

The application seeks full planning permission to undertake engineering works to improve the bankside of Madeley Pool to prevent further erosion and to provide a safer bank.

The site lies within the village envelope of Madeley and within Madeley Conservation Area.

The 8 week period for the determination of this application expires on 26th August 2019.

RECOMMENDATION

Subject to the consideration of any representations received by 15th August and such representations not raising planning issues that have not been addressed within this report and which can't be addressed through the imposition of appropriate conditions , the Head of Planning be given the delegated authority to:

PERMIT subject to conditions relating to the following:

- 1. Time Limit.**
- 2. Approved plans**
- 3. Any additional conditions as he may consider appropriate**

Reason for Recommendation

The proposal will not materially change the appearance of the Pool and as such will preserve the character and appearance of the Conservation Area.

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

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

Key Issues

The application seeks planning permission to undertake engineering works to reinforce sections of the bankside to the pool to prevent further erosion and to provide a safer bank. The works are to be undertaken on the northern end of the pool and along parts of the east side.

The application is supported by a Preliminary Ecological Appraisal Survey which concludes that there will be no impact arising from the development on protected species and habitats and recommends that no further surveys are required. As such the proposal does not conflict with national and local policies which seek to safeguard protected species and their habitats. The main issue for consideration in the determination of this application, therefore, is the impact of the development on the character of Madeley Conservation Area. Members may wish to note that Madeley Parish Council as part of the ongoing community engagement on the emerging Madeley Neighbourhood Development Plan, is currently undertaking a community consultation on proposed Local Green Space designations within the Madeley Neighbourhood Area and they have identified the Pool as such a space – one of the grounds being that it is demonstrably special to the community and holds particular local significance due to its beauty, wildlife and recreational value in the centre of the village. It is indicated that the community use the pool to enjoy the tranquil setting sitting on benches set around the pool, to feed the local duck population, and for fishing by permit. The Neighbourhood Plan is not yet at an advanced stage but the evidence from the community engagement to date indicates that this is a valued space.

Impact of the development on the character of Madeley Conservation Area

Policy CSP1 of the Core Spatial Strategy (CSS) indicates that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape, and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. Amongst other things new development should be based on an understanding and respect for Newcastle and Stoke-on-Trent's built, natural and social heritage and contribute positively to an area's identity and heritage.

Policy CSP2 of the CSS indicates that the Councils will seek to preserve and enhance the character and appearance of the historic heritage of the City and the Borough including buildings, monuments, sites and areas of special archaeological, architectural and historic interest.

Saved policy B9 of the Newcastle Local Plan (NLP) indicates that the Council will resist development that would harm the special architectural or historic character or appearance of a Conservation Area. Saved NLP policy B13 states that applicants should demonstrate how they have taken account of the need to preserve or enhance the character or appearance of Conservation Areas in the design of their development proposals. Saved NLP policy B15 indicates that trees and landscape features which contribute to character and appearance and are part of the setting of a Conservation Area will be retained.

The NPPF at paragraph 192 states that in determining planning applications, the Local Planning Authority 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.

At paragraph 193 the NPPF states that when considering the impact of a proposed development on the 'significance' of a designated heritage asset (such as a Conservation Area), great weight should be given to the asset's conservation (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.

The proposed engineering works to the bankside are as follows:

- Coir roll (coir filled netting) which are secured by stakes and twine. The submission indicates that pre-established plants are within the rolls.
- Rock rolls (rock filled netting) secured behind pre-installed chestnut stakes.

The coir roll is to be installed along six relatively short sections of the eastern bank of the pool. The rock roll is to be installed in five short sections of varying length on the eastern boundary, and one short section on the northern boundary. On the majority of the northern embankment where the Pool is adjacent to Moss Lane it is proposed to install double rock rolls.

The installation of the coir rolls will result in little change to the appearance of the Pool. The rock rolls will, initially, have a visual impact due to the loss of some vegetation on the bankside however this will be minimal. Over time the rolls will collect silt and plants will start to re-establish. They are naturalistic in form compared with more traditional rectangular gabions.

In light of the above, it is considered that the development, as proposed, will not materially change the appearance of the Pool and as such will preserve the character and appearance of the Conservation Area.

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
Policy CSP4 Natural Assets

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

Policy N3 Development and Nature Conservation – Protection and Enhancement Measures
Policy N8 Protection of Key Habitats
Policy B9 Prevention of Harm to Conservation Areas
Policy B13 Design and Development in Conservation Areas
Policy B15 Trees and Landscape in Conservation Areas

Other Material Considerations include:

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

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

Supplementary Planning Guidance/Documents

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

Relevant Planning History

None

Views of Consultees

Madeley Parish Council has no objections.

The views of the **Conservation Advisory Working Party**, the **Conservation Officer, Staffordshire Wildlife Trust** and **United Utilities** have been sought. Any comments received will be reported

Representations

None received to date. The publicity period does not finish until 15th August 2019 and any representations received by the due date will be reported

Applicant's/Agent's submission

All of the application documents, including a Preliminary Ecological Appraisal Survey, can be viewed on the Council's website using the following link:

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00514/DEEM4>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

25th July 2019