

Public Document Pack

Date of meeting Tuesday, 4th June, 2019
Time 6.30 pm
Venue Astley Room - Castle House
Contact Geoff Durham



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Conservation Advisory Working Party

AGENDA

PART 1 – OPEN AGENDA

- 1 DECLARATIONS OF INTEREST**
To receive Declarations of Interest from Members on items included in this agenda
- 2 MINUTES OF PREVIOUS MEETINGS** (Pages 3 - 6)
To consider the minutes of the previous meeting(s)
- 3 PREVIOUSLY CONSIDERED APPLICATIONS** (Pages 7 - 10)
To receive the decisions of applications which have been previously considered by this Working Party
- 4 NEW APPLICATIONS RECEIVED** (Pages 11 - 20)
To make observations on new applications received.
- 5 PROPOSED ARTICLE 4 DIRECTION FOR MAER CONSERVATION AREA** (Pages 21 - 26)
- 6 CONSERVATION AND HERITAGE FUND** (Pages 27 - 28)
To consider any applications for financial assistance from the Conservation and Heritage Fund which may have been brought to this meeting by the officer
- 7 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972.

Members: Councillors Miss J Cooper (Vice-Chair), A. Gardner (Chair), T. Johnson, S. Moffat and I. Wilkes

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.

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

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

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CONSERVATION ADVISORY WORKING PARTY

Wednesday, 24th April, 2019
Time of Commencement: 6.30 pm

Present:- Councillor Allison Gardner – in the Chair

Councillors T. Johnson and Panter

Representing Outside Bodies Dr S Fisher, Victorian Society
Dr Chris Wakeling, Staffs Historic Building Trust
Mr David Broome, Newcastle under Lyme Civic Society

Officers Head of Planning and Development - Guy Benson

Apologies Councillor(s) Miss J Cooper, S. Moffat and I. Wilkes

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. MINUTES OF PREVIOUS MEETINGS

Resolved: That the Minutes of the meeting held on 2nd April 2019 be agreed as a correct record, subject to the following correction:

that with respect to item 4 Betley Court Farm, Main Road, Newcastle 19/00183/FUL the last sentence to read as follows:

“The Working Party also supports the retention of the feeding troughs but would like the building to be properly recorded prior to any development taking place.”

3. PREVIOUSLY CONSIDERED APPLICATIONS

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

4. NEW APPLICATIONS RECEIVED

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

The White House, Madeley 19/00155/LBC

The Working Party expressed concern about the proposed use of powdered aluminium doors and would wish to see the opportunity taken to realign the doors of the studio and conservatory so a cohesive design is achieved. There appeared to be some lack of clarity with respect to the proposals as to what works already had listed building consent and what works require listed building consent. Officers were asked

to check the position and encourage, if necessary, the seeking of consent for the retention of any unauthorised works. The Working Party did not oppose the application.

Former Toni & Guy, Castle Walk, Newcastle 19/00218/ADV

The Working Party had no objections

St James Church, Audley 19/00231/DEEM3

The Working Party approve the replacement of like for like and noted that the proposal drawings particularly with respect that section of the wall where there was stonework, either in part or in full, (Section B-B) were not specific as to what was proposed. With respect to the section of the wall that is understood to be no more than 20 years old it was suggested that consideration should be given to replacing it in stone, or if not stone a higher quality brick. The mortar to be employed should not be cementitious. Provision should be made, upon technical advice for both expansion joints and drainage. Technical advice should also be taken with respect to the impact of the works on trees and the Working Party recognised that it might upon investigation have to be accepted that there would be tree loss. A condition requiring an Archaeological Watching brief is likely to be justified given the close proximity of graves to the works. The development would require a close watching brief and the applicant should also consider the inclusion of iron railings on the top of the wall if there is a significant safety issue

Newcastle Under Lyme School, adjacent to Victoria Road 19/00042/FUL (amended plans)

The Working Party consider that the proposal sits better in the landscape (than the previous scheme). The basis for the changes was acknowledged There is however a concern that the design is not a cohesive one in that two distinctive approaches have been taken to the various elevations – with the western and southern elevations being treated markedly differently from the eastern elevation. More details about the external materials, for example the treatment if any of the external timberwork, the choice of brick, and the handling of rainwater are required and conditions will need to address these matters. Noting the access ladder onto the roof of the building as indicated on the elevational details steps should be taken to bring within the scope of planning control any further additions to it. On balance the Working Party has significant reservations about the proposal but it does not oppose it.

5. CONSERVATION AND HERITAGE FUND

There were none.

6. URGENT BUSINESS - CONSIDERATION OF A CONSERVATION AREA AT ASHLEY HEATH, LOGGERHEADS

The Working Party considered it to be finely balanced whether there was a case for proceeding with a consultation on the proposed Conservation Area, considering that there was insufficient information for such a decision to be made. The Working Party suggested that the Parish Council should be invited to submit additional information including maps and photographs on any buildings which they considered to be of special interest within the suggested Conservation Area, and that officers make enquiries about whether similar areas to Ashley Heath had been designated as Conservation Areas. They asked that the Working Party then have a further

opportunity to comment upon the matter before it proceeded to the Planning Committee.

COUNCILLOR ALLISON GARDNER
Chair

Meeting concluded at 8.35 pm

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

For reports on all committee decisions, please follow the minutes and agendas search on the Council's website or refer to your copy of the Planning agenda for the permitted date. Reports for delegated items can be found in the public access section of the Council's website and a direct link to the application is provided in the last column.

Reference	Location and Applicant	Development	Working Party Comments	Planning Decision
19/00105/FUL	23 & 11 Bridge Street, Newcastle	Removal of stairwell linking commercial ground floor to upper floor, removal of rear addition at first floor and reinstating 11 Bridge St to residential use.	No objections	Approved by delegated powers on 18 April 2019 http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00105/FUL
19/00042/FUL	Newcastle under Lyme School, adjacent to Victoria Road	Proposed extension to school sports centre for form new sports hall including demolition of existing outbuildings and new car park. Amended plans.	The WP consider that the proposal sits better in landscape. Basis for changes was acknowledged. Concern that design is not cohesive one. More details needed for external materials. Noting access ladder to roof should be taken to bring within scope of planning control. On balance the WP has significant reservations about the proposals but it does not oppose it.	Refused by Planning Committee on 21 st May 2019 http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00042/FUL
18/00916/FUL	Kidsgrove Working Mens Club, Hardingswood Road, Kidsgrove	Demolition of existing buildings and new retail store and means of access parking landscaping and infrastructure.	The WP is happy with the principle of a supermarket in this location although would prefer if it were slightly smaller and positioned further from the canal boundary. A more robust and characterful design and use of	Approved by Planning Committee on 21 st May 2019 subject to Section 106 agreement. http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00916/FUL

			materials is preferable in this location rather than a standard fits all design and there are examples of this in other towns. The landscaping needs improving and should screen the car park which is at a higher level on the canalside. The large sign on the top of the SW elevations and the adverts on the side of the building are not appropriate and should be removed from the proposal as they are harmful in this location to amenity of the CA. There could be a sign near the canal (of a more appropriate size).	
18/00884/FUL	Land adjacent to Old Hall Farm, Main Road, Betley	Erection of farm managers dwelling	The WP does not object to the principle of the agricultural workers dwelling in this location but would want to ensure that the windows were timber not upvc and glazed extension was also in an appropriate material. Consideration to be given to the removal of PD rights especially in relation to roof works and boundary features. Concern raised over elevated ground which would make the dwelling more visible from setting of model farm. More detail needed on landscaping.	Refused by delegated powers on 14 th May 2019 subject to Section 106 agreement. http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00884/FUL
19/00093/FUL	St Andrews Church, Watlands View	Extension to south porch for easy access toilet and ordinary toilet, external ramp and amendment to path.	The WP recognises importance of building on Local Register. Raised need for the ramp. Alterations to porch are generally acceptable but raised issues over rainwater goods and issues over valleys. Existing tiles	Approved by delegated powers on 30 th April 2019 http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00093/FUL

			not original and suggest terne coated stainless steel as better approach.	
19/00134/ADV	Horwood Energy Centre, Keele University	Fascia sign to front and side elevation of new porch.	The WP has no objections to size and material of signs but thinks that lettering should be changed to a capital first letter and lower case to reflect signage on other buildings on campus, given status as Historic Park and Garden	Approved by delegated powers on 18th April 2019 http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00134/ADV

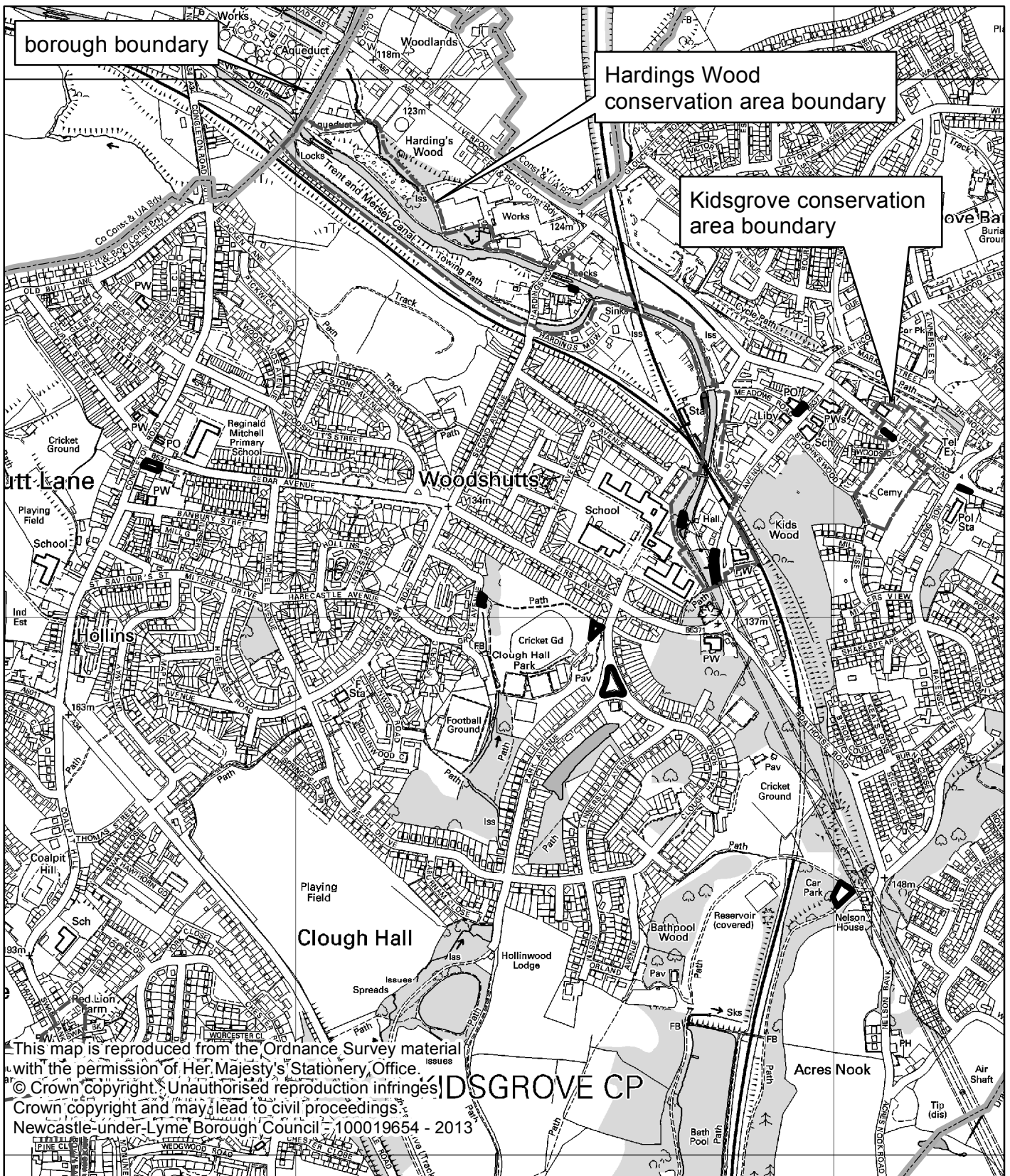
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CONSERVATION ADVISORY WORKING PARTY

Reference	Location	Development	Remarks	Link
19/00299/ADV	Kidsgrove Heritage Trail, Kidsgrove (various)	13 freestanding A2 interpretation panels in 13 locations around Kidsgrove and Butt Lane. (No changes to scheme but additional information provided)	8 locations in or close to heritage assets – Kidsgrove Conservation Area and buildings on Local Register and Trent and Mersey Canal Conservation Area	http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00299/ADV
19/00374/FUL	24 Nantwich Road, Audley	Replacement conservatory	Within Audley Conservation Area	http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00374/FUL
19/00306/FUL	Maer Cottage, Maer	Side garden room extension	Within Maer Conservation Area	http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00306/FUL
19/00333/FUL	7 Woodland Avenue, Wolstanton	Mansard roof extension and kitchen extension to rear to facilitate disabled access lift to all floors, with 2 new windows and french door to match existing.	Within Watlands Park Conservation Area.	http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00333/FUL

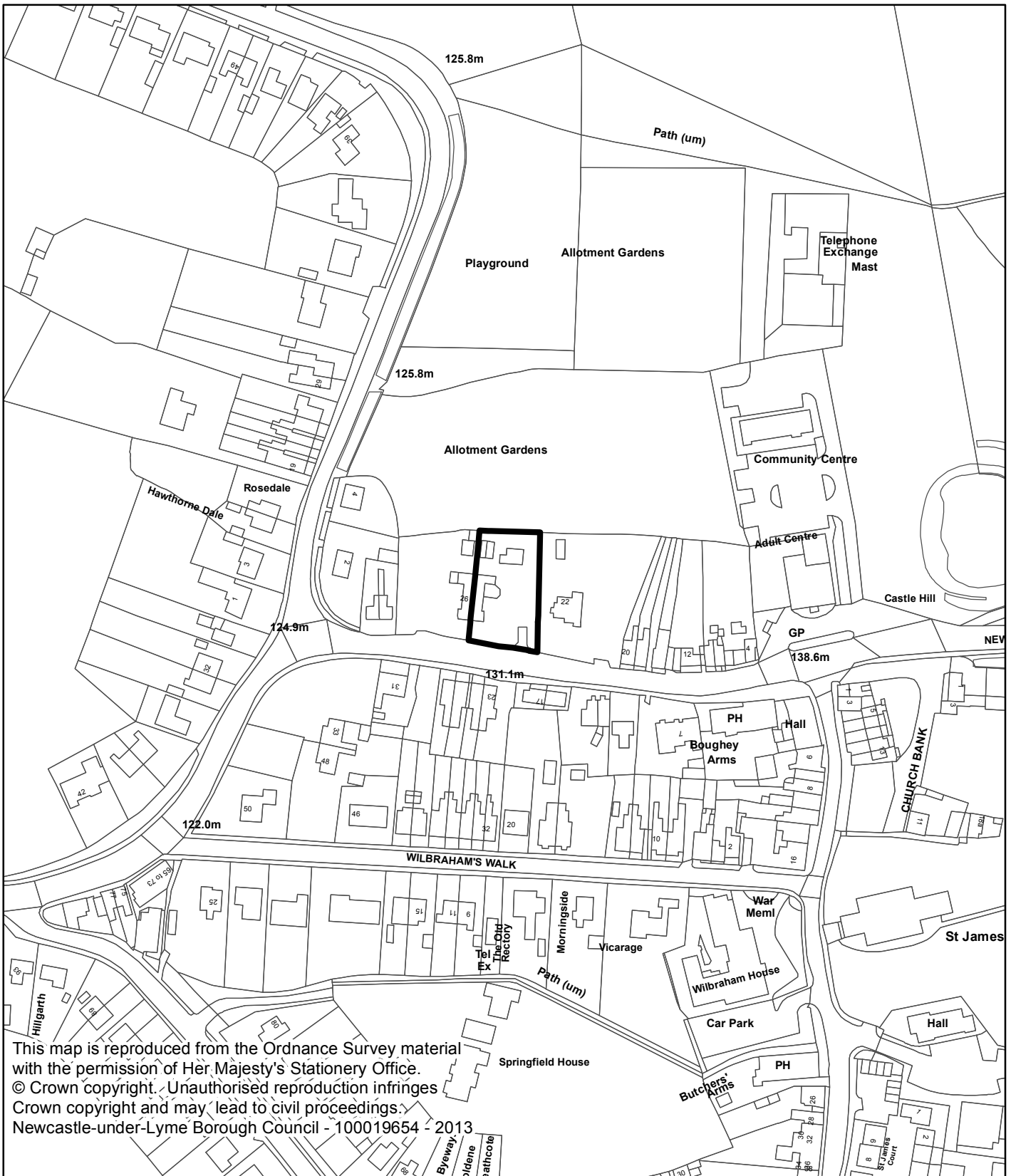
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Kidsgrove Heritage Trail, Kidsgrove (various)



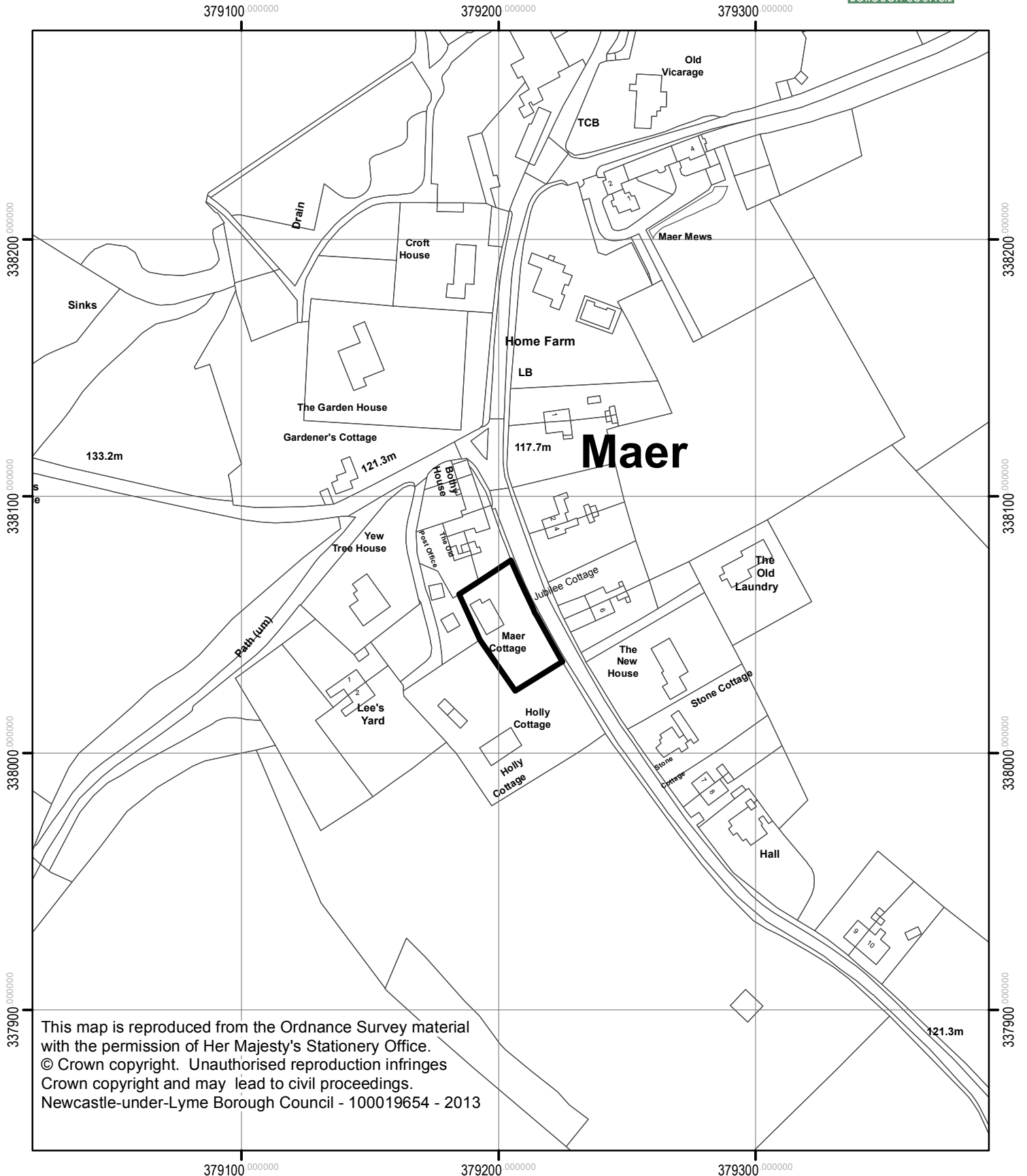
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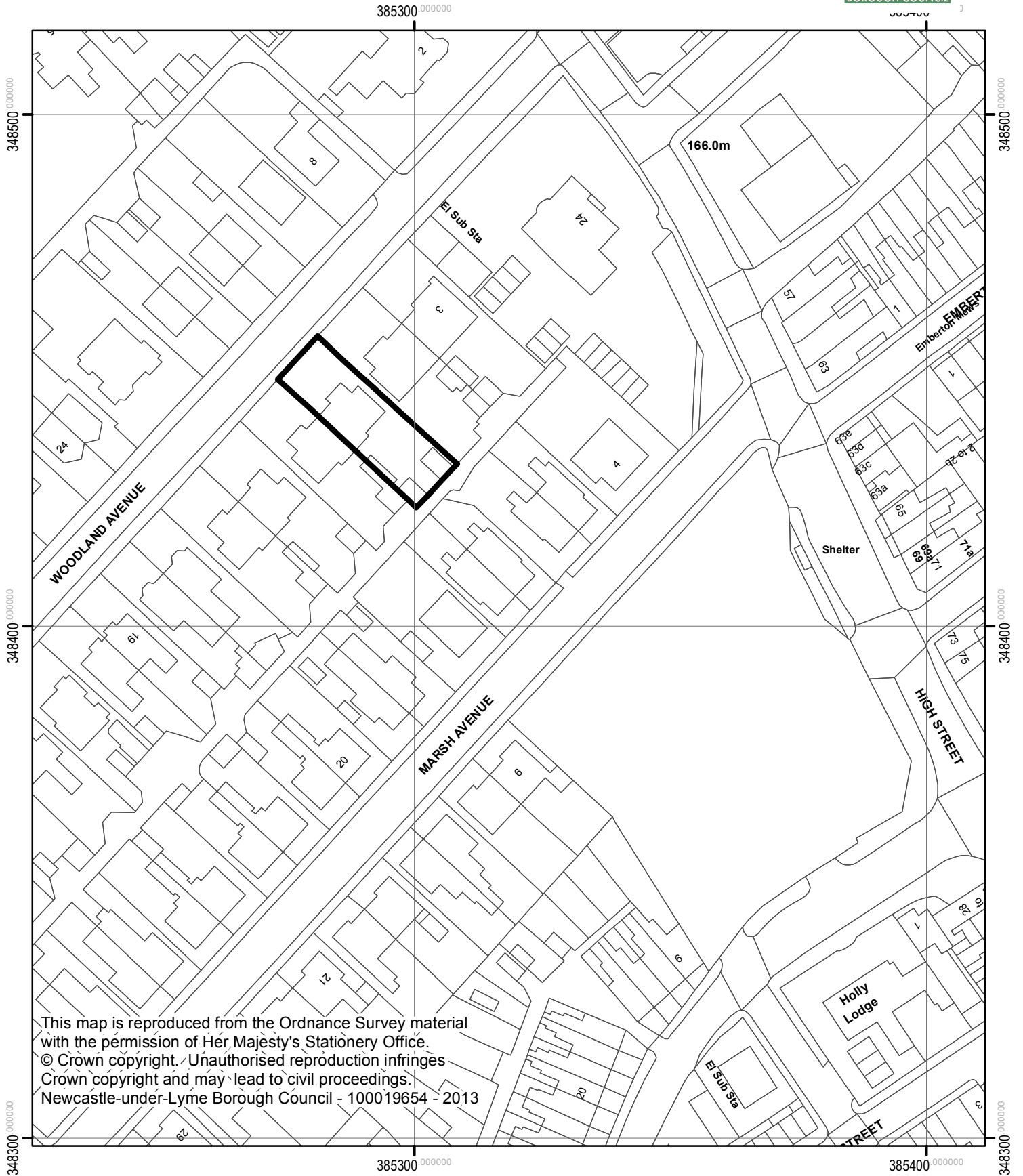
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Maer Cottage, Maer



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PROPOSED ARTICLE 4 DIRECTION FOR MAER CONSERVATION AREA

Purpose of the report

For the Working Party to consider the making of an Article 4 Direction in the Maer Conservation Area.

Recommendation

That the Working Party indicates its views on a proposal to the Planning Committee to make an Article 4 Direction for Maer Conservation Area as set out in the report .

Reasons

The removal of permitted development rights through an Article 4 Direction would help protect features in the Maer Conservation Area which are key elements to its distinctive special character, and to give effect to the proposals within the agreed Conservation Area Appraisal and Management Plan for the Maer Conservation Area.

1.0 **Removal of Permitted Development Rights**

1.1 The use of a direction under article 4 of the General Permitted Development Order enables the Local Planning Authority to withdraw specified permitted development rights across a defined area. The use of such directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should always be clearly identified. An article 4 direction only means that a particular development cannot be carried out under permitted development and therefore needs a planning application. There are two types of Directions:- non-immediate directions where rights are only withdrawn following consultation of at least 21 days and only come into force on a specified date which is not less than 28 days after the notice is published. Permitted development rights are withdrawn after consideration has been given to any representations and the Direction is formally confirmed by the Local Planning Authority. Other Directions can be made with immediate effect where permitted development rights are withdrawn straight away and if the local planning authority considers that the development to which the Direction relates would pose an immediate threat to local amenity. "With immediate effect" directions have to be confirmed by the LPA within 6 months of coming into effect to remain in force.

2.0 **Scope of Maer Conservation Area Article 4 Direction**

2.1 A Conservation Area Appraisal and Management Plan has been adopted by the Council for the Maer Conservation Area as a Supplementary Planning Document. The review of the Conservation Area in 2018/19 gave consideration to controlling the removal of and erection of boundary treatments on the road frontages within the village given the stone walls play an important part in the special character of the area. One of the proposals set out in this Management Plan was that the Borough Council would consider the making of an Article 4 Direction for certain and relevant types of development. Given the fact that residents have already changed windows and doors largely to upvc and this has not been particularly harmful given the nature of the changes and location of the

properties, it is not proposed to remove the right, via an Article 4 Direction, to make such changes.

- 2.2 The removal of front boundary hedges cannot be controlled other than under the Hedgerow Regulations which apply only in certain circumstances and involve limited considerations. It is not “development”. Whilst there are controls over certain works of demolition in Conservation Areas, permission is not required to take down any wall, gate or fence which is less than 1 metre high where abutting a highway, or less than two metres high. Similarly the installation of new boundary walls, piers or fences up to a metre in height do not require any form of planning consent. With an Article 4 Direction any new walls and fences or other boundary treatments can be controlled by requiring a planning application to be submitted for consideration. Some walls are protected by their Listed Building status from demolition but elsewhere they could be protected by a Direction.
- 2.3 The Direction has been limited to walls which are either significant to the character and appearance of the Conservation Area, by their quality or are boundaries within the most publicly visible parts of the Area or involved in important views within the Conservation Area. In addition the Direction also aims to control the type of new boundary features which are proposed. **Schedule A** below sets out the specific walls and road frontages for which it is proposed to remove certain permitted development rights within part of Maer Conservation Area. A plan for the Conservation Area indicating the location of these locations is shown at Appendix 1.
- 2.4 It is proposed that given there is no immediate threat to local amenity in this case the Council should proceed via the use of a non-immediate Direction for Maer which could come into effect following the proposed consultation and after the required consideration of any representations that may be received.

3.0 **Consultation**

3.1 Consultation will be done through the following:

- By production of a leaflet explaining the effect of the Direction and how to make representations and the serving of the required notice on the owner/occupier of every property affected by the Direction. A site notice in three locations will also be placed within the Area to explain the effect of the Direction.
- Placing a notice in The Sentinel which will set out the properties and classes of development affected, explain the Direction’s effects and specify a period of 21 days to make representations to the Local Planning Authority.

3.2 Following the consultation, consideration will be given by officers to any representations before deciding to confirm the Direction at Planning Committee, probably at its meeting on 13th August 2019.

Schedule A

Maer Conservation Area - Article 4 Direction Address Schedule

1. The following properties and land would be affected by removal of Permitted Development rights for removal, including partial demolition, alteration and construction of boundary treatments where they would front a road

St Peters Church, Maer Village and land north of the church and churchyard
The Old Vicarage, Home Farm, Haddon Lane, Maer Village
1, 2, 3, & 4 Maer Mews, Haddon Lane
Primrose Cottage, Haddon Lane
1(Bramble Cottage), 2, 3, 4(Beekeepers Cottage), 5(Jubilee Cottage), 6, 7, 8, 9, 10
Maer Village
The New House, Stone Cottage
The Old Laundry
Maer Village Hall
Holly Cottage, Maer Cottage, Bothy House, The Old Post Office
Gardener's Cottage
The Garden House, Croft House
Maer Hall Estate, Maer Lodge and Maer Estate Cottages

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Maer Proposed Article 4

Key

 Proposed Article 4

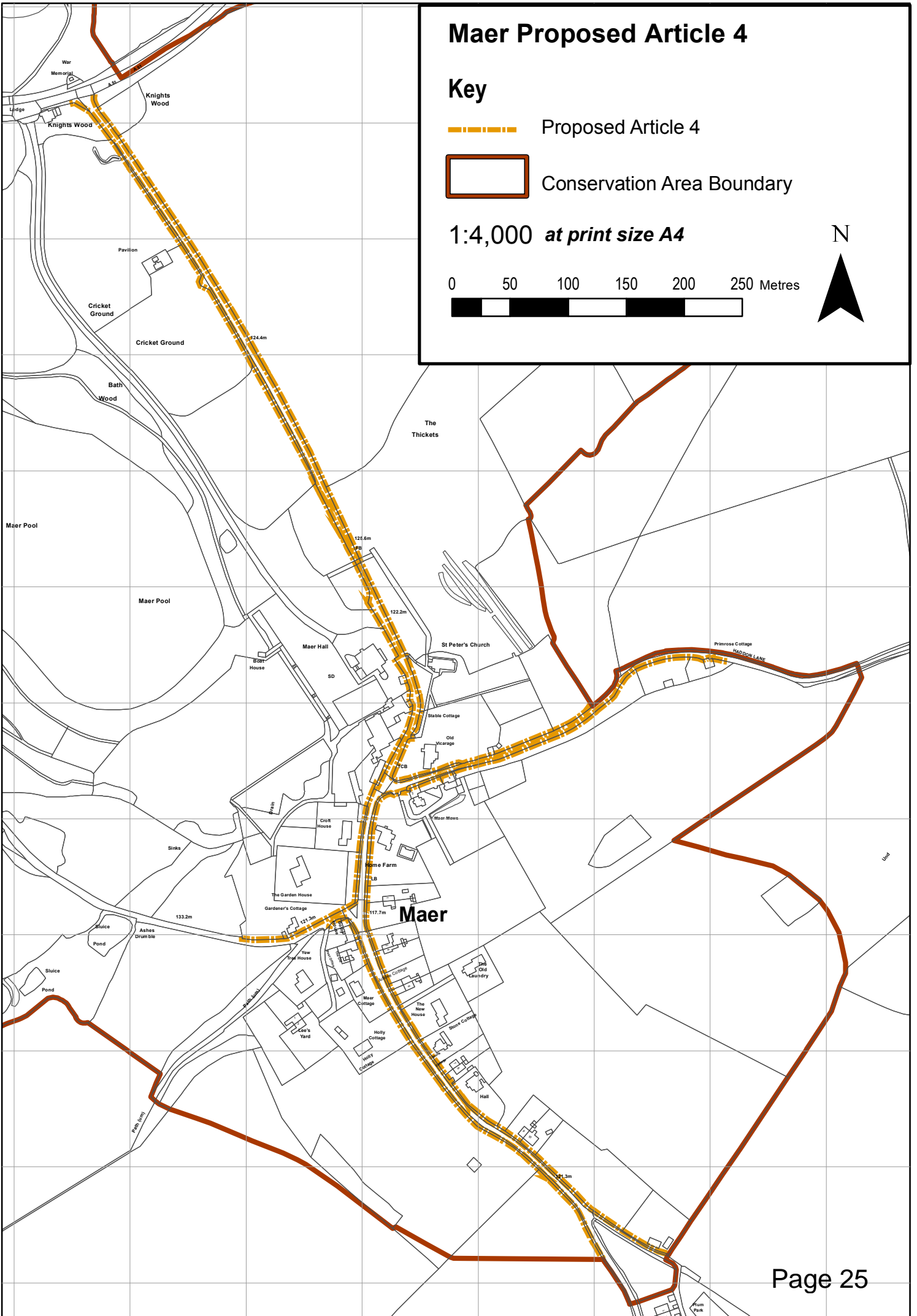
 Conservation Area Boundary

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Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund – Betley Court, Main Road, Betley (Ref: 19/20001/HBG)

RECOMMENDATION:

That the Working Party indicate its views on proposals going to the Planning Committee for:-

- 1. £3,260 Historic Building Grant to carry out roof repairs to the main roof, subject to the appropriate standard conditions**

Purpose of report

To inform the Working Party of applications for financial assistance towards the cost of repairs to the main roof, and give the Working Party an opportunity to express its views on the application.

Betley Court is a large estate manor house and a Grade II* Listed Building built by G Wilkinson but has alterations by John Nash. The 18th Century house is built from brick with slate roof. Various repairs are required to parts of the main roof, namely,

- Appropriate repairs to the valleys to the front and side elevations of the house
- Conservation repairs to the fascia/soffit on the southern elevation
- Minor repairs to the skylight on the inner roof
- Re-fixing of tiles over various parts of the roof
- Secure and repair lead flashing, soakers and gutters
- Repairs to the hexagonal flat roof (Twemlow Lodge) and square flat roof (Fenton Cote).

The owner has received 3 quotations for the work and proposes to use the lowest which is estimated to cost £16,300.00 (VAT not eligible in this instance).

Betley Court has recently received a Historic Building Grant of £423 to repair the roof on the bow window on the southern elevation and a sash window. The work on the bow window is due to start in July and the sash window is booked in for June.

Listed Buildings and structures are entitled to apply for up to £5,000 Conservation and Heritage Grant Fund at 20% of the cost of the work. If both grants are accepted, Betley Court will have received £3,683 towards the cost of essential repairs at the house.

Financial Implications

There is sufficient funding to meet this grant application with £28,000 in the Fund; allowing for commitments.

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