

Public Document Pack

Date of meeting Tuesday, 10th September, 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 5 - 8)
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF CROSS STREET, CHESTERTON. DURATA DEVELOPMENT LTD. 24/00137/FUL** (Pages 9 - 20)
- 5 APPLICATION FOR MAJOR DEVELOPMENT - VEHICLE STORAGE LAND, LINLEY ROAD, TALKE. NEIL LAWSON, ARNOLD CLARK AUTOMOBILES. 24/00307/FUL** (Pages 21 - 28)
- 6 APPLICATION FOR MINOR DEVELOPMENT - LAND AT HIGH STREET, KNUTTON. NEWCASTLE UNDER LYME BOROUGH COUNCIL. 23/00974/DEEM3** (Pages 29 - 38)
This item includes a supplementary report.
- 7 APPLICATION FOR MINOR DEVELOPMENT - ROBIN HOOD INN, HIGH STREET, KIDSGROVE. SIMON JONES. 24/00547/FUL** (Pages 39 - 44)

- 8 **APPLICATION FOR MINOR DEVELOPMENT - INTERNATIONAL HOUSE, STUBBS GATE, NEWCASTLE-UNDER-LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 24/00475/DEEM3** **(Pages 45 - 54)**

This item includes a supplementary report.

- 9 **APPLICATION FOR MINOR DEVELOPMENT - QUEENS GARDENS, ADJACENT CASTLE HOUSE, BARRACKS ROAD, NEWCASTLE NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 24/00611/DEEM3** **(Pages 55 - 62)**

This item includes a supplementary report

- 10 **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - LLOYD FARMHOUSE, HALES, MARKET DRAYTON. 24/25003/HBG** **(Pages 63 - 66)**

This item includes a supplementary report

- 11 **LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2** **(Pages 67 - 68)**

12 **URGENT BUSINESS**

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

13 **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, Burnett-Faulkner, Bryan, Fear, Holland, Hutchison, Brown, Gorton, 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	Fox-Hewitt
	Panter	D Jones
	S Tagg (Leader)	Edginton-Plunkett
	Heesom	Grocott
	Johnson	Whieldon
	J Tagg	Dymond

S Jones

Brockie

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.

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Agenda Item 3

Planning Committee - 13/08/24

PLANNING COMMITTEE

Tuesday, 13th August, 2024
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present:	Councillor Paul Northcott (Chair)		
Councillors:	Crisp Beeston Burnett-Faulkner Bryan	Fear Holland Hutchison Gorton	J Williams G Williams
Apologies:	Councillor(s) Brown		
Substitutes:	Councillor David Grocott (In place of Councillor Jacqueline Brown)		
Officers:	Rachel Killeen Charles Winnett Gillian Taylor Krestal Al-Daami	Development Management Manager Senior Planning Officer Housing Manager Housing & Partnerships Policy Officer	

1. **APOLOGIES**

Apologies were shared as per above.

2. **DECLARATIONS OF INTEREST**

Cllr Northcott declared an interest in item 5 as a member of the Aspire Board.

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

Resolved: That the minutes of the meeting held on 16th July 2024 be agreed as a true and accurate record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - RED LION FARM, HIGH STREET, HARRISEAHEAD SCG UTILITY SUPPORT LTD, 23/00542/FUL**

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

1. Time limit;
2. Approved plans;
3. Materials;
4. Scheme of investigation to establish Coal Mining Risk Assessment;
5. Contaminated land Condition;
6. Lighting scheme;
7. Approved Surface Water Drainage Plan;

8. Access drive to be surfaced and bound in a suitable material.

[Watch the debate here](#)

5. APPLICATION FOR MAJOR DEVELOPMENT - KNUTTON COMMUNITY CENTRE, KNUTTON LANE DURATA DEVELOPMENT, 24/00023/FUL

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

1. Standard time limit for commencement of development;
2. Approved plans;
3. Facing and roofing materials;
4. Boundary treatments;
5. Details of revised access arrangement;
6. Provision of access, internal roads, private drives and parking areas;
7. Surfacing materials and surface water drainage for the private drives and parking areas;
8. Secure cycle storage;
9. Road design details;
10. Electric vehicle charging provision;
11. Residential Travel Plan Framework;
12. Highway & Environmental Construction Management Plan (CEMP);
13. Tree protection measures;
14. Archaeological investigation and implementation;
15. Land contamination;
16. Detailed drainage and surface water maintenance and management plan;
17. Provision of bat, bird boxes, swift bricks and sparrow terraces as per enhancements plan;
18. Waste storage and collection arrangements;
19. Noise management and mitigation measures during construction;
20. Affordable Housing Provision.

[Watch the debate here](#)

6. APPLICATION FOR MAJOR DEVELOPMENT - LAND NORTH OF PEPPER STREET, MR KARL WALKER SEDDON DEVELOPMENT LTD, 24/00229/FUL

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

1. Approved plans;
2. Tree protection fencing;
3. All other conditions which are still relevant from the previous planning permissions.

[Watch the debate here](#)

7. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF, MARKET DRAYTON ROAD. SHROPSHIRE HOMES LIMITED - MR ANDREW MARSDEN. 24/00341/FUL

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

1. Approved plans;
2. Any other conditions which are still relevant to the original decision.

[Watch the debate here](#)

8. **APPLICATION FOR MINOR DEVELOPMENT - INTERNATIONAL HOUSE, STUBBS GATE, NEWCASTLE-UNDER-LYME, NEWCASTLE-UNDER-LYME BOROUGH COUNCIL, 24/00475/DEEM3**

The application was deferred to enable officers to provide further details of a management plan for the facility to limit anti-social behaviour and information/statistics on the operation of existing facilities, the submission of a Health Impact Assessment and for Cllr Northcott and Cllr Fear to write to the Police to urge them to attend the next meeting of the Planning Committee.

[Watch the debate here](#)

9. **APPLICATION FOR MINOR DEVELOPMENT - THE WAMMY, LOWER MILEHOUSE LANE, NEWCASTLE-UNDER-LYME BOROUGH COUNCIL, 24/00478/DEEM3**

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

1. Time limit condition;
2. Approved plans;
3. Materials;
4. Solar panels;
5. Hard surfacing;
6. Fencing details;
7. Waste collection details;
8. Restrictions to deliveries and construction vehicles;
9. CEMP;
10. Opening hours;
11. External Lighting;
12. Extraction/Ventilation Equipment for kitchen / catering area;
13. Full and precise details of security shutters;
14. Tree Protection Plan;
15. Arboricultural Method Statement;
16. Landscaping Scheme to include appropriate species to deter intruders;
17. Full accordance with recommendations of the FRA;
18. Drainage Maintenance and Management Scheme.

[Watch the debate here](#)

10. **OTHER DEVELOPMENT - 5 BOGGS COTTAGE, KEELE, 14/00036/207C3**

Resolved: (i) That the information be received.
(ii) That an update report be brought to committee in two months' time.

Planning Committee - 13/08/24

[Watch the debate here](#)

11. URGENT BUSINESS

There was no urgent business.

12. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

**Councillor Paul Northcott
Chair**

Meeting concluded at 8.35 pm

Classification: NULBC UNCLASSIFIED

LAND OFF CROSS STREET, CHESTERTON
DURATA DEVELOPMENT LTD

24/00137/FUL

The application seeks full planning permission for 39 new dwellings with associated landscaping and access at land off Cross Street, Chesterton.

The application site falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

The statutory 13-week determination period for this application expired on 19^h July and an extension of time has been agreed to 13th September 2024.

RECOMMENDATIONS

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. **Details of revised vehicle access onto Kent Grove, reconfiguration of footway and provision of tactile crossing;**
6. **Full details of vehicle access onto Cross Street, parking for plot 3 and communal parking for plots 4-17 to be submitted.**
7. **Surfacing materials and surface water drainage for the private drives and parking areas;**
8. **Secure cycle storage;**
9. **Road design details;**
10. **Electric vehicle charging provision;**
11. **Residential Travel Plan Framework;**
12. **Highway & Environmental Construction Management Plan (CEMP);**
13. **Tree protection measures;**
14. **Landscaping Plan**
15. **Land contamination;**
16. **Detailed drainage and surface water maintenance and management plan;**
17. **Provision of bat, bird boxes, swift bricks and sparrow terraces as per enhancements plan;**
18. **Waste storage and collection arrangements;**
19. **Noise management and mitigation measures during construction and**
20. **Affordable housing provision.**

Reason for recommendations

The redevelopment of this brownfield site within a sustainable urban location, accords with local and national planning policy. The scheme represents a good quality design that would enhance the appearance of the area and it has been demonstrated that the proposed development would not cause highway safety concerns or impact residential amenity. Subject to conditions, the development represents a sustainable form of development and should be supported.

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

The LPA has requested further information throughout the application process and the applicant has subsequently provided amended and additional information. The application is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks full planning permission for 39 dwellings and associated landscaping and access at land at Cross Street, Chesterton.

The application site falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

The proposed application raises the following key issues:

1. The principle of the development of this site for residential purposes,
2. The design of the development and its impact on the surrounding area,
3. The impact of the development on highway safety,
4. Residential amenity,
5. The impact on trees and ecology,
6. Biodiversity Net Gain
7. Planning obligations and financial viability, and
8. Conclusions and Planning Balance

The principle of the development of this site for residential purposes

The National Planning Policy Framework (the Framework) seeks to support the Government's objective of significantly boosting the supply of homes. It also sets out that there is a presumption in favour of sustainable development.

The application site within the Urban area of the Borough within a central part of Chesterton.

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.

Paragraph 117 of the Framework states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 11 of the Framework states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- (Para 11(d))

Footnote 8 which relates to paragraph 11(d) states that this includes, for applications involving the provision of housing, situations where (a) the local planning authority cannot demonstrate a 5 year supply (or 4 year supply, if applicable as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77 and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous 3 years.

The Council has now updated its five-year housing land supply position and has demonstrated a housing land supply of 5.26 years. Therefore, the Council is currently able to demonstrate an appropriate supply of specific, deliverable housing sites.

CSS Policies SP1 and ASP5, and Local Plan Policy H1 are concerned with meeting housing requirements, and Inspectors in a number of previous appeal decisions, have found that these policies

do not reflect an up to date assessment of housing needs, and as such are out of date in respect of detailed housing requirements by virtue of the evidence base upon which they are based.

Notwithstanding the five year housing land supply position, it is considered that the test in paragraph 11(d) has to be applied to this application given the lack of up to date policies in relation to the provision of housing. Therefore the tilted balance outlined within Paragraph 11(d) of the framework is considered to be engaged and an assessment of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole is required.

The site is located in the urban area of the Borough in close proximity to the centre of Chesterton and is therefore considered to represent a sustainable location for housing development by virtue of its close proximity to services, amenities and employment opportunities. The proposal would make a contribution to the Council's housing supply. Whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits will be considered later in this report.

The design of the residential development and its impact on the surrounding area

Paragraph 131 of the National Planning Policy Framework 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. Furthermore, paragraph 135 of the framework lists 6 criteria, 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.

Section 7 of the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) provides residential design guidance. In particular, Policy R3 states that new housing must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it, exploiting existing site characteristics, such as mature trees, existing buildings or long views and incorporating them into the proposal. In addition, Policy R14 states that developments must provide an appropriate balance of variety and consistency.

Policy CSP1 of the Core Spatial Strategy (CSS) lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the revised NPPF.

The proposed dwellings would be a combination of detached and semidetached two storey properties, bungalows and a three storey apartment block, all of which be of traditional design. The area around the application site is made up predominately of residential properties of various housing styles which includes a cluster of three storey apartment buildings and associated car parks to the east. The nearest dwellings to the west are made up of uniformly designed terraced bungalows whereas more traditional two storey semidetached and terraced dwellings are located to the south. Crackley Field and Crackley Park are located to the north of the site.

The proposed development has been presented to a Design Review Panel (DRP) at an early stage in the process as encouraged by the NPPF and a number of amendments and enhancements have been made to the scheme at the request of the case officer to ensure that the scheme demonstrates a high-quality design as required by both national and local policies. The site has been designed to include a good number of varied house types with the chosen designs being considered to be acceptable additions to the local design vernacular. A number of landscaped areas and new planting will also help to break up new built-up frontages and soften the overall visual impact of the development. The three-storey apartment building, whilst large, would not appear out of place given the other nearby apartment buildings, but rather would provide an attractive backdrop to the rest of the development.

To conclude, subject to a condition regarding the control of external facing materials, the proposal is considered to comprise good quality residential development which will integrate well with surrounding land uses. It is therefore considered that the design of the proposed development is acceptable and subject to conditions, it will comply with design principles and policies of the Council's Urban Design Guidance, Policy CSP1 of the CSS and the guidance and requirements of the NPPF.

The impact of the development on highway safety

The NPPF, at paragraph 115, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Saved Policy T16 of the Newcastle-under-Lyme Local Plan (NLP) states 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 parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. Such a policy is, however, of limited weight as it is not in fully consistent with the Framework given its reference to maximum parking levels.

The site is considered to be within a sustainable location and has a range of services located nearby which are safely accessible by foot and bicycle. The proposed residential units would each provide sufficient off-street car parking spaces which would be in accordance with the Council's parking standards set out in Appendix A of the Saved Local Plan policies.

The Transport Statement notes that the proposed residential development will generate an approximate total of 13 two-way vehicle trips during the AM peak hour and approximately 15 two-way trips during the PM peak hour, which equates to approximately one additional vehicle every 4 minutes on the surrounding highway network. The Transport Statement concludes that the traffic increase from the proposal would not be severe, and no further assessment or mitigation is considered necessary. The Transport Statement also notes that there is a previous permission on this site for a 37 bedroomed supported living apartment building.

The layout of the site and provision of areas of unadopted road would mean that the residents of the pair of detached bungalows to the southeast of the site would be able to take their bins out directly onto the highway. For the other properties bin storage areas will be provided which are marked on the submitted plans. In consideration of the fact that there is no identified breach of policy, the arrangement as proposed is considered to be sufficient and ensures that the amenity level of future occupants is acceptable from a waste collection perspective.

The Highway Authority was consulted on the proposal and whilst they were generally satisfied with the proposed arrangements, they did request that additional information was submitted in support of the application which related to the installation of a pedestrian crossing, a revised arrangement for the driveway associated with plot 22 and the increase of a parking space for plot 2. Amendments have subsequently been made to the scheme to address these points and the Highway Authority has confirmed that they raise no objections to the proposal subject to conditions.

Subject to the imposition of the conditions requested by the HA, it is considered that the proposal would not have any significant adverse impact on highway safety, and it is considered that the proposal complies with Policy T16 of the Local Plan and the aims and objectives of the Framework.

Acceptable standards of residential amenity

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 191 that decisions should also ensure that new development reduces potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

The Council's Supplementary Planning Guidance (SPG) - Space Around Dwellings provides more detailed guidance on privacy and daylight standards including separation distances between proposed dwellings and new development in relation to existing dwellings.

All properties within the development site would achieve acceptable separation distances, in accordance with the Council's SPG and the proposal raises no issues with respect of loss of privacy and all plots will have an acceptable amount of private amenity space.

The Council's Environmental Health Division has raised no objections to the proposal subject to conditions relating to land contamination, internal noise levels for dwellings, construction management and hours of construction. Therefore subject to the inclusion of the conditions referred to above, the development is considered to be in compliance with the provisions of the NPPF.

The impact on trees and ecology

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".

Paragraphs 180 & 185 of the NPPF sets 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.

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.

An Arboricultural Assessment has been submitted in support of the application which notes that there are a total of 39 individual trees, 2 tree groups and 2 hedgerows all of which are either moderate (category B) quality or low quality (category C trees). There are no protected trees within the site. Demolition has already taken place on the site and so a number of trees have already been removed. The development will require the removal of 11 individual trees and 2 low quality groups (G1 and G2). The proposed individual tree removals comprise 4 moderate quality trees and 7 low quality trees. Whilst the loss of these trees is unfortunate, it is recognised that the proposal will result in an overall net increase in trees within the site, and subject to a landscaping plan being controlled via a condition, it is considered that the loss of the trees can be adequately mitigated. All other trees within the site will be retained. The removal of areas of hardstanding would also create some additional opportunities for biodiversity.

The Preliminary Ecological Appraisal submitted in support of the application notes that the trees offer a negligible scope for roosting bats due to the nearby street lighting and their location within a residential area, but trees within the site have some limited scope for bird nesting provision. Due to the lack of available aquatic habitat and poor connectivity to the site, it is considered that amphibians will unlikely be impacted by any development, and the site has low potential for reptiles. Overall given the lack of natural features within the site, the impact of the proposal on ecology is limited.

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 Preliminary Ecological Appraisal 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 hardstanding and grass land, and although there are number of trees scattered through the site, it is considered that the site has low habitat significance and has been given a total of 2.99 biodiversity units. The proposal will result in the creation of extensive hedgerow planting which has been calculated to provide an overall gain of 3.38 habitat units representing a 13.14% increase to biodiversity gain for the site.

The results of the assessment demonstrate that the reserve area is expected to result in a gain in biodiversity units for both area based and linear habitats when compared with the current baseline. To conclude it is considered that the proposal has adequately demonstrated that the site will result in an on-site biodiversity net gain.

Planning obligations and financial viability

Any developer contribution to be sought must be lawful, having regard to the statutory tests set out in Regulation 122 and 123 of the CIL Regulations, and take into account guidance. It must be:-

- 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.

The Education Authority note that there are projected to be a sufficient number of school places at both primary and secondary phases of education to mitigate the impact of this development and therefore no financial contribution is required.

The Landscape Development Section has requested a financial contribution of £5,579 per dwelling which will be used to improve and develop off site open space. The scheme includes twenty one, 1 bedroom units and therefore these units would not be considered to provide family accommodation. Therefore the inclusion of the £512 within the requested sum that would go towards play spaces for children and young people is not considered to be reasonable or necessary. Therefore a total of £10,752 should be deducted from the total sum requested by the LDS which would take the overall contribution to £95,249.

The Highway Authority has requested a financial contribution of £3,000 towards residential travel plan monitoring to support the developer's Travel Plan Coordinator and audit annual monitoring reports to ensure the Travel Plan outcomes are being achieved.

The application is supported by a viability assessment which concludes that the scheme cannot support the policy compliant contributions.

The NPPF indicates that where up-to-date policies have set out the contributions expected from the development, planning applications that comply with them should be assumed to be viable, and it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.

The submitted viability assessment has been reviewed by an independent third party instructed by the Council to consider the position put forward by the applicant. Their report concludes that the scheme would be unviable if any S106 contribution was secured. On this basis, any requirement for a S106 contribution must be set aside.

Conclusions and planning balance

The proposal would provide various social and economic benefits, most notably the construction of new residential properties on a brownfield site within a highly sustainable location within the urban area, which will increase the housing mix and make a contribution to boosting housing supply in the Borough.

It has been demonstrated that there would be no adverse impacts that would significantly and demonstrably outweigh these benefits and therefore, the scheme is recommended for approval.

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 SP1: Spatial Principles of Targeted Regeneration
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential development: Sustainable location and protection of the countryside
Policy IM1: Provision of essential supporting infrastructure and community facilities
Policy T16: Development - General Parking Requirements

Other material considerations include:

National Planning Policy Framework (December 2023)

Planning Practice Guidance (2019 as updated)

Community Infrastructure Levy Regulations (2010) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

Developer contributions SPD (September 2007)

Open Space and Green Infrastructure Strategy (April 2022)

Space Around Dwellings SPG (SAD) (July 2004)

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

Waste Management and Recycling Planning Practice Guidance Note approved in 2003 and last updated in February 2016

Relevant Planning History

20/00369/FUL - Demolition of all existing buildings and a) full planning permission for the development of 9 bungalows (C3 Use Class) along with car parking, landscaping and associated amenity space; and b) outline planning permission with all matters reserved except access for (i) the development of 43 dwellings (C3 Use Class) and (ii) an older persons scheme comprising 73 supported living apartments for the over 55's and associated communal facilities, along with additional car parking, landscaping and amenity space – Permitted

22/00012/REM - Approval of Reserved Matters (scale, layout, landscaping and external appearance) for the development of 35 dwellings, pursuant to planning permission 20/00369/FUL – permitted

22/00521/FUL - Application to vary conditions A2 (to alter the design and layout) & C9 (electric vehicle charging points) of planning permission 20/00369/FUL – permitted

23/00353/FUL - Application to vary conditions A.1 and A.8 (Road Safety Audit) of planning permission 22/00521/FUL – permitted

Views of Consultees

The **Education Authority** state that there are projected to be a sufficient number of school places at both primary and secondary phases of education to mitigate the impact of this development.

Following the submission of additional information, the **Highway Authority** raise no objections subject to conditions which secure the following;

- Surfacing materials and surface water drainage of private drives, and parking areas,
- Detailed design of all new roads, footpaths, visibility splays, surface water drainage and other technical details to be submitted,
- Secure weatherproof cycle parking for plots without a garage,
- Construction Management Plan (CMP),
- Details of revised vehicle access onto Kent Grove, reconfiguration of footway and provision of tactile crossing,
- Full details of vehicle access onto Cross Street, parking for plot 3 and communal parking for plots 4-17 to be submitted.

The Council's **Environmental Health Division** has no objections subject to conditions relating to land contamination, construction management, noise levels and hours of construction.

The **Crime Prevention Design Advisor** is generally supportive of the proposal and has provided guidance on a number of security matters.

The **Landscape Development Section** raises no objection to this proposal subject to a financial contribution for offsite open space of £4,427 per dwelling in addition to £1,152 per dwelling for 60% of maintenance costs for 10 years, making a total contribution of £106,001.

Severn Trent Water raise no objections subject to the submission of drainage plans for the disposal of foul and surface water flows.

Following the submission of revised drainage details the **Lead Local Flood Authority (LLFA)** have confirmed that they raise no objections to the proposals subject to a condition which would require the submission of a detailed drainage and surface water maintenance and management plan.

Naturespace has no comments on the application.

CADENT raises no objections to the proposal subject to an informative being added to any decision notice.

No comments have been received from the **Housing Strategy Section, County Ecologist** or **Waste Management Team** and given that the period for representation has ended, it must be assumed that they have no comments to make.

Representations

One (1) letter of representation has been received from a member of the public which requests that swift boxes are incorporated into the proposal.

Applicant/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/24/00137/FUL>

Background Papers

Planning File

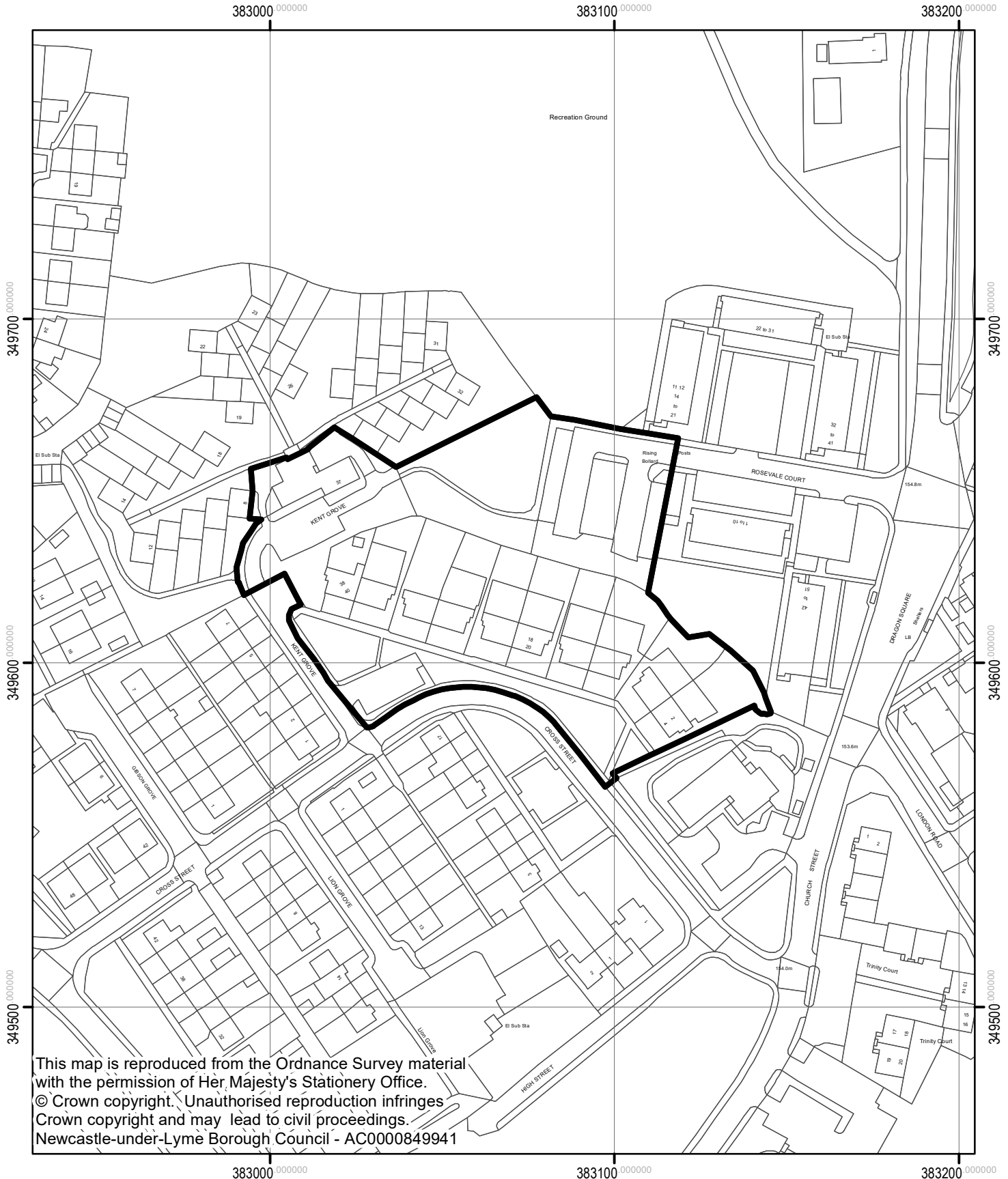
Development Plan

Classification: NULBC **UNCLASSIFIED**

Date report prepared

29th August 2024

24/00137/FUL
Land off Cross Street
Chesterton



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Newcastle-under-Lyme Borough Council - AC0000849941

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Classification: NULBC UNCLASSIFIED

VEHICLE STORAGE LAND, LINLEY ROAD, TALKE
NEIL LAWSON, ARNOLD CLARK AUTOMOBILES

24/00307/FUL

Full planning permission is sought for a new HGV service centre building at a vehicle storage area which is located on Linley Road Talke. The application site is located within the urban area of the Borough, as indicated on the Local Development Proposals Framework Map.

The 13-week period for the planning application expired on the 30th August 2024 however an extension of time has been agreed until 13th of September.

RECOMMENDATIONS

PERMIT subject to conditions relating to the following matters:

1. Time limit
2. Approved plans
3. Materials
4. Parking and turning spaces
5. Limit on construction hours
6. Limit on operational hours
7. Construction and Environmental Management Plan
8. Dust control and mitigation
9. Noise details of any refrigeration and air conditioning units
10. Contaminated Land
11. Waste Storage
12. Surface water drainage design

Reason for Recommendations

The development is located within a highly sustainable location and would continue to support the provision of commercial development on the site and contribute to the economic prosperity of the Borough, with no adverse impacts identified.

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 received 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 is seeking full planning permission for a new HGV service centre building comprising a service workshop and administration spaces, additional external vehicle storage, customer HGV parking and staff parking. The site is currently a vehicle distribution and storage compound for Arnold Clark Automobiles Ltd, one of the largest car dealer groups in Europe.

The application site is located within the urban area of the Borough, as indicated on the Local Development Proposals Framework Map. The site is accessed via Linley Road which is located to the south of the site.

The key issues to consider in the determination of this application are: -

- The principle of development,
- Impact on the character and appearance of the area,
- Impact on amenity
- Highway safety and parking

The principle of development

Paragraph 85 of the NPPF outlines that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The application site forms part of the Linley trading estate and has historically been used for commercial purposes. There are a variety of B1, B2 and B8 uses within the locality.

Given the mixture of nearby commercial units and the existing function of the site, it is considered that the proposal would comply with paragraph 85 of the NPPF and therefore the principle of development is considered acceptable.

Any impact on the character and appearance of the area

Paragraph 131 of the Framework 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. It goes on to say at paragraph 135, 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. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

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.

The Urban Design Supplementary Planning Document indicates at Policy E3 that business development should be designed to contribute towards improving the character and quality of the area.

The application site is bounded by Linley Road to the south, industrial and commercial development to west and south east and by residential development to the north east. The site is clearly visible from Linley Road however it does benefit from a good amount of screening to the west, east and north in the form of an established tree line. No trees are proposed to be removed as part of the development.

The proposal would comprise of a large warehouse style building which would measure 25m x 35m. It would feature a dual pitched roof arrangement which would have an eaves height of 6m and a total ridge height of 7.2m. The building would have an appearance based on functional requirements. The walls would comprise powdercoated aluminium curtain walling with brickwork at base level with an anthracite-coloured roof constructed of insulated cladding panels. The materials are considered appropriate choices given the surrounding built context.

The overall appearance of the proposal would not be dissimilar to the other nearby industrial and commercial units and whilst the development would be clearly visible from the nearby highways, the application site can comfortably accommodate the proposal without it appearing as overdevelopment.

Whilst a new turning area would be created and some existing parking spaces removed to accommodate the proposed development, the visual changes of these alterations would be negligible when seen in context with the wider site.

Therefore, in light of the above the proposed development is not considered to raise any adverse implications in relation to the character or appearance of the wider landscape and would accord with the policies of the development plan and the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 191 that decisions should also ensure that new development reduces potential adverse

impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

The closest residential dwellings lie approximately 60m to the south and are separated from the site by Linley Road. No objections to the proposal have been received from local residents.

The Council's Environmental Health Division have raised no objections to the application subject to a number of conditions which relate to the submission of a Construction Environmental Management Plan, dust suppression, noise control and contaminated land. Details of waste storage are also requested.

Given the scale of the proposed development and the proximity of the site to nearby dwellings, the proposed conditions suggested by the Environmental Health Team are considered appropriate and necessary. Subject to these conditions it is considered that the development would not have any significant effect on the living conditions of nearby residential properties and the proposal would accord with the guidance and requirements of the NPPF.

Highway safety and parking implications

The NPPF indicates 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 on the road network would be severe. The NPPF also states that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.

Saved Policy T16 of the NLP states that development which provides significantly less parking than the maximum specified levels it refers to will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

At the request of the Highway Authority, a detailed Transport Statement has been submitted in support of the application which sets out the highway implications of the proposal. The Transport Statement notes that it is estimated that 10 full time employees would work at the site which would result in 10 additional two-way peak hour light vehicle movements to and from the site. Government guidelines set a threshold of 30 two-way vehicle trips as being considered to be the minimum threshold for which more detailed consideration may be required, however the proposal in this case would clearly fall below this threshold. It is also evident that the existing on-site parking provision (1100 spaces) to support the operation of the Vehicle storage and distribution centre is well in excess of current requirements.

The proposed site layout confirms that manoeuvrability of HGV/LGV movements within the site can be safely accommodated within circulation routes/ turning areas without causing congestion and negatively impacting the local highway network.

Based on the additional information provided, the Highway Authority is satisfied that the proposal is acceptable in respect of parking provision and vehicle trip generation.

It is therefore considered that subject to conditions to secure appropriate cycle storage that the development would not result in any adverse implications in relation to parking or highway safety and so would accord with the policies of the development plan as well as the aims and objectives of the NPPF.

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 the decision on the planning application:-

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 SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing 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

16/00367/FUL - Formation of vehicle distribution and storage compound and erection of a building to be used as storage and vehicle preparation, with offices and facilities – permitted

17/00616/FUL - 6 bay vehicle preparation building and separate modular offices/canteen and welfare facilities building, all associated with approved motor vehicle storage/distribution centre – permitted

20/00145/FUL - Relocation of existing Adblue and Diesel tanks – permitted

Views of Consultees

Naturespace raise no objections subject to an informative being added to any decision notice.

The **Environmental Health Division** raise no objections to the proposal subject to conditions relating to the submission of a CEMP, dust suppression, noise control and contaminated land.

The **Lead Local Flood Authority** raises no objections to the proposal subject to a condition which would require the submission of a detailed surface water drainage design.

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

No comments have been received from **The Woodland Trust** or from **Kidsgrove Town Council** by the given deadline and therefore it must be assumed that they have no comments to make.

Representations

None received.

Classification: NULBC **UNCLASSIFIED**

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/24/00307/FUL>

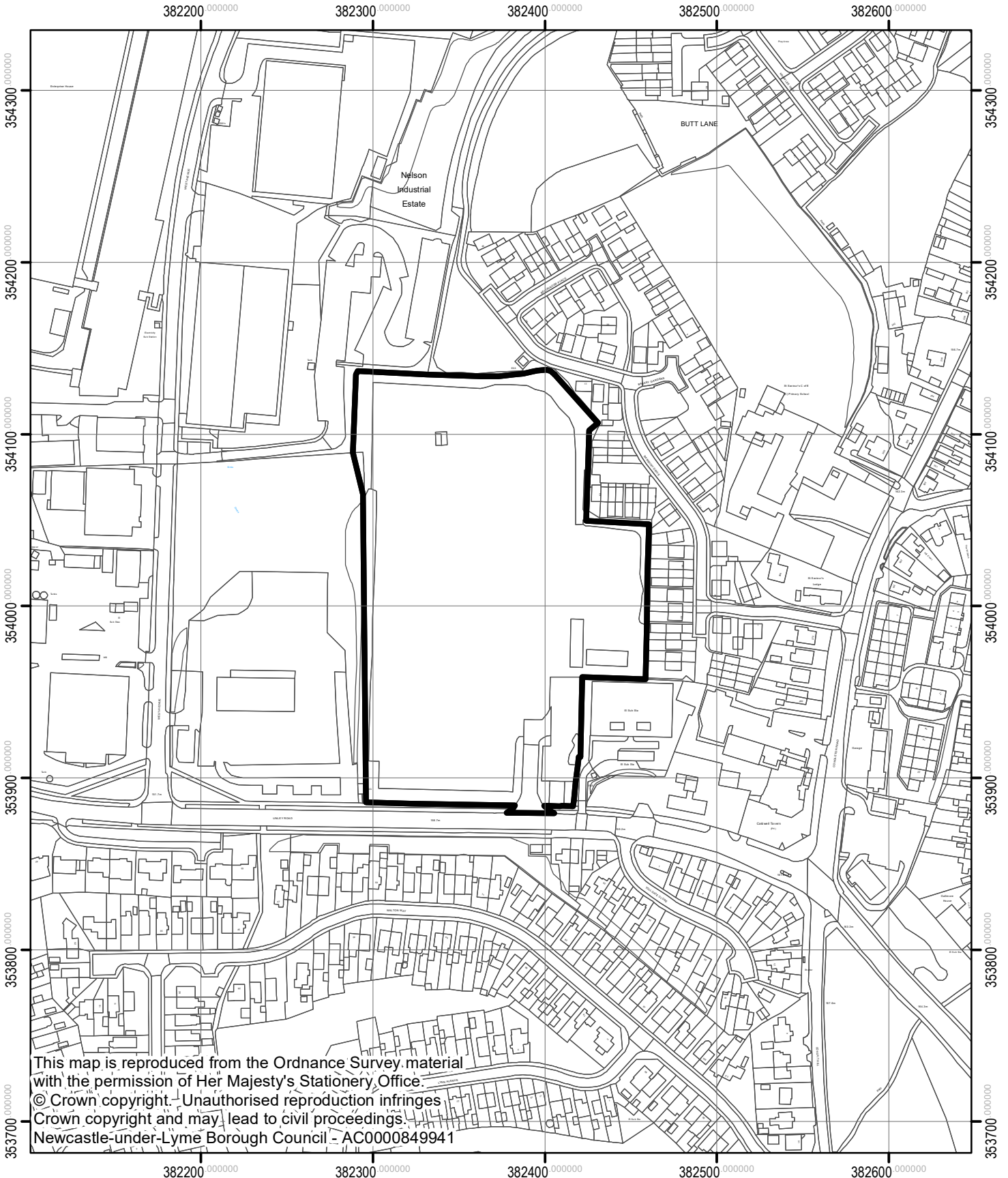
Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

27th August 2024

24/00307/FUL
Vehicle Storage Land,
Linley Road



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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.

Consideration of this application was deferred at the meeting of the Planning Committee on 13th June to enable the applicant to commission and submit a Noise Assessment.

The 8-week period for determination of the planning application expired on 23rd May 2024, however an extension of time has been agreed until 17th September.

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. **Completion of the access road;**
7. **Provision of pedestrian accesses;**
8. **Details of works to the footway;**
9. **Provision of tactile pedestrian crossing;**
10. **Car park to be sustainably drained, hard surfaced in a bound material and marked out;**
11. **Vehicular access to remain ungated;**
12. **Secure cycle storage;**
13. **Electric vehicle charging provision;**
14. **Highway & Environmental Construction Management Plan;**
15. **Details of any kitchen ventilation/extraction system;**
16. **Details of external lighting;**
17. **Hours of operation;**
18. **Timings of deliveries and waste collection;**
19. **Noise management plan;**
20. **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 an 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, and 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:

- Principle of development
- 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 criteria, 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 the northeast elevation would have 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 and therefore it would not appear dominant or 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.

Further to concerns raised by the Environmental Health Division regarding the need for a noise assessment and the potential noisy uses such as amplified music and vocal amplification systems, additional information has been submitted for consideration. The further comments of the EHD will be provided in an update to Members.

Subject to the EHD being satisfied with the conclusions of the Noise Assessment and the imposition of 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 has confirmed the amended details have addressed their initial concerns and there are no objections subject to the imposition of appropriate conditions.

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

A 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** has 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** 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.

The **Landscape Development Section** has no objections subject to the implementation of a landscaping scheme, which allows for replacement tree planting to mitigate the losses on the site, as per drawing 01312 AS (0) 102.

The **County Minerals Officer** makes no comment.

Comments were also invited from **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

29 August 2024

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
10th September 2024

Agenda Item 6

Application Ref. 23/00974/DEEM3

Land at High Street, Knutton

Since the publication of the main agenda report, an updated acoustic report has been submitted and further comments have been received from the **Environmental Health Division** (EHD).

The EHD has no objections subject to the following conditions:

- Construction to meet the recommendations of the acoustic report;
- Requirement for a noise limiting device within each function room;
- restriction on hours of opening or on the time that music can be played within the function rooms to no later than 11pm;
- Submission of details of a system of cooling and ventilating the building;
- Submission of a noise management plan in relation to the outdoor amenity space, potential smoking areas and deliveries/collections;
- Any external lighting to be designed and maintained to meet current standards and best practice.

Officer's comments

Officers consider that subject to the imposition of additional conditions, noise impact concerns have been sufficiently addressed.

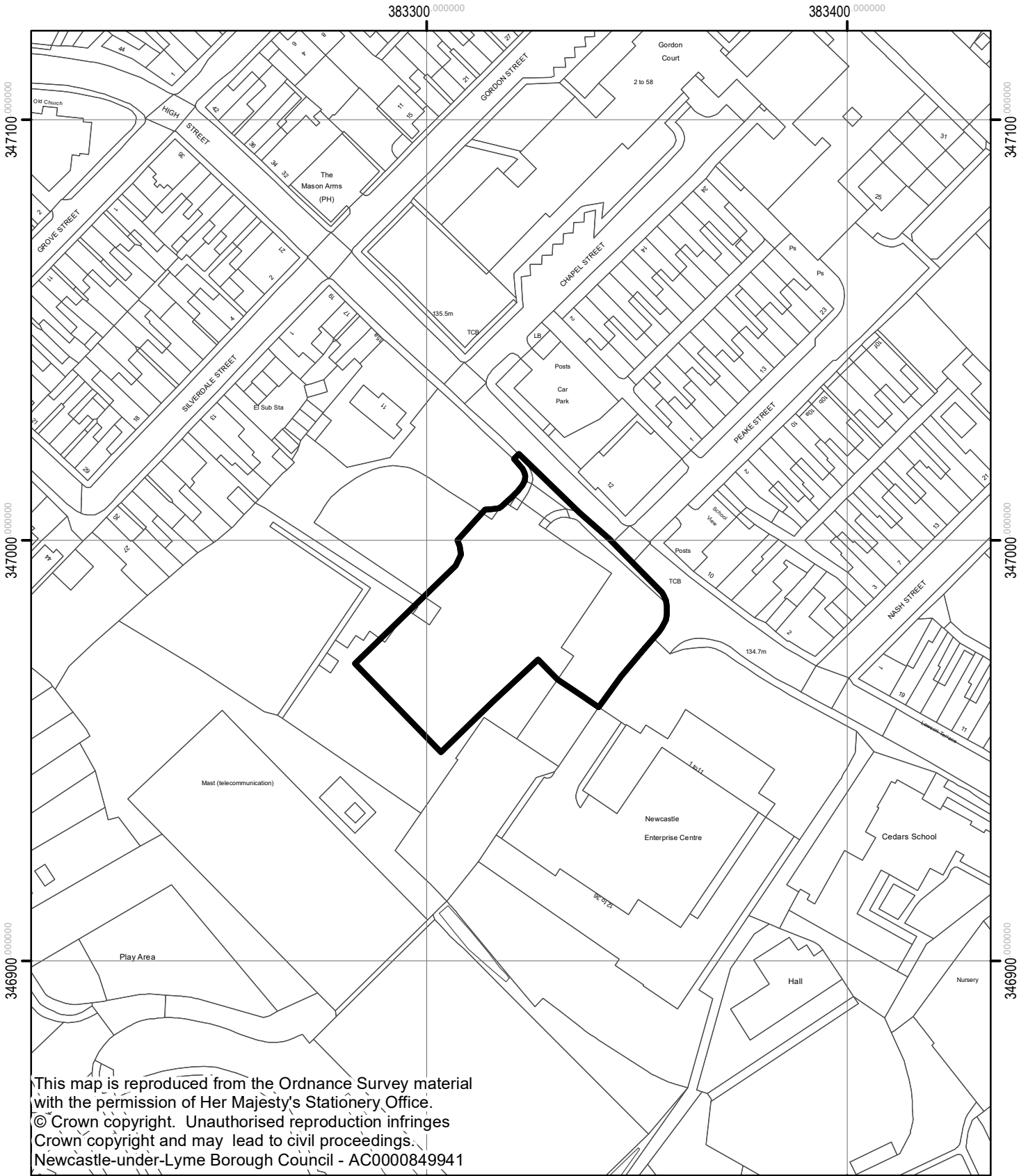
Amended Recommendation

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. **Completion of the access road;**
7. **Provision of pedestrian accesses;**
8. **Details of works to the footway;**
9. **Provision of tactile pedestrian crossing;**
10. **Car park to be sustainably drained, hard surfaced in a bound material and marked out;**
11. **Vehicular access to remain ungated;**
12. **Secure cycle storage;**
13. **Electric vehicle charging provision;**
14. **Highway & Environmental Construction Management Plan;**
15. **Provision of bat and bird boxes and sparrow terraces as per enhancements plan;**
16. **Construction to meet the recommendations of the acoustic report;**
17. **Noise limiting device within each function room;**
18. **Noise management plan;**
19. **Details of any kitchen ventilation/extraction system;**
20. **Details of external lighting;**
21. **Hours of opening;**
22. **Submission of details of a system of cooling and ventilating the building.**

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23/00974/DEEM3
Land At High Street
Knutton



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Newcastle-under-Lyme Borough Council - AC0000849941

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ROBIN HOOD INN, HIGH STREET
SIMON JONES

24/00547/FUL

Retrospective planning permission is sought for the retention of an external staircase and a new external door at the Robin Hood Inn which is located on High Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The 8 week period for the determination of this application expires on 18th September 2024.

RECOMMENDATIONS

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

1. **Approved plans**

Reason for recommendations

The development is considered to be acceptable in respect of its visual impact and has no material negative impact on the residential amenity of neighbouring properties. The proposal therefore accords with local and national planning policy.

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

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

KEY ISSUES

Retrospective planning permission is sought for the retention of an external staircase and a new external door at the Robin Hood Inn which is located on High Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The key issues that need to be considered in the determination of this application are;

1. Whether the design of the proposed development is acceptable
2. Whether the impact upon neighbouring occupiers in terms of amenity is acceptable

Is the design of the proposed development is acceptable?

Paragraph 131 of the National Planning Policy Framework (the Framework) 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 framework lists 6 criteria, 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 application property is a 2 storey detached public house which is located within in an established residential area.

Retrospective planning permission is sought for the retention of an external staircase which is bounded by a timber screen and for a new external door which is located at a first floor level. Whilst a section of the timber screening can be seen from the nearby highway, the screening is relatively discreet and is largely hidden from view by the host property, which ensures that the overall impact on the street scene is limited.

The screening is most noticeable from the rear communal gardens which serve properties on Bank Street and when viewed from the public parking area located to the front of the neighbouring commercial units. Whilst the screening has clearly resulted in a visual change to the side and rear of the property, the modest height and use of timber which is similar to that of nearby boundary treatments helps to ensure that the alterations do not appear out of place when seen in context with the surrounding built form.

The development would therefore accord with Policy CSP1 of the CSS, and the aims and objectives of the NPPF.

Will the impact upon neighbouring occupiers in terms of amenity, be acceptable?

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

SPG (Space Around Dwellings) provides guidance on privacy, daylight standards and environmental considerations.

Whilst users of the external staircase would be positioned close to the rear elevations of neighbouring properties which are located on Bank Street, any direct views into rear gardens and rear facing windows are largely obscured due to the timber screening which surrounds the staircase. It should also be noted that these are communal gardens which are used by the occupants of nos.1 to 21 Bank Street and therefore, slightly lower levels of privacy could generally be expected.

There would be a change to the outlook from the rear facing windows of properties 5 to 7 on Bank Street, however the new timber screening does not protrude any further to the east than the existing rear elevation of the Robin Hood Inn and the screening would still be separated by a distance of over 6m from the rear elevations ensuring no significant reduction in outlook for residents.

Any noise nuisance from users of the staircase would be extremely limited given the small amount of useable space and the fact that the staircase would primarily be used for access rather than as a new amenity area.

Given the above, the proposed development is considered to be in accordance with the guidance set out in the SPG and would not be harmful to neighbouring residential amenity levels. It therefore accords with the SPG and the NPPF.

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

Other material considerations include:

Relevant National Policy Guidance:

National Planning Policy Framework (2023)
Planning Practice Guidance (updated 2019)

Supplementary Planning Guidance:

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

Space around Dwellings (2004)

Relevant Planning History

21/01093/FUL - Single Storey Rear Extension inc. Addition of Front and Side Canopies and New Front Entrance Door - permitted.

Views of Consultees

No representations have been received from **Kidsgrove Town Council** within the statutory period of consultation, and it is therefore presumed that they raise no objections to the proposal.

Representations

None received.

Applicant/agent's submission

All of the application documents can be viewed on the Council's website using the following link.

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00547/FUL>

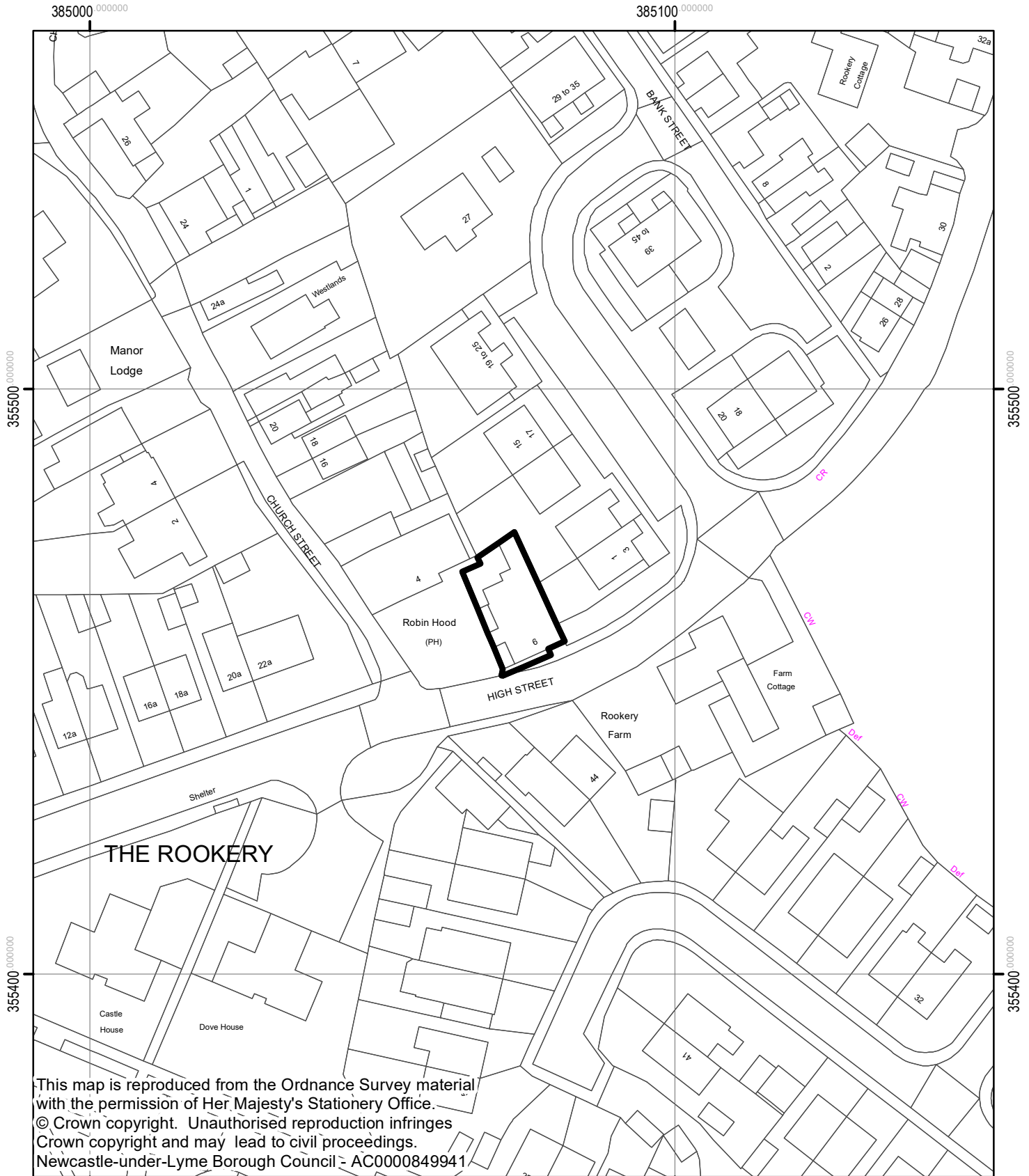
Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

27th August 2024

24/00547/FUL
Robin Hood Inn
High Street The Rookery



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Newcastle-under-Lyme Borough Council - AC0000849941

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Classification: NULBC UNCLASSIFIED

INTERNATIONAL HOUSE, STUBBS GATE, NEWCASTLE-UNDER-LYME
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

24/00475/DEEM3

The application seeks full planning permission for the change of use of an existing office building to a Homeless Hub and HMO shelter for homeless people.

The site lies within the Town Centre of Newcastle as defined on the Local Development Framework Proposals Map and is within a Town Centre Housing Area in the Newcastle Town Centre Supplementary Planning Document.

A decision on the application was deferred at the meeting of the Planning Committee on 13th August to enable officers to provide further details of a management plan for the facility to limit anti-social behaviour and information/statistics on the operation of existing facilities. It was also requested that a Health Impact Assessment be provided and that the Police be invited to attend the next meeting of the Planning Committee.

The statutory 8-week period for the determination expires on 22 August 2024 but an extension of time to 13th September has been agreed.

RECOMMENDATION

Permit, subject to conditions relating to the following: -

- 1. Time limit**
- 2. Approved plans**
- 3. installation of glazing and ventilation**
- 4. Mitigation of mechanical plant noise**
- 5. Details and provision of mechanical ventilation**
- 6. Details of security measures**

Reason for Recommendation

The proposed use within a highly sustainable location at the edge of the town centre is considered appropriate. The application raises no highway safety issues and it is not considered that there is any sound justification for objecting to the application on the grounds of the potential effect on the incidence of crime and disorder.

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

Additional information was sought and received, and the proposed development is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks full planning permission for the change of use of an existing office building to a Homeless Hub and HMO shelter for homeless people. It would involve a transfer of existing services which run at the Salvation Army, Bridge Street, Newcastle (Homeless Hub) and Merrial Street, Newcastle (residential accommodation).

The site lies within the Town Centre of Newcastle as defined on the Local Development Framework Proposals Map and is within a Town Centre Housing Area in the Newcastle Town Centre Supplementary Planning Document.

External changes to the building would be minimal and therefore, there would be no impact on the character and appearance of the area. Issues raised by objectors regarding the potential impact on the

trade of the nearby public house and the impact on property value are not material planning considerations. Therefore, the key issues for consideration in the determination of this application are:

- The principle of the proposed use
- Impact on residential amenity
- Parking and highway safety

The principle of the proposed use

Town Centre Housing Areas as defined in the Newcastle Town Centre Supplementary Planning Document are areas where housing still predominates. The purpose of the classification is intended to prevent further penetration of business uses into those areas.

The proposed use would comprise two elements. A Homeless Hub would be open during the day, providing hot meals, showers and laundry facilities along with visiting services for homeless people to access in one place. Services include Citizens Advice Bureau, supported housing providers and mental health services. In addition, residential accommodation would be provided in the form of a House of Multiple Occupation (HMO) with 12 bedrooms and shared lounge and kitchen facilities.

The residential accommodation is a suitable use within the Town Centre Housing Area and the location of the Hub within a highly sustainable location at the edge of the town centre is considered appropriate. The use would serve the needs of the local population and the principle of the development is considered acceptable.

Impact on residential amenity

Paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

A number of objections have been received from local residents expressing concern about the location of the use within a residential area and the potential impact of antisocial behaviour and crime.

As set out above, the Homeless Hub would provide hot meals, showers and laundry facilities along with visiting services for homeless people to access in one place. This proposal would provide dedicated facilities to improve the existing service in the town centre so both the cohort for the building and the services themselves are already in the town. The service would be managed by the Borough Council Rough Sleeper and Homelessness Team who have provided information setting out that at the existing Homeless Hub in Bridge Street, the number of homeless people using the service ranged from 63 to 143 per month during 2023. It is anticipated that a similar number of people would use the service in its new location.

The hub would have 6 members of staff and the proposed hours of opening are 9am – 5pm, Monday to Friday. The applicant has advised that it is likely that it would be open for a maximum of 2 hours per day but the longer opening hours requested are to allow for some seasonal flexibility as needs can change depending on the weather.

In addition, residential accommodation would be provided in the form of a House of Multiple Occupation (HMO) with 12 bedrooms and shared lounge and kitchen facilities. The accommodation would have 2 members of staff on site at all times with security present at night. Access would be controlled both at the external gate and at the building entrances and residents would have to call security prior to being permitted to enter. The building would have CCTV in all communal areas, both indoor and outdoor, which would be monitored by the staff.

The applicant considers that the building is in an ideal location with good parking and secure boundary walls. The existing building plan is also well suited to the proposed use with separate areas for the hub and the residential use. It is stated that the high boundary wall and extensive proposed CCTV coverage would protect neighbouring residents and also users of the building.

Staffordshire Police has stated that from a practicality/functionality perspective, there are a large number of positives with the proposals including the fact that the site is well-enclosed by high walls and adjacent gates and that there are a limited number of windows particularly at ground floor level. The intention to provide clear separation between the ground floor homeless hub element and the first-floor HMO accommodation is welcomed as is the well-positioned staff office to aid site supervision. The proposed security measures including CCTV, staff/security-controlled access to residential areas and the presence of security personnel at night in addition to staff members is acknowledged. It is concluded that essentially, from a building/site practicality/functionality perspective, there would appear to be very little that could be viewed as negative, and indeed there are potentially a large number of positive aspects that would appear to be well suited to the proposed function of the building/site.

There appears to be no evidential basis for residents' concerns and given the positive comments of the Police, it is not considered that there is any sound justification for objecting to the application on the grounds of the potential effect on the incidence of crime and disorder. Notwithstanding this, a decision on the application was deferred at the last meeting of the Planning Committee to enable officers to provide further details of a management plan for the facility to limit anti-social behaviour and information/statistics on the operation of existing facilities. It was also requested that a Health Impact Assessment be provided and that the Police be invited to attend the next meeting of the Planning Committee.

A Health Impact Assessment has been prepared for submission and details of a management plan along with information regarding the operation of existing facilities is expected imminently. Members will be advised of the additional information in a supplementary report.

Residential areas have been laid out to situate bedrooms where they have access to natural light and opening windows. Disabled bedrooms are situated on the ground floor. The application is accompanied by a Noise Impact Assessment and further to the submission of additional information at the request of the Environmental Health Division, no objections are raised on noise grounds subject to the imposition of conditions.

Parking and highway safety

Paragraph 115 of the NPPF 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 on the road network would be severe.

The site is served by an existing access and there is a car park with spaces for 10 vehicles. One of the spaces would be used for a bin store so 9 spaces are proposed. There are no parking standards in the Local Plan for HMOs but given the circumstances of the future occupants and the town centre location of the site, with sustainable transport links and public car parks nearby, the car parking provision is considered appropriate.

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 and the matters that can be addressed, 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 SP3: Spatial Principles of Movement and Access
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 (2023)

Planning Practice Guidance (PPG) (as updated)

Supplementary Planning Guidance/Documents

Newcastle Town Centre SPD (2009)

Relevant Planning History

None relevant.

Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding installation of glazing and ventilation, mitigation of mechanical plant noise and details and provision of mechanical ventilation.

Staffordshire Police acknowledge that there are statutory obligations placed upon local authorities to put in place matters to tackle homelessness and the proposals are part of the response to that obligation. Indeed, the proposals aim to provide bespoke provision replacing the existing Bridge Street Salvation Army homeless hub and some Merrial Street accommodation. From a practicality/functionality perspective, there are a large number of positives with the proposals including:

- Site well-enclosed by high walls and adjacent gates;
- No ground floor windows facing the street;
- Only two high-level windows facing the rear alley (south-west elevation);
- No windows in the south-west and south-east elevations at first floor;
- No buildings immediately opposite on Stubbs Gate;
- The intention to provide clear separation between the ground floor homeless hub element and the first-floor HMO accommodation.
- Well-positioned staff office to aid site supervision, and potentially coming and going;
- A fairly well enclosed courtyard area to reduce noise spill;
- Centrally located entrance into the homeless hub element;
- Route between the building and No.12 Stubbs gate blocked off, and only one way into and out of the site;
- Security controlled access to new external pedestrian gate and site (outside of open day hours), the pedestrian gate being fitted with an intercom - *NB. It is recommended that this is audio/visual;*
- Staff/security-controlled access to residential areas;
- One security personnel at night plus 2 staff members;
- 24/7 staff presence;
- Centrally located cycle parking;

- Well enclosed bin store;
- Extensive proposed CCTV camera coverage with well-positioned screen in office to allow for staff monitoring.

At face value, these practical aspects of the proposals appear to indicate the building could serve its proposed purpose well.

A number of security recommendations are made but it is concluded that essentially, from a building/site practicality/functionality perspective, there would appear to be very little that could be viewed as negative, and indeed there are potentially a large number of positive aspects that would appear to be well suited to the proposed function of the building/site.

In terms of the facility's suitability in the wider context, the Local Policing Team state that they have been made aware of the proposal and that they work in partnership with the Local Authority and all partners to mitigate threat and harm and to help reduce crime and anti-social behaviour.

Representations

36 letters of objection have been received. Objections are made on the following grounds:

- Strain on local services.
- The area is already plagued with antisocial behaviour and petty crime, and it will increase as the building will become a hub for drug dealers, users and alcoholics.
- Impact on the peace of the area.
- The neighbouring pub's trade will suffer.
- Impact on property value.
- Impact on mental health of existing residents.
- Should be in either the town centre or a quieter area away from residential areas.
- Should be away from temptation rather than in close proximity to a public house.
- The building is opposite a nunnery.
- Lack of communication from the Council regarding the application.
- Roads are unsuitable for access by emergency services.

One letter of support has been received stating that the town centre needs to get the homeless into the care system instead of them wandering and breaking into empty properties for overnight shelter.

Applicant/agent's submission

The submitted documents and plans are available for inspection on the Council's website by searching under the application reference number 24/00475/DEEM3 on the website page that can be accessed by following this link: -

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00475/DEEM3>

Background Papers

Planning File
Development Plan

Date report prepared

29 August 2024

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
10TH SEPTEMBER 2024

Agenda Item 8

Application Ref. 24/00475/DEEM3

International House, Stubbs Gate, Newcastle

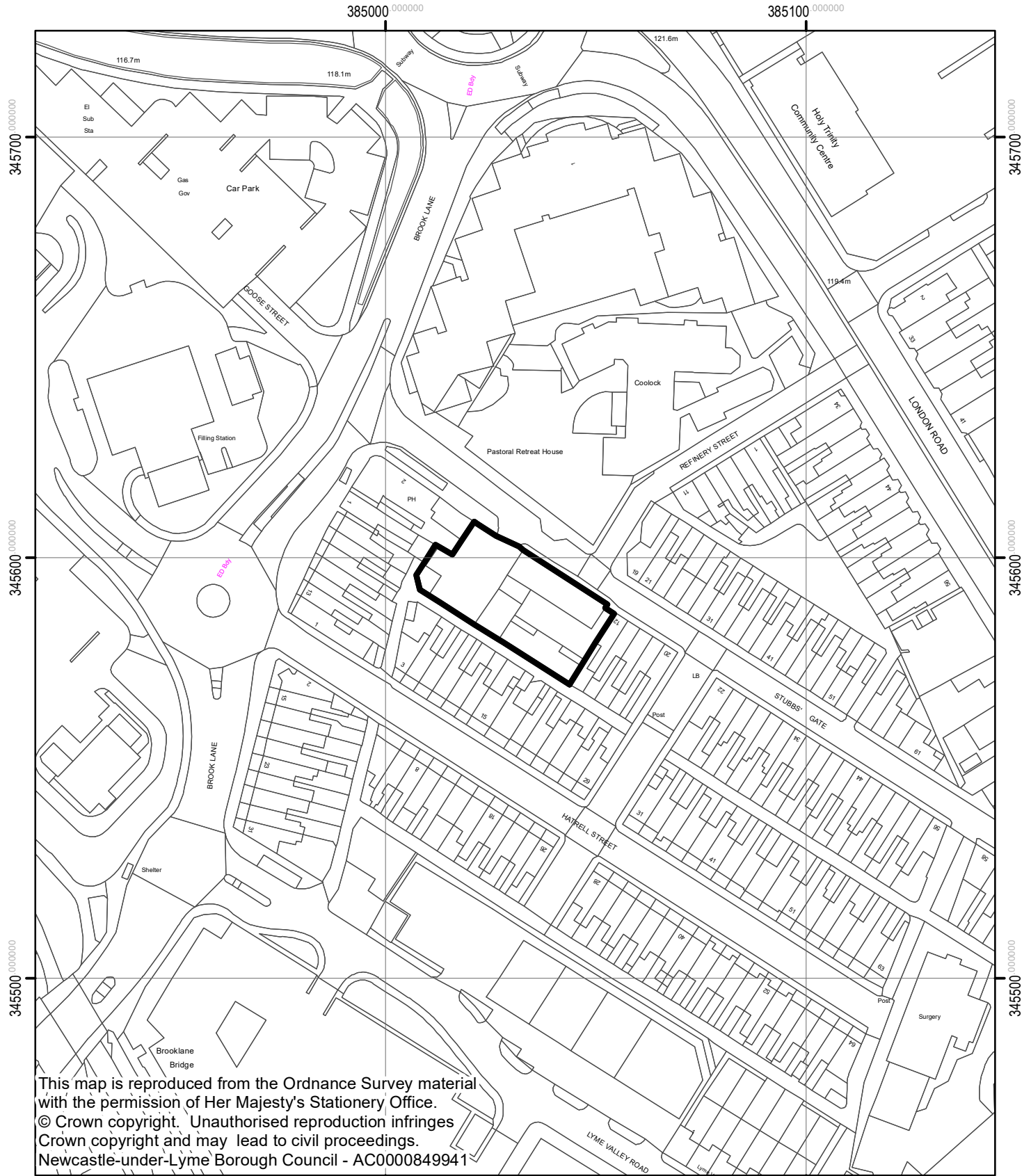
Further to the deferral of a decision on this application at the meeting of the Planning Committee on 13th August, information has been received relating to the management of the facility to limit anti-social behaviour along with information/statistics on the operation of existing facilities. A Health Impact Assessment has also been provided. The submitted information is available to view on the Council's website and has been circulated to all Members of the Planning Committee.

Officer's comments

The recommendation remains as set out in the agenda report.

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24/00475/DEEM3
International House
Stubbs Gate
Newcastle



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Newcastle-under-Lyme Borough Council - AC0000849941

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Classification: NULBC UNCLASSIFIED

QUEENS GARDENS, ADJACENT CASTLE HOUSE, BARRACKS ROAD, NEWCASTLE
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL **24/00611/DEEM3**

The application seeks full planning permission for the placement of a statue of the late Queen Elizabeth II in Queens Gardens.

The application site lies within the Town Centre of Newcastle and within the Town Centre Conservation Area as defined on the Local Development Framework Proposals Map.

The statutory 8-week period for determination of the application expires on 8 October 2024.

RECOMMENDATION

Permit, subject to conditions relating to: -

- 1. Time limit**
- 2. Approved plans**

Reason for Recommendation

The proposed development would have no adverse impact on the character and appearance of the Conservation Area and would accord with the policies of the development plan and the aims and objectives of the NPPF.

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

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

KEY ISSUES

The application seeks full planning permission for the placement of a statue of the late Queen Elizabeth II in Queens Gardens.

The application site lies within the Town Centre of Newcastle and within the Town Centre Conservation Area as defined on the Local Development Framework Proposals Map.

The sole issue to be considered in the determination of the application is the impact of the proposed development on the character and appearance of the Conservation Area.

Local and national planning policies seek to protect and enhance the character and appearance of Conservation Areas and development that is contrary to those aims will be resisted. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas in the exercise of planning functions.

The NPPF states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset such as a Conservation Area, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Saved policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan all require that development should not result in harm to the character and appearance of conservation areas.

The bronze statue would be placed within the main area of the gardens on the site of an existing bench. It would be 2.1m in height, set on a sandstone plinth.

The applicant's submission states that the proposal would have a positive impact on the gardens in that it would solidify the gardens as the centre of historical cultural activity with the statues of the two late Queens, Victoria and Elizabeth. It goes on to state that this new cultural asset would attract national attention and would add to the cultural offer of the Borough and hopefully the tourism offer.

The Council's Conservation Officer agrees that the proposal is likely to be an asset to the gardens and not have any impact, let alone harmful, on the overall gardens or the wider conservation area.

To conclude, the development would be an appropriate form of design that would accord with the policies of the development plan and the aims and objectives of the NPPF and would have no impact on the character and appearance on the Town Centre Conservation Area.

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 and the matters that can be addressed, 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
Policy CSP2: Historic Environment

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy B9: Prevention of harm to Conservation Areas
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

Other material considerations include:

National Planning Policy Framework (2023)

Planning Practice Guidance (PPG) (as updated)

Supplementary Planning Guidance/Documents

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

Newcastle Town Centre SPD (2009)

Newcastle Town Centre Conservation Area Appraisal (August 2008)

Relevant Planning History

None relevant.

Views of Consultees

The **Council's Conservation Officer** considers that the proposal is likely to be an asset to the gardens and not have any impact, let alone harmful, on the overall gardens or the wider conservation area.

The comments of the **Conservation Advisory Working Party** have been sought and will be reported to Members in a supplementary report.

Representations

None received.

Applicant/agent's submission

The submitted documents and plans are available for inspection on the Council's website via the following link: -

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00611/DEEM3>

Background Papers

Planning File
Development Plan

Classification: NULBC **UNCLASSIFIED**

Date report prepared.

30 August 2024

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
10TH SEPTEMBER 2024

Agenda Item 9

Application Ref. 24/00611/DEEM3

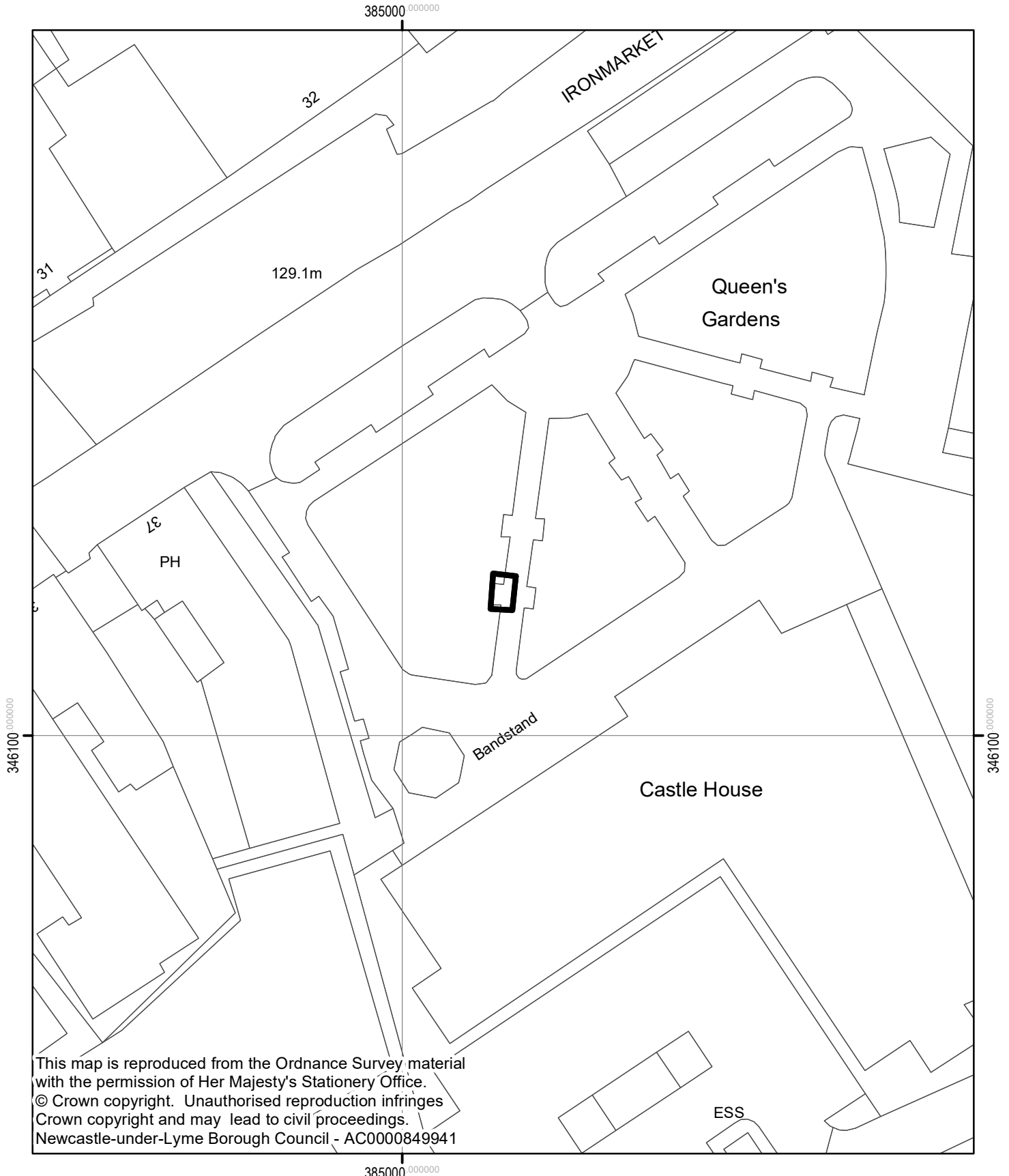
Queens Gardens, Barracks Road, Newcastle

Since the publication of the agenda report, the comments of the **Conservation Advisory Working Party** have been received. They consider that the statue would be a great asset to the Queens Gardens, the Conservation Area and the Town Centre.

Officer's comments

The recommendation remains as set out in the agenda report.

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

Lloyd Farmhouse, Hales, Market Drayton (Ref: 24/25003/HBG)

RECOMMENDATION:

That the following grant be approved:-

£ 5,000 Historic Building Grant be given towards replacement timber windows.

Purpose of report

To enable members to consider the application for financial assistance.

Lloyd Farmhouse, Hales (formerly known as Pinfold Stud Farmhouse)

The application is for replacement windows fully glazed, on the front of the property. These casement windows were replaced in the late 1990s and have failed and are rotten, letting in draughts.

The applicant has received two quotations for the windows on the whole house but this application is only for the 8 windows on the front elevation.

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 £29,456 inc VAT which is payable. 20% of this cost is £5,891.



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 £22,266. This allows for existing commitments.

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ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
10TH SEPTEMBER 2024

Agenda item 10

Applications for Financial Assistance from the Conservation and Heritage Fund

Lloyd Farmhouse, Hales, Market Drayton (Ref: 24/25003/HBG)

The **Conservation Advisory Working Party** recommends that this grant (£5,000) is offered to the applicant, subject to the standard conditions.

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LAND AT DODDLESPOOL, BETLEY reference 17/00186/207C2

The purpose of this report is to provide Members with an update on the progress of the works being undertaken at this site following the planning application for the retention and completion of a partially constructed agricultural track, approved under planning permission 21/00286/FUL.

RECOMMENDATION

That the information be received.

Latest Information

As previously reported, works to the track are largely complete and the landowner now needs to carry out the approved landscaping works.

Your officers are progressing the appropriate enforcement action against the landowner to ensure that the landscaping works, as required by condition 4 of planning permission 21/00286/FUL, are carried out in accordance with the approved plans at the earliest opportunity.

Date Report Prepared – 29 August 2024

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