

RENFORD HOUSE, 24 HIGH STREET, WOLSTANTON
MR IAN CAMERON

19/00529/FUL

The application is for full planning permission for the demolition of Renford House, and its replacement with two town houses and a building to accommodate 9 apartments.

Vehicle access for the new apartment building would be off Woodland Avenue and the two town houses would be served off a single point off access off Marsh Avenue.

The application site is located within the Urban Area of Newcastle and the Watlands Park Conservation Area as identified on the Local Development Framework Proposals Map. The site area is approximately 0.14 hectares.

Tree's on the site are covered by Tree Preservation Order no. 11.

The 13 week period for the determination of this application expires on 28th October 2019.

RECOMMENDATION

Refusal on the following grounds:-

- 1. The proposed development, by virtue of its poor quality design, layout, form and appearance, would harm the character and appearance of the Watlands Park Conservation Area, thereby affecting its significance, and would fail to take the opportunities available for improving the character and quality of the site and visual amenity of the area. Such less than substantial harm from the proposed development would not be outweighed by any public benefits. The proposed development is therefore contrary to saved 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, the guidance set out in the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) and the requirements and policies of the National Planning Policy Framework 2019.**
- 2. The proposed development and disposition of buildings is likely to result in the unacceptable impact to, and potential loss, of visually significant trees within the site that would be harmful to the Watlands Park Conservation Area and is therefore contrary to saved policies N12 and B11 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, the guidance set out in the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) and the requirements and policies of the National Planning Policy Framework 2019.**
- 3. The application fails to demonstrate that suitable noise mitigation measures can be secured to ensure that appropriate living conditions can be achieved for the occupants of the development in accordance with the National Planning Policy Framework 2019, in particular paragraphs 127 and 170, which would not result in harm to the character and appearance of the Watlands Park Conservation Area.**
- 4. Without an appropriate secured financial contribution relating to public open space the additional demands upon open space arising from the additional dwellinghouses as proposed would not be suitably addressed. As such the development would be contrary to policies on the provision of open space for residential development, contrary to Policies CSP5 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policies C4 and IM1 of the Newcastle-under-Lyme Local Plan 2011, Newcastle under Lyme Borough Council Supplementary Planning Document on Development Contributions (2007), the Newcastle-under-Lyme Open Space Strategy (March 2017), and the aims and objectives of the National Planning Policy Framework 2019.**

Reason for Recommendation

Whilst the principle of new housing development on the site is considered acceptable, due to its highly sustainable location and because it would not result in the loss of good quality employment land, the proposed development is not considered to represent a sustainable form of development by virtue of it being a poor quality design and is likely to result in the loss of visually significant trees thereby harming the character and appearance of the Conservation Area. The less than substantial harm that would arise would not be outweighed by the public benefits of the proposal by virtue of a boost to the supply of houses. Without suitable noise mitigation measures the development is likely to result in the future adverse harm to occupiers of the development. A S106 agreement to secure a financial contribution towards public open space is not currently "on the table", although there is no reason to consider that the applicant would not enter into such obligations.

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

The application is a resubmission and the applicant has been given every opportunity to overcome the numerous concerns with the proposed development and has failed to do so. It therefore represents an unsustainable form of development in conflict with the provisions of the National Planning Policy Framework

Key Issues

This is an application for full planning permission for the demolition of Renford House, an existing building in use as A2 Professional Services and B1 Offices, and its replacement with two town houses and a building to accommodate 9 apartments.

Vehicle access for the new apartment building would be off Woodland Avenue and the two town houses would be served off a single point off access off Marsh Avenue.

The application site is located within the Urban Area of Newcastle and the Watlands Park Conservation Area as identified on the Local Development Framework Proposals Map. The site area is approximately 0.14 hectares.

Tree's on the site are covered by Tree Preservation Order no. 11.

The site is within a High Risk Coal Mining area and there are coal mining features on the site. However, coal mining legacy matters can be addressed by conditions.

The main issues for consideration in the determination of this application are:-

1. Is the principle of the development acceptable both in terms of the loss of the current use and the location for residential development?
2. Is the design and appearance of the development acceptable and would there be any significant harm to the character and appearance of the Watlands Park Conservation Area?
3. Would there be any adverse impact on trees?
4. Would the proposed development have any material adverse impact upon highway safety?
5. Would there be any material adverse impact on residential amenity?
6. What planning obligations are considered necessary and lawful?
7. Other matters

1. Is the principle of the development acceptable both in terms of the loss of the current use and the location for residential development?

- 1.1 The site is occupied by Renford House, which the applicant describes as a large detached 19th Century building that has been in commercial use for 40 years. In recent years the building has been used as A2 financial and professional services and B1 offices.
- 1.2 NLP Policy E11 states that "Development that would lead to the loss of good quality business and general industrial land and buildings will be resisted where this would limit the range and quality of sites and premises available. The criteria for what constitutes 'good quality' business and general industrial land and buildings include the following; Accessibility to and from the primary road network; Size; Topography and configuration; Ground conditions; Its location and relationship to adjoining uses"
- 1.3 The proposal is to demolish the existing building and replace it with a modern apartment building with 9 units. Two town houses are also proposed within the site.
- 1.4 NLP Policy H1 supports new housing in the urban area of Newcastle and Kidsgrove with Policy ASP5 of the Core Spatial Strategy (CSS) setting a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026.
- 1.5 Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The CSS goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable

solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

- 1.6 The NPPF seeks to support the Government's objective of significantly boosting the supply of homes. It also sets out that there is a presumption in favour of sustainable development.
- 1.7 The Council is able to demonstrate a five year supply of specific deliverable housing sites, with the appropriate buffer, with a supply of 5.45 years as at the 1st April 2018. Given this, it is appropriate to consider the proposal in the context of the policies contained within the approved development plan. Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. This site is located in the urban area and it is considered to represent a sustainable location for housing development by virtue of its close proximity to services, amenities and employment opportunities.
- 1.8 Your officers do not consider that the existing office building can be described as good quality office accommodation. Offices are also a main town centre use and the loss of accommodation in this location is not considered to be harmful or contrary to the guidance and requirements of the NPPF or NLP Policy E11. The site is considered to represent a highly sustainable location and the principle of housing development on the site therefore complies with local and national planning policy guidance.
2. Is the design and appearance of the development acceptable and would there be any significant harm to the character and appearance of the Watlands Park Conservation Area?
 - 2.1 The property is within the Watlands Park Conservation Area and 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.
 - 2.2 Paragraph 193 of the NPPF sets out 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.
 - 2.3 The NPPF at paragraph 195 further states that "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss."
 - 2.4 At paragraph 196 of the NPPF it states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
 - 2.5 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.
 - 2.6 Policy B11 "Demolition in Conservation Areas" states that, "consent to demolish a building or any part of a building in a Conservation Area will not be granted unless it can be shown that each of the following is satisfied:
 - The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal would benefit the appearance or character of the area,
 - Detailed plans for redevelopment are approved where appropriate,

- An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate.

2.7 The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) states in its policy 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.

2.8 In a more general sense the NPPF sets out at paragraphs 124 & 130 that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

2.9 The proposed development is for the demolition of the existing building, which occupies a prominent position within the existing street scene and Watlands Park Conservation Area, and its replacement with a three storey apartment building and 2 three storey town houses would also result in a development that is prominent.

2.10 Renford House has been heavily modified and visually it has a neutral appearance within the Conservation Area. Views of the building are restricted by mature tree screening on the boundary that fronts both High Street and Woodland Avenue. On this basis, the principle of the demolition of the building can be considered acceptable but only if its removal would benefit the appearance or character of the area by the replacement of the building with a development that would preserve or enhance it.

2.11 The character of surrounding streets, in particular Woodland Avenue and Marsh Avenue, is of high quality containing interesting buildings. Therefore, in order for the proposed development to benefit the character of the area the proposed development should be of high quality and add interest to the area. The NPPF, development plan policies and the urban design SPD places great emphasis on achieving high quality design and this is even more important within conservation areas.

2.12 The proposed apartment building seeks to achieve a modern design but its appearance is utilitarian and lacks quality for this prominent location. It falls short of an appropriate contemporary design and it is not sympathetic to the Conservation Area, primarily due to the poor quality design, layout, form and appearance. The proposed development also lacks design influence from existing buildings within the locality and Conservation Area. Likewise, the two town houses also seek a modern appearance but the layout and appearance would not benefit the character of the area. The design of the proposed buildings could not be said to represent high quality. Whilst each element of the development is not inappropriate in its scale and massing, the cumulative impact of the development is of concern.

2.13 It is noted that the development would result in the existing unsightly and dominant commercial advertising hoardings being removed which would be a benefit. However, elements of the private gardens of the two town houses would be located close to High Street, a busy main road through Wolstanton, and whilst specific boundary treatments could be conditioned the Environmental Health Division (EHD) have raised concerns about the impact of traffic on these garden areas and mitigation measures, for example, an acoustic fence. An acoustic fence is likely to be visually dominant on this boundary and this would result in a further additional harm to the appearance of the development and the Conservation Area.

2.14 Watlands Park Conservation Area was designated as being significant for a number of reasons including that it offers a high quality and characterful environment marked by tree-lined avenues and

substantial residential properties of pleasingly varied design. Renford House is considered to have a neutral appearance within the Conservation Area, not being considered to be either high quality or characterful, and its loss will not in itself be harmful. The site is within a prominent position within the Conservation Area, however, and it is important to ensure that any redevelopment is of a high quality and characterful design. The proposed design is considered to be of poor quality and fails to take the opportunities available for improving the character and quality of this site. On this basis, it is considered that the proposed development will lead to less than substantial harm to the significance of a designated heritage asset as it would neither preserve nor enhance the character and appearance of the Conservation Area. There would be some public benefits as the proposal will result in a boost to the Borough's supply of housing it is considered that such benefit would not outweigh such harm. As such this would clearly be contrary to specific policies of the development plan and urban design guidance highlighted above and the guidance and requirements of the NPPF.

3. Would there be any adverse impact on trees?

3.1 Saved policy NLP N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Where appropriate developers will be expected to set out what measures will be taken during the development to protect trees from damage.

3.2 Saved policy NLP B15 further states that "Trees and landscape features which contribute to the character and appearance and are a part of the setting of a Conservation Area will be retained. Where consent is given to remove protected trees conditions will be imposed to require trees of the appropriate species and size to be planted and replaced if they die within 5 years."

3.3 The site contains a number of mature trees located on the northern boundary, which serves as the High Street frontage and these are visually significant and contribute to the character and appearance of this part of the Conservation Area. The trees that are located adjacent to the Woodland Avenue and High Street junction are covered by a TPO and the application seeks to demonstrate that these can be adequately protected during construction.

3.4 In terms of other trees within the site the Landscape Development Section (LDS) has raised concerns about the loss of a Sycamore (T2) and a Lime tree (T3) on the site frontage. These are classified, within the submitted tree report, as Category A trees - Trees of high quality with an estimated remaining life expectancy of at least 40 years. Whilst these trees are not included in the TPO they are visually significant and should be retained and the application has failed to demonstrate that they can be. Therefore, the development is contrary to policies N12 and B15 of the local plan which are consistent with the guidance and requirements of the NPPF.

3.5 Furthermore, the retention of trees T2 and T3 would prevent footpath widening improvements advised by the Highways Authority - this matter is discussed in the section below.

3.6 The LDS have asked for a landscape strategy plan and this could be secured by condition had the development been considered acceptable.

4. Would the proposed development have any material adverse impact upon highway safety?

4.1 Paragraph 108 of the NPPF states that safe and suitable access to a site shall be achieved for all users and paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

4.2 The site is occupied by Renford House, which has been operating as a commercial building for 40 years. In recent years the building has been used as A2 financial and professional services and B1 offices. Renford House would be replaced with 9 apartments and two town houses with vehicle access for the new apartment building being via the existing access off Woodland Avenue and the two town houses would be served off the existing access off access off Marsh Avenue.

- 4.3 Many of the objections received focus on highway safety concerns of the proposed development, in particular increased traffic generation and the level of off street car parking being insufficient which would exacerbate existing on street car parking problems on neighbouring streets.
- 4.4 Paragraph 106 of the NPPF states that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.
- 4.5 Saved policy T16 of the NLP states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. Other than in respect of the setting of maximum parking levels this policy is consistent with the NPPF and can be given weight in the decision making.
- 4.6 The development proposes to utilise existing accesses on to both Woodlands Avenue and Marsh Avenue. These are established accesses and the Highways Authority has raised no objections to the proposed development on the basis that the traffic generated by the permitted office use would generate more vehicle trips than the proposed 9 apartments and two dwellings. In addition the site is located in a highly sustainable location in the centre of Wolstanton with access to bus services, amenities, schools and employment opportunities which are all within easy walking and cycling distance.
- 4.7 The apartment building is proposed to have 17 car parking spaces and Policy T16 requires a Maximum of 18 spaces. It is considered that this level of parking spaces is unlikely to exacerbate an on street car parking problem. The proposed 3 off street car parking spaces for the town houses is acceptable and is in full accordance with policy T16.
- 4.8 The HA have raised no objections considering that the existing accesses that are utilised are acceptable having adequate visibility notwithstanding the existence of parked cars adjacent to such accesses, subject to conditions. In particular they have requested the submission and approval of a car park management plan, cycle storage and off site highway works which should include partial footpath widening on High Street which would further encourage future occupiers to access the services and amenities.
- 4.9 Your officers acknowledge that the width of the existing footpath is narrow and the principle of the partial footpath widening on High Street is supported. The applicant has also indicated a willingness to comply with this condition. However, there are potentially significant and harmful implications of these works on two mature and visually significant trees as they may have to be removed to accommodate the works. Whilst your officers acknowledge the benefits of the partial footpath widening to future residents it is not considered that such works are essential to highway safety and these benefits would not outweigh the greater harm caused by the loss of the trees and on this basis a condition requiring partial footpath widening would not be supported in this instance.
- 4.10 Without a landscape strategy and suitable replacements being identified the footpath widening works cannot be considered appropriate.
5. Would there be any material adverse impact on residential amenity?
- 5.1 Paragraph 127 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 5.2 The Council's Supplementary Planning Guidance (SPG) - Space Around Dwelling provides more detailed guidance on privacy and daylight standards including separation distances between proposed dwellings and new development in relation to existing dwellings.

- 5.3 The proposed apartment building would front High Street and whilst principal windows and balconies are proposed in this elevation and the rear elevation (“entrance elevation”) they would fully comply with the SPG.
- 5.4 The proposed town houses are sited in a manner that they would comply with the separation distances set out in the SPG.
- 5.5 However, EHD has raised objections to the proposed development, as set out at paragraph 2.12 above. They indicate that amenity spaces for the town houses will be subjected to high levels of road traffic noise and any required mitigation to achieve appropriate noise levels within the garden areas could have a significant impact on the appearance of the development and visually significant trees.
- 5.6 It is acknowledged that the application has not been supported by a noise impact assessment that includes possible mitigation measures and your Officer considers that whilst the proposed garden areas meet the SPG, in terms of size, the future occupiers would be adversely affected by road traffic noise without appropriate mitigation and that any required mitigation is likely to be visually unacceptable in this prominent Conservation Area location. On this basis it is considered that elements of the proposed development would be contrary to the guidance and requirements of the NPPF, in particular paragraph 127.
6. What planning obligations are considered necessary and lawful?
- 6.1 The Council’s Landscape Development Section (LDS) has requested a financial contribution of £5,579 per dwelling towards improvements to the play area at Bradwell Lodge, which is approximately 475m away from the application site. This would amount to a total contribution of £61,369.
- 6.2 Any developer contribution to be sought must be both lawful, having regard to the statutory tests set out in Regulation 122 and 123 of the CIL Regulations, and take into account guidance. It must be:-
- Necessary to make the development acceptable in planning terms
 - Directly related to the development, and
 - Fairly and reasonably related in scale and kind to the development.
- 6.3 The figure requested by LDS is in accordance with the Open Space Strategy and the contributions are ones, which make the development policy compliant and ‘sustainable’. They are considered to meet the requirements of Section 122 of the CIL Regulations being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 6.4 However, it is also necessary to consider whether the financial contributions comply with Regulation 123 of the CIL Regulations, which came into force on 5th April 2015. Regulation 123 stipulates that a planning obligation may not constitute a reason for granting planning permission if it is in respect of a specific infrastructure project or a type of infrastructure and five or more obligations providing for the funding for that project or type of infrastructure have already been entered into since 6 April 2010.
- 6.5 Only one obligation has previously been secured for POS improvements at Bradwell Lodge and on this basis, it is considered that the contribution complies with CIL Regulation 123.
- 6.6 The obligation would need to be secured via a Section 106 agreement but one has not been completed.
7. Other matters
- 7.1 A total of 74 representations have been received raising objections on a number of grounds. Many of these objections relate to the design of the scheme and its impact on the visual amenity of the area and the Conservation Area; and the impact on highways safety, including perceived existing on street car parking problems. These objections have been taken into consideration above when concluding the recommendation.

7.2 Matters such as the additional impact on sewerage system and the impact on exhaust fumes from additional cars have been given limited weight. These matters are covered by other legislation and/ or they are the responsibility of other bodies such as the utilities company. Construction traffic can be addressed and controlled through planning condition. There is no public right of way through the site.

APPENDIX

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

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

Policy SP1	Spatial Principles of Targeted Regeneration
Policy SP3	Spatial Principles of Movement and Access
Policy ASP5	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP2:	Historic Environment
Policy CSP3	Sustainability and Climate Change
Policy CSP5	Open Space/Sport/Recreation
Policy CSP10	Planning Obligations

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

Policy H1	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16	Development – General Parking Requirements
Policy N3	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4	Development and Nature Conservation – Use of Local Species
Policy N12	Development and the Protection of Trees
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 B11:	Demolition in Conservation Areas
Policy B13:	Design and Development in Conservation Areas
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas
Policy B15:	Trees and Landscape in Conservation Areas
Policy C4	Open Space in New Housing Areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

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

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

[Supplementary Planning Guidance/Documents](#)

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

[Supplementary Planning Guidance/Documents](#)

[Developer contributions SPD](#) (September 2007)

[Newcastle-under-Lyme Open Space Strategy](#) – adopted March 2017

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

[Space Around Dwellings SPG](#) (SAD) (July 2004)

[Relevant Planning History](#)

The existing Renford House building has been in commercial use since the 1980's and has been the subject of various planning applications for extension and alteration.

A recent planning application, reference 18/00024/FUL for the proposed demolition of Renford House, and construction of 12 no. apartment block and two town houses, was withdrawn.

Views of Consultees

The Council's **Urban Design and Conservation Officer** indicates that the comments provided during the consideration of the previous planning application (which was withdrawn) remain valid. Therefore, whilst there are no objections to the demolition of the building the proposals do not add to the quality of the streetscene and it does not reflect the quality of the adjacent properties or those within the conservation area. The reduction in scale is welcomed and the roof shape is more acceptable. The entrance into the building is poor and extremely understated for such a large building which would be a busy thoroughfare. The design of the new town houses is unlikely to create a good focal point on the corner. The amended proposal does not preserve the special elements of the conservation area or make a positive contribution which is worthy of demolishing the existing building on the site. The quality of the development falls short of what the LPA should be accepting in a conservation area and is contrary to the guidance of the NPPF. The design and layout currently causes substantial harm to the character and appearance of the conservation area and neither preserves or enhances it.

The **Conservation Advisory Working Party (CAWP)** indicates that they are disappointed with the quality of the development, particularly given the critique of the previous submission, although some members felt that the amended roofline was a slight improvement on the last submission. This very ordinary flat design lacks any form of modelling and the front entrance to the apartment block is disproportionately small. The detached houses are unremarkable and the development doesn't complement the rest of the area. More finesse is required for this site. Some members feel the apartment block is inappropriate in terms of its scale and should be 2 or 2.5 storeys. They consider the proposal should be refused on grounds of poor design.

The **Highways Authority** raises no objections following the submission of an amended site plan subject to the following conditions;

- Provision of accesses, parking, turning and servicing areas;
- Submission and approval of a car park management scheme for the apartments;
- Off-site highway works including the partial widening of the footpath on the High Street frontage and surfacing of the existing dropped crossing on Marsh Avenue;
- Pedestrian visibility splays for the accesses to the town houses;
- Submission and approval of surfacing and surface water drainage details for the drives and accesses of the town houses;
- Details of the secure weatherproof cycle parking;
- The accesses on Woodland Avenue and Marsh Avenue shall remain un gated; and
- Submission and approval of a construction management plan.

Staffordshire County Council Flood Risk Team indicate that, as the ground floor area of the residential development does not exceed 1000m², and records show the site to be at low risk of flooding.

The **Environmental Health Division (EHD)** objects on the grounds that amenity spaces for the residential dwellings will be subjected to high levels of road traffic noise and that any required mitigation to achieve appropriate noise levels within the garden areas could have a significant impact on the appearance of the development.

The **Landscape Development Section (LDS)** objects on the grounds that the development is likely to result in post development resentment of trees from future occupiers which could lead to their loss. There are also concerns about levels changes within the root protection areas of trees, which are likely to lead to tree loss, and a landscape strategy has not been submitted to improve the design.

The **Waste Management Section** raises concerns about the location of the shared bin store of the apartments and the distance from the kerbside. Similar concerns regarding the distance of town house 1 to the kerbside and bins being left on the highway during collections.

The **Coal Authority** indicates that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered. Specifically, records indicate the presence of fissures.

The submitted Coal Mining Risk Assessment identifies the presence of two northwest-southeast trending faults and correctly states that it may be possible that another fault may pass through the application site. The Coal Authority considers that fissures have a very significant potential for ground collapse, which can arise as a direct consequence of a new development. Consequently, The Coal Authority would expect the fissure to be located and both a treatment scheme and any subsequent foundation solution to be conditioned by the LPA. The Coal Authority has no objection to the proposed development subject to the imposition of a condition to secure intrusive site investigations and remediation measures.

The **Staffordshire Police Crime Prevention Design Advisor (SPCPDA)** raises no objections to the proposals but offer advice on design improvements. The following recommendations are made;

- A covered cycle storage should be provided within the site,
- Visitor parking should be proposed for the apartment building,
- An effective access control system will be required to restrict access to the apartment block to residents only,
- Post arrangements for the apartments will need to be secure,
- Boundary treatments for these rear gardens will need to be sufficiently robust to deter casual intrusion and discourage burglary and theft.

The **Education Authority** states that development falls within the catchments of Ellison Primary School and Wolstanton High School. The development does not meet the threshold for education contributions because two bed apartments are discounted in the education policy. Therefore no education contribution is requested for this application.

The **East Newcastle Locality Action Partnership (LAP)** has been consulted on this application and has not responded by the due date and so it is assumed that they have no comments to make on the application.

Representations

74 letters of objection have been received raising the following concerns;

- The proposal would exacerbate an existing on street car parking problem on surrounding streets,
- The parking arrangements for the Renford House site remains inadequate and have no disabled or visitor provision,
- The Marsh Avenue access has not been used in many years,
- The proximity of the access to the junction of Woodlands Avenue is unsafe due to existing on street car parking problems,
- The existing access arrangements have poor visibility,
- Construction traffic will be harmful to the area in terms of additional traffic, noise and disturbance,
- The design and access statement is misleading and does not reflect the planning application,
- The proposal would harm the character of the conservation area,
- It represents overdevelopment of the site due to scale and massing of buildings and additional vehicle movements,
- The architectural quality of the scheme is poor,
- The height of the flat block is disproportionate,
- The development would harm the wellbeing of residents,
- Pollution from car exhausts from additional vehicle movements created by the proposed development,
- Concerns about the additional impact on the sewerage system,
- The right of way through Renford House should be protected,
- There are too many flats in the area already,
- The building should be maintained as a commercial building,
- The building is a landmark to residents and should not be demolished, and
- Conversion of the existing building to apartments would be more appropriate.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00529/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

26th September 2019