

FORGE COTTAGE, BRAMPTON ROAD, NEWCASTLE
MR THOMAS GUILBERT-NEWELL

25/00272/FUL

Full planning permission is sought for the erection of a new fence at Forge Cottage, Brampton Road, Newcastle.

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

The statutory 8-week period for determination of this application expires on 27 June 2025.

RECOMMENDATIONS

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

- 1. Time limit condition**
- 2. Approved plans**

Reason for recommendations

It is considered that the proposed fence would preserve the character and appearance of the Brampton Conservation Area and there would be no impact on highway safety.

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

The proposed development is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework and therefore no amendments have been sought.

KEY ISSUES

Full planning permission is sought for the erection of a new fence at Forge Cottage, Brampton Road, Newcastle.

The application site is located within the urban area of the Borough and the Brampton Conservation Area, as identified on the Local Development Proposal Framework Map. To the south of the application site is The Manor House which is identified as a locally important building in the Conservation Area Townscape Appraisal Map and therefore represents a non-designated heritage asset.

The fence would be sited on top of an existing low wall which encloses the rear garden/yard of the property. The existing wall is only around 1.14m high. The proposed fence would be 0.59m high, therefore giving a total height of 1.73m. It would link to the existing 1.8m high close boarded fence which encloses the remainder of the rear garden of the property and would be stained brown to match the existing.

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

- Impact on the character and appearance of the Conservation Area and the significance of the adjacent non-designated heritage asset
- Impact on highway safety

Impact on the character and appearance of the Conservation Area and the significance of the adjacent non-designated heritage asset

Paragraphs 210-216 of the National Planning Policy Framework (the Framework) require, amongst other things, that new development should make a positive contribution to local character and distinctiveness, with any harm to the significance of a designated heritage asset requiring clear and convincing justification. In assessing the impact on non-designated heritage assets, a balanced

judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy CSP1 of the Core Strategy (CS) requires that the design of the development is respectful to the character of the area, and Policies B9, B10 and B13 of the Local Plan seek to preserve or enhance the character or appearance of Conservation Areas.

The application site was originally the forge to the former Brampton Manor but was converted to residential use in 1999. The rear garden of the property is currently enclosed by a combination of a low wall and 1.8m close boarded fencing. The property is set back from Brampton Road and the immediate area is lined by mature tree planting, hedgerows and boundary walls, with the latter enclosing the front of plots. As such, the property is not visible in important views through the Conservation Area.

The new fence would only comprise 3 small fence panels which would continue the existing structure out to the front of the property. It would also be viewed alongside the existing fences enclosing the gardens of the adjacent modern dwellings. Therefore, given its scale, position set back from Brampton Road behind established landscaping and the presence of other similar forms of enclosure in the locality, it is considered that the fence would preserve the character and appearance of the Conservation Area and the significance of the adjacent non-designated heritage asset.

The Conservation Officer has no objections to the proposal.

Impact on highway and pedestrian safety

Paragraph 116 of the NPPF 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 on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The host property is set back from Brampton Vale Gardens, with a shared driveway serving the property and 3 other properties. Given the modest size of the proposed fence and its position set back from the road, it would not have any impact on highway safety. It would not restrict visibility for drivers emerging from the adjacent driveways serving neighbouring properties. The Highway Authority raises no objections to the proposal.

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:

Classification: NULBC **UNCLASSIFIED**

- 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.

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APPENDIX

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

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

Policy SP1: Spatial Principles of Targeted Regeneration
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy B8: Other Buildings of Historic or Architectural Interest
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

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (2024)
Planning Practice Guidance (updated 2019)

Supplementary Planning Guidance:

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

Relevant Planning History

None.

Views of Consultees

The **Highway Authority** raises no objections.

The **Conservation Officer** raises no objections.

Representations

None received.

Applicant/agent's submission

The submitted documents and plans are available for inspection on the Council's website via the following link: -

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00272/FUL>

Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

4 June 2025