

The application is for extensions and alterations to Newcastle Museum and Art Gallery to form additional exhibition and educational facilities.

The site is located within the Urban Area of Newcastle and the Brampton Conservation Area as defined on the Local Development Framework Proposals Map.

**The statutory 8-week period for the determination expires on the 28<sup>th</sup> November 2019.**

### **RECOMMENDATION**

**Permit, subject to conditions relating to;**

- i. Time limit condition**
- ii. Approved plans**
- iii. Materials**
- iv. Hours of construction**
- v. Arboricultural Method Statement**
- vi. Details of special engineering within root protection areas**
- vii. Construction Phase Tree Protection Plan**

### **Reason for Recommendation**

The extensions would preserve the character and appearance of the Conservation Area. The development would therefore comply with local and national policies and guidance.

### **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**

The application seeks full planning permission for extensions and alterations to Newcastle Museum and Art Gallery to form additional exhibition and educational facilities.

The site is located within the Urban Area of Newcastle and the Brampton Conservation Area as defined on the Local Development Framework Proposals Map.

The Landscape Development Section has no objections subject to conditions and therefore the sole issue for consideration in the determination of this application is whether the proposal is acceptable in terms of its impact on 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.

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."

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.

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.

Paragraph 56 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people.

The application comprises two elements as follows:

- i. The infill of the external courtyard to the rear of the building to form a single storey flat roofed extension to the art gallery
- ii. An extension to the side to create new flexible teaching spaces and improve the link to the garden

The courtyard extension would primarily be used for exhibitions of local artists as well as providing space for visiting exhibitions. The extension would have a floor area of 56 square metres and would be single storey with a flat roof. The extension to the side would provide additional teaching and activity space and would also be used for external hire for small meeting groups. It would provide an additional floor area of 64 square metres and would have a hipped roof to match the existing. The materials of both extensions would match the existing.

The courtyard area is surrounded on three sides with buildings and the proposed extension would not be visible from any public viewpoint. The extension to the side would be on a grassed area between an existing extension to the building and the site boundary. The Conservation Officer raises no objections to the proposal and given the scale, design and siting of the extensions proposed, it is not considered that there would be any harm to the character or 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 CSP2: Historic Environment

[Newcastle-under-Lyme Local Plan \(NLP\) 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 N12: Development and the Protection of Trees

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

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

[Planning Practice Guidance](#) (PPG) (2018)

Relevant Planning History

None relevant

Views of Consultees

The **Conservation Officer** has no objections on the basis that the internal courtyard extension is within the service inner courtyard and will not be visible from any public areas of the park and the small rear extension reflects the existing style of extension and will not be harmful to the character or appearance of the Conservation Area.

The **Environmental Health Division** has no objections subject to a condition regarding hours of construction.

The **Landscape Development Section** has no objections subject to the submission of an Arboricultural Method Statement, details of special engineering for the proposed decking within RPAs and a Construction Phase Tree Protection Plan, all to BS5837:2012.

**Cadent Gas** has identified operational gas apparatus within the application site boundary and therefore all developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site.

The views of the **Conservation Advisory Working Party (CAWP)** have been sought and any comments received will be reported.

Representations

None received.

Applicant/agent's submission

The application is supported by a Design and Access Statement, a Heritage Statement and an Arboricultural Survey and Report. The submitted documents and plans are available for inspection on the Council's website by searching under the application reference number 19/00687/DEEM3 on the website page that can be accessed by following this link; <https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00687/DEEM3>

Background Papers

Planning File  
Development Plan

Date report prepared

22<sup>nd</sup> October 2019