

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - Mr Simon Webber

**Application No.** 11/00063/LBC

**Location** – Hillside, Chapel Bank, Mow Cop

**Description** – Internal alterations

### **Policies and proposals in the Approved Development Plan relevant to this decision:**

#### **West Midlands Regional Spatial Strategy 2008**

Policy QE1: Conserving and Enhancing the Environment  
Policy QE3: Creating a High Quality Built Environment for all

#### **Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011**

Policy NC18: Listed Buildings

#### **Newcastle-under-Lyme Local Plan 2011**

Policy B5: Control of Development Affecting the Setting of a Listed Building  
Policy B6: Extension or Alteration of Listed Buildings

#### **Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)**

Policy CSP2: Historic Environment

### **Other Material Considerations include:**

#### **National Planning Policy**

National Planning Policy Framework (March 2012)

### **Supplementary Planning Guidance**

N/A

### **Planning History**

None relevant

### **Views of Consultees**

The **Conservation Advisory Working Party** raises no objections to the work, but a pre-commencement condition requiring a Level 1 photographic survey of the removable partition wall should be submitted and approved by the LPA.

### **Representations**

No representations received.

### **Applicants/ Agents submission**

The requisite application forms and plans were submitted as well as a heritage statement

### **Key Issues**

The application is for Listed Building Consent for internal alterations at Hillside, Chapel Bank, Mow Cop, which is a converted church located in the rural area and an area of landscape restoration, as identified on the Local Development Framework Proposals Map. The chapel was converted in the early 1990s under planning permission reference NLB293.

It is considered that the key issue in the determination of the application is whether the proposed internal alterations preserve the special character and appearance of this Grade II Listed Building.

Part 12 of the National Planning Policy Statement “Conserving and Enhancing the Historic Environment” 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 use 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

Saved Local Plan Policy B6 indicates that the Council will resist alterations or additions to a Listed Building that would adversely affect its character or its architectural or historic features. Policy CSP2 of the Core Spatial Strategy also seeks to preserve and enhance the character and appearance of the historic heritage of the Borough.

The chapel building which is listed Grade II, was converted to residential use in the early 1990s although the chapel on the upper floor remains intact and the residential element is held within the ground floor which originally was the schoolroom, annexes and vestry. The original conversion is not the most sensitive conversion and in general divides up the former schoolroom into internal partitions which are fed off a narrow dark corridor. Essentially however the principal significant elements of the building are still intact, including the internal panelled partition doors and all of the original entrances and staircases.

This proposal is for a number of internal changes. The first is to remove a small section of stud wall near the south entrance off the lobby, this will open out the corridor. This is a minor change and will be a big improvement as the corridor is currently very dark.

The second is minor and again is to modify the stud walling to the main bathroom and re-erect to allow access on the corner to open out the corridor. This is minor and acceptable. The third change is to put up plaster board against the removable wood panelling on the north side of the corridor. This removable panel is already modified and of less quality than that on the south side of the corridor. This change is acceptable.

The fourth change is the most significant as it proposes to remove the removable timber doors from the framing and create an ensuite to the bedroom in the former vestry and a cupboard off the side lobby utilising the existing door. The framing is proposed to be retained so the doors can be reinstated at a later date and they will be stored in the chapel upstairs. It is considered that the retention of the framing in the bedroom should be conditioned, and that the doors that are to be removed should be stored on site in the Chapel.

Essentially the works proposed are reversible and therefore would not harm the significance of the building, given that the removable door was always intended to be removable.

The Conservation Area Working Party (CAWP) has raised no objections to the application but they have indicated that they would like a condition including which requires a Level 1 photographic survey being taken and submitting to the LPA of the removable partition wall prior to commencement of the development.

In consideration of the above the view of officers is that the proposed internal alterations would not harm the character of the building and would help to preserve its appearance. This being in accordance with the relevant policies of the development plan.

#### **Reason for the grant of listed building consent:**

It is considered that the proposed internal alterations would not harm the character or appearance of this Grade II Listed Building. The Local Planning Authority has therefore exercised its duty of having special regard to the desirability of preserving the building and any features of special architectural or historic interest which it possesses, as detailed in section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore the development complies with policies in the development plan indicated in the decision notice and national guidance on works to Listed Buildings.

#### **Recommendation**

##### **Grant consent subject to the following conditions;**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

R1: To comply with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. This permission for development relates to the following submitted drawings and information:-

- Location Plan, received 10<sup>th</sup> February 2012
- Block Plan, received 10<sup>th</sup> February 2012
- Heritage Statement, received 10<sup>th</sup> February 2012
- East and North Elevations existing and proposed drawing No. SW-12-003, received 10<sup>th</sup> February 2012
- West and South elevations existing and proposed, drawing No. SW-12-002

Reason: To clarify the permission and for the avoidance of doubt.

3. Prior to the commencement of the development hereby approved, a Level 1 photographic survey should be carried out and submitted to the Local Planning Authority of the removable partition wall.

R3: To ensure that a reliable visual record of the removable partition wall is kept, should it be reinstated in the future.

4. The partition wall to be removed shall not be disposed of, and should be stored on site within the Church.

R4: To retain the architectural and archaeological significance of the heritage asset.

**Important note to applicant**

Should you require further information about the level 1 photographic survey requirement of condition 3, please contact Staffordshire County Council Archaeological Service on 01785 277290

## **OFFICER REPORT ON DELEGATED ITEMS**

**Applicant** - E C Harris **Application No.** 12/0064/FUL

**Location** – Magistrates Court, Ryecroft, Newcastle

**Description** – Single storey extension to accommodate two additional cells and the infill of the adjacent van dock. Replacement sash windows and doors.

### **Policies and proposals in the Approved Development Plan relevant to this decision:**

#### **West Midlands Regional Spatial Strategy 2008**

Policy QE1 Conserving and Enhancing the Environment  
Policy QE2 Creating a High Quality Built Environment for All

#### **Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011**

Policy D1 Sustainable forms of Development  
Policy D2 The Design and Environmental Quality of Development  
Policy NC19 Conservation Areas

#### **Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009)**

Policy CSP1 Design Quality  
Policy CSP2 Historic Environment

#### **Newcastle-under-Lyme Local Plan 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 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**

NPPF: National Planning Policy Framework

#### **The Secretary of State's announcement of his intention to abolish RSS**

The Secretary of State has made it clear that it is the Government's intention to revoke RSSs and the Localism Act 2011, which includes powers to give effect to that intention, received Royal Assent on 15 November 2011. However, pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan. Nevertheless, the intention to revoke the RSS and the enactment are material considerations.

### **Planning History**

None directly relevant to this application.

### **Views of Consultees**

**Conservation Advisory Working Party** – No objections

**The Highway Authority** were consulted with regards to the application and asked for further information prior to providing comments. This information was received and passed onto the

Highway Authority however no further response was received from them so it must be assumed that they have no comments to make on the proposal.

### **Representations**

No representations received.

### **Applicants/ Agents submission**

The requisite application forms and plans were submitted. A design and access statement was also submitted.

### **Key Issues**

Full planning permission is sought for a single storey extension to accommodate two additional cells and the infill of the adjacent van dock. Replacement sash windows and doors are also proposed. The application property is located within Newcastle Town Centre with part of the boundary adjoining the Conservation Area.

It is considered that the main issue for consideration in the determination of this application is:-

- The design of the proposals and the visual impact of the development upon the surrounding area taking into account its position adjacent to Newcastle Town Centre Conservation Area

### **The impact of the development upon the surrounding area taking into account its position adjacent to Newcastle Town Centre Conservation Area**

Paragraph 56 of the NPPF puts great emphasis on design and details that *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* In addition at paragraph 131 it indicates that LPAs 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 viability; and
- The desirability of new development making a positive contribution to the local character and distinctiveness.

The small proposed extension at the rear of the property and alterations to the existing roller shutter would not have an adverse impact upon the visual amenity of the area or the character of the adjoining Conservation Area. Due to the minor scale of the alterations and the location of this element of the proposal within the application site these elements would not be readily visible from public vantage points. The materials are also shown to match the existing building which is also acceptable.

The proposed replacement windows and doors are specified to be almost identical (double glazed rather than single) in nature to the existing ones and as such no adverse impact upon the visual amenity of the surrounding area or adjoining Conservation Area would ensue. To ensure this is the case a condition should be included specifying that these are located within the existing window recesses unless otherwise agreed in writing by the Local Planning Authority. In terms of the materials proposed the agent has indicated that these are likely to be a dark recessive colour (Black, Brown or Grey). These colours are deemed to be acceptable and would ensure the development assimilated well. To ensure these were utilised a condition would be included on the permission specifying this.

The internal alterations proposed would not require planning permission and therefore the merits of such have not been discussed in this application.

## Other Matters

Due to the location of the application site within the town centre, accessible by a range of sustainable transport methods, the loss of parking spaces is not felt to be an issue however it should also be noted that the internal alterations resulting in the loss of parking spaces would not require planning consent.

## **Reason for granting planning permission**

Due to the scale and nature of the proposals it is felt that the development would not have an adverse impact upon the visual amenity of the area or the character of the adjoining Newcastle Town Centre Conservation Area. The development therefore accords with the principles of policies D2 and NC19 of the Staffordshire and Stoke on Trent Structure Plan (1996-2011), 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) as well as the overarching aims and objectives of the NPPF.

## **Recommendation**

### **Permit subject to the following conditions;**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
- R. To comply with the provisions of Section 91 of the Town and Country Planning Act .
2. The development hereby permitted shall be carried out in accordance with the following approved plans;
  - Proposed Basement Floor Plan Option A Dwg. No. 101 Rev K (stamped received by the Local Planning Authority 10/2/2012)
  - Proposed Ground Floor Plan Option A Dwg. No. 102 Rev I (stamped received by the Local Planning Authority 10/2/2012)
  - Proposed First and Second Floor Plans Dwg. No. 103 Rev G (stamped received by the Local Planning Authority 10/2/2012)
  - Existing and Proposed Elevations Dwg. No. 801 Rev A (stamped received by the Local Planning Authority 10/2/2012)
- R. For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the external elevations of the development hereby approved shall match in appearance, colour and texture those of the existing building or those specified on the application forms unless otherwise agreed in writing by the Local Planning Authority.
- R. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy H18 of the Newcastle under Lyme Local Plan 2010, Policy D2 of the Stoke on Trent Structure Plan 1996-2011 and policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the NPPF.
4. The replacement windows and doors to be installed as part of the permission hereby approved shall be installed within the existing window and door recesses and be powder coated in either Black, Brown or Grey unless otherwise agreed in writing by the Local Planning Authority.
- R. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy H18 of the Newcastle under Lyme Local Plan 2010, Policy D2 of the Stoke on Trent Structure Plan 1996-2011 and policy CSP1 of the Newcastle

under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the NPPF.