £30,000	£10,000 on the landscaping of the Ryecroft/ A34 roundabout and the commissioning, manufacture and installation of the public art – 'The Bee'

**Table 5 to Half yearly report on Planning Obligations - Developments where apparent breaches of planning obligation have been identified**

This Table identifies developments where either the triggers for the payment of financial contribution have been reached and no payment has yet been received, or there is some other current breach in terms of the obligation/undertaking. It also includes cases brought forward from previous periods, which have not yet been resolved, and cases reported in the last half yearly report which have now been resolved and can be considered "closed".

Permission reference & Date of Obligation	Location of development	Development	Purpose of the obligation and description of the apparent breach	Action taken and to be taken to resolve the apparent breach.
12/00701/FUL 13 <sup>th</sup> May 2013	Former Randles Ltd, 35 Higherland, Newcastle Under Lyme	Change of use of ground floor to A1 retail (convenience goods), installation of a replacement shopfront, associated external alterations and works including the recladding of the building and formation of a car park and amended site access	A financial contribution of £36,017 (index linked) towards the Newcastle (urban) Transport and Development Strategy (NTADS) is required to have been paid prior to the commencement of the development.  That has not happened	The ground floor of the building has been operating as a Tesco food store for some considerable time. The County Council and the Borough Council have requested the outstanding amount which will need to have index linking applied, and in the event of payment still not being made further action may need to be taken.  The matter has been passed to the County Council's legal/ monitoring section to progress. SCC have advised your officers that contact has been made with Tesco about the payment but discussions are ongoing. A further update will be provided if there is further information to report.

<p>15/00329/FUL</p> <p>27<sup>th</sup> May 2015</p>	<p>The Skylark High Street Talke</p>	<p>Demolition of existing public house and erection of ten dwellings</p>	<p>A financial contribution of £15,000 (index linked) towards Public Open Space enhancements and maintenance at Chester Road playground should have been made within 9 months of the commencement of the development. The applicant previously confirmed that the development commenced in September 2015. Therefore the payment was due by the end of June 2016. The contribution has not been paid to date.</p>	<p>The development has now been completed and the ten dwellings have been sold without the payment being made.</p> <p>The Unilateral Undertaking provides that liability for the payment transfers to any person who subsequently becomes the owner of the land which is the subject of the undertaking.</p> <p>The outstanding amount with index linking and interest applied is now £15,766.71.</p> <p>Letters were sent out to the 10 homeowners advising that £1,576.67 per household is outstanding.</p> <p>Two of the homeowners have paid the full amount. However, a number of the homeowners have contested the payment but the Council has taken the decision to pursue these payments on the basis that there are no valid reasons to write off these debts. The Revenues Manager will now be seeking payment from the</p>
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				remaining homeowners.
11/00430/FUL 10 <sup>th</sup> May 2012	Land off Keele Road, Thistleberry	Replan of part of the development, incorporating 13 additional units	The obligation secured an additional POS contribution of £38,259 (index linked) to reflect the additional number of units. The payment should have been made prior to the commencement of the construction of the 48 <sup>th</sup> dwelling within the 61 unit development, but was not.	Officers have written to the developer advising them of the financial contribution that is outstanding with index linking applied. An invoice has also been sent requesting payment.  An update will be provided at the point that one is available.
16/00609/FUL 24 <sup>th</sup> November 2016	Land Adjacent The Sheet Anchor, Newcastle Road, Whitmore,	The construction of 7 new houses with access road and associated landscaping.	The obligation secured a financial contribution of £19,399 index linked towards off site affordable housing and £20,601 index linked towards off site public open space and a review mechanism should substantial commencement have not occurred within 12 months of the decision. The obligation required half (£9699) of the affordable housing contribution to be paid prior to commencement and half to be paid on the completion of the last dwelling. The POS contribution has to be paid in full prior to the commencement of the development.	Officers have written to the developer seeking an update on the progress of the development and when the financial contributions will be received.  The developer has now advised your officers that a material commencement of the development has been achieved and that contributions will be paid in full in January 2018. Further information from the developer is being sought to establish index linking .  An update will be provided there is further information available.

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## **DRAFT KEELE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENT**

### **Purpose of the Report**

To seek approval of the draft Appraisal and Management Plan for Keele Conservation Area Supplementary Planning Document (SPD) for public consultation purposes

### **Recommendations**

- 1. That the submitted document is approved for public consultation purposes.**
- 2. That a further report is received on the outcome of the public consultation, before adoption of the SPD is considered.**

### **Reasons**

1. The proposed draft SPD seeks to provide additional information to ensure that the Borough's Conservation Areas are safeguarded for the future to supplement the objectives and policies contained in the Joint Core Spatial Strategy. In accordance with the statutory regulations, an SPD has to undergo a consultation process before it can be adopted.
2. The proposed draft SPD proposes the making of an Article 4 Direction which can help to protect historic buildings and the character and appearance of Conservation Areas and areas of high amenity.

## **1.0 Background**

- 1.1 Members may recall that a report was considered in February 2011 for a programme of Conservation Area appraisals and Management Plans (CAAMPs).
- 1.2 The preparation of an SPD for a CAAMP for a Conservation Area is in line with the National Planning Policy Framework which endorses protecting heritage assets which are considered to have heritage significance.
- 1.3 Once adopted the SPD will supplement the objectives and policies contained in the Local Development Framework. It will be regarded as a "material consideration" in the determination of planning applications, and the fact that it has undergone some form of statutory preparation process increases its status. A draft SPD for consultation purposes has now been prepared for the Keele Conservation Area, the existing boundary of which is indicated on the Map attached as Appendix One. The Draft SPD is presented for consideration as Appendix Two to this report, together with its Townscape Appraisal Map that also shows a proposed extension to the Conservation Area boundary (Appendix Three).

## **2.0 Content of the SPD**

- 2.1 A key purpose of the SPD through the Conservation Area Appraisal is to redefine the special interest of Keele Conservation Area, identify the issues which threaten these special qualities and to provide recommendations and guidance to manage change and suggest potential enhancements through the Management Plan. The appraisal also considers the boundary of the Conservation Area. Keele Conservation Area was designated in 1989 and the review now undertaken has reconsidered the special character of the Area, as well as its boundary. The proposed Management Plan suggests amending the boundary to include the area known as The Hawthorns (see Appendix 3)

- 2.2 The Conservation Area Appraisal highlights the key characteristics and issues which are relevant in the Conservation Area, namely what makes it special by the combination of its history and development, its historic buildings, materials, trees, landscape setting and important views. The Management Plan provides a framework for future actions.
- 2.3 The Council's Conservation Advisory Working Party is being consulted and its views will be reported to the Planning Committee.

### **3.0 Consultation Arrangements**

- 3.1 The consultation will run for 6 weeks and it is proposed to hold a consultation event for residents and interested parties with the Parish Council within the Conservation Area. The draft SPD will be publicised on the web and made available in Newcastle Library and within the University building (if available). The Council will use its e-Panel and its website to raise awareness of the SPD.
- 3.2 All representations received will be considered and a report submitted to the Planning Committee with recommendations for changes, if appropriate, to the draft document.
- 3.3 Once adopted, the Conservation Area Appraisal and Management Plan SPD will carry more weight in giving advice and determining planning applications in the Conservation Areas or in any planning appeals.

### **4.0 Legal and Statutory Implications**

- 4.1 The Council has a statutory obligation to review its Conservation Areas from time to time and to consider new areas. It also must publish from time to time its proposals for the preservation and enhancement of Conservation Areas and consult the local community about the proposals.
- 4.2 The Council has legal and statutory duties in relation to the production of the SPD to undertake public consultation as set out in its adopted Statement of Community Involvement under the Local Development Framework. This Statement demonstrates the Council's commitment to using its best endeavours to consult and involve the community in the most effective way possible.

### **5.0 Background Papers**

English Heritage: Guidance on conservation area appraisals and the management of conservation areas. Feb 2006

English Heritage: Understanding Place: Conservation Area Designation, Appraisal and Management

### **6.0 List of Appendices**

**Appendix One** – Map of the boundary of the existing Conservation Area

**Appendix Two** – Draft Keele CAAMP SPD

**Appendix Three** - Keele CAAMP Townscape Appraisal Map with proposed Conservation Area boundary extension

**Date report prepared 14<sup>th</sup> Dec 2017**

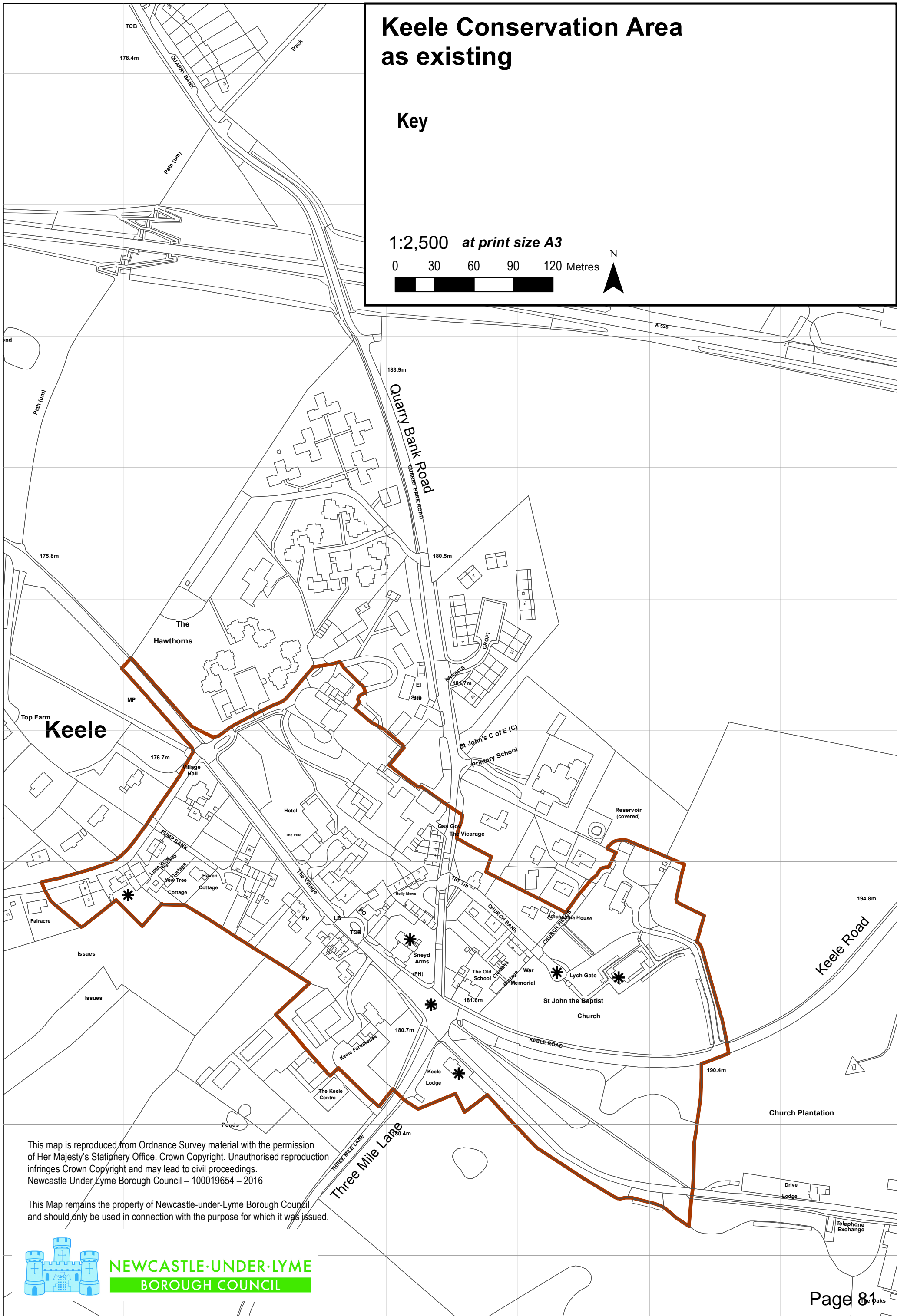


# Keele Conservation Area as existing

## Key

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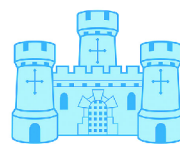
0 30 60 90 120 Metres



### Keele

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**NEWCASTLE UNDER LYME**  
**BOROUGH COUNCIL**

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**DRAFT**

**Keele Conservation  
Area Appraisal and  
Management Plan**

**December 2017**

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### 1. Introduction

Setting of the Conservation Area  
Summary of Characteristics and issues  
Conservation Area boundary plan  
Planning Policy context  
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### 2. Location and activities

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### 3. Historic development

### 4. Spatial and Character analysis

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Approaches to the village  
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Boundaries  
Focal points, focal buildings, views and vistas

### 5. The Buildings of the Conservation Area

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Buildings of local architectural or historic interest  
Positive buildings  
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### 6. Summary of issues

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Positives issues  
Negative issues and features that detract from the special character

## **Appendices**

Townscape Appraisal Map (also showing proposed extension to boundary of the Conservation Area)

This appraisal has been modified from the Rapid Appraisal produced for the Hawthorns Appeal Public Inquiry (2014) by John Hinchliffe (by kind permission).

## Community Engagement

### Consultation Statement

This document has been written involving the Parish Council and with consideration of the Keele Heritage and Character Assessment as part of the Neighbourhood Plan.

The Draft Appraisal and Management Plan will be discussed with the wider community in a consultation for 6 weeks. Following this consultation the documents will be adopted by the Council as Supplementary Planning Documents to the Local Plan

If you have any queries about this document, would like further information please visit the Council website at

[www.newcastle-staffs.gov.uk/conservation](http://www.newcastle-staffs.gov.uk/conservation)

Tel. 01782 742408 or email the Conservation Officer at [planningconservation@newcastle-staffs.gov.uk](mailto:planningconservation@newcastle-staffs.gov.uk)

## 1. Introduction

### Keele Conservation Area

This appraisal is part of a rolling programme of appraisals of Conservation Areas in Newcastle-under-Lyme Borough. The Borough Council has an obligation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review, from time to time, its Conservation Area designations, & under Section 71 of this Act to formulate and publish proposals for the preservation and enhancement of these areas. Section 72 specifies that, in making a decision on an application for development within a Conservation Area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Keele Conservation Area was designated in 1989. The boundary at this time was chosen to exclude most of the more recent development with less historic interest such as the Hawthorns (student accommodation) and to include the historic core of the village. A leaflet produced for the consultation in 1988 summarises the reasons for designation, "Keele is an historic village which dates back to the Norman period with long association to the crusading knights. The Parish Church is named after St John the Baptist, the patron saint of the Knights Hospitallers. The village contains a number of attractive and historical buildings".

The omission of any particular feature in either the Character Appraisal or the Management Proposals does not imply that it is of no interest.

#### Location and Setting

The village is located west of Newcastle-under-Lyme in Staffordshire. Keele Park (now Keele University) is located adjacent to the village and the area around Keele Hall and its pleasure garden is designated as another Conservation Area. The wider parkland is also designated as a Grade II Historic Park and Garden.

#### Setting of Conservation Area

Today the village is predominantly residential. Some of the less historic areas have affected the rural setting of the village Conservation Area. These are:

- West side of Highway Lane, a handful of late 20<sup>th</sup> Century detached houses in large gardens
- East side of Quarry Bank Road, Knights Croft, a cul de sac of late 20<sup>th</sup> Century bungalows in terraces and pairs of semi-detached buildings.
- Church Fields, a small cul de sac of five detached late 20<sup>th</sup> Century houses
- West side of Quarry Bank Road, a car park to the university buildings at the Hawthorns.
- North of Hawthorn House, phases of university halls of residences, built since the 1950s, eroding the rural setting of the historic village, however the grounds are spacious and have mature trees and shrubs which significantly contribute to the character of the Area.

Other areas outside the Conservation Area boundary significantly contribute to the rural village scene, namely the fields to the rear of Highway Lane and The Village, visible from the Keele Centre; the area south of Keele Drive within the parkland landscape; and the open countryside north of the village.

#### Summary of key characteristics and issues

This Character Appraisal concludes that the key positive characteristics of the Keele Conservation Area are:

- An historic village in a largely rural setting and an informal organic layout, nucleated around a road junction.
- An historic village with a small dense historic core and larger areas of open space on the edges
- An ancient village substantially remodeled and rebuilt as an estate village by the owner of an adjacent country house mansion
- An ancient village, dominated by an adjacent mansion and subsequently by the educational institution which took it over in the mid-20<sup>th</sup> Century
- A village with a range of distinctive architectural features creating a unique village vernacular
- A village with predominantly low buildings partially hidden behind vegetation, except for a few prominent showpiece buildings
- A landscape where the hedges, shrubs and trees make a significant contribution to the character and appearance.

The Character Appraisal concludes that the key issues in Keele village are:

- Retaining the landscape character of the village and high density of mature trees and hedgerows.
- Protecting architectural features on buildings and preventing incremental residential alterations to houses.
- Maintaining a vibrant village life once the students leave the Hawthorns campus
- Maintaining the historic sandstone walls along the roads within the village
- Congestion in the village through parking.

#### Conservation Area boundary

- The key historic areas of the village are recognised within the current boundary but it is considered that there is merit in considering a change to the Conservation Area boundary at The Hawthorns, subject to the housing proposal being implemented. This is discussed in further detail within the management proposals.

#### Planning Policy Context

The National Planning Policy Framework (NPPF) sets out recognises that a core role of the planning system is to conserve heritage so it can be enjoyed by future generation and sets out the wider social, cultural, economic and environmental benefits of heritage. Conservation Areas are termed designated heritage assets in the Framework. Consequently their importance is elevated by this designation.

Section 12 of the NPPF sets out the main policies in respect to the historic environment. The key messages are:

- Local planning authorities should set out in the Local Plan a positive strategy for the conservation and enjoyment of the historic environment
- The value of the historic environment in creating sustainable and viable communities, including the benefits to the local economy
- When considering the designation of Conservation Areas, the area's special architectural or historic interest should justify designation, otherwise the concept is de-valued

- When considering the impact of proposals on a designated heritage asset great weight should be given to the asset's conservation. Substantial harm should be exceptional, whilst less than substantial harm should be weighed against the public benefits of the development
- In Conservation Areas and within their setting, there are opportunities for new development to enhance or better reveal their significance (such as by replacing inappropriate development or enhancing key spaces and views)
- Not all parts of the Conservation Area will necessarily contribute to its significance. However, loss of a building or structure that contributes to the significance of the Conservation Area will amount to substantial or less than substantial harm, taking into account the impact upon significance of the Conservation Area as a whole.

These documents will provide a firm basis on which applications for development within the Keele Conservation Area can be assessed.

Keele Village is within the Green Belt as indicated on the current Local Development Framework Proposals Map so Green Belt policies also apply.

#### Local Policy Framework

This Character Appraisal, with its associated Management Proposals, should be read in conjunction with the wider policy framework as set out in various policy documents, particularly the NPPF. The Development Plan for the Borough currently consists of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy and saved Local Plan Policies and the emerging Joint Local Plan with Stoke on Trent City Council. More information about the planning system can be found on the Borough Council's website: [www.newcastle-staffs.gov.uk/planning](http://www.newcastle-staffs.gov.uk/planning)

Relevant Supplementary Planning Documents

Design Guide

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (SPD) focuses on principles of creating better places and emphasises the importance of how a development should relate to its context. It is

a practical tool and can be viewed on the Council's website [Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document](#) (2010)

#### Register of Locally Important Buildings

The Council produced a Register of Locally Important Buildings and Structures which describes the process by which buildings are added to the list and the criteria which is applied. Information about the Register and the current list is available to view online at [www.newcastle-staffs.gov.uk/localregister](http://www.newcastle-staffs.gov.uk/localregister). The list is generally updated every two years.



## **2. Location and activities**

Keele is a village in northern Staffordshire, approximately three miles west of Newcastle-under-Lyme. It was on the A525 road between Newcastle and Whitchurch although a by-pass has been built to the north of the village and has reduced the volume of through traffic. It lies at the junction of the former Newcastle-Whitchurch road (Station Road/The Village and Keele Road) and the local road (Three Mile Lane) to Whitmore. A local service road (Quarry Bank Road) and the road into the main Keele University campus also converge at this junction.

The M6 motorway runs approximately a mile and a half away to the south. Keele Parish has a population of approximately 3,600, although most of these are students who do not live in the village permanently. Keele University is a significant presence, with its main campus immediately to the east of the village. A road and footpath directly links the village and the university. The university also has a strong presence within the village, with the residential accommodation, social/service facilities and Management Centre at the Hawthorns - the only shop is part of the University Campus. This part of the university is set to close and vacate this site in the near future as the University is developing the site around the Hawthorns for residential development.

Also in the village is a church, a village hall, a school, a public house and a small business centre of converted farm buildings, known as Keele Centre.

### **Topography and Geology**

The landscape around Keele is formed by undulating low mounds covered by large irregular-shaped fields divided by hedges and interspersed with farms building, a few marl pits, groups of trees and some larger areas of mature woodland. The village lies at the top of a gradual rise when approached from the north west and itself occupies undulating land, with the church on the highpoint at the top of Church Bank.

Station Road, Keele Road, and Three Mile Lane all follow gentle curves which restrict long distance views.

### **Relationship of the Conservation Area to its surroundings**

Keele Village lies within an agricultural landscape to the north, east and south and its slightly elevated location provides some expansive views out from some locations especially from the western edge of the Hawthorns development and views south across the parkland landscape to the motorway.

The west extremity of Keele Hall (now Keele University) is a wedge-shaped tract of landscaped parkland characterized by woodland areas and grassland. The park has a stone entrance lodge that lies at the east end of the village. The village is linked into its surroundings by the roads and tracks/footpaths. Immediately beyond the Conservation Area to the east is an area of primarily deciduous woodland (Church Plantation) which forms a barrier to views of the university itself and its playing fields.

Green Belt washes over the village and the surrounding area of Keele which restricts the type and amount of development that can take place within the village.

### 3. Historic development and archaeology

Keele is an historic village, with origins dating back to the Norman period. Its name is believed to derive from the Anglo-Saxon Cy-hyll meaning "Cow-hill", strongly suggesting that it was a village which has long practiced cattle farming. The first written records of Keele are King Henry II granting the manor of Keele to the crusading Order of Knights Templar between 1155 and 1163. The Templars were exempt from ecclesiastical taxation and penalties and also received privileges from the Crown. This made the Manor attractive to tenants and the village began to develop.

In 1308 the Templars were suppressed in England and the manor of Keele passed into the hands of the Knights Hospitaller, who subsequently had its property, including the village, seized by the Crown when the order was dissolved in 1540 by Henry VIII. Although no buildings remain above ground from this early period, its memory is perpetuated by the name of Knights Croft (a road off Quarry Bank Road) and by the parish church, named after St John the Baptist, and some stained glass within the church.

In 1544, the manor of Keele was bought from the Crown for £334 by William Sneyd, who came from a family which was long-established in the region, whose main interests were in Cheshire. His father, (also William) had been Mayor of Chester and thus they were a family of wealth and influence. He and his son (the first Ralph) built the first of the Sneyd houses at Keele in about 1580. Keele Hall was built to the east and centre of the village but its creation significantly changed village life as it was the first time there was a great house with an influential resident lord. This undoubtedly marked a radical change in the fortunes of Keele and its people, as they lost many of their former privileges but they also gained an alternative source of employment and a changed social order.

The Sneyd family made their money from farming, both arable and dairy, but they also vigorously exploited iron and coal, both of which were found on the estate, and many of the villagers worked in the mines and quarries. Other crafts and trades which were practiced in the village including blacksmiths, thatcher's, wheelwrights and a frying pan maker.

The Sneyd family did not at this stage own the whole village but they steadily increased their

control by buying land as it became available and they came to dominate the village economically and socially over the next 400 years.

Another Ralph Sneyd inherited the estate in 1829 and embarked on a programme of landscaping and tree planting in the grounds of the hall during the 1830's. He then turned his attention to the village and the hall itself. By 1841 Ralph Sneyd had bought all the land in Keele and this enabled him to remodel the village. He embarked on a rebuilding programme that created the village much as it remains today. The Sneyd Arms, the old school, Keele Farm, and 5 lodges were all built during the mid and late 19<sup>th</sup> century. The distinctive RS monogram can be seen on all these buildings and many also incorporate other trademark features of distinctively patterned brickwork and elaborate chimneys. The old Keele Hall was demolished and the current Sneyd Hall, designed by Anthony Salvin, was built in red sandstone quarried on the estate. Building began in 1856 and was completed in 1861.

As sole owner Ralph Sneyd was able to physically change the village and control its social life. The villagers relied to a great extent upon the estate for housing and work, and the Sneyds owned the inn and the school and appointed the clergy, so it was a truly estate village dominated by the family and its institution to the south.

In 1888, the estate was inherited by a nephew, also Ralph, and he was commonly known as Sporting Ralph, as his main interests were horses, shooting and fishing. He built a stud farm on the site, now Paddocks Farm and had a racetrack built so he could host horse racing meets. The straight mile of the track was evident until the M6 was built on it in the 1960s. He also developed the lakes for trout fishing, and game birds were introduced for shooting parties. One of the stone built lodges was used as a gamekeeper's lodge. Despite this investment Ralph never spent much time at Keele, and leased it to various tenants, including Grand Duke Michael of Russia from 1901 to 1910. The social highlight of this period was a weekend visit from Edward VII in 1901. After 1910 a succession of tenants occupied the house and its condition and that of the estate started to decline. Although Ralph Sneyd was not often present, the estate was run by the agent in his absence, so life in the village continued as usual with the villages still working on the land, or in the business of

the estate, as this generated the revenue Ralph needed to support his “sporting” life.

Even before WWII, some esteemed educationalists, led by A D Linsay had been exploring opportunities for establishing a university college “on new lines” but after the war began in earnest to secure funding, support and a suitable site. Eventually they settled on Keele Hall and in 1949 the newly created University College of North Staffordshire became the new owners of 150 acres of the Keele estate, which include the rather dilapidated Keele Hall and 5 stone lodges.

Ralph Sneyd died in December 1949 and within a year the nephew who succeeded him also died. The remainder of the estate, which at that time comprised of 4,407 acres, was sold by auction in 1951 to pay the Estate Duties. Most of the properties in the village were sold to the tenants. The University College took the opportunity to enlarge the campus by buying the house and area known as The Hawthorns, within the Village. The Halls of Residence which has evolved on this site since the 1950s still retains this name. The first components of the institution on the site were the conversion and extension of the Hawthorns itself to accommodation and the construction of five two storey residential units in a cul de sac at the rear of the Hawthorns. The University’s buildings on the site have been developed in at least five subsequent phases with the construction of a further three phase of residential units, a social/services unit and the Management Centre, which is part new build and part conversion of The Villa, a 19<sup>th</sup> Century estate house.

In 1962 when the University College of North Staffordshire was granted a new charter and became a university in its own right, it chose to take the name of the village, became Keele University and it remains the only university in the UK to be named after a village.

A few infill developments of individual or small groups of houses and a school have been built in and around Keele since 1962 but it remains a rural village with a large educational institution appended to the south of the village and partially integrated within it at the Hawthorns.

#### 4. Spatial and Character analysis

An analysis in plan form is given on the Townscape Appraisal Map.

##### Layout and street pattern

The Conservation Area is nucleated around the junction of Keele Road, the driveway to Keele Hall, Three Mile Lane, The Village and Quarry Bank Road. The Old School, church and pub are all around this junction but the dwellings (except Keele Lodge) in the village are off-set from this junction to the north and west, as the church yard occupies the area north east of the junction.

The short narrow lanes of Church Bank, Church Fields, Highway Lane and Pump Lane lead off the through roads at varying angles and create an intimate feeling. Two short terraces at approximately 45 degrees to Quarry Bank Road form Holly Mews at the rear of The Sneyd Arms. The terrace at 16-32 The Village is in on an L plan so also has arms approximately 45 degrees to the road. The village is relatively enclosed and outside the village the landscape is open and has a feeling of spaciousness.

The dwellings within the Conservation Area include a range of building forms. They include large detached houses in large grounds, small cottages with small gardens, semi-detached houses, semi-detached cottages and short terraces. The overall pattern of growth of most of the historic village is organic and incremental.

The plot sizes, shapes and length of frontages in the village centre also vary a great deal, with no over-riding pattern other than the plots are small and irregular in the centre and the dwellings and their plots tend to be larger around the edges, as at Amakoccha House, Keele Farmhouse and The Hawthorns. The large open churchyard around the church and the open parkland of the entrance to Keele Hall reinforces this tendency for more open character around the edges of the village. To a large extent the low density and landscaped grounds of the halls of residence at The Hawthorns follows this pattern.

An element of formal planning of the village was introduced by the Sneyds in the mid-19<sup>th</sup> Century and super-imposed onto the informal pattern through the creation of the entrance to the parkland by the formal landscaping, the

construction of Keele Lodge and its gate piers, and the siting of The Old School directly opposite the approach from Three Mile Lane and the siting of The Sneyd Arms in an imposing location at the front and in the centre of its own large plot.

The layout of the Conservation Area is thus a collection of randomly developed dwellings for villagers in the approximate centre of the village surrounding by larger buildings in large grounds.

##### Approaches to the village

The approach to the village from the north-west along Station Road is a journey through open countryside up a shallow rise, with boundaries to the fields beyond the road formed by randomly coursed sandstone walls topped by mostly hawthorn hedges. The current NW boundary of the Conservation Area is at the approximate brow of the hill and is effectively identified by the trees in the grounds of the Hawthorns (but these trees are currently outside the Conservation Area). Approaching nearer to the village at the brow of the hill, the feeling of open character on the left hand (north) side is maintained by the deep building lines of the halls of residence and The Hawthorns Farmhouse which enable the gardens and the trees and shrubs within them to dominate the view. Even on the right hand side (south) the role of the buildings in informing the viewer that a village is being entered is gradually felt as the village hall is a low building and the buildings are set back and largely screen by vegetation. The journey into the village is one of seeing a gradual intensification of development and it is only when the viewer gets to The Villa that the impression of entering a small village is fully appreciated. That said with properties often set at angles to the road behind long gardens and below road level, the character is informal and spacious.

The approach to the village from the east along Keele Road also has a randomly coursed sandstone wall on each side but it is a slightly different experience as the road bends more and the land on both sides is wooded, creating a more enclosed feeling and focusing the view ahead. Approaching near to the entrance to the Conservation Area, the dense woodland on the left hand (south) side gives way to enable views across the open parkland with occasional specimen trees. Approaching even closer the viewer comes around the bend and arrives more suddenly at the village centre

with the sight of Keele Lodge, its gate piers, The Old School House and the Sneyd Arms. The village is also approached from the the parkland landscape, now the university, past the lodge, through an avenue of lime trees.

The approach to the village from the south along Three Mile Lane is through fields along both sides of the road again with boundaries of low randomly coursed sandstone walls, hedges and occasional tree on each side. The foretaste of an approaching village is provided by clear sign of the Old School House straight ahead and partial sign of Keele Lodge on the right. The Keele business centre on the left is barely seen as it is a group of low former farm buildings set back on a deep building line behind vegetation.

The characteristics stone walls on the approaches to the village are in poor condition in some cases especially on the edge of the parkland estate opposite the churchyard.

### **Open spaces, trees and landscape**

Keele is a rural Conservation Area with no planned public open space as such but the private and semi-private open spaces are crucial to creating the character and appearance of the Conservation Area and its setting.

The open fields around the village are crucial to creating the agricultural setting for the village and views into and out of it. Similarly the open parkland at the east end of Keele Hall provides views into and out of the village over a visually pleasing terrace and creates the impression of a settlement within an unbuilt environment, albeit that the parkland is managed differently from the agricultural land.

The church yard around the Church of St John the Baptist is substantially enclosed by woodland and tall hedges so that it is not fully appreciated from outside but once inside the churchyard, the low gravestones, memorials and occasional planting enable mid-range views across the churchyard to the impressive church, lychgate and surrounding vegetation and it is an important visual component of the Conservation Area. Some of the trees and shrubs create framed views of the church, especially when approaching up the main entrance path.

Immediately to the north of the church is Amakaohia House, a large former farmhouse

which is effectively screened from public view by surrounding vegetation but it has extensive private grounds which create a feeling of spaciousness from within the site.

Keele Farmhouse is set back in a large garden on a deep building line of approximately 25m from both The Village and Three Mile Lane. The garden is private but glimpses of it through the vegetation enable sight of the building beyond and it contributes to the feeling of spaciousness within the village.

The Hawthorns Farmhouse is set back approximately 75m from The Village behind a garden of a low lawn, many mature trees and a thick boundary to the road of shrubs and a hedge. The effectively solid boundary to the Village prevents any direct full views to the Hawthorns from The Village. Even from the entrance to the site, the oblique view towards the Hawthorns Farmhouse past the west end of the hedge and shrubs is essentially of open land with several mature specimen trees and only a glimpse of the building can be seen. The unbuilt-upon nature of the land in front of The Hawthorns Farmhouse and the trees on it are therefore essential to the feeling of arcadian spaciousness and openness in the Conservation Area. The deep building line of approximately 25m of the westernmost of the hall of residence (outside the current Conservation Area) also enables the open grounds between the halls and the road to combine with the area in front of the Hawthorns Farmhouse to create an even larger open space. Although this latter space is outside the Conservation Area, it provides an open setting for it and enables views from the road, which is within the boundary, across towards The Hawthorns.

To the west end is Keele Park which is within the Conservation Area is privately owned by the University but in effect public access is allowed through it on Keele Drive and the footpath and so as a designed park landscape it has much special interest. It consists of well-maintained lawns and mature specimen trees in groups and in lines along the road creating a tree-lined avenue. Keele Park is on English Heritage's Register of Historic Parks and Gardens and therefore of significance in its own right, it is also a visually valuable component of the Conservation Area. Extensive views from Keele Drive south over the fields as grazing land provide an attractive setting for this part of the Conservation Area.

Trees and Hedges

Trees hedges and vegetation play an important role in Keele Village Conservation Area in defining boundaries, screening and softening views, allowing glimpses of properties which all contribute to the character creating an appearance of a few buildings set within a predominantly agricultural, parkland and garden environment.

Some trees are significant as specimen trees which are valuable elements of the village scene in their own right and others have group value where their significance to the Conservation Area is when they combine with other trees vegetation and buildings to create visually pleasing compositions. In particular:

- The trees on each side of the drive to Keele Hall within Keele Park combine to form a tree-lined boulevard.
- The distinctive sculptural shaped yew trees in the churchyard combine with the church, Lychgate and memorials to create the impression of a quintessential English churchyard
- The trees along the driveway at the entrance to the Hawthorns side create the effect of a dramatic entrance
- The trees throughout the Hawthorns site and especially those between the Hawthorns House and The Village create the impression of a major house within an arcadian parkland setting.
- Trees along Station Road lined with mature trees

Many of the front boundaries of the properties in the Conservation Area are hedges up to two metres in height, in species dominated by hawthorn. On the main approaches into the village, the hedges are often elevated even higher on top of, or just behind randomly coursed rubble sandstone walls. These hedges, when combined with the generally low building forms and many of the dwellings being set back from the road, result in a village scene where the vegetation tends to dominate the view and where the full sight of the buildings is restricted to the roofs, upper gables and chimneys, other than the views down driveways.

#### Other frontage boundaries

Although hedges are the predominant front boundaries, the Conservation Area is characterised by a few examples of other

boundary treatments which affect the overall character in different ways.

The use of local red and buff rubble sandstone, random courses for the front boundaries along Keele Road and Station Road is a traditional and vernacular boundary treatment which helps to root the village to its locality. Mostly, these are dry stone walls although some are bonded by mortar. The copings include half-round saddle-back flat and cheese wedge. Within the village, a few properties have brick boundary walls up to approximately 1.2m high built of similar bricks to those used for the house.

Very few unsuitable new front boundaries have been erected in the Conservation Area but the one which most jars with the rural village character is that on Highway Lane consisting of concrete posts, low concrete panels and bow-topped close-boarded fences approximately 1.4m high which appears overly suburban in character. The modern materials, colours, hard lines and regularity are a stark contrast to the soft, green and vegetated verge on the opposite side of the lane.

#### Gate piers

In line with the prevailing understated rural character of the Conservation Area, few of the properties within it have dramatic gates or gate piers at the entrances to the properties. The key exceptions are the formal sandstone gate piers at Keele Lodge; the more restrained and rusticated piers at the Old School House (rebuilt) and; a pair of brick piers with a chamfered plinth and stone pyramidal cap.

#### **Focal points, focal buildings, views and vistas**

The initial organic growth of the village for purely functional purposes up until the mid-19th Century has resulted in few consciously created focal points in the Conservation Area from that early phase of development. Most of the purpose of designed "eye-catching" buildings date from the rebuilding of parts of the village by Ralph Sneyd in the mid-late 19<sup>th</sup> Century.

The most obvious focal point of the village is the Church of St John the Baptist with its 130ft high spire catching the eye from many directions. It is sited on the high-point of the village to emphasis its dominance even more. The vegetation around the churchyard partially screens the view of the church from Keele

Road but some framed views are created by the gaps and it dominates the skyline from within the west end of Keele park. Interestingly, the limited view of the church from Keele Road and the Park is frustrating, as there is no obvious route to get to the church from there: access is either via the unmade back drive or a pedestrian-only route via Church Bank (from where it is still largely screened by vegetation), past the War Memorial, the Lych-gate and the dramatic right-angle bend to the left which dramatically reveals the SW frontage looming high above at the top of the path.

The Lychgate is itself a focal point when approached or viewed from the bottom of Church Bank. In this view, the Lychgate is viewed in conjunction with the war memorial which was strategically located to form a focal point.

Another focal point is the Old School House, consciously located opposite the end of Three Mile Lane to close off the view on approaching the village from the south.

Keele Lodge and the adjacent gate piers were designed to guard and mark the west entrance to the grounds of Keele hall as a foretaste of the grandeur of the hall itself, out of sight further into the park. It acts as a piper at the gates of dawn!

The Sneyd Arms although not a large building is sited at the end of a viewpoint, it sits at the front of and in the centre of a wide plot which has no hedge and dominates views westwards from the road junction and its five front-facing gables demand attention.

The tree in the centre of the village is a key focal point at the centre of where the roads converge.

Smithy House, 4 Highway Lane is visible at the road junction due to its orientation. A Sneyd estate house, it is prominently located along the lane and its rear elevation is also visible from across the fields from the Keele Centre.

Views tend to be restricted due to the topography, trees and vegetation, and orientation of the built form creating an enclosed feeling and character within the village.

## 5. The Buildings of the Conservation Area

The buildings within Keele Conservation Area which are of the highest architectural or historic interest are on the statutory list of buildings of architectural or historic interest. They are all listed at Grade II except the Church of St John which is Grade II\*. They are:

The Church of St John the Baptist, Church Bank. The Parish church is on a medieval site, but entirely re-built by J. Lewis of Newcastle-under-Lyme between 1868 and 1870. Pink sandstone, rough-faced coursed rubble, graded slate roofs all with raised verges on kneelers and crosses to the gables. In decorated gothic style having a nave, chancel, south-west tower with spire, south aisle and chapel, north aisle with vestry, south and west porches. The south-west tower is in 3 stages with angle buttresses, crowned by rather coarse corner pinnacles. Inside is a good iron screen (c. 1870) across the chancel arch. All the other fittings and furnishings are on this (or later) date except for some re-assembled fragments of C14 stained glass in the west window of the tower, which may relate to the Knights Templar and the C18 coat-of-arms over the chancel arch. Originally held by the Knights Templars, Keele was a chapel of ease of Wolstanton in the Middle Ages. The Victorian re-building was paid for by Ralph Sneyd of Keele Hall. Graded II\* on account of the completeness of the Victorian interior especially the stained glass by Clayton and Bell. It is a church whose interior is better than its exterior, both aspects reflecting High Victorian piety.

Memorials and features in the Churchyard  
Sundial approx. 9m south west of the south porch of the Church  
Cooper Headstone about 7m south east of south porch of the Church  
Haywood Memorial about 4m south of the south porch of the Church  
Jane Downing Headstone about 16m south of south porch of the Church  
Peake Memorial about 22m south west of south porch of the Church  
Dean Memorial about 7m south of south west corner of tower of Church  
Poole Memorial about 3m north of north east corner of north aisle of the Church.

36, Keele Village, Keele Village  
Cottage, 17 Century, altered and extended Mid 19<sup>th</sup> Century. Timber framed on chamfered brick plinth with plastered infill, clay tile roof

with fishscale bands to front. One storey with attic probably 3 bays. Brick ridge stack and Integral end stack to right. Framing extensively renewed to front with characteristic 17<sup>th</sup> Century roof construction on left hand side end. Internally there are two chamfered beams with chamfer stops to room on ground floor, infilled inglenook fireplaces.

Milepost, NGR SJ 8062 4542, Station Road

Keele Lodge and Gate Piers, Keele Drive  
c. 1850 Lodge, coursed yellow sandstone with ashlar dressings, plain tiled roof with fishscale banks, parapet and raised verges on kneelers. Cruciform in plan with late 19<sup>th</sup> Century additions to rear (now 21<sup>st</sup> extension). 2 storeys; 3 bays with projecting full-height gabled porch to centre. Moulded bands to first floor and below parapet. Includes Sneyd family coat-of-arms displayed above. Gate piers are ashlar sandstone, with square section and chamfered corners terminating in stepped stops, moulded capping and finials.

War Memorial, adjacent to the Lychgate at St John the Baptist Church. 1920 Sandstone ashlar. Cross set on a square base with shields set over offset buttresses framing inscription panels; stopped octagonal plinth.

Buildings of Local Architectural or Historic Interest

The Council has produced a Register of Locally Important Buildings and Structures. The list was last updated in 2016 and can be viewed at [www.newcastle-staffs.gov.uk/conservation](http://www.newcastle-staffs.gov.uk/conservation). Those in the Keele village Conservation Area are:

The Villa, 11 The Village, Keele  
Sneyd Arms PH, 1 The Village, Keele  
The Cottages, 5-9 The Village, Keele  
6-12 The Village, Keele  
The Middle House, 14 The Village, Keele  
Keele Farm House, 2 & 4 The Village, Keele  
Stone walls adj and opposite the churchyard, Keele Road, Newcastle  
Smithy House, 4 Highway Lane, Keele  
4-6 Church Bank, Keele  
Old School, Church Bank, Keele  
Hawthorn House, Keele University

Other buildings can be added to the list during a review of the local register.



## **Building Analysis - Details materials and colours**

### Building styles

As in most areas, the buildings have a hierarchy of visual importance, dependent upon a range of factors, including their size, location and orientation, prominence, materials, design and function. It is also the combined effect of the buildings and their relationship with their layout, the landscaping, topography and vegetation which creates the character appearance and significance of the village.

### Principal Sneyd Buildings

The principal buildings within the Conservation Area which create the dominant part of its character and appearance are those built under the instruction of Ralph Sneyd in the mid-19<sup>th</sup> Century, including: the Church of St John the Baptist, Keele Lodge, the Sneyd Arms, the Old School House, Keele Farmhouse and The Villa. The architecture of these buildings is distinctive with elaborate chimneys, patterned fish-scale roof tiles, dormer gables mainly of red brick and often with diaper pattern blue bricks. These buildings also have the RS monogram usually in the gable.

The first three of these were built of ashlar sandstone and were intended to make a bold statement at the west entrance to the Keele Hall estate.

Church of St John the Baptist with its great size, its religious/community use and its large spire, is the single most dominant and important building in the village, although it has a curiously understated access. It was built in the popular gothic revival style of the time and as a showpiece building it is built of ashlar stone.

The Sneyd Arms, has a social/community use and is another prominent building. It is a two storey structure with five bays: four dormer gables and an off-set projecting two-storey porch creating the fifth front-facing gable. It is slightly elevated and sits at the front of and in the middle of its plot with a range of low ancillary stabling/storage buildings around the side and back. Its randomly coursed rubble sandstone gives it a rustic appearance. It has three (rebuilt?) chimneys and heavy stone copings on all gables producing an active roof and skyline.

Keele Lodge is a two storey building. As its function was to relate more to Keele Hall than the village, its style is more Italianate and different from other buildings in the village. It has round arched windows in singles, pairs, triples and even rows of four and five. It has central projecting gable bay with the Sneyd monogram plaque and a parapet to emphasise its height. It too has heavy stone copings on all gables. Although the chimneys are at the rear, the appearance of the roof is enlivened by bands of fish-scale tiles.

The Old School House (now a dwelling) was another community facility in an imposing building. It is built primarily in red brick with impressive diamond patterned blue bricks and sandstone dressings for quoins, window surrounds, mullions, transoms and copings on all gables. The frontage to the road has two asymmetrical end gables and a large central dormer gable with the Sneyd monogram. Its roof is ornamented with large chimneys in pairs with plinths, shafts and capitals; half-round ventilation dormers and: banks of plain and fish-scale tiles.

Keele Farmhouse is a detached farmhouse set back from the road but clearly visible from it. It is now two dwellings divided down the middle with one house looking towards the road, the other to the rear. It is built entirely of brickwork, predominantly red brick with striking pattern of bands, straps and diamonds in blue bricks. Further decoration is introduced by a dentilled string course and dentilled eaves, gables and some window heads. It has two storeys but use of a low roof emphasises the three asymmetrical front gables into highly prominent features. The widest and most-forward gable on the right-hand side has the Sneyd monogram plaque and a single storey bay window. The central gable is a dormer gable rising directly up from the front wall. Tall broached chimneys add further interest to the roof-line of this remarkably decorative farmhouse.

The Villa is a smaller and more restrained building commissioned by Ralph Sneyd. It is built of red/brown brick but without any decorative patterns created by the use of blue bricks. It too has a low roof, emphasising the two asymmetrical gables on the front, the single gable on the right-hand side and the dormer gable and chimney on the left-hand side. It has heavy stone copings on all gables, stone window dressings and the Sneyd monogram in a stone plaque. It has a single

storey bay window on the left-hand front bay. Again, the roof is given added interest by the use of tall decorative chimneys. The barn at the rear of The Villa appears to be contemporary with the Villa and although it displays no obvious “Sneyd” architectural features it has significance as mid-19<sup>th</sup> century vernacular curtilage building.

#### Positive Buildings in the Conservation Area

It is notable that many of the smaller houses which make up the building stock of the village use architectural features and material used in the more prominent show-piece buildings to varying degrees. However, a consistent feature of the other historic buildings in the Conservation Area are their low roofs, either because they are small and simple vernacular cottages or because they follow the lead established by the Sneyd showpiece buildings where the use of dormer gables and chimneys dominates the skyline. Most of the houses have decorative fish-scale roof tile banding.

A few buildings within the Conservation Area display no, or only minimal, influences of Ralph Sneyd. In the absence of detailed research, it is assumed that those buildings escaped the direct influence as they were pre-existing and not altered. One such building is the vernacular Clematis Cottage on Church Bank which could be a late 18<sup>th</sup> early 19<sup>th</sup> Century cottage, although its slightly enlarged chimneys are taller and more decorative than the simple form of the rest of the building would suggest. Another is Amakaohia House (the former rectory), which appears to be a large late 18<sup>th</sup> early 19<sup>th</sup> Century farmhouse, although it has some Sneyd alterations with its dentilled gables, enlarged chimneys and enlarged eaves which are not entirely consistent with a simple vernacular farmhouse.

Hawthorn House is an elegant vernacular farmhouse of the early 19<sup>th</sup> Century which has been altered and extended a number of times with a refined central porch and subsequently altered by the University. The hipped roof, projecting stone cills stone wedge lintels and is over six vertically sliding sash windows are not unusual for buildings of this period but they are atypical within Keele Village. The parapetted porch with stone pilasters and Flemish bond brickwork is also atypical in Keele, although the half round doorway is similar to that in Keele Lodge and the dentilled gable and eaves of the rear building is also similar to those found elsewhere in Keele. The building complex was much altered by the University at

the rear in the 1950s. The Hawthorns is also of interest as it has the remains of what would appear to be the only walled garden in the Conservation Area. The area to the SE of the house is enclosed by a wall which has been lowered to approximately 1m and rebuilt in parts but it retains some historic bricks on two sides, a displaced/discarded stone cap and is still clearly recognisable as a walled garden.

Smithy House is a notable Sneyd dwelling with fine brickwork and chimney details.

1 & 2 Pump Bank also showing Sneyd influences with gables, dormers and prominent chimney.

#### Other Buildings in the Conservation Area

The Conservation Area also includes two late 20<sup>th</sup> Century buildings of the University within the grounds of The Hawthorns, including the Management Centre. One has flat roof and large window/spandrel features its overall appearance is alien to the prevailing character of the Conservation Area. It also has two parabolic brick archways which although equally out of keeping with the area are strong architectural and visual features which elevate the quality of the complex. The Management Centre is a large three storey building and whilst clear attempts have been made in its design to harmonise with the adjacent The Villa, it is not an entirely successful component of the Conservation Area.

#### Details including materials and colours

Many historic buildings have been rendered, part-rendered or painted so that the appearance of the basic building material of the buildings in the Conservation Area is stone, brick, polychromatic brick, render and painted brick.

Roofs tend to have Staffordshire small plain clay tiles with some apex dormers. Roofs have exposed rafters, few have fascia boards and some have gable overhangs with exposed chamfered purlins. Many buildings have patterned roofs with fish-scale tiles.

## 6. Summary of Issues

Since the Conservation Area was designated in 1989 there have been changes, but for the most part these have been infill developments which have not harmed the overall character of the Conservation Area either because they are set back from the road frontage and key views or they are relatively minor to spoil the overall appearance.

The general arrangement of the roads and layout of the individual plots and the size and form of its buildings contribute towards the feeling of spaciousness and openness and maintain a connection to Keele's wider setting and rural surroundings. This is supplemented by the presence of many mature trees, as well as landscape features. Together these aspects combine to make an important contribution to the character of the Conservation Area.

Keele has generally retained its distinct historical character and appearance. The presence of the University in the village has an impact on both the physical appearance of the building and the character with much activity and brings no doubt some vitality into the village. The University has chosen to move all students onto the nearby campus in Keele Park and applied for permission for residential housing development within the village for 92 dwellings on the area known as The Hawthorns. This was the subject of a public inquiry in 2015/16 and whilst it was refused, the issues discussed meant that the principle of residential development was generally agreed subject to changes which respected the landscaped area in front of the Hawthorn House near the road and retention of more trees. A revised submission has since been approved by the council (15/01004/FUL) for 83 dwellings (76 new ones and 7 units as a result of the conversion of buildings to be retained on the site). If this development is implemented the current Conservation Area boundary will not make sense because it will run through the middle of houses and gardens. The boundary has been reviewed as part of this process and the management proposals suggests a new boundary subject to the new development being implemented.

## Bibliography

English villages John Burke Batsford 1976

Keele Madeley and Whitmore Brampton Publications 1990

Keele the first Fifty Years J M Kolbert Melandrium books 2000

The Buildings of Staffordshire N Pevsner Penguin 1974

The Making of the English Landscape Hoskins Penguin

The Sneyds and Keele Hall JM Kolbert University of Keele 1967

Archaeological Building Assessment for The Hawthorns – S Griffiths (on behalf of Keele/Seddon)

# **Draft Management proposals for Keele Conservation Area**

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Map of proposed extension to boundary of Conservation Area (also showing Townscape Appraisal)

## **1. Introduction**

### **The Purpose of the Management Proposals**

The purpose is to provide a framework for further actions which although primarily the responsibility of the Borough Council, will also depend on the cooperation and enthusiasm of local people and local organisations, those involved in village life and the Parish Council.

Change within historic areas is inevitable and this is also true within Conservation Areas which cannot be left to stagnate or be frozen in time. Living in a Conservation Area does not mean that alterations cannot be made, but it does mean extra care must be taken when considering what changes can be made.

The Council has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to assess proposals for change and whether these would meet the requirement to preserve or enhance the character and appearance of the Conservation Area.

The guidance below provides further detail on how new development in Keele can be designed to make a positive contribution and complement the area's character.

## 2. Legislative Background

### The implications of Conservation Area designation.

Designation as a Conservation Area brings a number of specific statutory provisions aimed at assisting the “preservation and/or enhancement” of the area:-

- The local authority is under a general duty to review designations ‘from time to time’ and to ensure the preservation and enhancement of the Conservation Area. There is a particular duty to prepare proposals (such as Conservation Area appraisals or grants schemes) to that end.
- In the exercise of any powers under the Planning Acts, in respect of land or buildings in a Conservation Area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area.
- Extra publicity must be given to planning applications affecting Conservation Areas. This is done through a site notice and an advertisement in the local newspaper.
- Planning permission is required for the demolition of any unlisted building in a Conservation Area and the local authority may take enforcement action or consider criminal prosecution if consent is not obtained.
- Written notice must be given to the Borough Council before works are carried out to any tree in the area to give the Council the opportunity to include the tree within a Tree Preservation Order.
- The display of advertisements may be more restricted than other areas.
- The Borough Council may take steps to ensure that a building in a Conservation Area is kept in good repair through the use of Urgent Works Notices and Amenity Notices.
- The energy conservation expectations of the Building Regulations (Part L) do not necessarily apply to buildings within a Conservation Area.
- Powers exist for local authorities, Historic England or the Heritage Lottery Fund to provide financial grant schemes to help with the upkeep of buildings in Conservation Areas, if the area is economically deprived.
- The Council has a Historic Building Grant Fund for the repair and reinstatement of buildings and structures which are considered as heritage assets, namely Listed Buildings, positive historic buildings in Conservation Areas and those on the Council’s Register of Locally Important Buildings.

## 3. The management of development and change in the historic environment

It is important that local people should understand the significance of their surroundings if they are to play their part. Some degree of change is inevitable in Conservation Areas and the issue is often not so much whether change should happen, but how it is undertaken. Owners and residents can minimise the negative effects of change by employing skilled advice when preparing development proposals and by avoiding unrealistic aspirations.

Community involvement is an integral part of the Local Plan process. The Parish Council is preparing a Neighbourhood Plan.

It is always a good idea to check with the Planning Service before carrying out any work and if you need any advice on any planning issues.

- Planning permission is needed for extensions to houses in Conservation Areas if they extend beyond the side wall or if they have more than one storey to the rear and if they exceed certain length and height restrictions.
- Planning permission is needed for external cladding to houses using stone, artificial stone, pebble dash, render, timber, plastic or tiles.
- Planning permission is needed for any alteration to the roof of a house in a Conservation Area.
- Planning permission is needed for the erection of any structure within the garden of a house in a Conservation Area if the structure proposed would be on land to the side or front of the house. This is especially important for sheds, garages and other outbuildings in gardens.
- With commercial properties, such as shops and pubs, planning permission is generally required for alterations to these buildings.

Where a building is statutorily listed separate legislation applies to all internal and external alterations which affect the special architectural or historic interest of the building and will require Listed Building Consent. Planning permission is also needed for all proposed buildings in the garden of a domestic listed building including gas/oil containers.

## New development and guidelines

High quality and carefully considered design of new development in Conservation Areas is crucial. This does not mean that it should simply copy surrounding properties, but it should always be sensitive to its context. Some principles are that:

On the whole new development should be 'of its time' rather than resorting to simply mimicking the design of the original houses in the Conservation Area. This can involve re-interpreting architectural styles and detailing in a contemporary manner.

There should be a strong logic in the choice of materials made, especially where changes in material are proposed. New buildings should always utilise high quality and robust materials and workmanship throughout.

### Extensions

An extension will permanently alter the character and appearance of a property. There will be cases where carefully designed minor extensions can be added without harm to the individual house or its setting, however in some cases it may not be possible to extend at all. In all cases, proposals for new additions must demonstrate an understanding of the site and its context. This means it is important to consider:

- The original building itself - extensions should be subordinate to and be inspired by the original form and character of the house, rather than dominating or obscuring it and its original design. In most cases roof forms, building materials and architectural details should reflect those of the original building, but it is also important that a new extension can be clearly read as a new addition. Achieving this is a careful balance.
- Neighbouring buildings – maintaining the space between houses is important. Side extensions (even single-storey ones) which close up the gaps between properties or between common boundaries, or result in a loss or reduction of mature landscaping, that would detract from the character and appearance of the street scene, should be avoided.
- The impact of the extension on the wider plot and landscaping. The

landscaped areas (particularly at the front and side) of individual plots on the whole make a recognised contribution to the character and appearance of the Conservation Area. Any development in these areas must be carefully designed and be of an appropriate size in order to preserve the setting of the building and its relationship with others.

### Windows and Doors

With regards to any original windows - which make a significant contribution to the character of a building - the following principles should be followed:

- Windows should be repaired rather than replaced where possible.
- If the original frames, casements and glass are beyond repair then any replacements should be of the same material, replicate the original sub-division, profile and style of the window. On the whole this will involve the use of appropriate timber replacements.
- Care is needed if considering the use of double glazing as this can greatly alter the appearance of windows.
- Any important historical or architectural detailing to windows (e.g. leaded lights) should be retained.

### Building materials and details

Retaining original decorative features and using traditional materials preserves a building's character. Removal of building detail can spoil the appearance of individual buildings as it is often the quality and combination of the decorative features of the individual houses that contribute to their character. To ensure that this is preserved, the following principles should be followed:

- Good quality, matching materials should be used, with close attention paid to detailing.
- Any new walls or repairs should be built in matching brick or rendering.
- With regards to roofs - often it is the fixings rather than the tiles themselves that need replacing. However, if replacement is necessary, care must be taken to match the colour, texture, size and materials of the original

slates or clay tiles as they can come in a variety of shapes and sizes.

- Original chimney stacks and pots are considered important architectural features and should be retained.
- Any replacement rainwater goods should replicate historical profiles, materials and designs.

Repair rather than replacement is the preferred option, and upvc or aluminium for windows or doors are not generally suitable materials for use in an historic context.

The alteration of doors and windows are permitted development but may be withdrawn under an Article 4 Direction (see below). This additional control will seek to retain original and historic and architectural features which combine to create the Area character.

#### Roofs and Chimneys

There is a presumption against the removal of chimneys even if not in use, since this is likely to adversely affect the special character and appearance of the Area. Slate or clay should be used in replacement of concrete or artificial slate.

Proposals to extend or alter roof spaces should consider the following general principles:

- Dormer windows should not be oversized but in proportion to the size of the roof and be of a design which harmonises with the architectural style and appearance of the property.
- Rooflights should be placed in discreet locations (preferably on rear roof slopes, away from the road side), be modest in size and of a slim-framed, traditional design (i.e. conservation type), fitting flush with the slope of the roof.

#### Satellite dishes

Satellite dishes and antennas in Conservation Areas are not permitted without planning permission if they are mounted on a chimney, wall or roof slope which faces onto and is visible from a highway or a building which exceeds 15 metres in height. In these cases, planning permission would not normally be approved.

Generally for listed buildings, Listed Building Consent is practically always required for the installation of `antennas` and if the Borough Council considers that the installation will have an adverse effect of the special interest of the building, consent will usually be refused.

Conventional TV aerials and their mountings and poles are not considered to be `development` and therefore planning permission is not required.

#### Micro-generation and green energy

The government has relaxed the rules for the installation of solar PV or thermal equipment on houses, but in Conservation Areas, equipment needs planning permission if it is to be located on a wall or roof slope of the main elevation of the main house or outbuilding or on a Listed Building or a building in its garden.

Solar panels should be placed in discrete locations - preferably on the rear roof slope of the property and should sit as flush as possible with the roof slope.

#### Trees and Landscape

The contribution of trees (particularly mature trees and established planting) both along the roadside and in the gardens of many properties is important to the character of Keele Conservation Area and is identified within the Conservation Area Appraisal and should be retained.

Anyone wishing to remove or prune a tree within a Conservation Area must notify the Local Authority which has 6 weeks to consider the proposal and respond. Work cannot proceed until the Council has responded or the 6 week period has expired. The purpose of this requirement is also to give the Local Planning Authority an opportunity to consider whether a Tree Preservation Order should be made in respect of the tree.

#### Boundary treatments

In the case of the original properties which retain boundary walls or hedges, their removal would have a detrimental effect upon the character of the historic building and they should be retained where possible.

When providing new boundary treatments high, solid boundary treatments should be



avoided since they obscure the glimpsed views of the properties which contribute to the streetscene. Effective security should be provided through more subtle means which respect the area's semi-rural and 'open' character.

#### Demolition

Permission is needed for demolition all buildings in the Conservation Area (over 115 cubic metres). Demolition of historically significant buildings within the Conservation Area will not be permitted unless the building to be demolished can be proven to have a harmful or negative effect. Partial demolition does not require permission, but some control could be exercised through an Article 4 Direction, particularly in relation to boundary walls.

Single dwelling houses have considerable permitted development rights that enable some alterations to be carried out without the need for planning permission. These can include changes to windows and doors, roofs materials or construction of minor extensions. Although they may be minimal in each case, such alterations can have a cumulative effect that is damaging to historic areas. Where this kind of development is considered to be harming the character of an area, an Article 4 Direction can be considered.

#### Article 4 Directions

Permitted development rights are withdrawn if the Borough Council imposes an Article 4 Direction. This does not mean that development will not be possible. It does however mean that planning permission has to be sought and this allows for the merits of the proposal to be considered against the conservation interests of the area.

It has to be considered whether the exercise of permitted development rights would undermine the general aims and objectives for the historic environment in Keele and its local distinctiveness.

An Article 4 Direction, which does not require the consent of the Secretary of State, is accompanied by a Schedule that specifies the various changes to single houses which will as a result of the Direction require planning permission

For example under an Article 4 Direction planning permission might then be required for

- All extensions whatever the size including porches on the front of the building
- Changing roof materials and insertion of rooflights on front-facing roofslope
- Replacing windows or doors on the front elevation
- Painting a house, and the removal or partial demolition of a chimney.
- The erection, alteration or removal of a wall, gate or fence at the front of a building can also be controlled as well as demolition.

Such permitted developments will be considered for an Article 4 Direction within the current Conservation Area, mainly on the elevations which front a road or open space. Further consultation in this regard will be undertaken with affected residents and property owners. Permitted development rights have already been removed for the houses proposed on the Hawthorns planning approval.

#### **Positive buildings and buildings on the Register of Locally Important Buildings and Structures**

There are buildings of local significance which, although not statutorily listed, are nonetheless important to the history and character and cultural value of the Borough. The Appraisal has identified buildings that made a positive contribution to this character of the Conservation Area. In general, all listed buildings and those on the Council's local Register in a Conservation Area will be regarded as 'positive'. However, there are often many more that, together, underpin the special interest of a place.

#### **4. The Conservation Area Boundary Review**

Local authorities are required by law to review their boundaries of existing Conservation Areas. This is to ensure that they still retain special architectural or historic interest. As part of the Appraisal process the whole Conservation Area was inspected and the robustness of the present boundary assessed.

The Keele Conservation Area contains buildings and features which are of different architectural styles and periods. It is fairly compact around the convergence of the main streets and the historic church, and is relatively built up along the road edges and main routes. The topography affects the experience one has of the area and the entrances into the village do have a significant impact on the character. Trees and the natural landscape also play a role in defining the area and its boundary.

The boundary of the existing Conservation Area is considered appropriate and relevant and no areas are proposed to be taken out of the area. The original boundary left out the modern Halls of Residence at the Hawthorns and this was the right approach at the time. However the council has granted permission for 76 new dwellings on this site and it is worth considering if this area is appropriate to be included in the boundary.

The current boundary will not reflect what will be built if the permission is implemented because it will arbitrarily cut through a number of houses and gardens. The site currently is very much a part of the village and has a feeling of spaciousness which will be retained once the permission has been implemented through the retention of the open spaces particularly at the front of the site. The quality of the permitted development is such that it justifies inclusion within the Conservation Area

The site contains many mature trees and landscaping which will be retained because they have Tree Preservation Orders imposed on them. Conservation Area status will protect all other trees. It thus makes a positive contribution to the character and appearance of the Conservation Area.

Subject to the implementation and commensurate start of this development, the boundary is proposed to be amended to include the wedge shaped development site, continuing along Station Road, Quarry Bank

Road and western boundary adjacent to the field.

Should the development not be implemented, the boundary will remain unchanged.

#### **5. The setting of the Conservation Area**

Keele Conservation Area has a large number of trees, both within and on the edges of the Conservation Area. The combined effect of the trees, shrubs, gardens contribute towards the character of the rural village Conservation Area. These features are cherished by the local community and are well cared for including private gardens and the area in front of the Hawthorns, making a valuable contribution to the special character of the Conservation Area. The rural landscape and open countryside plays a large part in enhancing the special character of Keele village and the Conservation Area.

## **6. Implementation**

It is important that the Keele Conservation Area should be as self-sustaining as possible if it is to remain in its present state. Achieving this requires management to control any necessary changes so that its special character and appearance is not adversely affected. Success will require commitment by all Borough Council departments and their partners such as building control and the Highways Authority to ensure the sensitive exercise of controls, in the best interests of the Keele Conservation Area, and the sensitive deployment of any resources which may become available. Success depends on the part played by other stakeholders: property owners, residents, businesses, and amenity groups.

Those who live and work in the Conservation Area are expected to recognise the collective benefits they enjoy. For this they must understand the need to take a contextual view of proposals rather than acting in isolation. Change is inevitable in Conservation Areas but it is how rather than if it is undertaken.

### **Priorities for action**

- Formal adoption of the new Conservation Area boundary if the development of the Hawthorns is started.
- Encourage community involvement to select buildings for the Register of Locally Important Buildings and Structures.
- Investigate potential breaches of development control with a view to seeking changes or enforcement.
- Monitoring change – updating photographic records.
- Consideration of the implementation of an Article 4 Direction.

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# Keele Conservation Area Townscape Appraisal Map & Proposed Extension to Conservation Area

## Key

- Listed Buildings
- Local Listed Buildings
- Positive buildings

- Landmark building/ feature
- characteristic boundaries

- Key view and vistas
- Individual TPOs
- Area TPOs

- Area TPOs

- Proposed Conservation Area boundary extension

1:2,500 at print size A3

0 30 60 90 120 Metres

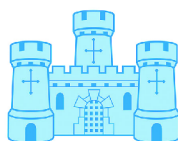


Proposed Conservation Area Boundary

Existing Conservation Area Boundary

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**BOROUGH COUNCIL**

**Dec 2017 - Draft**

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Planning Committee 2<sup>nd</sup> January 2018

QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED

The purpose of this report is to provide details of progress made on those cases where enforcement action has been authorised either by the Planning Committee or under delegated powers. Members should note that many breaches of planning control are resolved without recourse to the taking of formal enforcement action.

Since the last report to the Planning Committee at its meeting on the 10<sup>th</sup> October 2017 one new case has been added to this list and one has been closed. 5 cases are reported upon. Details of all the cases, the progress made within the last Quarter, and the targets for the next Quarter are contained within the attached Appendix.

RECOMMENDATION

**That the information be received.**

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Background information/Progress/Action particularly that within last Quarter	Target for Next Quarter
14/00049/207C2	<p>Land off Pepper Street, Hollywood Lane, Newcastle.</p> <p>Unauthorised siting of a caravan for residential use.</p>	5.8.15	<p>An Enforcement Notice has been served which would have taken effect on 28<sup>th</sup> February 2016 had an appeal not been lodged. The EN requires the cessation of the use of the land residential purposes; the removal of the caravan and associated structures and paraphernalia; and the removal of any fencing erected on the perimeter of the land.</p> <p>The appeal was considered at an Inquiry on 14<sup>th</sup> February 2017 and a decision has now been received (which is reported elsewhere on this agenda). The Inspector upheld the notice and as such it took effect on the date of the appeal decision, 21<sup>st</sup> February. The steps set out in the notice had to be complied within six months i.e. by 21<sup>st</sup> August 2017.</p> <p>Instructions have been sent to Legal to initiate appropriate procedures to secure compliance with the Notice, however prior to any proceedings commenced notification was received that the caravan has been removed from the site. A site visit has confirmed that is the case, however as some the associated structures and paraphernalia, and the fencing, remain on site the Notice has not been fully complied with.</p>	Monitor to see if the steps within the Notice are fully complied with.



Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Background information/Progress/Action particularly that within last Quarter	Target for Next Quarter
15/00037/207C2	<p>Land at Doddlespool, Main Road, Betley</p> <p>Breaches of conditions imposed on planning permission reference 14/00610/FUL for the retention of a water reservoir, formation of hardstandings and repairs to the existing track.</p>	20.4.15	<p>A Stop Notice (SN) and Enforcement Notice (EN) were served on 24<sup>th</sup> April 2015. The SN took effect on 30<sup>th</sup> April 2015. The EN took effect on 27<sup>th</sup> May 2015.</p> <p>It was established at a site visit on 20<sup>th</sup> June that the portacabin and commercial trailer have been dismantled and are not in use. Whilst some remnants of the structures remain on site, contrary to the requirements of the notice, it is not considered that it would be in the public interest to pursue full compliance of the notice through the court and as such this case can be closed.</p> <p>Members have also previously been advised of other issues on the site over and above the breaches of conditions of planning permission 14/00610/FUL. The first relates to the importation and deposit of used tyres which are being utilised in the construction of a fodder beat store and TB testing facility. Your officers previously concluded that expert advice was required and the advice received was that the structure is larger than the needs which might be generated by the Doddlespool Unit but may be appropriate in respect of the unknown requirements of a wider agricultural unit of which it is a part. In addition the use of waste tyres is unusual and does not reflect the type of uses promoted in best practice guidance.</p> <p>The County Council, as the Waste Authority, have indicated that the advice received is not sufficient for them to conclude that a waste operation has taken place against which enforcement action would be justified. Consideration is being given as to whether any action is required by the Borough Council as Local Planning Authority</p> <p>The waste that has been imported onto the site in the form of covered bails remains with the Environment Agency (EA), in conjunction with the County Council, to address. It is understood that the Environment Agency have taken formal action in this regard.</p> <p>Material has been imported onto the site and a new access is currently being constructed from Waybutts Lane (with the initial section being within Cheshire East Council's area). An application has been submitted and upon receipt of additional information and the correct fee will be registered. It is understood that the EA progressing any action regarding the importation of material to form the access.</p>	<p>CASE CLOSED</p> <p>Reach a position as to what action, if any, is required in respect of the partially constructed fodder beat store and TB testing facility.</p> <p>Secure submission of a valid planning application for the new access.</p>

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Background information/Progress/Action particularly that within last Quarter	Target for Next Quarter
Page 114 4/00036/207C3	5 Boggs Cottages, Keele Road, Keele  Unauthorised use of land for the siting of a mobile home	5.1.16	<p>Following the resolution by Planning Committee at its meeting on 5<sup>th</sup> January 2016 resolved that the Head of Business Improvement, Central Services and Partnerships be authorised issue enforcement and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 for the removal of the mobile home and associated paraphernalia from the site within six months. The Notice was subsequently served and in the absence of any appeal has come into force on the 13<sup>th</sup> July 2016. Compliance was due by 13<sup>th</sup> January 2017 and a subsequent visit to the site has established that the Notice has not been complied with.</p> <p>As previously reported discussions were had with the owner and this was followed up with a letter highlighting that the Notice has not been complied with and that compliance with the Notice will be pursued. Within the letter the owner has been encouraged to set out a timetable for the removal of the caravan. A response has not been received</p> <p>An appeal has been lodged against the refusal of planning permission to allow the occupation of the mobile home by others (application reference 16/00969/FUL) and a hearing has been scheduled for 17<sup>th</sup> October and to date a decision has not been received. It is not anticipated that the caravan will be removed from the site whilst the appeal remains undetermined.</p>	Consideration will be given, in conjunction with Legal Services, as to when action should be taken to secure its removal (i.e. should this be before or after the appeal decision).

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Background information/Progress/Action particularly that within last Quarter	Target for Next Quarter
08/00204/207	<p>Land off Keele Road, Newcastle</p> <p>Non-compliance with condition 9 of planning permission 11/00430/FUL for the erection of 61 dwellings (amended layout to that already approved including an addition 13 dwellings)</p>	20.10.16	<p>Various planning permissions have been granted for residential development on land off Keele Road, Newcastle (known as Milliner's Green). Due to the proximity of the site to the existing Scrap Yard (Hampton's) certain of the planning permissions granted were subject to a requirement that an acoustic barrier should be installed along the western boundary of the site. A fence was erected and due to concerns about the standard of the fence when planning permission was granted in 2012 for the erection 61 dwellings (ref. 11/00430/FUL) a similar requirement was imposed.</p> <p>As the developer had not addressed the concerns expressed regarding the suitability of the fence, despite being approached by officers on a number of occasions and the developer offering assurances that works to the fence would start, it was decided that appropriate enforcement action was necessary. The action required is the replacement of the existing fence with an acoustic fence of a suitable standard.</p> <p>The Enforcement Notice was served on 30<sup>th</sup> June and took effect on 31<sup>st</sup> July. The steps required by the Notice include the requirement to erect a timber acoustic fence in accordance with details to be submitted within 28 days within 2 months after the date the Council approves the details of the fence. The details were submitted on 26<sup>th</sup> July, which was within the time period specified in the notice, and such works have now been agreed in writing. The Developer has also confirmed that a contractor has been appointed and the fence will be erected in January 2018.</p>	Monitor to ensure that acoustic fence is erected in accordance with the agreed details.

Report Ref	Address and Breach of Planning Control	Date When Enforcement Action Authorised	Background information/Progress/Action particularly that within last Quarter	Target for Next Quarter
Page 116 17/00258/207C2	<p>Residential Development on site of the Former Silverdale Colliery</p> <p>Non-compliance with condition B8 of outline planning permission 06/00337/OUT which requires the provision of 2 Locally Equipped Areas for Play (LEAPs) and 1 Neighbourhood Equipped Area for Play (NEAP) as integral parts of the development</p>	25.04.17	<p>Earlier this year Planning Committee refused an application to vary condition B8 of outline planning permission for residential development on the site of the former Silverdale Colliery. In addition Committee resolved that Legal Services be authorised to issue enforcement or any other notice and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 to secure, within six months, the provision of a second Locally Equipped Area for Play as required by condition B8 of planning permission 06/0337/OUT and to address any other outstanding issues associated with play provision on this development as your Officer considers appropriate.</p> <p>Since this resolution a meeting has taken place with the Developer who has indicated that further works will be carried out to the play area close to Station Road so as to provide additional play experiences in accordance with the requirements of a LEAP. It is anticipated that details of the play area will be agreed and implemented in the next few months.</p> <p>Discussions are ongoing regarding to the provision of a NEAP, which is also a requirement of condition B8. It is anticipated that a position will have been reached on this matter within the next quarter.</p>	<p>Agree details of works required to form a LEAP adjoining Station Road and agree a timetable for the completion of the agree work.</p> <p>Reach a position with regard to the required NEAP.</p>

## Report on Open Enforcement Cases

### Purpose of the Report

To inform members of the current situation regarding the enforcement caseload.

### Recommendations

- That the report be received
- That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.

### **Background**

In accordance with previous Committee decisions, the format of this report shows existing and previous enforcement cases. The Table included in this report shows the total number of outstanding cases in one format (shown below).

In the last quarter (July – September 2017) a further 64 new cases have been reported, less than the previous quarter (80). The current number of open cases is 275 which is less than the previous quarter. The number of open cases has reduced for the second consecutive quarter, therefore.

A number of the cases indicate in the Table below have associated pending planning applications that are awaiting determination (6 as at 07 December 2017).

### **Conclusions**

It remains inevitable that some cases in the 'backlog' will remain open for some time because of their complexity.

Progress continues to be made in tackling older cases and there is still a significant body of work being undertaken behind the scenes, which has led to progress in several complex cases. Officers' enforcement workload is regularly reviewed to ensure continuity and case progression, and will continue to be undertaken.

### **Current Outstanding Enforcement Cases**

The Table below shows the current statistics in comparison to the previous Quarter.

#### ***Current Enforcement Status***

<b>Year</b>	<b>Total</b>	<b>Open</b>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>BOC</b>	<b>L</b>	<b>M</b>	<b>H</b>
2017	201	66	1	51	14	-	-	-	-
2016	259	36	1	19	16	-	-	-	-
2015	238	32	1	18	12	1	-	-	-
2014	212	40	-	32	8	-	-	-	-
2013	219	27	5	18	4	-	-	-	-
2012	229	21	7	10	4	-	-	-	-
2011	204	11	2	7	2	-	-	-	-
2010	206	8	2	5	1	-	-	-	-
2009	233	7	-	4	1	-	-	1	1
2008	276	8	-	-	-	-	3	5	-
2007	353	5	-	-	-	-	1	3	1
2006	280	6	-	-	-	-	2	3	1
2005	227	2	-	-	-	-	-	-	2

2004	252	1	-	-	-	-	1	-	-
2003	244	1	-	-	-	-	-	1	-
2002	247	3	-	-	-	-	-	2	1
2001	204	1	-	-	-	-	-	1	-

*Open Cases*            **275**  
*(inc Backlog)*

*Previous Quarter*            **298**

Note for Table – C1, C2 and C3 are the categories agreed by the Planning Committee at its meeting on 17<sup>th</sup> February 2009 when it approved the Council’s Planning Enforcement Policy; BOC indicates that the case concerns a Breach of Condition, whilst L, M and H represent Low, Medium and High priorities respectively allocated to the pre-February 2009 cases

**Date report prepared**

07 December 2017