

**NEWCASTLE BAPTIST CHURCH, LONDON ROAD, NEWCASTLE**  
**MR GAVIN DONLON - WISH DEVELOPMENTS**

**22/00959/FUL**

Permission is sought to vary condition 1 of permission 20/00336/FUL which was an application for the variation of condition 2 of 14/00477/FUL, the original planning permission granted for the demolition of the former Newcastle Baptist Church and the erection of a residential apartment development. Condition 1 lists the approved drawings and the variations are principally to allow for a reduction in the height of the building, a change to the split of 1-bed and 2-bed units and a reduction in the number of parking spaces.

The site lies within the Urban area of Newcastle as designated on the Local Development Framework Proposals Map.

**The 13 week period for the determination of this application expired on the 19<sup>th</sup> April 2023 but the agent has agreed to an extension of time to 21<sup>st</sup> July.**

**RECOMMENDATION**

**PERMIT subject to:**

- 1. Variation of condition 1 to refer to the revised plans**
- 2. Any other conditions attached to planning permission 20/00336/FUL that remain relevant at this time**

**Reason for Recommendation**

The proposed changes would have no adverse impact on the character and appearance of the area. The reduction in the number of car parking spaces to be provided is not likely to give rise to severe highway safety impacts given that the number of two bedroom apartments would be substantially reduced and occupiers of the flats would, in this location, have a choice of modes of travel.

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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

**Key Issues**

Permission is sought to vary condition 1 of permission 20/00959/FUL which was an application for the variation of condition 2 of 14/00477/FUL, the original planning permission granted for the demolition of the former Newcastle Baptist Church and the erection of a residential apartment development. Condition 1 lists the approved drawings and the variations are principally to allow for a reduction in the height of the building, a change to the split of 1-bed and 2-bed units and a reduction in the number of parking spaces.

The Baptist Church has been demolished and the Local Planning Authority is satisfied that a material commencement was made within the required time period and the planning permission is extant.

In considering an application to vary a condition, the Authority has to consider only the question of the conditions subject to which planning permission may be granted. If the Authority considers that planning permission may be granted subject to different conditions it can do so. If the Authority considers that the conditions should not be varied it should refuse the application. The condition which the applicant is seeking to vary is that which lists the approved drawings. No changes are being sought to the number of the units within the development. The principle of the development is not therefore for reconsideration.

The proposed variation looks to reduce the height of the building and to change the number of one and two bedroom apartments at the site from the approved 15 no. 2-bed/7 no. 1-bed units to 18 no. 1 bed/4 no. 2 bed units. A reduction in the number of parking spaces is proposed from 17 to 15 spaces.

The issues for consideration are therefore as follows:

- Are the proposed changes to the design acceptable in terms of the impact on the character and appearance of the area?
- Is the proposed level of car parking acceptable?

**Are the proposed changes to the design acceptable in terms of the impact on the character and appearance of the area?**

The principal change to the scheme would be to the height of the building which would be reduced from 4 to 3-storeys. The footprint of the building and the elevational treatment would remain very similar to the approved scheme and subject to appropriate facing bricks and fenestration details being secured, the revised scheme would enhance the appearance of the area and comply with policies of the development plan, national policy and the urban design guidance.

**Is the proposed level of car parking acceptable?**

Policy T16 of the Local Plan 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. The NPPF, at 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. In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

A reduction in the number of car parking spaces is proposed from 17 to 15. The parking spaces in the Local Plan recommend a maximum of 2 spaces per 2-bed dwelling and 1 space per 1-bed dwelling and given that the number of two bedroom apartments would be reduced from 15 to 4, the reduction of 2 spaces is considered acceptable.

The Highway Authority states that following the previously accepted approach to parking provision on the site, the proposed parking spaces serving the site are considered acceptable. They go on to state that the means of pedestrian and vehicular access to the site has not materially changed and that the proposed relocation of the cycle store is acceptable.

It is the case that parking on the local roads surrounding the application site is already controlled via a mixture of residents' parking zones and traffic regulations. Account needs to be taken of the edge of centre location of this development and the opportunities available for occupiers to use modes of travel other than the private motor car – the site being within easy walking distance of the town centre, on a main bus route, and close to the bus station. The Highway Authority does not object to the on-site parking provision and it is not considered that a refusal on the grounds of insufficient parking could be sustained.

## 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 CSP1: Design Quality

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

Policy T16: Development – general parking requirements

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

[National Planning Policy](#)

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

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

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

### **Relevant Planning History**

- 14/00477/FUL Demolition of former Newcastle Baptist Church and erection of residential apartment development comprising 14 two bedroom units and 8 one bedroom units, formation of new access and associated car parking – Approved
- 17/00162/FUL Application for the variation of condition 2 of 14/00477/FUL (Demolition of former Newcastle Baptist Church and erection of residential apartment development containing 14 no. 2 bed units and 8 no. 1 bed units, formation of new access and associated car parking) to allow for the enclosure of the open air corridors and subsequent changes to the elevations – Approved
- 19/00825/FUL Application for the variation of condition 2 of 14/00477/FUL (Demolition of former Newcastle Baptist Church and erection of residential apartment development containing 14 no. 2 bed units and 8 no. 1 bed units, formation of new access and associated car parking) to allow for the enclosure of the open air corridors and subsequent changes to the elevations – Refused
- 20/00336/FUL Application for the variation of condition 2 of 14/00477/FUL (Demolition of former Newcastle Baptist Church and erection of residential apartment development containing 14 no. 2 bed units and 8 no. 1 bed units, formation of new access and associated car parking) to allow for the enclosure of the open air corridors and subsequent changes to the elevations and car parking – Approved

### **Views of Consultees**

The **Highway Authority** has no objections subject to conditions regarding the provision and retention of the parking and turning areas, provision of revised access details showing tactile pedestrian crossing, submission and approval of a car park management scheme, submission of details of secure weatherproof cycle parking for 24 cycles, details of gates to refuse and cycle store, closure of redundant site access on Vessey Terrace, provision of surface water drainage interceptor and submission of Construction Management Plan.

The **Landscape Development Section** has no objections subject to conditions regarding detailed landscaping proposals which should include tree planting to the rear of the building to act as a visual screen between the development and the adjacent properties.

No comments have been received from the **Environmental Health Division** and the **Newcastle South Local Area Partnership** and given that the period for comment has expired it must be assumed that they have no comments to make.

#### Representations

One letter of objection has been received stating that the size of the plot is too small to allow for adequate provision of parking spaces and there will be inevitable overflow into the surrounding streets.

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

The application documents are available for inspection via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00959/FUL>

#### **Background papers**

Planning files referred to  
Planning Documents referred to

#### **Date report prepared**

4 July 2023