

The application is for full planning permission for the construction of a canopy over the gate that provides pedestrian access to Maer Hall from the courtyard to the south east of the Hall.

Maer Hall is a Grade II listed building within the village of Maer. It lies within the Maer Conservation area, the Maer Hall Historic Park and Garden and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map. The gatehouse and walls to Maer Hall which front the main road through the village are Listed Grade II\* and give access to the courtyard. The wall and gates which give access to the Hall are linked to the Grade II\* Listed gatehouse and walls.

**The statutory 8-week period for the determination expires on the 24<sup>th</sup> January 2019.**

### **RECOMMENDATION**

**Permit, subject to conditions relating to:**

- **Time limit condition**
- **Development to be carried out in accordance with the approved plans and submitted details**

### **Reason for Recommendation**

The development would preserve the special character and appearance of the Grade II\* Listed Building, and subject to the works being carried out in accordance with the submitted details, it is considered that the works would comply with Policy B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, and the guidance and requirements of the National Planning Policy Framework 2018.

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

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

### **KEY ISSUES**

Full planning permission is sought for a canopy over a pedestrian access at Maer Hall. Listed Building consent was recently granted for the development (Ref. 18/00821/LBC).

Given the minor scale of the development, it is not considered that there would be any impact on the character and appearance of the Conservation Area or the Historic Park and Garden or on the quality of the Landscape Maintenance Area. Therefore, the only issue to address in the determination of the application is whether the proposal would preserve the special character and appearance of the listed structures and the setting of these structures.

The access is from the courtyard of the gatehouse to Maer Hall, south east of the Hall. Maer Hall is a private residence. The Hall is accessed through the gatehouse and its attached walls, which are Grade II\* Listed and described in the list description as late 18<sup>th</sup> century gatehouse built from stone with stone slate roof. The walls are also built from ashlar stone. The connected walls and piers are built from brick and separate the Hall and its grounds from the courtyard. There is a pedestrian metal gate and double timber gates within the gate piers that give access into the Hall and the grounds.

The NPPF makes it clear that Local Authorities should recognise that designated heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance.

In assessing applications for listed building consent the Planning Authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 193 of the NPPF details that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and 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.”*

Policy B6 of the Local Plan indicates that the Council will resist alterations and additions to a listed building that would adversely affect its character or its architectural or historic features. Policy CSP2 of the Core Spatial Strategy states that the Council will seek to preserve and enhance the character and appearance of the historic heritage of the Borough.

The applicant indicates in their Heritage Statement that they wish to construct a timber framed canopy on brackets covered in slates to match the recently reconstructed conservatory to the Hall. They state that the Hall will not be adversely affected by the new canopy.

Historic England and the Council’s Conservation Officer have raised no objections to the application on the grounds that it is a relatively minor addition and one which will not be harmful to the character or significance of the Grade II\* listed gatehouse and walls, or to its setting, and also to the setting of Maer Hall. The Conservation Advisory Working Party (CAWP) felt that the proposed canopy would be harmful to the setting of the Listed Hall and Gatehouse on the grounds that it would have an adverse impact on the simplicity of the brick piers and would disturb the relationship between the buildings. Your Officer’s view is that the Listed Hall is already interrupted by the intervening piers and gates and therefore it is not considered that the minor addition of the canopy with the use of appropriate materials would harm the setting or significance of the Listed Buildings.

Subject to the works being carried out in accordance with the details submitted it is accepted that the erection of the small canopy would not result in a significant harm to the heritage assets and their settings and would comply with Policy B6 of the Local Plan and the guidance and requirements of the NPPF.

## **APPENDIX**

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

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

Policy CSP1: Design Quality  
Policy CSP2: Historic Environment

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

Policy N19: Landscape Maintenance Areas  
Policy B5: Control of Development Affecting the Setting of a Listed Building  
Policy B6: Extension or Alteration of Listed Buildings  
Policy B9: Prevention of Harm to Conservation Areas  
Policy B10: The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area

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

#### [National Planning Policy Framework \(2018\)](#)

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

#### Relevant Planning History

There is an extensive planning history relating to Maer Hall and its associated outbuildings. The most recent applications are as follows:

16/00847/LBC & 16/00846/FUL - replacement of the existing conservatory and change of glazed roof to slate roof	Approved
18/00821/LBC - Retention of canopy with tiled roof over pedestrian gate	Approved

#### Views of Consultees

**Historic England** are pleased that the canopy is proposed only over the pedestrian gate rather than extending over the whole vehicular access and defer to the Council's specialist conservation adviser with regard to the details of the proposed works.

The **Urban Design and Conservation Officer** remarks that the canopy is partially constructed which makes it unauthorised although the applicant claims that this was undertaken to aid pre application discussions following the removal of the larger unauthorised canopy which was erected over the large double gates. The proposed canopy over the pedestrian gate is less obtrusive being below the top of the gate piers and is constructed from appropriate materials. The proposal is a minor one and will not be harmful to the character or significance of the building.

In relation to application 18/00821/LBC, the **Conservation Advisory Working Party (CAWP)** felt that the proposed canopy over the pedestrian gate would be harmful to the setting of the Listed Hall and Gatehouse. They stated that the brick piers are simple and appropriate and as such, the canopy has a diminutive effect on the character of this simplicity and it interferes and disturbs the relationship between the buildings.

**Maer and Aston Parish Council** and **Staffordshire Gardens Parks Trust** have been consulted but have not yet responded. The period for comments ends on 25<sup>th</sup> December and any comments received will be reported to Members in a supplementary report.

#### Representations

None received to date.

Applicant/agent's submission

The application has been supported by a Heritage Design and Access Statement. This document is available for inspection on the Council's website by searching under the application reference number 18/00952/FUL on the website page that can be accessed by following this link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/18/00952/FUL>

Background Papers

Planning File  
Development Plan

Date report prepared

19<sup>th</sup> December 2018