

The application is for full planning permission for an extension to the existing school sports centre to form a new sports hall and formation of a new car park with new vehicular access point off Lancaster Road.

The site lies within the Stubbs Walk Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map.

The 13 week period for the determination of this application expires on the 18th April 2019.

RECOMMENDATION

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

- **Commencement time limit**
- **Approved plans**
- **Method statement for construction of the proposed footpath**
- **Submission of a schedule of works for retained trees**
- **Construction phase Tree Protection Plan**
- **Landscaping scheme**
- **Hours of construction**
- **Piling**
- **Noise management scheme**
- **Assessment of plant noise**
- **Lighting scheme**
- **Electric vehicle charging**
- **Completion of the access**
- **Provision of parking and turning areas**
- **Location of gates**
- **Details of secure weatherproof cycle parking**
- **Construction Management Plan**
- **Facing and external surfacing materials**

Reason for Recommendation

The principle of the development is acceptable and it is not considered that there would be any adverse impact on the character and appearance of the Conservation Area. Subject to the imposition of conditions, there would be no impact on trees, highway safety or residential amenity.

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

Officers have worked with the applicant to address issues and the application is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for an extension to the existing school sports centre to form a new sports hall and formation of a new car park with new vehicular access point off the highway.

The site lies within the Stubbs Walk Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map.

Concerns have been raised by the occupier of a property on the opposite side of Victoria Road regarding loss of light but given the intervening landscaping and the distance between the dwelling and the proposed building, it is not considered that there would be any significant adverse impact on residential amenity. The application raises no issues of impact on highway safety and following the receipt of additional information, the Landscape Development Section raises no objections to the proposal. Therefore the main issues in the consideration of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the scale and design of the building acceptable, particularly with regard to its impact on the character and appearance of the Conservation Area?

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

The proposed sports hall would be constructed on an existing hardcourt area marked out for three tennis courts and two netball courts and the new access and car parking area would be sited on part of the existing playing field.

Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Sport England has been consulted on the application and has responded to say that they have considered the application in light of paragraph 97 of the NPPF and against their own playing fields policy which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field

unless in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions’.

Sport England states that the existing hard court area is not considered to be physically or functionally linked to the playing field area and therefore falls outside their statutory remit. Whilst the new access and car parking area would encroach onto the playing field, they are satisfied that the proposal meets exception E3 of their playing fields policy in that:

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

On this basis, Sport England does not object to the application and therefore it is not considered that an objection could be sustained on the grounds of loss of part of the playing field.

Is the scale and design of the building acceptable, particularly with regard to its impact 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 193 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, Listed Building or Registered Park and Garden, 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 NLP Policy B9 states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. Policy B14 states that in determining applications for building in or adjoining a Conservation Area, special regard will be paid to the acceptability or otherwise of its form, scale and design when related to the character of its setting, including, particularly, the buildings and open spaces in the vicinity. These policies are all consistent with the NPPF and the weight to be given to them should reflect this.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) states in HE4 that new development in a Conservation Area must preserve or enhance its character or appearance. It must:-

- a. Where redevelopment is proposed, assess the contribution made by the existing building to the character or appearance of the Conservation Area and ensure that the new development contributes equally or more.
- b. Strengthen either the variety or the consistency of a Conservation Area, depending upon which of these is characteristic of the area.
- c. The development must not adversely affect the setting or detract from the qualities and significance that contribute to its character and appearance.

The building would be constructed on existing tennis courts adjacent to the school's current sports hall and swimming pool. To the south of the site is a track that is used predominantly by vehicles accessing the sports facilities. The building would be 11m in height with a simple pitched roof. The elevations would be straight on three sides with a splayed edge adjacent to the access track. The elevations would comprise facing brickwork up to a height of approximately 3m. The north and south elevations would have vertical timber boarding above which would in turn change to 'silver' to soften the appearance of the building and the east and west facing elevations would comprise mid grey standing seam cladding. The existing sports hall has a two-tone profiled cladding which is faded and dated and therefore, the proposal includes the recladding of that building so that the appearance closely matches that of the new sports hall.

A new car park comprising 30 spaces is proposed which would be accessed from Lancaster Road. A cobbled strip is proposed immediately before the gates and the section between the gates and the parking bays would be finished with resin bound gravel. The car park would be lit by four column light fittings which would be a simple design and black in colour.

The Design & Access Statement provides a justification for the scale of the building. It is stated that the sports hall would provide a premier netball court along with court markings for 2 netball practice courts as well as courts for badminton and tennis. The level of accommodation has been driven by the School and Newcastle Netball Club and in turn the minimum size requirements for the courts. The existing sports hall is too small to accommodate a premier netball court and a new sports hall is the only alternative. The scale of the building in terms of both its floor plan and height has been entirely driven by the minimum size requirements for premier standard netball facilities.

The Urban Vision Design Review Panel (UVDRP) considered the proposal at pre-application stage. The location, scale and massing of the building was the same as that now proposed but the design was more complicated and a greater variety of materials were proposed. The Panel understood the requirements for the size and siting of the building but felt that the design was unnecessarily complicated and that a more limited material palette should be used. They considered that the slanted side elevation then proposed should be squared off. The current proposal has responded to the Panel's comments by adopting a more simple form with a limited materials palette.

The topography of the site falls considerably from east to west so when viewed from Lancaster Road, the building would be set down significantly below the road level. From Victoria Road, views of this part of the school are limited due to the mature trees and certainly in summer months when the trees are in full leaf, views of the building will be limited in key views along the pathway networks to and from the Church to the north. The simple design and the limited materials palette are considered appropriate and in particular, on the western elevation – that facing Victoria Road, the red brickwork at low level will match the existing swimming pool and the standing seam detail will provide a clean and crisp finish. It is considered therefore that the scale and design of the building would be acceptable and that there would be no adverse impact on the character and appearance of the Conservation Area to justify a refusal.

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
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP5: Open Space/Sport/Recreation

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

Policy T16: Development – General Parking Requirements
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

[National Planning Policy Framework \(2019\)](#)

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

Supplementary Planning Guidance/Documents

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

Relevant Planning History

There have been numerous applications for planning permission at the School but the most relevant are as follows:

12/00181/FUL	Extension and alterations to sports block	Approved
11/00379/CON	Erection of 15m high floodlighting mast to school sports fields	Approved
11/00378/FUL	Erection of 15m high floodlighting mast to school sports fields	Approved
99/00856/FUL	Proposed astroturf sports facility with screen fencing and illumination	Approved
96/00089/FUL	Extension to link sports hall, changing room and swimming pool with entrance hall and ancillary rooms	Approved

Views of Consultees

Historic England does not wish to offer any comments.

The Council's **Conservation Officer** makes the following comments:

- The surrounding streets are residential and large characterful villas characterise the area as well as terraces on a grid iron street pattern.
- The requirement for a large sports hall is set out in the applicant's case and the building's size, character and appearance is dictated by these requirements.
- The position of the proposed building is on the part of the school which houses the sports facilities including the swimming pool and an existing sports hall.
- Views of this part of the school are limited due to the mature trees and landscape and this is shown and set out within the Conservation Area Appraisal for Stubbs Walk (2016).
- The walks allow for linear views along the pathway networks and views are more limited across the park into the school grounds. However this shows how important the management and landscaping is.
- Two trees have been lost and should be replaced to enable this character to be retained and to minimise the impact of this part of the school. The comments by the Landscape Development Section are noted and concerns about the creation of a gap through tree loss which would serve to increase any impact that the proposed building might have on the character and appearance of the Conservation Area when viewed from Victoria Road.
- It is unfortunate that the nature of the proposed building does not allow for feature glazing which would have provided light and interest along the lines of the examples shown in the applicant's submission.
- The simplification of the west elevation in line with Urban Vision's comments may be a step too far. Whilst a well-executed standing seam material can be effective, this key elevation might perhaps look better if it were timber clad or had some feature picture windows to reflect the landscape.
- High quality materials and workmanship will help to adjust this building into the landscape along with positive planting and landscaping of the school grounds and the public park. Certainly in summer months when the trees are fully in leaf, views of the building will be limited with key views along the pathway networks to and from the church. There may be some limited (less than substantial) harm to this small part of the Conservation Area but this will be limited and the palette of materials will help to mitigate its appearance.

The **Conservation Advisory Working Party** accepts that the clean and modern approach was the best way to mitigate the impact of the large building. The simpler the building the more invisible it will become. The issue of the rainwater goods was raised and the assumption made that they must be internal as well as the importance of dealing with run off, especially on the timber elevation. The issue of signage and directions for the new facility was also raised.

Sport England raises no objections on the grounds that the proposal accords with Exception 3 of their policy and meets their objective of providing new opportunities to meet the needs of current and future generations.

The **Landscape Development Section** has no objection in principle subject to submission of a method statement for construction of the proposed footway adjacent to the western elevation of the building, submission of a schedule of works for retained trees and a Tree Protection Plan. Concerns are raised regarding access to the eastern façade of the building and all work must be carried out without access to the Construction Exclusion Zone.

The **Highway Authority** has no objections subject to conditions regarding completion of the access, provision of parking and turning areas, gates to be located 5m rear of the site boundary and to open away from the highway, details of secure weatherproof cycle parking and submission of a Construction Management Plan.

The **Environmental Health Division** has no objections subject to conditions regarding hours of construction, piling, a noise management scheme, assessment of plant noise, lighting scheme and electric vehicle charging.

The **Crime Prevention Design Advisor** states that the new gates and fencing will provide a reasonable deterrent to intrusion but states that attention should be paid to intruder-resistant qualities of external doorsets of the new hall. It is noted that the access track is made of compacted material, some of which is loose and the applicant should be mindful that damage can be inflicted on buildings by offenders using loose stones.

The Council's **Waste Management Section** makes no comments.

The **Lead Local Flood Authority** has no objections.

Cadent states that there is apparatus in the vicinity which may be affected so developers are required to contact their Plant protection Team for approval before carrying out any works on site.

No comments have been received from the **Newcastle South LAP**. Given that the period for comments has expired it must be assumed that they have no comments to make.

Representations

Two letters of **support** have been received stating that the development will provide Newcastle with a facility that will enable the delivery of sports to the residents of the borough and will help with the health and well-being of residents. It will enable Newcastle Town Netball Club to extend and enhance its delivery of netball programs.

Four letters of **objection** have been received. A summary of the objections made is as follows:

- Design of the building and its impact on the Conservation Area
- Height of the building and impact on residential properties due to blocking the light of the rising sun
- Additional traffic and increased pressure on parking will increase congestion and risk of accidents
- Loss of ash tree
- Too close to the boundary of Stubbs Walks to allow any meaningful landscape treatment

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design, Access and Heritage Statement
- Arboricultural Report
- Tree Report – Ash Tree
- Design Review Report

All of these documents are available for inspection at the Guildhall and as associated documents to the application via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00042/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

12th March 2019