

OFFICER REPORT ON DELEGATED ITEMS

Applicant Richard Baker Harrison Ltd. **Application No** 11/00440/FUL

Location Marsh Trees House, Marsh Parade, Newcastle

Description Retention of one outdoor unit (ODU) to facilitate point to point wireless communication

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

West Midlands Regional Spatial Strategy (WMRSS)

Policy QE1 Conserving and Enhancing the Environment
Policy QE3 Creating a High Quality Built Environment for All
Policy QE5: Protection and Enhancement of the historic environment

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D2: The Design and Environmental Quality of Development

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

Policy CSP1: Design Quality
Policy CSP2: Historic Environment

Newcastle-under-Lyme Local Plan 2011

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

Other Material Considerations

Relevant National Policy Guidance:

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

Relevant Planning History

None relevant to this decision

Views of Consultees

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

Representations

No representations received.

Applicants/agents submission

The requisite application forms and plans were submitted.

Key Issues

The application is for the retention of one outdoor unit (ODU) to facilitate point to point wireless communication. This development is as a result of the firm outgrowing its current offices and expanding into a building over the road. The building over the road is a listed building and to prevent any harm to this building the unit has been able to be placed internally on the window cill. The key issue to be considered in the determination of this application are the following:

- The design of the proposal and its impact upon the Conservation Area

The design of the proposal and its impact upon the Conservation Area

Due to the carefully considered position of the ODU and its relatively modest scale, it is not felt that the ODU is a prominent feature within the streetscene and therefore does not have an adverse impact upon the character of the surrounding Conservation Area. Its white/cream colour however, does contrast with the existing brickwork which it makes it more prominent on the building and it is felt to help assimilate it within its immediate environment that it should be painted in a dark brown. This would ensure that it would not be readily noticeable within views in the streetscene.

It must also be noted that the ODU has ensured the expansion of the company without substantial built alterations or re-location of the business which has resulted in part of a vacant listed building being re-let which is beneficial to ensure the long term maintenance of the building. This is to be supported in policy terms.

The development therefore accords with Policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS1 and PPS5.

Reasons for the grant of planning permission

The ODU does not have an adverse impact upon the visual amenity of the Conservation Area due to its modest scale and appropriate position and the inclusion of a condition to paint it brown would ensure that it was not a prominent element on the building or within the streetscene. The development therefore accords with Policy D2 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS1 and PPS5.

Recommendation

Permit

1. The ODU unit hereby approved shall be painted dark brown in colour within three months of the date of this decision.

R1: To ensure the development assimilates well on the building and within the surrounding Conservation Area and to comply with the requirements of Policy D2 of the Stoke on Trent Structure Plan 1996-2011, policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011 and policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of PPS1.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr Moshahid Ali,
Application No: 11/00496/FUL

Location The Raj Takeaway, 5 Poolside, Madeley Newcastle

Description Storage garage to rear

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a High Quality Built Environment for all

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

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

Newcastle-under-Lyme Local Plan 2011

B9: Prevention of Harm to Conservation Areas
B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
B11: Demolition in conservation Areas
B13: Design and Development in conservation Areas.

Newcastle-under-Lyme and Stoke-on-Trent Core Strategy 2006-26 (adopted 2009)

Strategic Aim 5: To foster and diversify the employment base;
Strategic Aim 16: To eliminate poor quality development;
Policy CSP1: Design Quality;
Policy CSP2: Historic Environment.

Other Material Considerations

Relevant National Policy Guidance:

PPS 1: Delivering Sustainable Development;
Companion Guide to PPS1: The Planning System: General Principles.
PPS5: Planning and the Historic Environment (2010).

Emerging Draft Policy

Draft National Planning Policy Framework (July 2011)

Applicant's/Agent's Submission

A Design and Access Statement has been submitted.

The application site is an Indian takeaway set on A525/Poolside road through Madeley. The proposal is for a painted masonry shed to replace a smaller metal one on the same site. It will be of the same width and have a flat roof to minimize the visual impact.

The statement refers to brick built construction, the architect has confirmed that the correct proposed materials are blocks which are to be painted white, this is in accordance with the submitted plans.

Key Issues

This application is for the erection of detached storage building, this will replace an existing metal one. The site is the enclosed back garden/yard at rear of a pre WW1 terraced property in use as an Indian restaurant. It is within the Madeley Conservation Area. The main issues for consideration in the determination of this application are visual amenity and public amenity.

Visual Amenity

Planning Policy Statement 1 (34) states that Planning Authorities should plan positively for the achievement of high quality and inclusive design the external design of all new developments.

Policy D2 of the Structure Plan calls for development which should be designed to relate to its surrounding context while not excluding innovative and creative designs; NC19 calls for retention of buildings which contribute to a conservation areas special character.

Local Plan policy B9 resists development that would harm the special character or appearance of Conservation Areas, B10 requires preservation or enhancement of the Character or Appearance of a Conservation Area. Policy B11 sets out tests for demolition in conservation areas while B13 requires applicants to demonstrate have the need to preserve and enhance is taken into account in the design.

The proposed building would be in block work which is to be painted white and given a flat roof. The building to be replaced is a sectional shed constructed of

ribbed metal with a low double pitched roof. It has the same width as the proposed replacement.

The application lies within the Madeley Conservation Area. The proposal is for a larger store than exists in the small rear yard of the terraced property. The store is proposed in the rear of the property and there are no views into this small yard. The current store is not an attractive building and the proposed painted masonry building will be an improvement. It is therefore felt that there will be any impact on the character or appearance of the Conservation Area.

The appearance of this proposal is acceptable and will not detract from the character of the surroundings. In view of the nature of the existing building and the improvement in appearance the development will bring the requirements of policies B11 and B12 are not considered to catch the proposal.

Public Amenity

Policy D2 of the Structure Plan states that development should conserve and where possible improve the quality of life and the environment and avoid hazards to health and safety.

The increased storage capacity given by the development would probably lead to increased packaging and materials so the requirements for recycling should be conditioned for.

There will be no loss of amenity if the proposal is accepted.

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Recommendation

Permit subject to:

1. BA01 Commencement within three years (full)
The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R1. To comply with the provisions of Section 91 of the Town and Country Planning Act.
2. The external walls of the development hereby approved shall be constructed of blockwork which shall be painted white unless otherwise agreed in writing by the Local Planning Authority.
- R2. *In the interests of amenity to comply with the requirements of policies D2 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, and CSP1 and CSP2 of Newcastle-under-Lyme and Stoke-on-Trent***

Core Strategy 2009; and B9 and B10 of the Newcastle-under-Lyme Local Plan 2011.

3. AC06I Refuse & Recyclable Storage
Prior to first occupation of the development hereby approved, full and precise details of the recyclable materials and refuse storage, including designated areas to accommodate sufficient recyclable materials and refuse receptacles to service the **commercial** development and the collection arrangements for **commercial** waste arising from the same shall be forwarded to the Local Planning Authority for approval. Thereafter the collection arrangements for **commercial** waste shall be carried out in accordance with the approved scheme.
- R3. In accordance with the principles of PPS1.
4. The development hereby permitted shall be carried out in accordance with the following approved plans:
- GA_P-001 Revision A, Location Plan, Date September 2011: Received by the Council 4.10.2011;
- GA_P-002 Revision A, Block Plan, Date September 2011: Received by the Council 4.10.2011;
- GA_P-003 Revision A, Existing and Proposed Plan, Date September 2011: Received by the Council 4.10.2011;
- GA_P-004 Revision A, Elevations, Date September 2011: Received by the Council 4.10.2011.
- R4. For the avoidance of doubt and in the interests of proper planning.

NOTE TO APPLICANTS

Not all sewers are currently shown on the statutory records, therefore please note that the proposed development may fall within the required access strip of a public sewer and it is suggested by United Utilities that the developer contacts a Building Control Body at an early stage, to discuss this matter further.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Specsavers optical stores

Application No's 11/00500/FUL

Location 19 Castle Walk, Newcastle

Description - Installation of air conditioning, including external condensers to the side wall of the building

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

West Midlands Regional Spatial Strategy

QE3: Creating a high quality built environment for all

QE5: Protection and enhancement of the historic environment

Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011:-

D1: Sustainable Development

D2: The Design and Environmental Quality of Development

NC19: Conservation Areas

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

CSP1: Design Quality

CSP2: Historic Environment

Newcastle Under Lyme Local Plan 2011

B8: Other buildings of Historic or Architectural Interest

B9: Prevention of Harm to Conservation Areas

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

B13: Design and Development In Conservation Areas

B14: Development in or Adjoining the Boundary of Conservation Areas

Other Material Considerations

Circular 11/95 - Conditions

Relevant National Policy Guidance:

PPS1 - Delivering Sustainable Development (2005)

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

PPS5: Planning for the Historic Environment

PPG24: Planning and noise

Supplementary Planning Documents

Supplementary Planning Document for Newcastle Town Centre (January 2009).

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

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

Relevant Planning History

11/00501/ADV	Illuminated fascia sign, projecting sign and graphics panel/poster holder to lobby	pending
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Views of Consultees

Conservation Advisory Working Party objects to the number of units and cabling on grounds of visual amenity. They suggested an alternative site to the rear of the roof, behind the parapet may be less obtrusive.

Environmental Health Division raises no objections following the submission of amended plans which reduce the number of units down to 4 units. However, a condition requiring the submission of details for the type of AC units and positions proposed.

Representations

Nil

Applicants/agents submission

A design and access statement, technical data report and a series of amended plans have been submitted to support the application.

These documents are available to view at the Guildhall and on www.newcastle-staffs.gov.uk

Key Issues

The application is for full planning permission for the installation of air conditioning units and external condensers to the external walls at the rear of the retail building. The number of units has been reduced from 15 down to 4 following planning officer concerns.

The retail unit is located within the primary shopping frontage of the Town Centre on Castle Walk with the rear of the building being a service area which has Market Lane that runs parallel. The area is designated as a Conservation Area, as indicated on the Local Development Framework proposals map.

Key issues in the determination of the development therefore are:

- the impact of the proposals on the visual amenity of the area and the character and appearance of the conservation area
- any potential noise impact

The impact of the proposals on the visual amenity of the area and the character and appearance of the conservation area

The units will be located on the rear of the building and so will not be visible from Castle Walk. The rear of the buildings are utilised as service areas for the retail units with many of the buildings having air conditioning units located on external walls.

Market Lane runs to the rear of these buildings which has been the subject of funding from the PSiCA grant scheme for a community lighting project which is designed to attract investment to improve the appearance of buildings on Market Lane which will hopefully encourage public use of the lane. Therefore, whilst the immediate locality is a service area there is still a need to protect the visual appearance of the area. The town centre is also designated as a conservation area and so proposals need to accord with policies of the development plan. In particular policies B8, B9, B10, B13 and B14 of the Local Plan, policies CSP 1 and CSP 2 of the CSS.

The application was originally for 15 units located on the side wall at the rear. These units ranged in size and covered a large area of blank wall. The reason for the number units was due to the size of the building, the number of rooms and the applicants desire to strictly control each internal room temperature. Officers and the Conservation Advisory Working Party objected to the number of units and this has resulted in a number of amended plans being received which has gradually reduced the number of units and their locations. The final amended plans now show only 4 units, 2 on the side wall and 2 on the rear wall.

Air conditioning units are common features on the rear of retail and commercial buildings in town centres with these areas being used as service areas and there are a number of existing air conditioning units within the vicinity. However, in this instance officers have sought a reduction in the number of units due to rear of the building being clearly visible from Market Lane and the location of the premises within the Conservation Area.

Policy B9 of the local plan details that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

Whilst 4 additional units can not be considered to enhance the conservation area this part is recognised as a service area and on balance it is considered that the amount of unit's proposed would not result in an unacceptable proliferation of units within the locality, thus not harming the character of this part of the conservation area.

In consideration of the above the view is reached that on balance the additional 4 no. air conditioning units would not harm the character or appearance of this part of the Newcastle Town Centre Conservation area. This being in accordance with policies B9, B10, B13 and B14 of the Local Plan, policies CSP 1 and CSP 2 of the CSS, along with PPS5.

Potential noise impact

The application has been accompanied by technical data and whilst the Environmental Health Division objected to 15 units they now consider the proposal to be acceptable subject to a condition on the type and location of units. However, the

location of units is shown on the amended plan and the type/ model of units is provided within the technical data information. EHD have now verbally confirmed that a condition is no longer required and officers agree that the proposal would not result in unacceptable noise disturbance to neighbouring uses.

Reasons for the grant of planning permission

The proposed development, due to the number, size and location of units would not significantly harm the character or appearance of this part of the town centre conservation area. They are also unlikely to result in a harmful impact on the amenity of the area in terms of adverse noise pollution. The proposed development therefore accords with Policies B9, B10, B13 & B14 of the Newcastle under Lyme Local Plan 2010, Policies D2, & NC19 of the Stoke on Trent Structure Plan 1996-2011 and policies CSP1 & CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026, along with guidance provided within PPS5 and PPG24.

Recommendation

Permit with the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents;

- Drawing number Q-1872 Rev C, date stamped received by the Local Planning Authority on the 08 November 2011.
- Site Location Plan (scale 1:1250) & Block Plan (scale 1:500), date stamped received by the Local Planning Authority on the 22 September 2011
- Daikin Technical Data – air conditioning units, date stamped received by the Local Planning Authority on the 14 October 2011

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

OFFICER REPORT ON DELEGATED ITEMS

Applicant Specsavers Optical Stores

Application No 11/00501/ADV

Location 19 Castle Walk, Newcastle

Description Illuminated fascia sign, projecting sign and graphics panel/poster holder to lobby

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment.

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

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

CSP1: Design Quality

CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

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

PPG19: Outdoor Advertisement Control (1992)

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

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

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

Relevant Planning History

11/00500/FUL Installation of air conditioning, including external condensers to the side wall of the building Pending

Views of Consultees

Environmental Health Division raises no objections subject to a condition restricting luminance levels.

Conservation Advisory Working Party raised no objections

Representations

No written representations received

Applicants/agents submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for one internally illuminated fascia sign and one internally lit projecting box sign on the front elevation of the retail building. A poster sign is proposed in a recessed area also. The proposed fascia sign would replace an existing sign following the change in companies occupying the building.

The property is located within Town Centre Conservation Area, as indicated on the Local Development Framework proposals map.

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

The key issues for consideration are therefore;

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

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

The location of the property within the conservation area makes it important to achieve a good quality design that would not harm the appearance of the conservation area (CA) and wherever possible it should enhance the appearance of these areas.

Policy B20 of the Local Plan indicates that within conservation areas illuminated signs should consist of individually lit letters fixed either directly to a fascia sign or to an opaque panel.

The retail unit is located along Castle Walk which is identified as being a primary shopping frontage in the town centre with other neighbouring premises having advertisement signs on the front of their buildings. These are predominantly fascia and hanging/ box signs.

The proposed fascia sign would measure 8 metres by 0.9 metres in width and height respectively with a depth of 17mm. The sign will be internally illuminated.

A projecting sign is also proposed on the front elevation of the building and would be located 4.1 metres above ground level and would measure 0.34m by 1m in height and width respectively with a depth of 0.15m.

The existing sign that would be replaced is a basic design that does not meet the spirit of policy B20 of the local plan.

The proposed signs would have the company logo and colouring (green background and white lettering) with the main part of the sign being an internally illuminated perspex pod fixed to an all green fascia background. Whilst this does not represent a design of individual lit letters it does represent a good standard of design that would be an improvement to the visual amenity of Castle Walk. Further lettering is proposed on the main green fascia sign and the design is individuality lit letters fixed to the fascia sign which again would represent an appropriate design within the town centre conservation area.

The projecting sign would again be internally illuminated and be similar in general design terms to other signs on Castle Walk. This sign would therefore not result in any further significant harm to the character and appearance of the conservation area.

In summary, the design, colouring and size of the proposed signs, whilst not strictly in accordance with policy B20 of the local plan, represent a design that would enhance the appearance of this part of the conservation area. A lighting condition is considered necessary to restrict the lighting to 300cd/ m² which would further minimise the impact of the proposal and would be in accordance with policy B20. The applicants have confirmed this is acceptable despite requesting a greater intensity.

Finally, the property has a recessed entrance with an existing sign located inside this area which is fixed externally. The proposed occupiers would also seek to use this area for an advertisement. No design has been submitted for this element because it is likely to vary over time. This would not be illuminated and does not require outdoor advertisement consent.

The impact upon public and highway safety

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

Recommendation

Permit subject to the standard conditions as well as the following conditions;

1. The maximum surface brightness of the advertisement signs hereby permitted shall not exceed 300cd/m².

Reason:

To protect the visual amenity of the Conservation Area, in accordance with policy B20 of the Newcastle under Lyme Local Plan 2011.

Informative

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

- Planning Application Forms
- Drawing no. 316/4023, date stamped received by the Local Planning Authority on 22 September 2011
- Drawing title – sheet 1, sheet 2 rev B & sheet 3 rev B, date stamped received by the Local Planning Authority on 22 September 2011
- Site location plan scale 1:1250

OFFICER REPORT ON DELEGATED ITEMS

Applicant Butters John Bee **Application No** 11/00502/ADV

Location 36 High Street, Newcastle

Description Illuminated fascia sign and hanging sign to front of property

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

West Midlands Regional Spatial Strategy

Policy QE1: Conserving and Enhancing the Environment
Policy QE3: Creating a High Quality Built Environment for all

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable forms of Development
Policy D2: The Design and Environmental Quality of Development
Policy NC18: Listed Buildings
Policy NC19: Conservation Areas

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

CSP1: Design Quality
CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B5: Control of Development Affecting the Setting of a Listed Building

Policy B6: Extension or Alteration of Listed Buildings

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007
PPS5: Planning for the Historic Environment

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Relevant Planning History

03/00118/ADV Internally illuminated fascia signs and projecting sign Permit

03/00117/LBC Replacement ground floor windows and signage Permit

11/00222/LBC - Proposed conversion of public house into office accommodation,
Bistro/Wine Bar & alterations to existing residential accommodation Permit

Views of Consultees

Conservation Advisory Working Party (CAWP) noted that there should be an LBC for this sign and objected to the large black fascia sign as very obtrusive. Letters should be individually applied as per the policy.

The **Environmental Health Division** raise no objections subject to a condition regarding lighting levels.

Representations

None received

Applicants/agents submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for advertisement consent for an illuminated fascia sign and hanging sign to the front elevation of the grade II listed building at ground floor.

Amended plans have been submitted following concerns raised about the design and appearance of the signs by officers and members of CAWP. The amended design of fascia sign would now also require formal listed building consent to be submitted because the works would not be covered by the previous LBC – 11/00222/LBC which was permitted in July 2011.

The building is located in the Newcastle town centre conservation area, as indicated on the Local Development Framework Proposals Map.

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

The issues to address are therefore;

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

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

A listed building consent application was permitted on the 11th July 2011 which detailed the size and location of the signs with the fixtures predominantly in situ.

The size and design of the proposed fascia sign has been amended from that originally permitted. The proposed fascia sign would be installed on the front elevation above the folding doors. The proposed sign would now match the width of the folding doors with the existing sign and trough light on the building being removed. The fascia sign would now have individually lit letters which would stand proud of the fascia by 25mm. This would address concerns raised by officers and CAWP but a further plan showing a cross section of the sign has not been submitted. However, the submission and approval of this cross section could be secured by condition. The design and appearance of the proposed sign would now meet the requirements of policy B20 of the local plan for advertisement signs within the conservation area, thus helping to preserve and enhance the character and appearance of the town centre conservation area.

The hanging sign would utilise the existing bracket and attach to this which would have a modest size and would be illuminated externally. This would have no greater impact than the existing size and so it would preserve the appearance of the conservation area.

In terms of the proposed lighting of the signs policy B20 of the Newcastle-under-Lyme Local Plan states that a maximum luminance of 300cd/m² should be adhered to within Conservation Areas. To ensure the proposal therefore does not have an adverse impact upon the Conservation Area, a condition would be included specifying that the maximum luminance for the signs should not exceed 300cd/m².

The proposed development would therefore adhere with the principles of policy B20 of the Newcastle under Lyme Local Plan.

The impact upon public and highway safety

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

Recommendation

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

1. The maximum luminance of any portion of the signs hereby approved shall not exceed **300** candelas m²

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

2. **BESPOKE** – Prior to the development commencing a cross sectional plan, to an appropriate scale, shall be submitted and approved in writing by the Local

Planning Authority. The plan should include details of the protruding letters and method of luminance.

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

Informative

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

- Drawing ref – job no. 8085, Drawing no. 10 rev A, date stamped received by the Local Planning Authority on 24th November 2011.
- Drawing ref – job no. 8085, Drawing no. 05, date stamped received by the Local Planning Authority on 22nd September 2011.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Barclays Bank PLC **Application No** 11/00508/ADV

Location Barclays Bank PLC, 118-124 High Street, Newcastle

Description Two illuminated fascia signs and one illuminated projecting sign

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable forms of Development

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

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

CSP1: Design Quality

CSP2: Historic Environment

Newcastle under Lyme Local Plan 2011

Policy B19: Illuminated signs in Conservation Areas

Policy B20: Illuminated fascia and other signs in Conservation Areas

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

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

PPG19: Outdoor Advertisement Control (1992)

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

PPS5: Planning for the Historic Environment

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

Relevant Planning History

01/00181/ADV Advertisement signs Permit

Views of Consultees

Conservation Advisory Working Party – No objections

The **Environmental Health Division** raise no objections subject to a condition regarding lighting levels.

Representations

None received

Applicants/agents submission

The requisite application forms and drawings were submitted.

Key Issues

The application is for advertisement consent for two illuminated fascia signs and a projecting sign. The signs would replace existing similar signs on the building. The building is located on High Street in Newcastle town centre which is designated as a conservation area, as indicated on the Local Development Framework Proposals Map.

The application forms state that signs will have luminance levels of 300cd/m².

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

The issues to address are therefore;

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

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

The shop which occupies the ground floor is set back under a covered arcade with the existing signs being located on the main front of the building and on the shop front under the covered arcade. The proposed signs would be similar in size and appearance to the existing signs but three fascia signs are currently located on the building with only two proposed as part of this application. Therefore the proposals would result in a reduction in signage to the building/ shop.

As discussed, the application property is located within the Town Centre conservation area but the building has very minimal visual or historic merit within the context of the conservation area.

The proposed fascia sign to the actual shop front would be a 'champagne' coloured panel with 'Barclays' blue individually fixed lettering and symbol. The sign would be internally illuminated.

The proposed fascia sign to the main building would be individual blue letters – ‘Barclays’ and company symbol fixed to the façade of the building. These would be internally illuminated.

The existing projecting sign would be removed and a new projecting sign installed in a new position and would have an upgraded design. This would be internally illuminated.

The proposed signs are considered to represent an appropriate design with individual lit letters proposed on the fascia signs. A hanging sign would have been desirable but the projecting sign is of a good quality design and is therefore considered acceptable.

In terms of the impact on the conservation area policy B20 of the local plan indicates that illuminated signs should consist of individually lit letters fixed directly to the fascia or to an opaque panel. The proposed signs are considered to comply with this policy with the letters standing proud and the luminance levels being indicated as being 300cd/m². To ensure the proposal therefore does not have an adverse impact upon the Conservation Area, a condition would be included specifying that the maximum luminance for the signs should not exceed 300cd/m². The proposed development would therefore adhere with the principles of policy B20 of the Newcastle under Lyme Local Plan.

The impact upon public and highway safety

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

Recommendation

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

1. EG09I Maximum luminance - Conservation

The maximum luminance of any portion of the sign hereby approved shall not exceed **300** candelas m²

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

Informative

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

- Drawing title – 620 Assembly, date stamped received by the Local Planning Authority on 27 September 2011.
- Drawing no. 174-421-620 & 174-421-621, date stamped received by the Local Planning Authority on 27 September 2011
- Drawing title – 770 Illuminated Projecting Sign Rev A, date stamped received by the Local Planning Authority on 27 September 2011.

- Drawing title – Standard internally illuminated letters Rev A, date stamped received by the Local Planning Authority on 27 September 2011.
- Drawing title – Fascia layouts Rev A, date stamped received by the Local Planning Authority on 27 September 2011.
- Drawing no. 174-600 Rev A & 174-421-601 Rev A, date stamped received by the Local Planning Authority on 28 September 2011

Planning History

Two other applications have recently been approved for this premises.
11/00490/LBC – Replacement signage to front and rear elevations and steel skirting to 4 columns
11/491/ADV – Various illuminated and non-illuminated signage to front and rear elevations

Views of Consultees

Environmental Health have no objections to the application however they do make the following comments;

“It is understood that this area of the town centre is a designated alcohol prohibition zone and as such alcohol cannot legally be consumed in this area. It is acknowledged that this area is currently used by patrons for smoking when the premises are trading. Environmental Health do not have any record of complaints regarding the present use(s) and it is unlikely that the proposed use will cause detriment to residential amenity”

The **Highway Authority** have no objections to the proposal however they have specified that an informative be included on the planning permission stating that the applicant should contact the County Council to agree a location for the re-siting of a refuse bin that needs to be moved.

They also specify that the existing A boards on the highway should be located within this area and all other signs removed.

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

Representations

The application was advertised by way of a site notice and advertisement in the paper. As a result, one letter of objection was received. The comments can be summarised as follows;

- There is no adjacent ground floor café/bar with the nearest one being approximately 5 doors away in either direction
- The application is not explicit in what the seating area for eg. Dining with alcoholic drinks/ a smoking and drinking area/ seating and drinking area
- Due to the Ironmarket being a designated public area and an alcohol free zone the grant of planning permission must be for seating, dining and the consumption of alcohol free drinks only otherwise it could be

challenged under Wednesbury unreasonableness in so much as it is unreasonable to allow members of the public to consume alcohol in one part of an alcohol free zone and not in another.

Applicants/ Agents submission

The requisite application forms and plans were submitted as well as a design and access statement. A pavement licence management plan has also been included within the application.

Key Issues

Full planning permission is sought for the use of the highway forecourt for an outdoor seating area in association with adjacent café/bar. There would be no alterations to the external appearance of the building or the highway surface as a result of the proposals. The paraphernalia associated with this use would be lightweight and removable to allow safe storage during non-operational hours. The application site is located in front of a Grade II Listed building. The property is located within the urban area of Newcastle as indicated on the Local Development Framework Proposals Map as well as being located within the Town Centre Conservation Area.

The key issue in the determination of the development is:

- The principle of the development
- The design of the proposals and their impact upon the listed building and Town Centre Conservation Area

The principle of the development

The proposed development would introduce an 'al-fresco' area into the town centre of Newcastle for a use which is deemed acceptable within a town centre location. It would also add to the vitality of the town centre creating a more active frontage and vibrant atmosphere in the town which is to be welcomed in economic terms. Although the proposal would take up some of the existing pedestrianised area, this part of the Ironmarket is more than wide enough to accommodate it without impacting upon the freeflow of other users.

The proposed development is therefore felt to accord with the overarching aims of PPS4.

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

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

PPS5 indicates that;

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

The proposed paraphernalia associated with the outdoor seating area is felt to be an appropriate design within the Conservation Area and adjacent to a listed building and would not adversely impact upon the visual amenity of these important assets. It must also be recognised that although the permission would allow the permanent use of this area as an outdoor seating area, in practice the area would only be used temporarily in working hours to ensure that the equipment was safely stored and was not subject to anti social behaviour. No permanent alterations to either the building or the highway would be required and therefore the proposal would not have any impact upon the built fabric of the Conservation Area. The proposal therefore adheres with the principles of policies D2, NC18 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan.

Other Matters

The issues raised by the letter of objection in relation to licensing issues would be dealt with as part of the licensing of the premises. This application is dealing with the principal of the use of this land as an ancillary area to the main café/bar as well as its appearance. The issue of licensing would consider the acceptability of whether alcoholic drinks could be served in this location and whether this would conflict with the alcohol free zone.

The re-location of the bin would not lead to any significant issues in terms of litter bin provision within the town centre and the relocation of this could be organised through liaison with the County Council. An informative would be included at the bottom of the permission advising the applicant to contact the County Council.

It is not felt necessary to put a condition specifying that the seating area is removed outside operational hours as it is felt that this is in the owners own interests to protect their investment from either vandalism or theft. It is therefore felt that the proposal would be self regulating in this regard.

Reasons for the grant of planning permission

The proposed development would improve the vibrancy of the town centre whilst having no adverse impact upon the setting of the Grade II listed building as well as the Town Centre Conservation Area. The proposal therefore adheres with the principles of policies D2, NC18 and NC19 of the Staffordshire and Stoke on Trent Structure Plan, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan as well as the overarching aims and objectives of PPS 4 and PPS5.

Recommendation

Permit subject to the following conditions;

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

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

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

- Proposed Al Fresco Area (Sheet 1 of 2) Drawing Number JS021/51 date stamped received by the Local Planning Authority on 28th September 2011.
- Proposed Al Fresco Area (Sheet 2 of 2) Drawing Number JS021/51 date stamped received by the Local Planning Authority on 28th September 2011.

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

Informative

The proposed development shall require the relocation of a refuse bin. Please contact Staffordshire County Council Network Management Section to discuss an acceptable location.

OFFICER REPORT ON DELEGATED ITEMS

Applicant ATS Euromaster **Application No** 11/00528/ADV

Location ATS Euromaster, Lower Street, Newcastle

Description Three part illuminated building signs, one non-illuminated sign and one part illuminated totem sign

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

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

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

CSP1: Design Quality

Newcastle under Lyme Local Plan 2011

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

Other Material Considerations:

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)
Companion Guide to PPS1 "The Planning System: General Principles"
PPS5: Planning for the Historic Environment
PPG19: Outdoor Advertisement Control (1992)
Circular 03/07 Town and Country Planning (Control of Advertisement) Regulations 2007

Supplementary Planning Guidance

Staffordshire County Council – Highways Standing Advice 2004

Newcastle under Lyme Town Centre Supplementary Planning Document (2009)

Relevant Planning History

99/00544/ADV Advertisement signs Permit

Views of Consultees

Conservation Advisory Working Party – No objections

The **Highways Authority** raised objections to the totem sign but made it clear that this was their only objection. They subsequently indicated that if an amended design of Totem sign stood clear of the 2.4 m x 43 m visibility splay or with a height clearance of 2m from the ground then it would address their concerns. A condition limiting the luminance levels is also advised.

Representations

None received

Applicants/agents submission

The requisite application forms and drawings were submitted.

Key Issues

This application is for advertisement consent for an array of signs on the commercial building, along with a replacement free standing totem sign close to the front boundary. The building is located on Lower Street which is part of the ring road around the town centre. The building however is beyond the boundary of the town centre and the designated conservation area.

The application forms state that signs will have luminance levels of 400cd/m².

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

The issues to address are therefore;

- The impact of the advertisements on the amenity of the area and the adjacent Conservation Area
- The impact upon public and highway safety

The impact of the advertisements on the visual amenity of the area and the adjacent Conservation Area

The building has a commercial use with the surrounding land use also being commercial. The building is set back from the A34 ring road around the town centre with access gained off the ring road. The building has existing signs that would be replaced as part of this application with additional signs also being proposed. The applicant seeks consent for four signs on the building and the details are as follows;

Sign 1 would be located on the side of the building and consists of three parts. The main sign would measure 25.1 metres by 0.8 metres in width and height respectively but there are additional smaller panels attached, with vinyl logos applied. These will be internally illuminated and predominantly coloured blue, green and yellow.

Sign 2 is an internally lit box sign with a folded aluminium front tray fret cut. The sign would measure 1.6 metres by 1.6 metres and be located on the front of the building. The sign would be coloured blue, yellow and black

Sign 3 is similar in design to sign 1 but would measure 1.47 metres by 0.8 metres and would be located on the front of the building below sign 2. The sign would be predominantly coloured blue, green and yellow

Sign 4 is a folded dibond panel in the shape of a half tyre. This would be located to the side of the front entrance to the building.

The proposal also consists of a totem sign which would replace the existing totem sign located on a grassed area close to the front boundary. This element has been amended following comments from officers and HA. The totem sign now proposed would be similar in appearance to the existing sign. The sign would be attached to a single steel post that has a height of 4.6 metres with the sign measuring 1 metre by 2 metres in width and height respectively. The sign would be internally illuminated and be predominantly coloured blue, yellow and black.

In consideration of the design, size, location and number of signs proposed the view is taken that these would be seen within the context of the commercial building and commercial land use in general. Therefore the proposed signs would not adversely affect the visual amenity or character of the area.

Furthermore, whilst the application site is adjacent to the boundary of the town centre conservation area, it would not be viewed in the context of the conservation area, thus not harming its historic character and appearance due to the size, design and location of the proposed signs.

In consideration of the above the signs are considered to represent an acceptable design and appearance.

The impact upon public and highway safety

The application site is adjacent to the A34 ring road which has a speed limit of 40mph. HA raised objections to the location and size of the totem sign as it would restrict visibility from vehicles leaving the site. This has resulted in an amended design being submitted which addresses these concerns. In terms of luminance levels HA recommend that the intensity of the illumination of the advertisement signs permitted should not exceed 800cd/m². A condition would be included specifying that this limit is not exceeded however this should not be an issue in this particular case with 400 cd/m² specified by the applicants. Therefore it is not felt that the advertisements would have an adverse impact upon public and highway safety.

Recommendation

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

1. The maximum luminance of any portion of the sign hereby approved shall not exceed **800** candelas m²

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

Informative

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

- Drawing no. P1587; P1939, date stamped received by the Local Planning Authority on 07 October
- Drawing. No 50106-B & 50377/A, date stamped received by the Local Planning Authority on 25 October 2011

OFFICER REPORT ON DELEGATED ITEMS

Applicant Rev. Iain Baker **Application No** 11/00519/FUL

Location The Wade Centre, The Avenue, Kidsgrove

Description Installation of Solar Panels

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

West Midlands Regional Spatial Strategy 2008

Policy QE3 – Creating a High Quality Built Environment for All

Policy EN1: Energy Generation

Staffordshire and Stoke on Trent Structure Plan 1996 - 2011

Policy D1: Sustainable Forms of Development.

Policy D2: The Design and Environmental Quality of Development

Policy NC19: Conservation Areas

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

Policy CSP1: Design Quality

Policy CSP 2: Historic Environment

Policy CSP3: Sustainability and Climate Change

Newcastle under Lyme Local Plan 2011

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

Policy B9: Prevention of harm to conservation areas

Policy B10: The requirement to preserve or enhance the character or appearance of a conservation area

Policy B13: Design and Development in conservation areas

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

Other Material Considerations

Relevant National Policy Guidance:

PPS1: Delivering Sustainable Development (2005)

PPS 5: Planning and the Historic Environment

PPS22: Renewable Energy (2004)

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

Planning and Climate Change Supplement to PPS1

Planning for Renewable Energy A Companion Guide to PPS22

The Secretary of State’s announcement of his intention to abolish RSS

Pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan.

National Planning Policy Framework: Consultation Draft (July 2011)

Whilst the draft NPPF is a consultation document which is subject to potential amendment, it nevertheless gives a clear indication of the Government's "direction of travel" in planning policy. Therefore the draft NPPF is capable of being a material consideration. This document gives a strong emphasis on sustainable development

objectives and recognises the contribution of renewable and low carbon energy towards climate change objectives, this echoing much of PPS22.

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

Planning History

06/01003/ADV	Permitted	12/1/2007	Advertisement sign
10/00692/FUL	Permitted	17/1/2011	Ground floor rear extensions and alterations

Views of Consultees

Kidsgrove Town Council – no comments received

Conservation Advisory Working Party – No objections

Environmental Health Division – No objections

Representations

None received

Applicants/agents submission

A supporting letter and a Design and Access Statement have been submitted with the application, outlining the following key points:

- The Church members and the Church Council want to install solar panels on the roof of the Wade Centre which is owned by the church.
- The applicants have been increasingly aware of the need to be responsible in the use of energy in view of the threat of climate change, and are keen to reduce the church's carbon footprint by generating electricity from this renewable source.
- It is understood that this 10kWp system of 50 solar panels will generate a high proportion of the electricity used by the Wade Centre, and they would like to take this step to encourage other churches in their environmental responsibility.
- Many different organisations use the Wade Centre as a community hall, so many local residents will benefit from the installation.
- The panels are not unsightly but even so will not be highly visible to any houses in the area. It would not spoil the outlook on the church building itself.

Technical details of the solar installation have also been submitted

Key Issues

Planning permission is sought for the installation of solar panels on the south facing roof slope at the Wade Centre, The Avenue, Kidsgrove, which is located within the Hardingswood Conservation Area and within the urban area of Kidsgrove, as designated by the Local Development Framework Proposals Map. The Wade Centre is located adjacent to a Grade II Listed Church (St Thomas' Church).

There would be 50 solar panels in total, covering almost the entire south facing roof slope.

The key issues in the consideration of this application are:

- Design and the impact on the conservation area
- Impact on amenity
- Environmental considerations

Design and the impact on the conservation area

Policy HE1 of Planning Policy Statement 5 advises that the historic environment has an important part to play in addressing climate change. Whilst the solar panels would not be installed on a listed building, they would face towards a listed building, therefore the impact to the setting of this Listed Building needs to be considered.

Policy B5 of the Local Plan “Control of development affecting the setting of a listed building” states that *“the Council will resist development that would adversely affect the setting of a listed building.”* In many cases, the setting of a listed building is as important as the building itself.

Whilst the solar panels would face towards the adjacent Grade II Listed church and be visible within views of the church, it is considered that this is not harmful to the church’s setting due to their small scale, in comparison with the scale of the church, and their positioning flat against the roof slope of the Wade Centre.

Policy B9 of the Local Plan “Prevention of harm to Conservation Areas” states that *“the Council will resist development that would harm the special architectural or historic character or appearance of conservation areas.”*

Whilst the solar panels would be visible from within the street scene and conservation area, it is not considered that this visibility would be harmful due to their small scale.

Overall, the solar panels are considered acceptable in terms of design, impact on the character and appearance of the Conservation area and impact on the setting of a listed building. The proposal is therefore considered in compliance with Policies NC19 of the Staffordshire and Stoke on Trent Structure Plan, Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, policies B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011 and the guidance contained within Planning Policy Statement 5.

Impact on amenity

It is important to assess how a proposal will impact upon residential amenity in terms of loss of light and privacy, and the Borough Council’s Space Around Dwellings Supplementary Planning Guidance sets out acceptable levels of amenity to be achieved for new development.

It is considered that the proposed solar panels would not cause a loss of privacy or light to any neighbouring uses or result in noise disturbance, and therefore the proposal is considered acceptable in terms of its impact upon amenity.

Environmental Considerations

Policy CSP 3 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy states that “development which positively addresses the impacts of climate change and delivers a sustainable approach will be encouraged.” The installation of solar panels is an attempt to generate renewable energy at the Wade Centre, which is commended by this authority. The Environmental Health Division of the Borough Council raises no objection to the proposal.

Overall, the proposed solar panels are considered to comply with Policy CSP 3 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026.

Reasons for the grant of planning permission

The proposed solar panels would not harm the setting of the adjacent Grade II Listed Building, the character or appearance of Hardingswood Conservation Area or the character and appearance of the wider street scene, and would positively address the impacts of climate change through the generation of renewable energy. The proposal is therefore in accordance with Policy D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policies CSP1, CSP2 and CSP 3 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, and policies B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011.

Recommendation

Permit subject to the following conditions:

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

R1. To comply with the provisions of Section 91 of the Town and Country Planning Act.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location plan, scale 1:1250, stamped received on 17th October 2011
- Block Plan, stamped received on 17th October 2011
- Detailed plan, stamped received on 17th October 2011
- Design and Access Statement (includes detailed specification of the solar panels) stamped received on 17th October 2011

R2. For the avoidance of doubt and in the interests of proper planning.

The solar panels hereby permitted shall be removed from the building within 12 months of them ceasing to generate energy.

R3: In the interests of protecting the character and appearance of the Conservation Area, in accordance with Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policy CSP 2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026 and policies B5, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011.

Notes to applicant

1. You are reminded of the requirement to comply with the conditions attached to this permission.