

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Mr R Lee

Application No. 12/00272/LBC

Location – Old Springs Hall, Old Springs, Market Drayton

Description – Listed Building Consent for revised fenestration to the ground floor of the South West and South East elevation and one new window at first floor of the South East elevation with 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 D2: The Design and Environmental Quality of Development

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 CSP1: Design Quality

Policy CSP2: Historic Environment

Other Material Considerations include:

National Planning Policy Framework (NPPF) (March 2012)

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.

Supplementary Planning Guidance

N/A

Planning History

A planning application (12/161/FUL) and further listed building consent (12/162/LBC) are currently awaiting determination for external building and landscaping works as well as the retrospective extension of the lake within the garden.

Views of Consultees

Loggerheads Parish Council has no objection to the scheme subject to confirmation that all works are carried out in full compliance with conditions applied by the Conservation Officer and other constraints associated with listed building status.

The County Council Archaeologist was consulted with regards to the application however no comments have been received within the appropriate timeframe so it must be assumed that they have no comments to make on the application.

The **Conservation Advisory Working Party** have no objections in principle to the work but a pre-commencement condition requiring an appropriate level of building recording to the satisfaction of the County Archaeologist should be applied to the permission.

Representations

No representations received.

Applicants/ Agents submission

The requisite application forms and plans were submitted as well as a design and access statement incorporating a statement of significance in line with PPS 5 guidance. It must be noted that since the submission of this application PPS 5 has subsequently been superseded by the introduction of the NPPF however the overarching aims of this document are similar to the previous more detailed guidance on this topic area.

Key Issues

The key issue in the determination of the development is:

- The design of the proposals and their impact upon the Grade II listed building

The design of the proposals and their impact upon the Grade II listed building

Policy B6 of the Local Plan 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 alterations proposed to the main house are fairly minor like removing the lowered ceiling from the main staircase to hopefully expose the original cornice. The majority of the changes are being undertaken in the service wing to try and incorporate this better into the main house. The removal of the corridor and internal walls will change this appearance of the wing but its use as a kitchen is not inappropriate given its original use. The back stairs remain which is imperative and will certainly be a feature of the new proposed kitchen. The other main change is to introduce a lift shaft from the corridor in the main house by modifying a cupboard. This would result in a bathroom being altered upstairs however this is not felt to cause any undue concerns.

In terms of the external alterations proposed to the windows these are not felt to be significant due to the details proposed and would not harm the historic asset. To ensure the precise details are satisfactory this can be dealt with by condition.

A small internal alteration is also proposed to the adjacent stable which is also listed. A wall is proposed to be partially removed to accommodate a biomass boiler and wood store however this is not felt to be detrimental to the building.

It is therefore felt that the proposed minor alterations would assimilate well with the character of the existing property and would not adversely affect the historic state of the building which accords with the principles of policy B6 of the Local Plan as well as policy CSP2 of the Core Spatial Strategy as well as the aims and objectives of the NPPF.

In terms of the details of the brickwork, bond and glazing details and the internal works no precise details have been submitted. It is therefore felt pertinent to include this by condition on any permission.

It also felt pertinent based upon the works being undertaken within this listed building that a record of the existing building is taken prior to any works commencing. To facilitate the most appropriate method of recording a condition would be attached to any permission requesting details to be submitted with the provision of a brief to be provided by the Local Planning Authority should the applicant so wish.

Reasons for the grant of planning permission

The proposed alterations to the building would have no adverse impact upon the appearance of the Grade II listed building. The proposal therefore accords with policies D2 and NC18 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies B5 and B6 of the Newcastle under Lyme Local Plan 2011, policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy and the overarching aims and objectives of 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.

Reason: 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 Coach House Plan Drawing no. 18 date stamped received by the LPA on 13th February 2012 (excluding link corridor element).
- Proposed South West Elevation Drawing no. 09 Rev.A date stamped received by the LPA on 13th February 2012.
- Proposed South East Elevation Drawing no. 10 date stamped received by the LPA on 13th February 2012.
- Proposed Ground Floor Plan Drawing no. 07 Rev.E date stamped received by the LPA on 28th March 2012.
- Proposed First Floor Plan Drawing no. 08 Rev.D date stamped received by the LPA on 28th March 2012.
- Proposed Elevations Drawing no. 21.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Development shall not commence until details of the type, texture, colour and bond of the brickwork to be used in the construction of the external walls and the window lintels/cills have been submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details.

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the NPPF.

4. Development shall not commence until details of the joinery to be used in the external elevations (windows, doors etc) and its finish have been submitted to and approved in writing by the local planning authority. Large scale architectural drawings at 1:1, 1:2 or 1:5 and samples of the sections and profiles of jambs, heads, cills and glazing bars together with their relationships to masonry apertures should be provided unless otherwise agreed by the Local Planning Authority. Development shall proceed in accordance with the agreed details.

Reason: To ensure the quality and visual appearance of the listed building and to comply with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the NPPF.

5. The works hereby permitted shall not be undertaken until the applicant has secured the implementation of a programme of archaeological work to include subsequent analysis, reporting and archiving all to be in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the local planning authority. (A brief outlining the work required can be supplied by the local planning authority on request)

Reason: The works to be undertaken are within a listed building and of archaeological/historic significance and it is important that in accordance with Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the NPPF the building be preserved by record.

OFFICER REPORT ON DELEGATED ITEMS

Applicant - Mr. Robin Bagnall

Application No. 12/00092/LBC

Location – Units 9/10 Lancaster Buildings, High Street, Newcastle

Description – New shop fascia sign

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 (2012)

Supplementary Planning Guidance

N/A

Planning History

There have been a number of previous planning applications and listed building consent applications since the building was listed in October 2005. These have been for the refurbishment of the listed building - 08/00701/DEEM3 & 08/00702/LBC and later applications 09/00628/DEEM3 & 09/00629/LBC for internal alterations and new shop fronts.

Views of Consultees

The **Conservation Advisory Working Party** raised no objections.

Representations

No representations received.

Applicants/ Agents submission

The requisite application forms and plans were submitted as well as a statement of significance. A photomontage of the proposed sign has also been submitted.

Key Issues

This application is for listed building consent for a proposed fascia sign on a ground floor unit to Lancaster Buildings which is a Grade II Listed Building. Advertisement consent is not required in this case (the sign being unilluminated) but the works do require listed building consent. The building is situated in Newcastle town centre within the “primary shopping frontage” and the Town Centre’s Conservation Area, as indicated on the Local Development Framework Proposals Map.

It is considered that the key issue in the determination of the application is:

- Does the sign preserve the special character and appearance of this Grade II Listed Building?

Does the sign preserve the special character and appearance of this Grade II Listed Building?

Paragraph 132 of the newly published NPPF details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.....substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

The ground floor of the building is made up of a number of units which are predominantly occupied by retail businesses. Outdoor advertisement signs are commonplace on the exterior of buildings in town centre locations.

Unit 9/10 of Lancaster Buildings occupies a corner location, at the north western end of Cheapside, having frontages to both Ironmarket and Cheapside. The sign would be located above the entrance on the corner and would be centrally positioned on the curved marble exterior.

The proposed sign would be pink and black perspex lettering fitted to the marble frontage with adhesive. Therefore the actual impact on the fabric of the building in terms of physical fixing would be minor and indeed reversible. The design and appearance of the proposed sign would also match similar signs on the building, most notably Thorntons. In this regard, local planning policy details that the impact of any alterations and additions should preserve the appearance of this Grade II listed building, as required by policy B6 of the Local plan and CSP2 of the CSS. It is considered that the proposed sign due to its size, design and appearance would not harm the special appearance of the building and the method of fixing would enable the sign to be removed without long lasting damage to the marble.

In consideration of the above the proposed sign would comply with the requirements and guidance of the NPPF whilst also being in accordance with local planning policy due to the proposal not result in a significant harm to the special character of the listed building.

Reason for the grant of listed building consent:

It is considered that the advertisement sign by reason of its size, design and appearance 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. **BESPOKE** - The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

- Drawing – sign details, date stamped received by the Local Planning Authority on 23 February 2012
- Photomontage, date stamped received by the Local Planning Authority on 23 February 2012
- Statement of significance & impact, date stamped received by the Local Planning Authority on 23 February 2012
- Block plan (scale 1:500) & site location plan (scale 1:1250), date stamped received by the Local Planning Authority on 23 February 2012

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

3. **BESPOKE** - The materials to be used shall be in strict accordance with those specified on the approved plans and supporting information detailed in condition no. 2 above unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To protect and safeguard the historic fabric and appearance of the listed building in accordance with the requirements of Policy NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, Policy B6 of the Newcastle-under-Lyme Local Plan 2011 and the guidance given in PPS5.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr and Mrs Cox **Application No** 12/00059/FUL

Location Grindley Cottage, Church Lane, Betley

Description Two storey side and rear extensions and first floor front balcony

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

West Midlands Regional Spatial Strategy 2008

Policy QE3 – 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 D4: Managing Change in Rural Areas

Policy NC19: Conservation Areas

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

Policy CSP1: Design Quality

Policy CSP 2: Historic Environment

Policy ASP6: Rural Area Spatial Policy

Newcastle under Lyme Local Plan 2011

Policy H18: Residential extensions where

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

National Planning Policy Framework (March 2012)

Betley Conservation Area Appraisal (2008)

Betley Conservation Area Management Plan (2008)

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

Pending the making of a revocation order in accordance with the new Act, the RSS remains part of the statutory development plan.

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

Planning History

11/00303/FUL Refused 18/8/2011 Two storey side and rear extensions and first floor front and side balconies

Views of Consultees

Betley, Balterley and Wrinehill Parish Council – That the Parish Council supports the application, subject to the planning authority satisfying itself that the application is consistent with Local Plan Policy H.18.

Conservation Advisory Working Party – No Objections on the basis that it is a marginal improvement on the original building.

United Utilities – No objections, however due to the Private Sewers Transfer not all sewers are currently shown on the statutory records, therefore the applicant should be made aware that the proposed developments may fall within the required access strip of a public sewer, and suggest that the applicant contacts a building control body at an early stage to discuss the matter further.

Representations

None Received

Applicants/agents submission

Along with the plans and application forms, a design and Access Statement and Heritage statement have been submitted of which the key points are summarised below:

- Grindley Cottage lies on the very edge of Betley's Conservation Area, and is not a listed building
- The building itself has been altered over the years and no longer has any architectural merit that would ever make the property worthy of listing
- Contribution – the proposal seeks to extend and alter the existing building in a sympathetic manner by providing a small two storey extension at the side and rear. The extensions will be subservient to the host building and will not affect the dominance of that building
- Impact – No features of the building will be lost, and the character will be enhanced by the extensions
- Impact on nearby listed buildings – the nearest listed building is Betley Church and Grindley Cottage is quite a distance from the church so would have no affect on it
- No demolition is planned
- General justification – the scale, massing, siting, layout, design and choice of materials have been carefully chosen and discussed and agreed with the Council's Conservation and Development Control Officers
- Justification – the use of the building is a dwelling, the impact of the extensions on the host building is considered to be an improvement
- Existing car parking arrangements will remain unaltered
- In around the 1970s large picture windows were installed to the front elevation at first floor level, which is neither in keeping with the surrounding properties or its attached dwelling.
- Conservation insists that we work with what we have and as such the scheme to alter the entire frontage was refused and the scheme now

submitted reflects the views of the Conservation officer, see letter dated 26.1.2012.

- Layout – the cottage, has little rear garden space, but at the front and sides has good open space particularly at the front where it enjoys open views to the South
- Landscaping will remain unaltered
- Appearance – the client would like to split the new frontage between facing brickwork and render, painted to match the remainder, however this is open to approval

Key Issues

Full planning permission is sought for two storey side and rear extensions and a first floor front balcony at Grindley Cottage, Church Lane, which is a two storey detached dwelling, located within the village envelope of Betley and within the Betley Conservation Area, as designated in the Local Development Framework Proposals Map. The application is a resubmission following a refusal last year (reference 11/00303/FUL). This previous application was refused for the following reason:

The proposed development by virtue of number of alterations and extensions, and their scale and appearance would have an adverse impact on the visual impact on this dwelling and would be harmful to the special character and appearance of Betley Conservation Area. The proposal is therefore contrary to Policies D2 and NC19 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011; Policies CSP1 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026; Policies H18, B9, B10, B13 and B14 of the Newcastle-under-Lyme Local Plan 2011; as well as the aims of objectives of PPS5.

The proposed two storey side extension would approximately 3.1 metres from the east elevation, match the eaves height of the dwelling and have a slightly lower ridge height than the existing dwelling (0.5 of a metre lower).

On the west side of the dwelling, the ground floor corner is being squared off and a window is being inserted into the elevation facing towards the south. This would have a flat roof, which would create a balcony area outside of the proposed bedroom. The proposed bedroom would be created by removing the existing previous extension with a half pitched roof, and replacing it with a larger extension with a dual pitched roof. There would also be a small two storey extension to the northern side of the dwelling to make the bedroom larger.

A single storey extension is proposed to the north facing elevation, which would create a hallway area.

An existing ground floor window on the south facing elevation is proposed to be replaced with a set of French doors, and another window is proposed to be inserted on this elevation at ground floor.

The property is proposed to be finished in brick at ground floor level and painted render at first floor level.

The key issues in the consideration of this application are:

- Design and the impact on the conservation area
- Impact on amenity

Design of the proposal and the impact on the conservation area

Since the previous decision was made, the National Planning Policy Framework has replaced the PPGs and PPSs referred to in the previous decision.

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.

Policy D2 “Design and Environmental Quality of Development” of the Structure Plan states that the design of development should be informed by, or sympathetic to the character and qualities of its surroundings in its location, scale and design.

Policy H18 refers to the design of residential extensions, where subject to planning control. The policy states:

“Proposals to extend dwellings will be favourably considered, subject to other policies in the Plan, so long as the following requirements are satisfied:

- i) The form, size and location of each extension should be subordinate to the design of the original dwellings.*
- ii) The materials and design of each extension should fit in with those of the dwelling to be extended.*
- iii) The extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.”*

It is considered that the proposed extensions and alterations would be subordinate to the design of the original dwelling and would not detract from the character of the original dwelling

Part 12 of the National Planning Policy Framework “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

Policy B9 of the Local Plan “Prevention of harm to Conservation Areas” states that *“the Council will resist development that would harm the special architectural or historic character or appearance of conservation areas.”* Policy B10 specifies that *“permission will be granted to construct, alter the external appearance or change the use of any building only if its proposed appearance or use will preserve or enhance the character or appearance of a Conservation Area.”* This will be achieved by a set of specified criteria being met.

In terms of Policy B10 of the Local Plan, it is considered that the form, scale, bulk, height and materials are all acceptable. The plot is fairly large and can easily accommodate an extension of this size.

The scheme has been simplified considerably since the previous submission and there is a brief heritage statement detailing the principle behind the new scheme.

The previous scheme extended all elevations of the property with balconies and gables which were inappropriate and had the effect of exacerbating the harm already caused to the property by unsympathetic alterations. The main front elevation has been simplified and has some French doors out to ground level and has removed the stairs from the veranda at the left had side first floor. The side extension has a simplified roof pitch and fits better with the form of the existing building.

It is considered that the new proposal is more sympathetic and would not cause any further harm to the character of the building and therefore the Betley Conservation Area.

It is considered appropriate to condition the materials and external finishes, windows, doors, bricks and render to ensure that they do not cause harm to the conservation area.

The proposal is therefore considered to comply with Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan, Policies CSP1 and CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, Policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of the NPPF.

Impact on amenity

It is important to assess how a proposal will impact upon residential amenity in terms of loss of light and privacy, and the Borough Council's Space around Dwellings Supplementary Planning Guidance sets out acceptable levels of amenity to be achieved for new development.

It is considered that the proposed extensions and alterations would not cause a loss of amenity to any surrounding occupiers in terms of a loss of light or privacy, and the application is considered acceptable in this regard.

Reasons for the grant of planning permission

The proposed development would preserve the character and appearance of the Conservation Area and would have no adverse impact upon residential amenity. The proposal therefore complies with policies D2, D4, and NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, policies CSP 1, CSP 2 and ASP 6 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026 and policies H18, B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of the National Planning Policy Framework.

Recommendation

Permit subject to the following conditions:

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 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 plan, received 3rd February 2012
- Existing plan, received 3rd February 2012

R2. For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development on site, full and precise details, including samples, of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Proposed facing materials
- Proposed roofing materials
- Windows and doors

R3: To ensure the satisfactory appearance of the development and in the interests of protecting the character and appearance of the Conservation Area, in accordance with Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011, Policy CSP2 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 – 2026, and policies B9, B10, B13 and B14 of the Newcastle under Lyme Local Plan 2011.

Notes to applicant

1. You are reminded of the requirement to comply with the conditions attached to this permission.
2. Due to the Private Sewers Transfer not all sewers are currently shown on the statutory records, therefore the applicant should be made aware that the proposed developments may fall within the required access strip of a public sewer. Therefore, United Utilities suggest that the applicant contacts a Building Control Body at an early stage, to discuss this matter further.

OFFICER REPORT ON DELEGATED ITEMS

Applicant Mr. A Newton

Application No 12/00011/FUL

Location 8 Brook Place, Newcastle

Description Two storey side extension and single storey rear extension

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

West Midlands Regional Spatial Strategy

Policy QE3: Creating a high quality built environment for all

Staffordshire and Stoke on Trent Structure Plan 2011

Policy D1: Sustainable Development

Policy D2: The Design and Environmental Quality of Development

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

CSP1 Design Quality

Newcastle Under Lyme Local Plan 2011

Policy H18: Design of Residential Extensions, where subject to planning control

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Space Around Dwellings (July 2004)

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

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

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 relevant to the determination of this application.

Representations

The occupiers of 9 neighbouring properties have been notified with one letter of representation being received which makes the following comments;

- The demolition of the garage would result in privacy concerns to a rear patio area.
- A window in the side elevation at ground floor would serve a hallway and cause privacy concerns.
- There is a lack of information on materials for boundary treatments on the submitted plans.
- The proposal should protect the symmetry and integrity of the cul-de-sac.

Key Issues

The application is for the erection of a two storey side extension and a single storey rear extension to the semi-detached property in a residential area of Newcastle, as indicated on the Local Development Framework Proposals Map. Internally the proposals will serve as a bedroom, sitting room and shower room at ground floor with two bedrooms at first floor.

Amended plans have been submitted during the application following planning officer concerns.

The key issues in the determination of the development are:

- the design of the proposals
- the impact upon neighbouring occupiers in terms of amenity
- parking provision and the impact on highway safety

Design of the proposals

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.”*

Policy H18 refers to the design of residential extensions, where subject to planning control. The policy states:

“Proposals to extend dwellings will be favourably considered, subject to other policies in the Plan, so long as the following requirements are satisfied:

- iv) *The form, size and location of each extension should be subordinate to the design of the original dwellings.*
- v) *The materials and design of each extension should fit in with those of the dwelling to be extended.*
- vi) *The extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.”*

The design of the proposed two storey extension has been amended during the application with the width of the proposal being reduced from 3.9 metres to 3 metres. This results in a covered walkway close to the side boundary no longer being proposed.

In design terms the amended design addresses the concerns raised by officers with the amended width being considered acceptable. In order to achieve a subordinate design there is usually a requirement for two storey side extensions to be set back from the front building line with a clear drop in the ridge height. In this instance a set back is not proposed but a significant break in the ridge height would be achieved. A set back could have been achieved but this would have resulted in the whole of the two storey element being pushed back which would have had a significantly greater impact upon the residential amenity of the neighbouring property due to the character of the street scene and the relationship between the two properties. Therefore, whilst a set back would have been desirable it is not considered that the character of the street scene or the integrity of the group of dwellings that form the street scene would be harmed by accepting no set back in this particular instance.

It is accepted that there would be some harm to the character and appearance of the original dwelling because the proposal would not appear wholly subordinate. However, a break in the ridge height has been achieved and the proposal has an appropriate width. The proposal would therefore not be dominant and would appear reasonably subordinate. Therefore, on balance is considered acceptable in this instance.

The single storey side/ rear extensions would result in existing substandard garages and outhouses being removed and so the proposals would be an improvement. Therefore, due to the location at the rear of the property the single storey extensions would not harm the visual amenity of the area with minimal views from any main vantage points.

The materials and fenestration details would match and respect those of the original dwelling which would also help the proposals assimilate.

The design of the proposals is considered to represent acceptable designs in this instance and there would be no significant adverse harm to the character of the original dwelling or the integrity of the street scene. This is considered to be in accordance with the requirements of the NPPF.

Impact upon neighbouring occupiers in terms of amenity

Supplementary Planning Guidance provides advice regarding residential extensions.

A representation has been received from the neighbouring property which raises privacy concerns. However, since this representation was received the applicant has submitted amended plans which address a couple of the concerns. In particular the applicant has informally advised that a brick boundary wall would be retained despite the rest of the garage being removed to accommodate the proposals. The Council cannot insist on this wall remaining but the neighbour wishes this to remain.

In terms of the proposed ground floor hall window on the side elevation of the two storey side extension this is not a principal window and the likely impact in terms of a loss of privacy to the neighbouring property would be minimal. The only principle windows are located on the front and rear elevations.

The size and location of the proposals, along with the relationship with neighbouring properties would also not result in any significant loss of light to principal windows of neighbouring properties.

Adequate private space would remain at the rear of the application property.

In summary it is not considered that there would be any significant adverse impact on the amenity of the neighbouring properties that would be contrary to the SPG.

Parking provision and impact on Highway safety

The NPPF supports and encourages sustainable transport. In terms of parking requirements local plan policy T16 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 problem.

The proposal would result in the property being increased in size with an additional bedroom at ground floor and two at first floor. Whilst this would result in the property having five bedrooms the ground floor bedroom is an unusual requirement for this type of property. This is likely to meet the specific requirements of the existing householder only and is unlikely to be a requirement of any future occupiers. Therefore, whilst the property would have five bedrooms it is considered that two off street car parking spaces provided on the driveway would be sufficient for the size of property which would not be overly large.

Therefore it is considered that the existing car parking spaces would be acceptable in what is a sustainable location and so the proposal is unlikely to create/aggravate an on street car parking problem in this instance.

Reasons for the grant of planning permission

The proposed development, whilst not wholly subordinate, would not materially harm the character of the original dwelling or the integrity of the group of dwellings that form the street scene. The proposed extensions would therefore not harm the visual amenity of the area. Taking into account the position of the development and its scale, it would not result in harm to neighbouring residential amenity levels in terms of visual intrusion, overlooking or loss of light. The proposed development therefore accords with the requirements and guidance of the NPPF, whilst also being in accordance with 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.

Recommendation

Permit subject to conditions:

1. **BA01** - The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act

2. **BESPOKE** The development hereby permitted shall be carried out in accordance with the following approved plans;

- Drawing ref. FL178 – proposed elevations & proposed floor plans, date stamped received by the LPA on 16 March 2012
- Site location plan (scale 1:1250), date stamped received by the LPA on 26 January 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the local planning authority.

Reason: 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.

Note to the applicant

1. Waste recycling bins should be sited so that they are not frequently visible within the street scene, as outlined within the Councils Waste Management and Recycling Planning Practice Guidance Note.
2. You are reminded of the need to comply with the conditions attached to the planning permission.