

ROBIN HOOD INN, HIGH STREET
SIMON JONES

24/00547/FUL

Retrospective planning permission is sought for the retention of an external staircase and a new external door at the Robin Hood Inn which is located on High Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The 8 week period for the determination of this application expires on 18th September 2024.

RECOMMENDATIONS

PERMIT the application subject to conditions relating to the following matters: -

1. **Approved plans**

Reason for recommendations

The development is considered to be acceptable in respect of its visual impact and has no material negative impact on the residential amenity of neighbouring properties. The proposal therefore accords with local and national planning policy.

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

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

Retrospective planning permission is sought for the retention of an external staircase and a new external door at the Robin Hood Inn which is located on High Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The key issues that need to be considered in the determination of this application are;

1. Whether the design of the proposed development is acceptable
2. Whether the impact upon neighbouring occupiers in terms of amenity is acceptable

Is the design of the proposed development is acceptable?

Paragraph 131 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core Strategy requires that the design of the development is respectful to the character of the area.

The application property is a 2 storey detached public house which is located within in an established residential area.

Retrospective planning permission is sought for the retention of an external staircase which is bounded by a timber screen and for a new external door which is located at a first floor level. Whilst a section of the timber screening can be seen from the nearby highway, the screening is relatively discreet and is largely hidden from view by the host property, which ensures that the overall impact on the street scene is limited.

The screening is most noticeable from the rear communal gardens which serve properties on Bank Street and when viewed from the public parking area located to the front of the neighbouring commercial units. Whilst the screening has clearly resulted in a visual change to the side and rear of the property, the modest height and use of timber which is similar to that of nearby boundary treatments helps to ensure that the alterations do not appear out of place when seen in context with the surrounding built form.

The development would therefore accord with Policy CSP1 of the CSS, and the aims and objectives of the NPPF.

Will the impact upon neighbouring occupiers in terms of amenity, be acceptable?

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

SPG (Space Around Dwellings) provides guidance on privacy, daylight standards and environmental considerations.

Whilst users of the external staircase would be positioned close to the rear elevations of neighbouring properties which are located on Bank Street, any direct views into rear gardens and rear facing windows are largely obscured due to the timber screening which surrounds the staircase. It should also be noted that these are communal gardens which are used by the occupants of nos.1 to 21 Bank Street and therefore, slightly lower levels of privacy could generally be expected.

There would be a change to the outlook from the rear facing windows of properties 5 to 7 on Bank Street, however the new timber screening does not protrude any further to the east than the existing rear elevation of the Robin Hood Inn and the screening would still be separated by a distance of over 6m from the rear elevations ensuring no significant reduction in outlook for residents.

Any noise nuisance from users of the staircase would be extremely limited given the small amount of useable space and the fact that the staircase would primarily be used for access rather than as a new amenity area.

Given the above, the proposed development is considered to be in accordance with the guidance set out in the SPG and would not be harmful to neighbouring residential amenity levels. It therefore accords with the SPG and the NPPF.

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

Classification: NULBC UNCLASSIFIED

- 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

Classification: NULBC UNCLASSIFIED

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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

Other material considerations include:

Relevant National Policy Guidance:

National Planning Policy Framework (2023)
Planning Practice Guidance (updated 2019)

Supplementary Planning Guidance:

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

Space around Dwellings (2004)

Relevant Planning History

21/01093/FUL - Single Storey Rear Extension inc. Addition of Front and Side Canopies and New Front Entrance Door - permitted.

Views of Consultees

No representations have been received from **Kidsgrove Town Council** within the statutory period of consultation, and it is therefore presumed that they raise no objections to the proposal.

Representations

None received.

Applicant/agent's submission

All of the application documents can be viewed on the Council's website using the following link.

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00547/FUL>

Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

27th August 2024