

The report considers two applications for the following:

- Full planning permission to replace the existing orangery roof with a new wood and rubberised coating together with one aluminium powder coated skylight in the centre (22/00550/FUL); and
- Listed building consent for the alterations to the Grade II Listed Building in relation to the same works listed above (22/00551/LBC).

The application site is located within the Village Envelope of Madeley and is also within the Madeley Conservation Area, as indicated on the Local Development Framework Proposals Map.

The Old Hall is a Grade II\* Listed Building.

**The 8 week period for determination of both the planning application and the listed building consent expires on 17<sup>th</sup> August, however an extension of time has been agreed until the 19<sup>th</sup> August.**

### **RECOMMENDATIONS**

#### ***A) With respect to the planning application 22/00550/FUL***

**Permit the application with the following conditions;**

- 1. Time limit**
- 2. Approved plans**
- 3. Materials to be in accordance with the submitted information**

#### ***B) With respect to the application for listed building consent 22/00551/LBC***

**Permit the application with the following conditions;**

- 1. Time limit for commencement of development**
- 2. Approved plans**
- 3. Materials to be in accordance with the submitted information**

### **Reason for Recommendations**

It is considered that the alterations to the building and installation of one replacement roof lantern on The Old Hall would maintain and enhance the significance of both the Listed Building and its setting within the Madeley Conservation Area.

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

The proposals are considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and as such no amendments have been sought.

### **Key Issues**

The Old Hall is a Grade II\* Listed Building and these applications seek planning permission and listed building consent for repairs and alterations to the roof of the existing conservatory and the replacement of the current 3 rooflights with one aluminium roof lantern.

The application site is within the village envelope of Madeley, in the rural area of the borough, and is also situated within the Madeley Conservation Area, as indicated on the Local Development Framework Proposals Map.

It is appropriate to consider the application for listed building consent first.

22/00551/LBC - Listed building consent for the replacement of the existing orangery roof with a new wood and rubberised coating together with one aluminium powder coated skylight in the centre

When making a decision on an application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

Policy B6 of the Local Plan states that the Council will resist alterations or additions to a Listed Building that would adversely affect its character or its architectural or historic features.

The NPPF, at paragraph 197, 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 199 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.

Paragraph 202 of the NPPF 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.

The proposal involves alterations to the roof of an existing orangery extension on the south elevation of the building. The Old Hall is a Grade II\* listed building that is also located within the Madeley Conservation Area.

The Design and Access statement details that the orangery was built circa 1977 and is constructed of reclaimed cast iron window frames which sit on a brick base. The current roof is made of wood and covered with felt which is then covered in stone clippings for fire protection. The three skylights are raised and made of UPVC with opaque plastic covers. The statement also states that the current roof and skylights are leaking and cannot be permanently repaired due to the age of the installation and the felt and UPVC joins being at the end of their useful life.

Historic England were consulted on the proposals, but their consultation response has indicated that they do not wish to offer any advice on the proposed development and, instead, recommend that officers should consider the views of the Councils' specialist Conservation and Archaeological advisers.

The Conservation Officer notes that in its existing form the roof structure and lanterns are not entirely appropriate, with particular reference to the 3 roof lights which appear unsightly and clumsy. The officer raises no objections to the proposed alterations and notes that the works would have a limited impact on the building and would cause no harm to the historic part of the building.

The Conservation Advisory Working Party (CAWP) raise no objections but request for the roof materials to be historically appropriate, such as lead, and also query whether the roof lantern could be turned 90 degrees so that the widest part would front onto the south elevation.

The materials used in the construction of the roof are like for like based on the existing structure and so whilst there may be other material choices available, it is not considered that those proposed would cause any harm to the significance of the listed building. The question regarding the re-orientation of the roof lantern was put to the applicant, however, it was confirmed that structural constraints would prevent the siting of the roof lantern in this manner.

The proposed alterations would not only repair the existing roof structure, ensuring that the longevity of the heritage asset is protected, they would also result in an enhanced appearance by replacing the three 'clumsy' roof lights with one single roof lantern. The materials and form of the proposed changes are considered to be acceptable, and amount to 'less than substantial harm' to the listed building. As such it is necessary to weigh such harm against the public benefits of the proposal.

Currently the declining state of repair of the orangery roof would expose the building to the elements, potentially resulting in harm to the historic part of the Grade II\* listed building in the long term. The existing rooflights could also be said to detract from the character and significance of the building, and so the replacement roof light proposed would contribute to enhancing the appearance of the building. The less than substantial harm that has been identified is therefore outweighed by public benefits including the maintenance and enhancement of this Grade II\* listed building.

Subject to control over the details through the use of conditions the proposed development is considered to accord with the NPPF and the local planning policies and guidance set out above.

22/00550/FUL - Full planning permission to replace the existing Orangery roof with a new wood and rubberised coating together with one aluminium powder coated skylight in the centre

The sole issue in the consideration of this application is the impact of the proposal on the character and appearance of the Listed Building and Conservation Area.

In respect of the alterations to the listed building there are no further matters to address additional to those set out above. Consideration is, however, required in relation to the design of the proposal and its impact on the character and appearance of the Madeley Conservation Area.

Policies B9, B10 and B13 of the Local Plan focus on the requirement to preserve and/or enhance the special significance of a Conservation Area through careful consideration of appropriate design.

Policy DES1 of the Madeley Neighbourhood Plan stipulates that new development must, amongst other things, use high quality, durable materials, to complement the site and surrounding context. Policy DES2 states that development proposals must preserve or enhance the character or appearance of the Madeley Conservation Area.

The Old Hall occupies a prominent position within the Conservation Area, and is certainly considered as one of the main focal buildings within the area. The Madeley Conservation Area Appraisal highlights the building as being visually striking in the centre of the village, but it does have later additions and alterations, including the 1970s orangery extension subject to this application.

Given the siting of the orangery, it is not readily visible from wider public vantage points within the Conservation Area. The changes proposed are minimal, and in some aspects enhance the appearance of the orangery extension, particularly the replacement of the existing three UPVC rooflights with one aluminium skylight. Therefore, the proposal would successfully maintain and enhance the significance of both the Conservation Area and this Grade II\* listed building.

The development therefore complies with the relevant policies of both the Core Spatial Strategy and the Local Plan as well as the policies of the Madeley Neighbourhood Plan and the Framework.

### Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who

are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

## APPENDIX

### **Policies and Proposals in the approved Development Plan relevant to the decision on the planning application:-**

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

Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP2: Historic Environment

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

Policy N17: Landscape Character – General Considerations  
Policy N20: Areas of Landscape Enhancement  
Policy B6: Extension or Alteration of Listed Buildings  
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

#### [Madeley Neighbourhood Development Plan 2018-2037](#)

Policy DES1: Design  
Policy DES2: Development in the Madeley Conservation Area

### **Policies and Proposals in the approved Development Plan relevant to the decision on the application for Listed Building Consent:-**

#### [Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 \(adopted 2009\) \(CSS\)](#)

Policy CSP1: Design Quality  
Policy CSP2: Historic Environment

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

Policy B6: Extension or Alteration of Listed Buildings

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

[National Planning Policy Framework \(NPPF\) \(2021\)](#)

[Planning Practice Guidance \(NPPG\) \(2018\)](#)

[Supplementary Planning Documents \(SPDs\)](#)

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

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

#### Relevant Planning History

|                             |   |           |
|-----------------------------|---|-----------|
| 07/00965/LBC                | Internal and external alterations                                 | Permitted |
| 09/00681/FUL & 09/00682/LBC | Conversion and extension of outbuilding into living accommodation | Refused   |
| 10/00416/FUL&               | Conversion and extension of outbuilding into living               | Permitted |

|              |   |           |
|--------------|---|-----------|
| 10/00417/LBC | accommodation   |           |
| 13/00439/LBC | Conversion and extension of outbuilding into living accommodation   | Permitted |
| 15/00764/LBC | Reinstatement of staircase from first floor to Attic to create a bedroom and shower room with associated partition walls and removal of part of the victorian beam                              | Permitted |
| 15/01028/LBC | Reinstatement of staircase from first floor to Attic to create a bedroom and shower room with associated partition walls and removal of part of the victorian beam                              | Permitted |
| 16/00252/LBC | Removal of two cross braced trusses   | Permitted |
| 18/00620/LBC | The gable end window in the bedroom loft window, in the gable above the main side entrance is to have one pane removed and converted to an opening window to match the loft window at the front | Permitted |
| 21/00206/LBC | To replace the soft wood French doors on the rear of the property from the kitchen to the patio area with Oak Bi-folding doors.   | Permitted |

#### Views of Consultees

The Council's **Urban Design and Conservation Officer** raises no objections to the proposals due to the limited impact on the buildings with no harm caused to the historic part of the building. The officer notes that the existing roof structure is not entirely appropriate, and the lightweight aluminium lantern proposed will be a more sensitive approach than the 3, rather clumsy roof lights in place currently.

The **Conservation Advisor Working Party** raised no objections to the proposal providing that the renewal of the roof was undertaken in appropriate materials such as lead and had longevity. Members did question the need for the rooflight at all, and if so, it should be positioned the other way around.

**Historic England** do not wish to offer any advice on the proposals and, instead, have recommended that the views of the Council's specialist Conservation and Archaeological advisers are sought.

Comments were also invited from **Madeley Parish Council** but in the absence of any comments from them by the due date of the 18<sup>th</sup> July it must be assumed that they have no observations to make upon the application.

#### Representations

None received.

#### Applicant's/Agent's submission

The applications are accompanied by a Design and Access Statement.

The document is available for inspection online via the following links:

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/22/00550/FUL>

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/22/00551/LBC>

#### Background Papers

Planning files referred to  
Planning Documents referred to

**Date report prepared**

1<sup>st</sup> August 2022