

Public Document Pack

Date of meeting Tuesday, 18th June, 2024
Time 7.00 pm
Venue Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Planning Committee

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 3 - 6)
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR MAJOR DEVELOPMENT - PEACOCK HAY RESERVE AREA, PEACOCK HAY ROAD, TALKE. HARWORTH ESTATES INVESTMENTS LTD C/O WSP. 24/00092/FUL** (Pages 7 - 14)
- 5 APPLICATION FOR MINOR DEVELOPMENT - LAND AT HIGH STREET, KNOTTON. NEWCASTLE UNDER LYME BOROUGH COUNCIL. 23/00974/DEEM3** (Pages 15 - 24)
This item includes a supplementary report.
- 6 APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - BULL PEN AND STABLE. AUDLEYS CROSS FARM, NEWCASTLE ROAD, MARKET DRAYTON. 24/25001/HBG** (Pages 25 - 28)
This item includes a supplementary report.
- 7 5 BOGGS COTTAGE, KEELE. 14/00036/207C3** (Pages 29 - 30)
- 8 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

9 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the following item(s) because it is likely that there will be a disclosure of exempt information as defined in paragraphs 1,2 and 3 in Part 1 of Schedule 12A of the Local Government Act 1972.

Members: Councillors Northcott (Chair), Crisp (Vice-Chair), Beeston, Brockie, Burnett-Faulkner, Bryan, Fear, Gorton, Holland, D Jones, J Williams and G Williams

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 :- Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:	Sweeney	S Jones
	Panter	Dymond
	S Tagg (Leader)	Fox-Hewitt
	Heesom	Edginton-Plunkett
	Johnson	Grocott
	J Tagg	

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

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

NOTE: IF THE FIRE ALARM SOUNDS, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

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Agenda Item 3

Planning Committee - 21/05/24

PLANNING COMMITTEE

Tuesday, 21st May, 2024
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Paul Northcott (Chair)

Councillors: Crisp Bryan Holland
Beeston Fear Hutchison
Burnett-Faulkner Gorton J Williams

Apologies: Councillor(s) Brockie and D Jones

Substitutes: Councillor Gillian Williams (In place of Councillor Dave Jones)

Officers: Geoff Durham Civic & Member Support Officer
Craig Jordan Service Director - Planning
Rachel Killeen Development Management
Manager
Charles Winnett Senior Planning Officer
Jacob Wood Planning Officer

1. DECLARATIONS OF INTEREST

The Chair declared an interest in item 4 – application 23/771/FUL as he sat on the Aspire Board.

2. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 23 April, 2024 be agreed as a correct record.

3. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT HIGH STREET / ACACIA AVENUE, KNOTTON. DURATA DEVELOPMENT. 23/00771/FUL

The Chair declared an interest in this item as he sat on the Aspire Board. The Chair left the room and the Vice Chair took over the proceedings.

Resolved: (A) That subject to the applicant entering into a Section 106 obligation by 19th July 2024 to secure a financial contribution towards travel plan monitoring and the management of the on-site Public Open Space;

the application be permitted subject to conditions relating to the following matters:-

Planning Committee - 21/05/24

- (i) Standard time limit for commencement of development;
 - (ii) Approved plans;
 - (iii) Facing and roofing materials;
 - (iv) Boundary treatments;
 - (v) Hardstandings.
 - (vi) Landscaping Scheme;
 - (vii) Additional highways details to be provided;
 - (viii) Full details of access arrangements to be provided;
 - (ix) Footpath /footway improvement works;
 - (x) Road design details;
 - (xi) Visibility splay provision;
 - (xii) Highway dilapidation survey;
 - (xiii) Provision of access, internal roads, private drives and parking areas;
 - (xiv) Surfacing materials and surface water drainage for the private drives and parking areas;
 - (xv) Secure cycle storage;
 - (xvi) Electric vehicle charging provision;
 - (xvii) Highway & Environmental Construction Management Plan (CEMP);
 - (xviii) Tree protection measures;
 - (xix) Prior approval of detailed plans for areas of open space and play equipment;
 - (xx) Contaminated land;
 - (xxi) Detailed surface water drainage scheme;
 - (xxii) Provision of bat and bird boxes and sparrow terraces as per enhancements plan, hedgehog highways and swift bricks
 - (xxiii) Waste storage and collection arrangements
 - (xxiv) Affordable Housing Provision
 - (xxv) Travel Plan
- (B) Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

[Watch the debate here](#)

The Chair returned to the room and took over proceedings

4. APPLICATION FOR MAJOR DEVELOPMENT - NEWSPAPER HOUSE, CHEMICAL LANE, NEWCASTLE-UNDER-LYME, GIVENERGY. 24/00086/FUL

This application was withdrawn.

5. APPLICATION FOR OTHER DEVELOPMENT - 4 ROE LANE, NEWCASTLE-UNDER-LYME. MR & MRS HALLIDAY. 24/00261/FUL

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

- (i) Standard time limit for commencement of development
- (ii) Approved plans
- (iii) Materials

[Watch the debate here](#)

6. **LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2**

Resolved: (i) That the information be received.
(ii) That a report be brought back to Committee in two month's time

[Watch the debate here](#)

7. **DISCLOSURE OF EXEMPT INFORMATION**

There was no confidential business.

8. **URGENT BUSINESS**

There was no Urgent Business.

**Councillor Paul Northcott
Chair**

Meeting concluded at 7.34 pm

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Classification: NULBC UNCLASSIFIED

**PEACOCK HAY RESERVE AREA, PEACOCK HAY ROAD, TALKE
HARWORTH ESTATES INVESTMENTS LTD C/O WSP**

24/00092/FUL

The development comprises earthworks, pond creation and soft landscaping to form a new Great Crested Newt (GCN) Habitat which forms part of mitigation associated with the Chatterley Valley Employment Site on Peacock Hay Road.

The site is located within the rural area of the Borough and falls within an area of Landscape Restoration as defined on the Local Development Framework Proposals Map of the Local Plan. The site also falls within the Green Belt and is within a high risk coal mining area.

The 13 week period for the determination of this application expired on the 13th May, however an extension of time until 21st June 2024 has been agreed.

RECOMMENDATIONS

Permit, subject to conditions relating to the following matters:-

- 1. Time limit**
- 2. Approved plans**
- 3. All works to be carried out in accordance with the submitted Aboricultural Statement**
- 4. Biodiversity Net Gain Plan and Monitoring Plan**
- 5. Works to be completed in accordance with recommendations of the Coal Mining Risk Assessment**
- 6. Construction and Environmental Management Plan**
- 7. Access gate to open inwards only**
- 8. Site shall not be brought into use until the alternative field access has been provided.**

Reason for Recommendation

The proposed development raises no issues with regards to visual impact and will bring with it a number of ecological enhancement benefits which will mitigate the displacement of Great Crested Newts from the Chatterley Valley Employment Site. It is therefore accepted that the proposed development is a sustainable form of development that accords with the development plan policies identified and the guidance and requirements of the National Planning Policy Framework.

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

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

Key Issues

The development comprises earthworks, pond creation and soft landscaping to form a new Great Crested Newt (GCN) Habitat which forms part of mitigation associated with the Chatterley Valley Employment Site on Peacock Hay Road. The site is located within the rural area of the Borough and falls within an Area of Landscape Restoration as defined on the Local Development Framework Proposals Map of the Local Plan. The site also falls within the Green Belt and is within a high risk coal mining area.

Subject to conditions there are not considered to be any amenity issues relevant to the proposal, and the key issues for consideration are therefore:-

- Principle of development,
- Is the proposal an appropriate form of development in the Green Belt?
- Landscape impact,
- Biodiversity Net Gain,

- Highway safety
- Coal mining legacy

Principle of Development

This proposal is linked to the Chatterley Valley development site which was granted planning permission in 2019 (Reference 21/00595/FUL) for a large scale industrial development and new highway improvements along Peacock Hay Road. During the assessment of the site a large population of Great Crested Newts (GCN) were identified. To mitigate the impacts of the development, it is intended that the Great Crested Newts will be trapped and translocated from the development site to this new habitat to create a permanent solution under the Natural Environment and Rural Communities Act agreement.

The land is currently used for grazing and is poor quality agricultural land (Grade 4), and the proposal would offer biodiversity improvements which will help to restore the character and improve the quality of the landscape in accordance with Policy N21.

Given the above, there are no objections in principle to the proposal, subject to all other relevant matters being considered.

Is the proposal an appropriate form of development in the Green Belt?

Paragraph 142 of the 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”.

Paragraphs 152 and 153 identify that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

The proposed development would require temporary engineering works in order to create a new ecological habitat. The proposal preserves the openness of the area and would not result in the creation of any new buildings. As such it is considered to be an appropriate form of development within the Green Belt that meets the requirements of saved policy S3 and the NPPF.

Landscape impact

Policy CSP4 of the Core Strategy states that “the quality and quantity of the plan area’s natural assets will be protected, maintained and enhanced through the following measures ... ensuring that the location, scale and nature of all development planned and delivered through this Core Spatial Strategy avoids and mitigates adverse impacts, and wherever possible enhances, the plan area’s distinctive natural assets, landscape character”.

Policy N12 of the Local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

The site would comprise of 9 large ponds, 4 small shallow ponds known as scrapes and a number of log piles with scrub planting which are needed to allow the site to operate fully as a GCN nature reserve. The proposal would not result in the removal of any trees from the site, however some minor pruning of hedgerows adjacent to the existing field access may be required to facilitate the construction access point.

In visual terms the site would appear as a natural habitat and would not contain any features which would appear unusual or incongruous in this rural setting. The site also benefits from a good amount of existing screening in the form of trees and hedges.

Although no trees are to be removed it is considered appropriate to apply a condition to any permission requiring that all works are completed in accordance with the details provided in the aboricultural assessment which requires tree protection measures to be put in place. Subject to this condition the visual impact of the proposal is considered to be acceptable.

Biodiversity Net Gain

Paragraphs 180 & 185 of the NPPF set out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If development cannot avoid significant harm to biodiversity by adequate mitigation then planning permission should be refused.

Biodiversity Net Gain (BNG) is “an approach to development that leaves biodiversity in a better state than before”. When applying biodiversity net gain principles, developers are encouraged to bring forward schemes that provide an overall increase in natural habitat and ecological features. The aim of BNG is to minimise losses of biodiversity and help to restore ecological networks. Sites must demonstrate a minimum of a 10% Biodiversity Net Gain as calculated using a Biodiversity Metric and a Biodiversity Gain Plan, with habitat used for net gain to be secured for a minimum of 30 years.

An on-site baseline biodiversity value has been provided within the Extended Phase 1 Survey which has been submitted in support of the application and the applicant has then made a post-development biodiversity value calculation by using the Statutory Biodiversity Metric Tool provided by DEFRA.

The site consists of an area of heavily grazed improved grassland and contains some small areas of bare ground. The site is currently considered to be a low distinctiveness habitat and of low strategic significance and has been given a total of 5.24 biodiversity units. The proposal will result in the creation of an extensive area of habitat provision, and new hedgerow planting which has been calculated to provide an overall gain of 6.33 habitat units representing a 120.61% increase to biodiversity gain for the site.

The results of the assessment demonstrate that the reserve area is expected to result in a significant gain in biodiversity units for both area based and linear habitats when compared with the current baseline.

In order to monitor the long-term biodiversity net gain for the site, a condition will be applied to any permission granted requiring the submission of a Biodiversity Net Gain Plan and Monitoring Plan prior to any development on site occurring. Subject to the use of these conditions, it is considered that the proposal has adequately demonstrated that the site will result in an on-site biodiversity net gain.

Highway Safety

Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

The Highway Authority have raised no objections to the application subject to conditions which relate to the submission of a Construction and Environmental Management Plan, details of parking and turning routes to be provided along with surface water drainage details, and the submission of an alternative field access point.

Given that the site will not be open to the public and will be maintained with minimal intervention so as to limit disturbance, it is not considered that details of parking and turning routes are necessary in this case. Equally, given that there would be no permanent access track there is no need for surface water drainage or surfacing materials.

Subject to the other conditions recommended by the Highway Authority, the proposal is considered to be acceptable in respect of highway safety.

Coal Mining Legacy

Paragraph 189 of the NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

The application site falls within a high risk coal mining area, and a Coal Mining Risk Assessment and a Phase 1 Desk Study Report have been submitted in support of the proposal.

The Coal Mining Risk Assessment notes that a total of 10 coal working related features including old shafts, air shafts, old levels and footrills/adits are located immediately adjacent to the site boundary to the west and east, whilst there is one mine shaft located within the site boundary and four mine shafts within 20 m of the site boundary. The site also contains three possible pits from the access point in the southwest running in a north eastern trajectory.

The Coal Mining Risk Assessment was reviewed by the Coal Authority (CA) who noted that whilst the report did identify risks posed by the mine entries and recommended exclusion zones, no layout plan had been provided to show the location of both the on and off-site mine entries, along with their respective zones of influence. To address this concern the applicant has submitted a proposed Development Constraints Plan (Drawing no. 11603) which clearly annotates the mine entries and their potential zones of influence, with all of the development avoiding them. The CA have since reviewed this additional information and have subsequently withdrawn their objection to this planning application.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

The scheme has been developed embracing good design and access and it is therefore considered that it will not have a differential impact on those with protected characteristics.

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
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy E2: Chatterley Valley
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures
Policy N4: Development and Nature Conservation – Use of Local Species
Policy N12: Development and the Protection of Trees
Policy N17: Landscape Character – General Considerations
Policy N17: Areas of Landscape Restoration
Policy S3: Development within the Green Belt

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (2023)

Planning Practice Guidance (as updated)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

In 2019 a hybrid planning permission, 18/00736/OUT, was granted for the following:-

- A. full planning permission for earthworks associated with the creation of development plateaus, access roads and associated works; and
- B. outline planning permission for development of buildings falling within Use Classes B1b (research and development), B1c (light industry), B2 (general industrial and B8 (storage and distribution), and ancillary A3 (Restaurants and cafes) and A5 (hot food takeaways) uses. All matters of detail are reserved for subsequent approval.

Application 19/00846/OUT permitted the removal of condition B23, relating to pedestrian and cycleway enhancements, of planning permission 18/00736/OUT and variation of condition A1 relating to timescales for completion of earthworks; variation of conditions A8, B1 and B10 with regards to reference to Green Infrastructure Strategy; variation of condition B3 regarding requirements for the reserved matters application/s; and variation of reason for condition B25 relating to permitted use classes on the plots.

A further application, 21/00595/FUL, was permitted for the removal and variation of a number of conditions of 19/00846/OUT.

Application 21/00570/FUL, for full planning permission for the formation of development platforms, provision of access road and accompanying infrastructure and ecological enhancements has also been permitted.

Application 21/00595/NMA for a non-material amendment relating to the Electric Vehicle Charging Infrastructure as required by condition B18 of planning permission 21/00595/FUL has been permitted

Application 23/00220/REM Reserved Matters Application for appearance, landscaping, layout, scale and access of Site D1 for a building in Use Classes B1(b), B1(c), B2 and/or B8 pursuant to outline element of hybrid planning application ref: 21/00595/FUL has been permitted.

23/00678/REM - Reserved matters application for details of the new roundabout access, footways and improvement to the existing site access, detailing those issues reserved by Condition B9 of hybrid planning permission ref: 21/00595/FUL – permitted

23/00818/REM - Reserved matters application for details of the new spine road and detailed structural landscaping scheme (for the verges of the main internal spine road and footpaths), detailing those issues reserved by Conditions B10 and B11 of hybrid planning permission ref: 21/00595/FUL.

Views of Consultees

Natural England raise no objections to the proposal.

The **Coal Authority** raise no objections to the proposal.

The **Highway Authority** raise no objections to the proposal subject to conditions which relate to the submission of a CEMP, further details of parking, turning areas, surface water drainage and access arrangements. A condition is also proposed which would require any gates to open inwards only.

No comments have been received from **Staffordshire Wildlife Trust, Nature Space, Kidsgrove Town Council** or the **Local Area Partnership Kidsgrove**. Given that the period for comment has ended, it must be assumed that they have no comments to make.

Representations

None received.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link: <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/24/00092/FUL>

Background papers

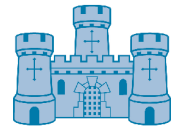
Planning files referred to

Planning Documents referred to

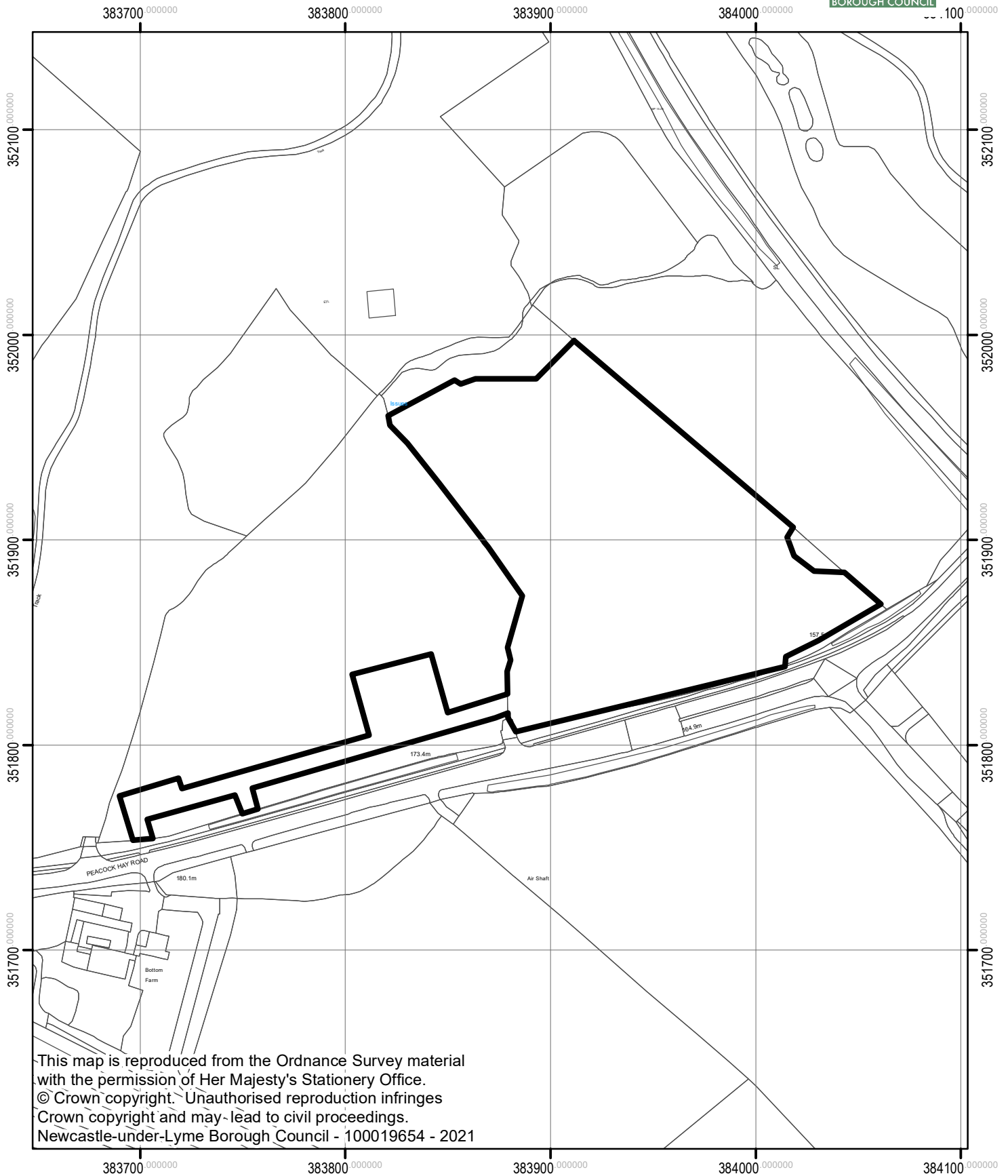
Date report prepared

28th May 2024

24/00092/FUL
Peacock Hay Reserve Area
Peacock Hay Road, Talke



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LAND AT HIGH STREET, KNOTTON
NEWCASTLE UNDER LYME BOROUGH COUNCIL

23/00974/DEEM3

Full planning permission is sought for the erection of a new village hall comprising 2no. function rooms and associated ancillary services, with outdoor amenity space and parking provision.

The application site is located within the urban area of Knutton, as indicated on the Local Development Framework Proposals Map.

The 8 week period for determination of the planning application expired on 23rd May 2024, however an extension of time has been agreed until the 24th of June.

RECOMMENDATION

PERMIT the application subject to conditions relating to the following matters:-

- 1. Standard time limit for commencement of development;**
- 2. Approved plans;**
- 3. Facing and roofing materials;**
- 4. Boundary treatments;**
- 5. Landscaping Scheme;**
- 6. Provision of parking areas;**
- 7. Secure cycle storage;**
- 8. Electric vehicle charging provision;**
- 9. Highway & Environmental Construction Management Plan (CMP);**
- 10. Noise management plan**
- 11. Provision of bat and bird boxes and sparrow terraces as per enhancements plan;**

Reason for Recommendations

The proposal represents redevelopment of a vacant brownfield site within a sustainable location. The development is an acceptable design and relates to the adjacent approved residential development, utilising the vehicular and pedestrian access arrangements, and will not result in an adverse impact on residential amenity.

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 submitted, and the proposal is now considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

This proposal seeks full planning permission for the erection of a village hall on a vacant brownfield site on High Street in Knutton. The building would comprise two main function rooms with reception hall, bar, kitchen, storage and toilet facilities. The proposal also includes outdoor amenity area and parking, with access served from the new residential development on the adjacent part of the vacant site. There are 22 car parking spaces indicated on the revised plan, including parking allocated for disabled drivers and parent and child spaces, and separate cycle parking.

The site currently comprises a vacant car park and grassed area associated with the former school buildings that have been cleared from the site. There is an existing gated access point, railings, trees, hedge and security fencing to the site boundaries. The site is located on High Street, in a mixed residential and commercial area, with Newcastle Enterprise Centre adjacent, shops and a garage opposite. The residential development subject of application Ref. 23/00771/FUL will be constructed on the remainder of the vacant land.

The application site is located within the urban area of Knutton, as indicated on the Local Development Framework Proposals Map.

The main issues to consider in the determination of the application are as follow:

- Is the principle of development acceptable?
- Design and visual impact
- Impact on Amenity
- Impact on Highway Safety

Is the principle of the proposed development on the site acceptable?

Paragraph 97 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Policy SP1 of the Core Spatial Strategy indicates 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.

The location of the site in respect of its proximity to nearby services and public transport links, is considered to represent a sustainable location for the proposed development. As the proposal would provide a function which would benefit the local community in a sustainable location, the development is considered to be acceptable in principle, subject to other material planning considerations.

Design of the development and impact on the area

Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core Strategy requires that the design of the development is respectful to the character of the area.

The development comprises a building of traditional design and form with a pitched roof arrangement and the majority of glazing and porch entrance on the elevations facing into the site and the amenity space to the northwest and southwest. The southeast elevation would be blank and northeast elevation with only top-opening windows. It would be constructed in red brick with grey metal roof and windows. The building would be located close to the boundaries with High Street and the Newcastle Enterprise Centre, with parking to the rear, served from the new access road that forms part of the recently approved residential development.

The proposal is considered to be acceptable in terms of the scale, massing, design and materials, and would be in keeping with the adjoining buildings and the area.

Whilst the main entrance to the building is located on the side elevation, the building is located close to High Street and it would be visible from the highway and clearly legible as a community facility. The car parking is set back and partly screened by the new planting, thus it would not appear dominant and detract from the character and appearance of the main building or housing scheme on the adjoining site.

The building and car parking area would be softened by the proposed landscaping scheme, with hedges bounding the site and new tree planting. The amenity area comprises elements of soft and hard landscaping, along with cycle parking and bin storage.

Internally, the 2 main rooms would enable a range of uses, with associated kitchen, bar and toilet facilities. The glazing would ensure adequate natural light and ventilation is provided.

It is considered that the proposal would provide an important local community facility and the scale and design would not adversely affect the character and appearance of the area, with provision of designated parking and amenity space. Subject to conditions to control the external facing materials, it is considered that the proposal would comply with local planning policy and the requirements of the NPPF.

Impact on adjoining residential amenity

Paragraph 135 (f) of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The application site is large enough to accommodate the community centre and associated parking and amenity space. The majority of the glazing would be on the southwest elevation serving the main function rooms, and opening on to the amenity area.

The site is located in a mixed residential and commercial area off High Street. The new housing associated with ref: 23/00771/FUL will be located to the northwest and west of the building and to the southwest of the car park.

The applicant has provided some additional details regarding the proposed opening times – between 9am and 10pm 7 days a week. The typical uses will be functions, meetings and group activities and the smaller function room may also serve as a drop-in community doctor/ dentist surgery.

Whilst the Environmental Health comments are noted regarding the need for a noise assessment and the potential noisy uses such as amplified music and vocal amplification systems; it is considered that these matters can be sufficiently addressed by condition of a noise management plan. The building is not directly adjoining any residential properties, and the proposed hours should ensure that noise and disturbance from vehicles is limited.

Details of the external lighting scheme are being prepared; however this can also be conditioned.

Therefore, subject to appropriate conditions, it is considered that the proposal would not harm adjoining residential amenities and would comply with the relevant criteria in the National Planning Policy Framework.

Highway Safety

In the consideration of proposed development, paragraph 115 of the NPPF states it should be ensured that safe and suitable access to the site can be achieved and that significant impacts on the transport network or on highway safety can be mitigated.

Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

Policy T16 of the Local Plan asserts that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on street or parking problem.

The plans have been amended following consultation comments from the Highway Authority in order to ensure that the proposed community centre can share the access off High Street that will serve the residential development (ref: 23/00771/FUL). Changes have been made to the parking layout and single entry/exit point to the parking area, along with details of cycle parking and the tracking of large vehicles (deliveries or refuse collection). The tracking plan indicates cars and refuse vehicles can manoeuvre within the car park.

The Highway Authority have been consulted on the amended details however no comments have yet been received. Any additional representations made by the HA will be brought to the attention of the committee through a supplementary report. Subject to any conditions required by the HA, the proposal can be adequately accessed with sufficient car and cycle parking provision.

Accordingly, the proposal is considered acceptable in highway terms. The proposal would provide appropriate access for the proposed community centre and the adjacent dwellings and adequate parking and turning space to ensure that the development would not result in issues of highway safety or onstreet parking. Accordingly, the proposal complies with policy T16 of the local plan and the requirements of the NPPF.

Other matters

The Preliminary Ecological Appraisal sets out that the construction of the community centre will result in loss of a small number of trees and hedgerows; however, it is considered that the landscaping scheme will mitigate this loss with additional planting. Furthermore, the representation regarding swift boxes is noted, and it is considered that a condition should be added in this regard.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

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

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

[National Planning Policy Framework \(NPPF\) \(2023\)](#)

[Planning Practice Guidance \(NPPG\) \(2019\)](#)

[Supplementary Planning Documents \(SPDs\)](#)

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

Relevant Planning History

Adjoining site - Land At High Street / Acacia Avenue: 23/00771/FUL Full planning application for a residential development with associated access, internal infrastructure, landscaping and wider works – Permitted subject to S106 and conditions

Views of Consultees

The Highway Authority had initial concerns regarding the access, parking, pedestrian and cycle connectivity and operational/ service arrangement of the development. The applicant was advised to ensure that the proposal related to the most up-to-date plan for the adjacent residential development (23/00771/FUL), for which it shares vehicular and pedestrian access in order that this scheme ties in with the adjoining development.

Details of cycle parking have been provided and the Highways Authority is satisfied with this provision.

The Environmental Health Division raised initial objections as there was insufficient information on which to assess the application and its effects on amenity. They requested further information on how the venue would operate, type of activities and management of the activities, an acoustic assessment to determine the potential impacts of the activities and a noise management plan based upon the recommendations of the acoustic assessment.

Staffordshire Police Crime Prevention Design Advisor: Detailed advice given regarding best practice and the principles of Secured by Design guidance, which could be incorporated into the building design and amenity area to provide appropriate security and surveillance.

The Coal Authority advises that the site falls within the Coal Authority's defined Development Low Risk Area. Therefore, there are no specific comments, but in the interest of public safety, attention is drawn to the Coal Authority's Standing Advice note.

Comments were also invited from The Council's **Landscape Development Section**, the **County Minerals Officer** and **Staffordshire Wildlife Trust**; however in the absence of any comments being received by the due date it must be assumed that they have no observations to make on the application.

Representations

One letter of representation has been received with the respondent making comments on the Preliminary Ecological Appraisal and recommending a condition that at least 10 swift bricks should be incorporated into the building to help support this and other bird species in decline.

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

29th May 2024

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
18th June 2024

Agenda Item 5

Application Ref. 23/00974/DEEM3

Land at High Street, Knutton

Since the publication of the main agenda report, further comments have been received from the **Highway Authority**, confirming that the amended plans have addressed their initial concerns and advising that they have no objections subject to conditions regarding the completion of the junction with High Street, access road and pedestrian accesses, servicing and circulation routes, cycle storage, further details of works to the footway, highway street furniture and tactile pedestrian crossing, Construction Environmental Management Plan (CEMP) and the vehicular access to remain un gated.

The **Environmental Health Division** (EHD) maintains an objection and requires the submission of a Noise Assessment prior to determination of the application.

Officer's comments

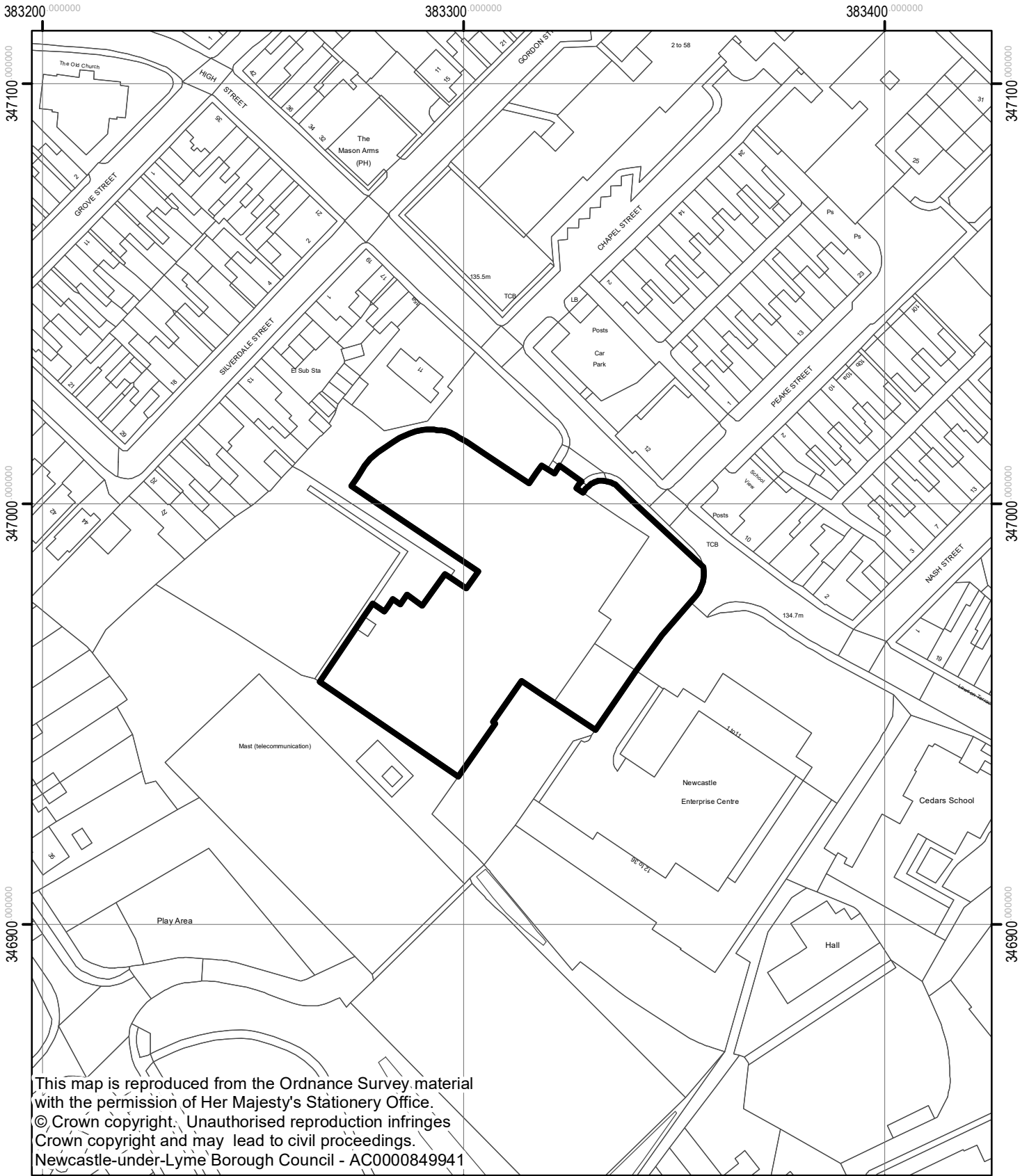
In the main agenda report, it is advised that noise matters can be sufficiently addressed by a condition requiring the submission of a noise management plan for the use of the building. However, on further reflection, it is considered that details should be submitted prior to determination which would then inform the design of the building to ensure appropriate noise mitigation. Therefore, Officers consider that a decision on the application should be deferred to enable the applicant to commission and submit a Noise Assessment for consideration by the EHD.

Amended Recommendation

That a decision on the application be deferred to allow further time for the submission and consideration of a Noise Assessment.

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23/00974/DEEM3
Land At High Street,
Knutton



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Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund

Bull Pen and Stable at Audleys Cross Farm, Newcastle Road, Market Drayton (Ref: 24/25001/HBG)

RECOMMENDATION:

That the following grant be approved:-

£ 4,670 Historic Building Grant be given towards roof repairs.

Purpose of report

To enable members to consider the application for financial assistance.

Bull Pen and Stable at Audleys Cross Farmhouse

The application is for repair to the roof of a section of the farm buildings, including stripping, re-fixing loose timbers, relaying loose corbel bricks, re-tiling and lead work, with scaffold access.

During the listed building survey in 2022/23 it was recorded that the barn roof was in urgent need of repair. The timbers had failed, tiles had fallen and slipped and corbelling was loose or missing.



The barns are listed Grade II as part of the Audleys Cross Farmhouse and ranges of farmbuildings. They form part of a remodelled 17th Century group. It is the right hand of the taller square corner sections with hipped roof which has suffered from the decay. Earlier surveys show that some sections including this were covered in ivy, which probably caused the decline of the mortar and the brickwork. This has been cleared but the decay now needs rectifying to halt the decay and repair the damage.

The work is eligible for 20% grant towards the cost of the works. Two competitive quotations have been received for the work and the lowest at £23,352 inc VAT which is payable. 20% of this cost is £4,670.

Financial Implications

Historic buildings and structures are entitled to apply for up to a maximum of £5,000 from the Conservation and Heritage Grant Fund. The intervention rate is 20% of the cost of the work for Listed Buildings.

There is sufficient funding to meet this grant application with an allocation this year to the Fund of £28,633. This allows for existing commitments.

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ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
18 June 2024

Agenda item 6

Applications for Financial Assistance from the Conservation and Heritage Fund

Bull Pen and Stable at Audleys Cross Farmhouse, Loggerheads (24/25001/HBG)

The **Conservation Advisory Working Party** recommends that this grant (£4,670) is offered to the applicant, subject to the standard conditions.

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5 BOGGS COTTAGE, KEELE, reference 14/00036/207C3

The purpose of this report is to provide Members with an update, in accordance with the resolution of Planning Committee at its meeting of 3rd January 2019 (since repeated), of the progress in relation to the taking of enforcement action against a breach of planning control at this location.

RECOMMENDATION

That the information be received.

As previously reported, the Planning Inspectorate has allowed the appeal and the enforcement notice has been quashed. Therefore, planning permission has been granted for the use of a mobile home on the land as a dwelling, subject to a number of conditions that now need to be complied with. In particular conditions 3 & 4 are outstanding.

Conditions 3 & 4 of the appeal decision required information to be submitted to the Local Planning Authority for approval within three months of the date of the decision i.e. by the 20th March 2023. This information relates to drainage details, provisions for facilities for water and sewerage, provision of parking spaces and details of a scheme to restore the land to its condition before the development took place.

The information was submitted and further to comments from Severn Trent Water, the drainage condition has been refused. Your officers are considering appropriate enforcement action in respect of the breach of that condition.

A copy of the appeal decision can be viewed via the following link; <https://www.newcastle-staffs.gov.uk/BoggsCottage>

Date report prepared – 4th June 2024

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