

Public Document Pack

Date of meeting	Wednesday, 3rd June, 2015
Time	7.00 pm
Venue	Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact	Julia Cleary

Planning Committee

AGENDA

PART 1 – OPEN AGENDA

1 DECLARATIONS OF INTEREST

To receive Declarations of Interest from Members on items included on the agenda.

2 Newcastle and Stoke on Trent - Statement of Community Involvement (Pages 3 - 80)

3 Five Year Housing Land Supply (Pages 81 - 128)

4 Stubbs Walk Conservation Area Appraisal and Management Plan (Pages 129 - 154)

5 Application for Major Development - Former Jubilee Baths, Nelson Place, Newcastle. Westlands Estates Ltd. 15/00166/FUL (Pages 155 - 166)

6 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

Members: Councillors Baker (Chair), Braithwaite, Cooper, Fear, Hambleton, Heesom, Mancey, Northcott, Owen, Proctor, Reddish (Vice-Chair), Stringer, Turner, Welsh, Williams and Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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Final Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement

Purpose of Report

To inform the Committee of the results of the consultation process on the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement and to consider the submitted version of the Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement (SCI Final version) (Appendix 1) prior to approval by Cabinet on 10 June 2015.

Recommendations

- 1) That Cabinet be recommended to commend to Council the adoption of the submitted version of the Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement (SCI Final version), subject to any amendments made by this Committee.**

Reasons

To enable the views of the Planning Committee on the result of the consultation to be taken into account by Cabinet. The consultation period expired in December 2014 and the responses have been analysed by officers with recommendations as to how the document should be amended before adoption. The SCI is not a formal "Development Plan Document", but it does establish the Council's policy on community engagement in planning matters and therefore it falls to be adopted by the Full Council.

1.0 Background

- 1.1** Members may recall that the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement (Draft SCI) was agreed by the Planning Committee on 7 October 2014 to be recommended to Cabinet for public consultation purposes. It was also resolved to receive a further report on the outcome of the public consultation and to approve the next steps. Cabinet approved the Draft SCI on 15 October, 2014, for public consultation purposes. Stoke-on-Trent City Council approved the Draft SCI for public consultation purposes on the 28 October 2014. The six week period of consultation ended on the 19 December 2014.
- 1.2** Members are reminded that the Council is required by Section 18 of the Planning and Compulsory Purchase Act, 2004 to have an adopted SCI and is responsible for keeping this up to date. The SCI incorporates necessary technical and legal requirements but aims to improve understanding and openness of the planning process in order to increase opportunities for the wider community to engage in planning matters. It does this by encouraging a wide range of people and groups to get involved, as well as, setting out the ways in which planning information is made available; and making it clear when individuals and groups in the local community can get involved.
- 1.3** The Draft SCI was published to give residents, businesses, parish and town councils and other groups an opportunity to have a say in how they want to be involved in planning policy and development management matters in the two local authority areas. People were encouraged to say what they liked and didn't like about how each council proposed to involve them.

- 1.4 Cabinet will consider a report on the recommendations of the Planning Committee including any proposed amendments to the Draft SCI, on the 10 June, 2015. Due to the publication timescale the recommendations of this Committee will be reported to Cabinet by means of a supplementary report. Should Cabinet approve the submitted version of the Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement the document will be referred to Full Council for adoption.
- 1.5 Stoke-on-Trent City Council is following a similar process. Their Cabinet is expected to consider the submitted SCI on the 25 June 2015 after first taking into account the views of their Development Management Policy Group. The recommendation of their Cabinet will be considered at its next available Full Council.

2.0 Policy Context

- 2.1 The National Planning Policy Framework (Paragraph 155) requires Local Planning Authorities to undertake Early and Meaningful engagement and collaboration with neighbourhoods, local organisations and businesses in the production of a Local Plan. The Statement of Community Involvement plays an important role not only in helping a wide section of the community to express their views on draft proposals but also to ensure Local Plans reflect a collected vision and set of agreed priorities for the sustainable development of the area. The involvement of all sections of the community in the development of Local Plans and in planning decisions is also seen as way of supporting the creation of healthy, inclusive communities (paragraph 69).
- 2.2 In respect of development management or decision-taking the National Planning Policy Framework is less specific. At paragraph 189 it states that local planning authorities should, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications, whilst paragraph 66 indicates that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

3.0 Representations Received

- 3.1 In total 23 individuals and organisations submitted over a hundred representations. The representations were analysed to identify each specific issue, resulting in just over a hundred separate comments being recorded. This is set out in Appendix 2: Table 1 Schedule of Consultation Responses and Recommended Changes, The Table shows the issue raised by each consultee, an analysis of those issues, grouped together with your Officer's response. In most cases there is a clear recommendation - either to reject the comment or to make a change to the content of the SC. Appendix 2 is attached to this report.
- 3.2 It is worth noting that the majority of comments were generated by respondents who appear to be resident, or working in Newcastle-under-Lyme. Overall, the consultation document received a relatively positive response although there were a number of suggestions for changes.
- 3.3 All proposed changes to the consultation Draft SCI have been agreed with Stoke-on-Trent City Council planning officers and seek to respond positively to each representation.
- 3.4 The submitted version of the SCI (incorporating the agreed changes) is provided at Appendix 1. Because of its length it is only made available to view as part of the agenda

for this meeting on the Council's website, but a copy will be also made available in the Members' room, and at the Planning Committee meeting itself.

4.0 Summary of key issues and amendments

- 4.1 The document is split into three parts incorporating an Introduction and Background; a Planning Policy Section; and Development Management Section. The list below summarises comments made through the consultation process. Where a matter is raised that is outside the scope of the SCI an officer comment has been added.

Part 1 – Introduction and Background

- A number of queries as to the resources available to carry out public consultation effectively, information needs to be more readily available and transparent / sincere / true consultation/ positive inclusion.
- Several Newcastle residents objected to the decision to prepare a Joint Plan with Stoke-on-Trent City Council. However, the principle of working in partnership with Stoke was determined in March 2015. This matter is therefore outside the scope of the SCI. Once adopted, the SCI will play an important role in developing a consistent and effective approach to consultation, to support the successful involvement of the local community in the development of the Joint Local Plan.

Part 2 – Planning Policy

- Some support for the publication of a Joint SCI to inform the Joint Local Plan process.
- Queries around how general members of the public will find out about policy areas. The document needs more explanation on how the Plan is being drawn up (more background information required) and then how they can engage in the process. Document not always easy to understand.
- Several representations regarding Newcastle's Cabinet decision regarding the sale of council owned land for development and their inclusion in the Joint Local Plan 'call for sites.' Members will be aware that in November 2014, Cabinet made a decision to participate in the Joint Local Plan 'Call for Sites' initiative and made a separate decision to proceed with the disposal of several sites in the Council's ownership, which had been subject to public consultation. These two and entirely separate decisions, relating to different sites across the borough, were made just after the start of the consultation on the Draft SCI and consequently the timing of these decisions prompted objections to the Council selling off land in advance of the Joint Local Plan. The decision of the Council to participate in the 'Call for Sites' is a matter which is outside the scope of the SCI as is the decision with respect to the disposal of sites.
- Representations from Staffordshire Police with regard the Duty to Co-operate process and the potential to draw up a joint protocol between planning departments and police that serve to identify development requiring automatic consultation with the police. To ensure crime prevention is a key material consideration in both policy development and decision-making.
- Clearer reference is required to Neighbourhood Planning.
- More explanation on the different types of consultation methods to be used in plain english and better use of visual means of engagement.
- More use of the display of notices for proposed development areas, notification by letter and public meetings.

Part 3 – Development Management

- The wording needs to make it clearer that representations to planning applications will not necessarily be taken on board – what people can and cannot influence (clearer explanation on the balance of issues)
- Good summary of how decisions are actually taken – useful tool
- Concerns relating to the future capacity of planning officers to be able to effectively work with an applicant, the community, elected members and other statutory consultees
- Better system required (Newcastle website) to enable people to inform themselves on applications which do not require publicity. The 'saved search' suggestion is inadequate
- Meaningful and productive consultation between developers and communities needs to be given greater weight in planning law
- There should be a list of issues which are material planning considerations not just those that are not
- Support for the Councils' commitment to early and on-going consultation
- The current planning application process does not allow the public to receive regular updates on what is happening with planning applications in Newcastle.
- Newcastle's 'guillotine policy' - a cut off of four days for consultation comments to be submitted before a planning application is determined seems unreasonable. It is not implemented flexibly particularly if a decision is deferred, it is noted that Stoke adopts a different practice. The guillotine's practical operation could be reviewed as part of this SCI exercise - and to ensure all important views by statutory consultees are in the public domain, too, so that full representations can be made
- Members of the public are not always able to address the Planning Committee in Newcastle
- A more rigorous enforcement regime should be implemented (Newcastle). This is outside the scope of the SCI. T)
- Too much information is given to the public with unclear outcomes – decision-taking does not appear to be transparent (Newcastle)
- Newcastle should adopt the same practices as Stoke with regard to providing acknowledgement letters. Members should note that the submitted SCI continues to reflect differences in the way the development management service is managed between the two Councils but also clearly sets out where they are the same. Maintaining differences in the way each Council manages its development management service is considered necessary to avoid compromising specific local needs of both local planning authorities.
- Staffordshire Police request for a Joint Protocol (further details provided under Part 2 – Planning Policy)

Appendices

- A number of queries relating to whether the list of stakeholders should be expanded to specify each group including parish councils and residents associations and list specific consultation bodies
 - Clarification on whether the definition of neighbours affected by planning applications in rural area is different to urban areas
- 4.2 The proposed amendments to the Draft SCI as set out in Table 1 (Appendix 2) have been made in direct response to public representations. These changes together with those that have been made to bring the document up to date, including changes to reflect the latest legislation and guidance are summarised in Appendix 3. This document is not attached but it is available to view on the Council's website as part of the agenda for this meeting, and a hard copy will be made available in the Members' room.

- 4.3 Most of the changes, which officers are recommending in response to representations, (see Table 1 (Appendix 2)) aim to improve the clarity of the SCI rather than introduce significant changes to the standard of consultation to be adopted by both Councils.
- 4.4 The proposed Final SCI does include some changes to the standards of community involvement in development management. In recognition of statutory requirements changes have been made to the Borough Council's arrangements for publicising planning applications as set out in Appendices 6 and 7 of the submitted SCI. These changes will result in additional as opposed to less publicity, absorbing some of the resource savings associated with the cessation of the practices of acknowledging the receipt of representations and notifying interested parties of decisions (this information all being available on the website) . Some minor changes are also made to the Newcastle section of Appendix 7, that indicate that no express publicity will be given to applications for the approval of details where such details are required by conditions of a Listed Building Consent. Although with respect to the latter this is a reduction on the publicity proposed in the draft SCI, this brings the procedure for applications relating to conditions of listed building consents into line with that for the conditions of planning permissions, and the change is not a substantive one. Overall the changes commit the Council to do more than was proposed in the Draft SCI consultation document.

5.0 Proposal

- 5.1 To approve the revisions to the Draft SCI consultation document, with a view to recommending that the submitted version of the Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement is agreed by Cabinet at its meeting on 10 June and recommended for adoption at the next available Full Council meeting.
- 5.2 Preparation of the SCI has been done using best practice. Members have the option not to accept any of the officers' recommendations. Similarly Members can choose to reject any of the amendments proposed by officers and to suggest alternative responses. However, if Members are minded to propose different responses it would not be possible to use this as an opportunity to make any substantive changes to the submitted SCI without triggering a second round of public consultation. This could risk a delay of the Local Plan timetable as further documents would not be able to go out to consultation before a new SCI was adopted.
- 5.2 If Members are minded to suggest different responses or opt not to approve the submitted SCI then it is recommended that the item is deferred to provide time for your officers to address these concerns and to do this in consultation with officers from Stoke-on-Trent City Council.
- 5.3 Once adopted the SCI will aid preparation of the Joint Local Plan with Stoke-on-Trent City Council and update the consultation methods required as part of the Development Management processes at each authority. Furthermore it will support the implementation of consultation standards that both local planning authorities will be required to meet and these standards will work to both actively encourage local participation from all sections of the community in the planning decision-making process and ensure that the way in which the Planning Service involves the local community in its decision making process is compliant with the latest legislation..
- 5.4 Without an up to date SCI the council risks criticism and complaints from members of the public and critically the Joint Local Plan would run into difficulty in the future if the Examination by the Planning Inspectorate considered that the public consultation that had taken place during the preparation of the plan was inconsistent with the adopted SCI (the current version was adopted in 2006).

6.0 Next Steps

- 6.1 The formal adoption of the submitted SCI (SCI Final version) requires the ratification of Council. Newcastle-under-Lyme's next Council meeting is scheduled to take place in July 2015. Stoke-on-Trent City Council's Cabinet is expected to consider the Final Draft SCI on the 25 June, 2015 and if approved the adoption of the SCI could be considered by their Council on the 9 July 2015.
- 6.2 Once the Final SCI has been adopted by both Councils it will be widely publicised and made available on the website of each Council, together with an adoption statement and all associated documents, including a Consultation Report setting out how the consultation on the Draft Statement of Community Involvement was undertaken, who was consulted, together with a summary of main issues raised in the consultation responses and how these were responded to. Copies of all documents will be made available for inspection at the Guildhall and the council's contact centres in Kidsgrove and Madeley.
- 6.3 Whilst the SCI is written in plain English and is easy to understand, the document is quite lengthy therefore it is intended that concise leaflets (or similar) will be prepared at key consultation stages of the Joint Local Plan to ensure that members of the public know when and how they can engage in plan making.
- 6.4 The intention is that, assuming the SCI is adopted, the agreed changes for development management, principally concerning the additional publicity requirements, and cessation of the practices of acknowledging receipt of representations and the giving of notice of decisions to interested third parties, would come into practice from the beginning of August 2015, although detailed transitional arrangements have not yet been determined.

7.0 Earlier Cabinet Committee Resolutions

- 7 October 2014 Planning Committee – Resolved to recommend to Cabinet that it approve the Draft Newcastle-under-Lyme and Stoke-on-Trent SCI 2014 for public consultation purposes and that a further report be submitted to a subsequent meeting of the committee on the outcome of the public consultation and to approve the next steps.
- 15 October 2014 Cabinet – Agreed to approve the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement, 2014 for public consultation purposes and to receive a future report setting out the recommendations of the Planning Committee on the outcome of the public consultation before adoption of the SCI is considered.

8.0 Background Papers

- Consultation Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014.
- Joint SCI Equality Impact Assessment.
- Newcastle-under-Lyme Statement of Community Involvement adopted 2006.
- Stoke-on-Trent City Council Statement of Community Involvement adopted 2007.

9.0 Appendices

- Appendix 1 Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement submitted version (SCI Final Version)
- Appendix 2: Table 1 Schedule of Responses and Recommended Changes (attached)
- Appendix 3 Summary of SCI Changes

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Statement of Community Involvement

A guide to how you can get involved in planning decisions



Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council

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What is a Statement of Community Involvement?



- 1.1 A Statement of Community Involvement (SCI) describes how the public, businesses and interest groups within a local authority area can get involved in the creation of local planning policy and the decision making process aimed at shaping where we live, work and trade. This is essential to help improve understanding and openness of the planning process. It also identifies the types of people and groups who ought to be involved, ways of involving them effectively and when they can get involved.
- 1.2 The SCI is extremely important as it will establish a minimum standard of consultation on planning matters and these requirements are closely scrutinised when planning policy documents are independently examined.

Draft SCI 2014 Public Consultation

- 1.3 A draft Stoke-on-Trent & Newcastle-under-Lyme SCI was published in 2014 to give residents, businesses, parish and town councils and other groups an opportunity to have a say in how they want to be involved in guiding the development of the Borough of Newcastle-under-Lyme (the 'borough council') and The City of Stoke-on-Trent (the 'city council'). The councils have considered the issues raised in the consultation responses and have made a number of changes in response to these. A Consultation Report has been produced which sets out the how the consultation was undertaken, who was consulted, the main issues raised and how these have been addressed by the councils.

Adoption of the SCI

- 1.4 In many cases the proposals set out in this SCI go beyond the minimum legal requirements. However, both councils have also recognised the need to deliver a service which is both effective and cost efficient.
- 1.5 Stoke-on-Trent City Council adopted this Joint SCI on **INSERT DATE**. Newcastle-under-Lyme Borough Council adopted it on **INSERT DATE**.

Why has a new Statement of Community Involvement been produced?

- 1.6 The councils have produced this new SCI as there have been significant changes in development management and planning policy (see Glossary) procedures since the adoption of both councils previous SCIs. The borough council's previous SCI was adopted in 2006 and the city council's SCI was adopted in 2007. The changes were in part due to changes to national policy and legislation, and reviews carried out by both councils.
- 1.7 The borough council and the city council decided in March 2014 to take a joint approach to planning the future of the two local authority areas by producing a Joint Local Plan (see Glossary). This also provided the opportunity to work jointly on a new SCI to ensure both a consistent approach to consultation on planning policy matters and that the most effective consultation mechanisms are in place to support the successful involvement of the local community in the Joint Local Plan.
- 1.8 The Development Management section in this SCI, which sets out the way the community can have a say on planning applications, reflects the different ways in which these services are managed.

Why should the community get involved in the planning process?

- 1.9 The Planning process aims to encourage investment and growth, to help ensure that the long term economic and social needs of a community are met. It does this by providing land for: housing; jobs, shopping; leisure and community facilities etc. These needs often compete with one another and can put pressure on the environment. The planning process exists to balance these competing interests and create the conditions for business to grow and to deliver spaces and buildings that raise the quality of life. The aim is to do this without creating an unacceptable long term impact on the environment. This is often referred to as 'sustainable development'.
- 1.10 Since planning has a direct impact on the daily lives of residents and the business community it is very important that development proposals are transparent and that you have the opportunity to have a say in the planning decisions that are made on your behalf.
- 1.11 Getting involved at an early stage of the planning process means that you stand the best chance of influencing a decision, so this draft SCI is designed to tell you about the different stages when you can get involved and how. See Part 2 to find out how to get involved in Planning Policy and Part 3 to know more about the Development Management process.
- 1.12 Your local knowledge is also very valuable in helping to make good decisions and it's important that decision makers understand the type of community you want to live in. Likewise it's very important that we understand the aspirations of those who are ultimately responsible for delivering future development, i.e. the developers and land owners, so that we can work together to bring forward development which is in the public interest.

- 1.13 Our approach to community involvement therefore aims to:

Inform people of the planning process and to provide people with the information they need to be involved at the earliest opportunity possible.

Involve individuals and/or groups by creating opportunities for active participation and dialogue with planning officers.

Consult with the local communities and a range of stakeholders, in line with statutory requirements and regulations.

Respond to any comments received, giving proper consideration and explanation of how these views will be incorporated into the planning documents and decisions.

Challenges and objectives

- 1.14 The borough council and the city council recognise that there can be barriers to effective public participation and will work hard to address and overcome these where possible.
- 1.15 The main constraints are:
- **Cost** - complex community involvement exercises can be costly in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
 - **Managing expectations** – balancing the need for consultation with resource constraints;
 - **Consultation fatigue** – it is important that the councils can deliver their objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation exercises;
 - **Technical terminology** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain English will be used wherever possible, and glossaries provided within each planning policy document;
 - **External constraints** - it is sometimes not possible to give a 'free rein' to an issue due to national policy or other 'rules' which are beyond the control of the councils. Where these are known, the borough council and the city council will make these clear from the outset; and
 - **Technology** - the use of e-technology makes communication and involvement in a complex process much easier for the public to self-serve. E-technology enables communities to have 24/7 access to information posted on the council websites. This supports an open and transparent planning system and should reduce the number of planning enquiries. However, the borough council and the city council recognise that not all of the community is able to use a computer, the internet or email, and therefore traditional methods of consultation will continue to be utilised.

Equal opportunity

- 1.16 The way in which we consult on planning matters will aim to meet the specific local needs of the two local authority areas.
- 1.17 Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council are both committed to meeting their duties regarding equality and diversity, under the terms of the Equality Act 2010 (see Glossary). In our endeavour to work in an inclusive manner we will consider the way we deliver our planning services from the perspective of a range of potential users, including 'hard to reach' groups (see Glossary). Consultation measures set out in this SCI, which have been prepared with this aim in mind, include a commitment to make available documents in other formats upon request and offering some consultation and community engagement approaches in plan-making that do not involve writing.
- 1.18 Making the service accessible to those who are unfamiliar with the terms, processes and structures of the planning system is always a challenge. We will continuously review the ways we do this and will endeavour to cater for a range of levels of literacy and comprehension and will seek to clarify the relevance of planning to people's everyday lives. Any significant changes to the way the community are involved will be subject to public consultation.
- 1.19 The Tables on pages 14 to 18 and in Appendices 5 to 7 set out how different groups and individuals can get involved.

The Planning System: plan-making and decision-taking

1.20 The National Planning Policy Framework (NPPF) requires that applications for planning permission must be determined in accordance with the development plan (see Glossary), unless material considerations (see paragraphs 3.32-3.34 and Glossary) indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements.¹

Plan-making

1.21 Plan-making involves thinking ahead about where it might be best to build new development to provide new homes and new jobs, whilst at the same time thinking about the necessary support facilities such as shops, schools, doctors, etc.

Local authority plans

1.22 The type of plans normally prepared by local authority (see Part 2: Planning Policy) usually deal with strategic issues i.e. issues that affect the whole of a local authority area and might impact on neighbouring local authorities, for example planning to ensure the housing needs of the whole local authority area can be fully met.

Neighbourhood plans

1.23 Since the Localism Act in 2011 the community is able to prepare neighbourhood development plans. These set out how a community wants their neighbourhood to be i.e. a vision for that area, and policies and proposals for the use of development land. The decision to prepare a neighbourhood plan has to be made by the relevant designated bodies, such as parish and town councils, business forums and neighbourhood forums. Further information will be available on both councils' websites.

Decision-taking:

1.24 Planning is something that affects everyone's lives although, for many of us, the only direct involvement we may have in the planning system is if we decide to build an extension and need to obtain planning permission from the council, or we may receive a letter from the council to let us know that a new development is proposed near where we live or work. This part of the planning process is often referred to as 'Development Management', which involves making decisions on planning applications.

1.25 This SCI sets out what the key stages are in the plan making and planning decision making process and how you can expect to be involved. Planning Regulations also require, when making development plans, that a number of statutory bodies (including Town and Parish Councils) should be consulted and these are listed in Appendix 1.

¹Department for Communities and Local Government (2012) National Planning Policy Framework paragraph 2

How can I get involved in plan-making?



- 2.0 Recent legislation and planning regulations have changed the way in which we plan for the future. The key document containing planning policies and future development proposals is now called a Local Plan. It is intended to replace core strategies and site allocation documents and to become the document that plays a key role in guiding investment and decisions made in the Development Management process. Additional guidance may be set out in Supplementary Planning Documents, commonly known as SPDs. Together all the planning documents adopted by a local authority form a council's 'Local Development Framework' (see Glossary).

How you can get involved in plan-making

- 2.1 Early and meaningful engagement and collaboration with individuals, neighbourhoods, local organisations and businesses is essential in the development of a Local Plan. The borough council and the city council are keen that a wide section of the community should be proactively engaged, so that the Joint Local Plan, as far as possible, reflects a collective vision and a set of agreed priorities for the sustainable development of the area.
- 2.2 A range of methods and techniques will be used to involve the communities of both local authorities. Details of the methods of community involvement to be used at each stage of Local Plan preparation are set out on page 12. We also recognise that there are groups with existing communication networks in their areas, such as Parish and Town Councils, Residents Associations and Locality Action Partnerships. These groups can be key contributors in increasing awareness at the local level, particularly in the rural area.
- 2.3 If you don't want to get involved, but you do want to know what's going on and what stage a policy document has reached, or what progress has been made towards the completion of each plan making stage then you can view the Local Plan programme published on each council's website, this fulfils the role of the councils' Local Development Scheme (see Glossary).

2.4 Planning policy can also be set out in Neighbourhood Plans (see Glossary), but the decision to prepare such plans is not the responsibility of the local authority. This rests with a Town or Parish Council or Neighbourhood and Business Forums (see Glossary). The methods of communication that are adopted for these types of plan will be at the discretion of these lead bodies.

Who we will be consulting

2.5 The borough council and the city council are keen to extend opportunities for involvement to everyone who has a desire to take some part in the plan-making process. We recognise that many people, whilst having an interest in local affairs, may find the bureaucratic and cumbersome nature of the process both frustrating and off-putting. We do however want to take every opportunity to raise people's awareness of how development plans are relevant to their concerns and how they can influence the debate that leads to their formation.

Consultation database

2.6 The borough council and the city council will be consulting directly with groups and organisations whose details it keeps on a database for this purpose.

2.7 These include:

- Local community and voluntary sector groups.
- Parish or Town Councils and neighbouring local authorities.
- Local MPs and county councillors.
- Locally based statutory bodies and other providers.
- Utility and commercial infrastructure provision companies.
- Land owners and developers
- Government departments or agencies and other statutory bodies (national and regional level).
- National and regional non-governmental organisations and interest groups.

2.8 We will continue to strive to make this database as inclusive as possible. If you wish to be added or deleted please inform us by contacting planningpolicy@newcastle-staffs.gov.uk or planning.policy@stoke.gov.uk. The councils will put in place a shared data agreement to ensure the protection of personal data submitted with consultation responses and identified on the respective planning policy consultation database of each council.

2.9 Appendix 1 sets out a list of 'specific' and 'general' consultees and stakeholders. Both lists are used to notify individuals and stakeholders of the proposal to prepare the Joint Local Plan and to seek comments. Such notification is necessary to comply with section 18 of the Local Planning Regulations. This list only contains those consultees and stakeholders which must be consulted in order to meet the requirements of section 18. Both councils are committed to informing all those who have made a request to the councils that they wish to be informed of future consultation by including them on the consultation database. Due to the timescales involved in producing planning policy documents and the number of people wishing to be kept informed, the councils have not listed them in Appendix 1

2.10 However, anyone can respond to public consultation they do not need to be notified directly. For planning policy documents such as a supplementary planning document that covers only a limited area or topic, the borough council and the city council will engage those organisations with an interest in the area or topic and any others who have requested it.

Availability of information on the councils websites

2.11 Both councils will endeavour to ensure that information on plan-making activities, including stages in the process, can easily be located on their website by the use of shortcut links. During consultation periods each council will endeavour to provide a link on their respective homepage to help you access relevant information, including the council's evidence base.

Duty to cooperate

- 2.12 The 'duty to cooperate' as set out in the Localism Act (2011) requires local planning authorities (see Glossary), county councils and other public organisations to engage with one another and consider joint approaches to plan making. The Borough of Newcastle-under-Lyme and the City of Stoke-on-Trent are located in the north of Staffordshire and share their boundaries with a total of five other local authorities:
- Cheshire East Council
 - Shropshire Council
 - Stafford Borough Council
 - Staffordshire County Council
 - Staffordshire Moorlands District Council
- 2.13 It is important for the councils to communicate with their partner organisations, particularly regarding cross boundary and county-wide issues. The councils also take part in regular discussions through the following forums:
- Staffordshire Development Officers Group
 - West Midlands Planning Officer Group
- 2.14 The borough council and the city council will continue to work closely with their partners to deliver planning under the duty to cooperate. This will involve discussions with other organisations, Government Agencies and Departments as appropriate including:
- Staffordshire Police
 - Staffordshire and Stoke-on-Trent Local Enterprise Partnership
 - NHS Trust
 - Utility Companies
 - Relevant Government Agencies and Departments
- Please note that the above list is not exhaustive and may be subject to change over time.

The Newcastle-Under-Lyme and Stoke-on-Trent Joint Local Plan

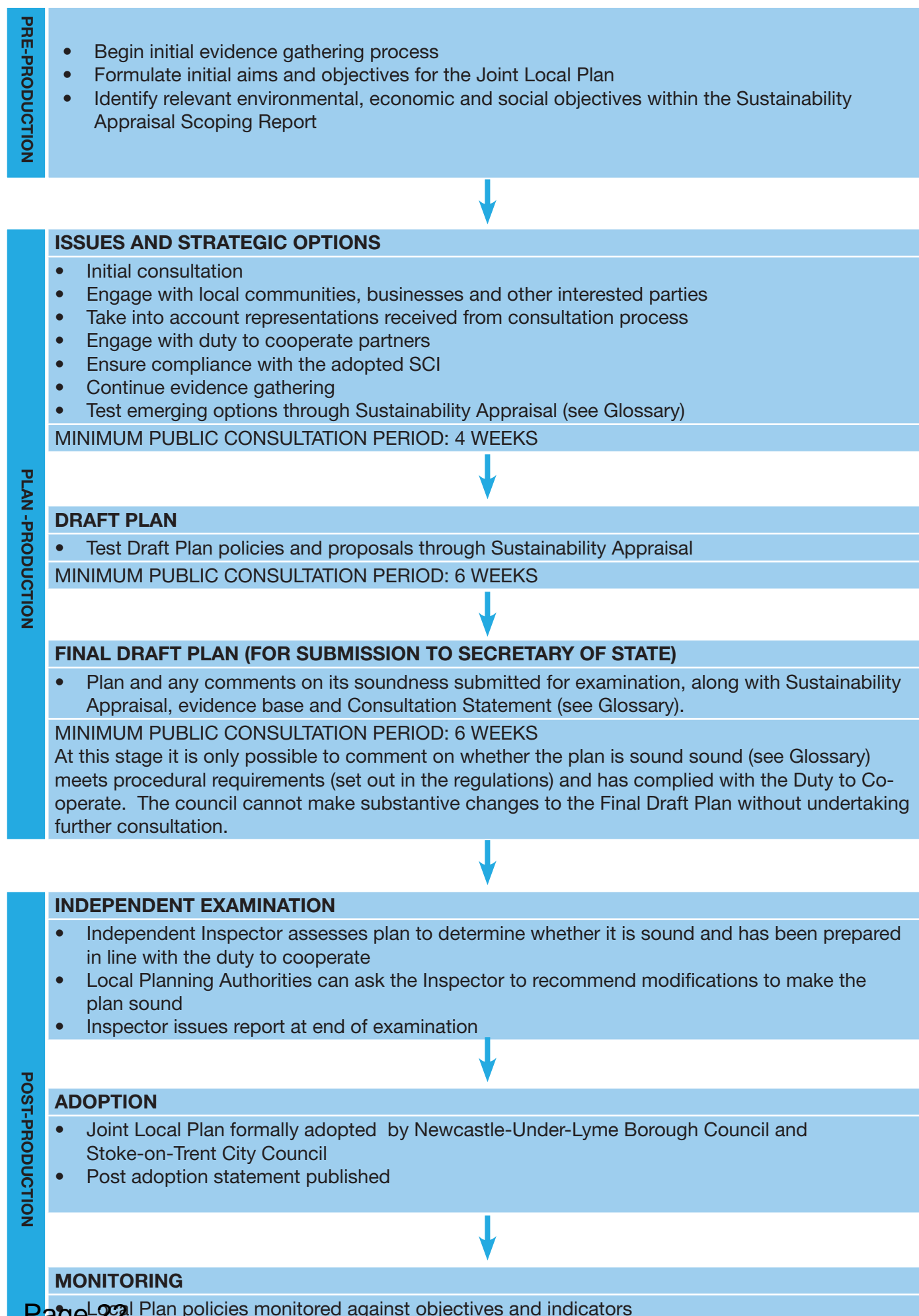
- 2.15 The Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan will be comprised of a new overarching planning strategy which will capitalise on the advantages of the two local authority areas to create the environment for investment and economic growth over a 15 – 20 year period, setting targets for housing, employment and retail provision. It will focus on the key issues that need to be addressed and be aspirational but realistic in what it proposes. In this way the Joint Local Plan will make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered.
- 2.16 The planning strategy will form the starting point for considering whether a planning application is acceptable, but the Local Plan will also contain site specific allocations and a set of generic development management policies to be used in the determination of planning applications.
- 2.17 A timetable for preparation of the Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan is available on both councils websites – newcastle-staffs.gov.uk and stoke.gov.uk – and will be regularly updated to reflect progress on key milestones.

How will the Joint Local Plan be prepared?

- 2.18 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.
- 2.19 The key stages of plan preparation are prescribed within the Planning and Compulsory Purchase Act 2004 and Local Planning Regulations 2012. The production of a Local Plan is an iterative process where the overarching strategy is developed through a number of stages in consultation with the public and key stakeholders. Local planning authorities should firstly assess the future needs and opportunities of their area (i.e. understand the issues). Following on from this, options for addressing these issues should be developed. Finally, a preferred approach should be identified which will ultimately form the basis of the Local Plan.
- 2.20 The Joint Local Plan will be prepared in accordance with the requirements of the National Planning Policy Framework and National Planning Practice Guidance (NPPG – see Glossary). The following diagram shows both the key stages of plan production, adapted from the NPPG, and identifies the key stages when we will be consulting.



Diagram 1: The Joint Local Plan production process



The role of Elected Members in Local Plan Preparation

Joint Advisory Group

- 2.21 To assist in the timely delivery of the Joint Local Plan, the borough council and the city council have agreed to establish a Joint Advisory Group made up of equal numbers of senior officers and councillors from both councils. The group will have no decision making powers but will facilitate discussion and negotiation on 'high level' policy matters, which have cross boundary implications, such as the future growth of each local authority area.
- 2.22 The group will also facilitate legal compliance with the duty to cooperate. By law local planning authorities and other public bodies must work together constructively from the outset of the preparation of a Local Plan. Evidence of compliance with the duty is both a legal test and a test of soundness, which the plan will be tested against when it is ultimately submitted for independent examination by the Planning Inspectorate (see Glossary).

Cabinet and Full Council

- 2.23 The responsibility for preparing the Joint Local Plan will rest with the separate Executive Bodies at each authority, i.e. Cabinet. As part of the process the recommendations of the Joint Advisory Group will be reported to and considered by the executive body of each council, which will retain decision making powers. The legal requirement for the Full Council of each authority to ratify policies set out in the Draft and Final Local Plan and to formally adopt the Local Plan (following examination) also remains. Comments will be sought from Newcastle-under-Lyme's Planning committee and Stoke-on-Trent's Development Management Policy Group and ward members at appropriate times to inform this process.

Joint Local Plan – methods of communication

2.24 The following tables set out the detail about the methods of communication with stakeholders and the public that will be used by the borough council and the city council in preparing the Joint Local Plan. This indicates the minimum standards that will be applied. Occasionally other methods of involvement may be applied in response to needs identified at the time.

Table 1: Joint Local Plan Pre-Production Stage

	Scoping and Assembly of Evidence Base ⁴	Production of SCI	Production of Sustainability Appraisal Scoping Report
Duty to cooperate discussions and liaison with statutory consultees and partners ²	✓	✓	✓
Draft versions of documents published online		✓	✓
Reference copies of final documents made available ³		✓	
Enable public consultation responses to be submitted		✓	
Publish and consider all comments received		✓	✓
Make changes to documents, where considered appropriate	✓	✓	✓
Final versions of documents published online		✓	✓
Produce a Consultation Statement		✓	

²Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

³Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

⁴(See Glossary) Occasionally, wider engagement may take place on scoping and evidence gathering where there is a need to input more specialist knowledge. This may take the form of focus groups, workshops, surveys or one to one conversations with relevant parties.

Table 2: Joint Local Plan production stage

	Issues and Strategic Options	Draft Local Plan	Final Draft Local Plan
Duty to cooperate discussions. Liaison with statutory consultees & partners ⁵	✓	✓	✓
Publish documents online and make reference copies available ⁶	✓	✓	✓
Publicise via Press release and social media	✓	✓	✓
Leaflets and posters	✓	✓	✓
Display site notices ⁷		✓	✓
Hold manned exhibitions ⁸	✓	✓	✓
Focus groups & workshops	✓	✓	
Enable public responses to be submitted ⁹	✓	✓	✓
Publish and consider all comments received	✓	✓	✓
Make appropriate changes to documents	✓	✓	
Produce a Consultation Statement ¹⁰			✓

⁵Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

⁶Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

⁷Where there are site specific proposals (such as the proposed allocation of sites at Draft Local Plan and Final Draft Local Plan stages) notices will be placed in publicly accessible and visible frontages at the boundaries of sites.

⁸Exhibitions will be manned where there is a need for dialogue between members of the public and council officers. Opportunities for people to submit comments at the exhibitions will be provided.

⁹A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

¹⁰This will be submitted to the Planning Inspectorate along with all other supporting documents in advance of the Independent Examination (see Glossary).

Table 3: Joint Local Plan post production stage

	Independent Examination	Adoption
Publish details on council websites ¹¹	✓	✓
Publicise via press release and social media	✓	✓
Reference copy available ¹²	✓	✓
Duty to cooperate discussions and liaison with statutory consultees & partners ¹³	✓	✓
Host formal examination hearings	✓	
Enable papers and statements to be submitted	✓	
Councils & inspector to consider all comments received	✓	
Produce a Consultation Statement ¹⁴	✓	
Publish an Adoption Statement on council websites ¹⁵		✓

¹¹Details of the Independent Examination (see Glossary) will include the venue, dates and times of the Hearing Sessions, along with agendas, papers and other relevant documents. The Inspectors Report and adopted Local Plan documents will also be made available online.

¹²Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

¹³Details of the Examination, publication of the Inspectors Report and adoption of the Joint Local Plan will be sent via email or letter to those who have provided comments at any stage of plan production, have requested to be kept informed of these stages, or if they are listed as a specific consultee in Appendix 1.

¹⁴See Glossary

¹⁵See Glossary

2.25 Following adoption, performance and progress against the Joint Local Plan policies and land allocations will be presented in the Authorities Monitoring Report (see Glossary).

Supplementary Planning Documents (SPDs)

2.26 Supplementary Planning Documents (SPD's) will occasionally be produced in order to add greater detail and guidance to planning policies or allocations. SPD's could relate to a location or area or they may be topic-based, such as affordable housing, design guidance, etc. SPD's do not have the same status as a Local Plan but, once adopted, an SPD will be a 'material consideration' (see Glossary) in planning decisions. National policy advises that SPD's should only be prepared where necessary, and should not be used to add unnecessarily to the financial burdens on development.

2.27 The borough council and the city council are committed to involving communities in the preparation of SPD's. The process for SPD preparation is different to Local Plan preparation. Key stages and opportunities for community involvement are set out on the next page.

Table 4: SPD production

	Evidence Gathering and SPD Preparation Stage	Publication Stage ¹⁹
Duty to cooperate discussions		✓
Liaise with statutory consultees/ partnerships	✓	✓
Publish documents online & make limited hard copies available ¹⁶	✓	✓
Publicise via press release		✓
Publicise via social media	✓	✓
Leaflets and posters	✓	
Enable public responses to be submitted ¹⁷	✓	
Publish and consider all comments received	✓	
Make changes to documents, where considered appropriate	✓	
Produce a Consultation Statement ¹⁸ and consult on this		✓
Publish Adoption Statement and send a copy to those who have requested it		✓

¹⁶Limited numbers of hard copy SPDs will be made available for reference only at public venues (see Glossary). Copies may be made available for purchase in exceptional circumstances

¹⁷This will be within a six week consultation period. A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

¹⁸See Glossary

¹⁹Notification of the publication of the final version of the SPD will be sent via email or letter to those who have registered interest or provided comments.

2.28 Exhibitions may be used to publicise and receive feedback on SPDs. This will be particularly considered where the SPD is focused on a location or area. Focus groups, public meetings, workshops, surveys or one to one conversations with relevant parties may be held where there is a need for more specialist knowledge to input to SPD preparation.

2.29 Final versions of SPDs will be adopted by each council's Cabinet. Where an SPD is withdrawn a statement will be published online and those who previously made comments on it will be notified.

Preparation and review of this Statement of Community Involvement

2.30 The following table sets out how the community will be involved in the preparation and future review of this Joint Statement of Community Involvement.

Table 5: Statement of Community Involvement consultation

Stage	Method of Involvement
Production of SCI	<ul style="list-style-type: none"> ✓ The draft version of the SCI will be published and consulted on for a six week period. ✓ The draft and the final versions of the SCI will be made available on both council's websites and in hard copy reference format in council offices, contact centres and libraries. ✓ A press release will be made to local media organisations to publicise the production of the draft and final versions of the SCI. ✓ Both council's will consult with neighbouring authorities and individuals, organisations and interest groups named on the Local plan database of each authority upon publication of the draft and final versions of the SCI ✓ Publication of the SCI will be promoted using both council's social media accounts. ✓ Response forms will be made available online and in public venues (see Glossary) for people to provide comments on specific aspects of the draft SCI, or the document as a whole. ✓ The borough council and the city council will consider all comments received and make appropriate changes to the SCI where necessary. <p>Where further publicising of the SCI may be necessary, leaflets and posters may be produced and will be displayed in a range of public venues (see Glossary).</p>
Review of SCI	<ul style="list-style-type: none"> ✓ The borough council and the city council will make minor revisions to improve the SCI or implement changes required by new regulations via a council resolution. ✓ More fundamental changes to the document that warrant a 'fresh' SCI will repeat the process laid out above. ✓ You will be able view authorities monitoring reports online to see how the borough council and the city council consider they are performing against the standards set out in the SCI.

How can I comment on a planning application?

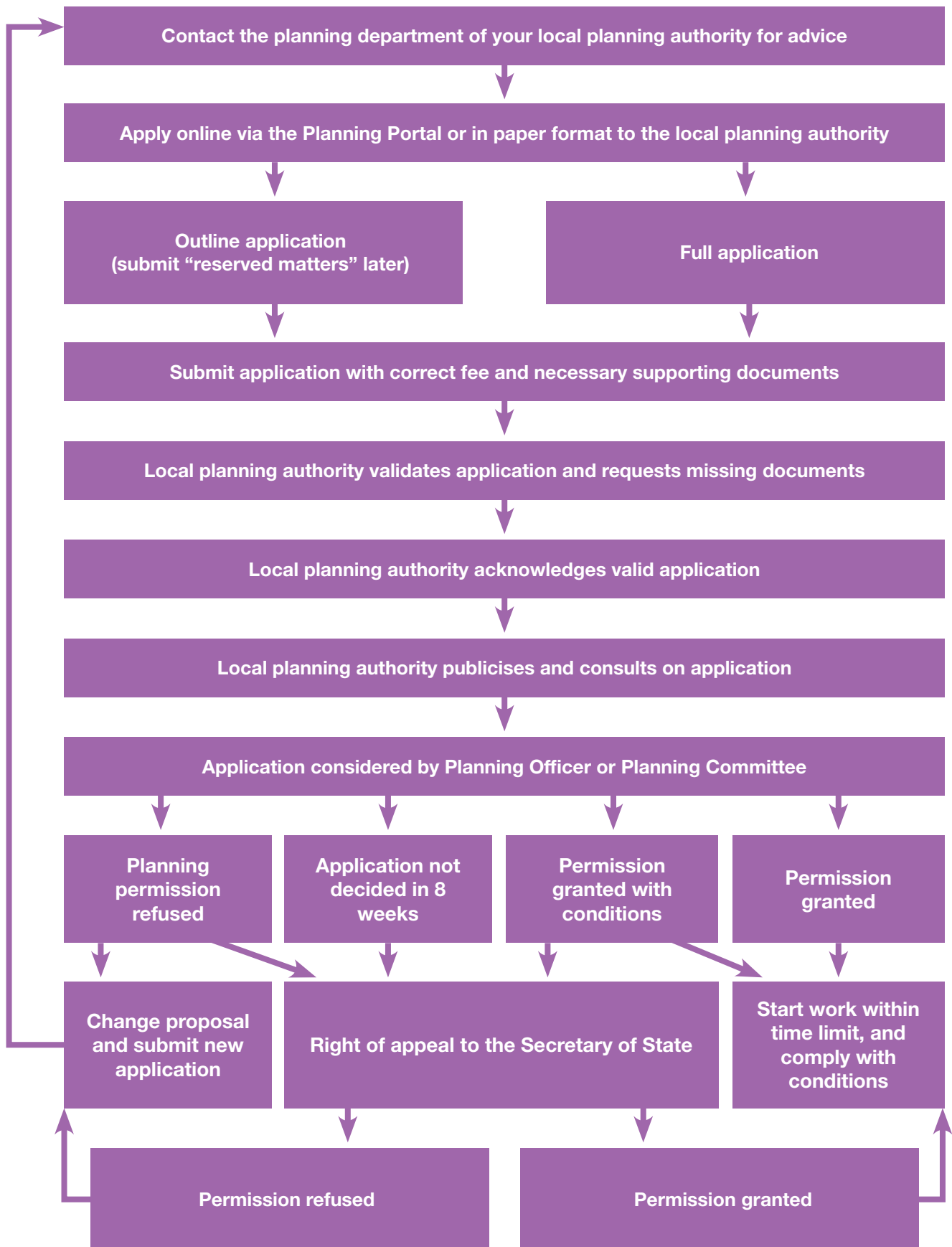
The Development Management Process

- 3.1 Development Management includes the process by which the borough council and the city council consider and decide applications made under planning legislation. Development Management aims to deliver the vision and objectives set out within the Local Plan and it therefore has a key role to play in improving the quality of life for the community and in achieving sustainable development (see Glossary). The NPPF paragraphs 196 and 197 identify that “The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in planning decisions. It goes on to state that “In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.”²
- 3.2 The borough council and the city council each decide approximately 900 applications made under ‘planning’ legislation each year, with proposals ranging from the more minor householder developments such as extensions, through to major applications for housing developments, retail and industrial schemes, and new infrastructure. There are numerous different types of applications – the principal ones being planning applications, or applications for planning permission.
- 3.3 As the city council is a unitary authority, it is responsible for all local government functions and all decisions that are made by a Local Planning Authority. The borough council is within a two-tier system, and so planning decisions for certain types of development will be made by Staffordshire County Council. For example, all applications under ‘planning’ legislation dealing with quarrying, mineral processing and waste disposal, and the County Council’s own developments, in Newcastle-under-Lyme are dealt with by the County Council.



²Department for Communities and Local Government (2012) National Planning Policy Framework paragraphs 196 and 197

Diagram 2: The Decision Making Management Process for applications for outline and full planning permission



Types and categories of applications

- 3.4 There are numerous different types of applications made under planning legislation to the borough council and the city council as the Local Planning Authorities for the area. These are set out in detail in Appendix 2 to this Statement.
- 3.5 Applications are made for various different types of development. These are detailed in Appendix 3 to this Statement.

Community involvement in decision making

- 3.6 The borough council and the city council wish to ensure that any person, groups or organisations affected by or with an interest in a planning application, have the opportunity to comment on that proposal.
- 3.7 Planning officers will aim to work with the applicant, the community, elected members and other statutory consultees throughout the Development Management process. Different methods of community involvement will be appropriate, depending on the scale and nature of the individual proposal. Standards for community involvement are set out within the Tables in Appendices 5, 6 and 7.
- 3.8 There are however many types of applications made under planning legislation which do not require to be subject of any publicity. In the case of both councils these applications are available for members of the public to view on its website but the council takes no proactive steps to invite comment upon them. It is possible for users of the council's website to set up a "saved search" for any applications on a property and to receive email alerts whenever any application made under planning legislation is made to the council, regardless of whether or not the borough council is taking any proactive steps to publicise the application.
- 3.9 Community involvement in planning applications is of great benefit to all affected, including the applicants themselves, and is encouraged from an early pre-application discussion stage through to the final decision. Community involvement can allow the Development Management process to be carried out more efficiently by helping people who are most directly affected by the proposals to get involved at the outset and have a chance to influence the proposed development. This gives a 'sense of ownership' of new development, and is more likely to result in a development that is successful on the ground.

Pre-Application planning advice

- 3.10 The borough council and the city council welcome and encourage applicants to seek pre-application advice for all types of planning application, prior to submitting an application. This pre-application advice stage is an important opportunity for officers of the councils to provide an initial view on a proposal, to identify any elements which may need amending and to identify information which should be submitted to support the application.
- 3.11 “Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community” - NPPF para. 188.
- 3.12 For all planning applications, the borough council and the city council can advise on what is required to support an application and how planning policies will be applied when considering the proposal. In some cases, both councils will also negotiate Planning Obligations (see Glossary) via S.106 agreements and undertakings. More significant applications will often require a series of pre-application meetings between the applicants (and/or their agents) and the borough council or the city council.

Community involvement in preparing planning applications

- 3.13 In certain limited situations – where on shore wind development is proposed of more than 2 turbines, or where the hub height of a turbine exceeds 15 metres, the developer has to by statute carry out pre application consultation with the local community, and in submitting an application they have to explain how they have complied with the legislation, detail the responses received as a result of this consultation, and the account taken of these responses.
- 3.14 Where a development is likely to have significant impacts on local communities or where the site is particularly sensitive, the borough council and the city council will actively encourage applicants to undertake early consultation with that local community. It is however not compulsory.
- 3.15 Various methods of community involvement may be adopted by an applicant, including: direct notification, public meetings, exhibitions, websites, surveys, questionnaires, etc. The borough council does not maintain a specific list of local organisations for this purpose. However it can guide an applicant to contact a Town and/or Parish Council or Locality Action Partnership (see Glossary), as appropriate.
- 3.16 For the applicants, effective community involvement in preparing a planning application is an opportunity to explain proposals to that community and thereby reduce any misconceived objections; potentially it can help address some problems before the application is submitted; and prevent abortive work, ultimately reducing the time and cost in reaching the decision-stage. For the community, this is an opportunity to help shape proposals from an early stage, drawing on valuable local knowledge. As detailed above there are only a limited number of situations where it is mandatory to carry out pre-application consultation with the local community. These are explained in the Planning Practice Guidance, which states that “Pre-application engagement with the community is encouraged where it will add value to the process and the outcome.”³
- 3.17 Applicants should demonstrate how the community has been consulted, what comments have been received and how these have been taken into account in progressing the proposal. Applicants should produce their own ‘statement of community involvement’ or Consultation Statement to accompany the planning application. One local validation requirement that is currently applied by the borough council for applications for major development is that the developer submits with their application a ‘statement of community involvement’. Details of this and other local validation requirements can be obtained from the borough council’s website. The validation requirements refer back to this Statement of Community Involvement.

³Planning Practice Guidance (2014) Paragraph: 009 Reference ID:20-009-20140306

Role of Elected Members (Councillors) in pre-application discussions

- 3.18 For more significant developments, generally proposals for ‘major development’, applicants may have the opportunity to present proposals to Elected Members (Councillors). At the borough council this is currently done at the council’s Strategic Planning Consultative Group (which comprises senior members of all political groups, together with the Chair and Vice Chairman of the council’s Planning Committee), whilst at the city council this will usually involve a presentation to Members of the Development Management Committee, followed by a question and answer session. The ‘Local Code of Conduct for Dealing with Planning Matters’ (October 2010) sets out the protocol for such scenarios.
- 3.19 Applicants may also wish to discuss proposals with the local ward Councillor(s). For information on how to contact Councillors, please visit: www.newcastle-staffs.gov.uk or www.stoke.gov.uk.

The decision-making process

- 3.20 In dealing with applications for planning permission the borough council and the city council have to have regard to the provisions of the development plan for the area, what are termed local finance considerations, and any other material considerations. Where regard is to be had to the provisions of the development plan, the decision the councils make should be in accordance with that plan unless material considerations indicate otherwise.
- 3.21 Councils have a statutory period within which to determine applications made under planning legislation. Unless this statutory period is extended by the applicant, they have the right once that period has passed to appeal against the council’s failure to determine the application. The statutory period for most applications is 8 weeks. However, in the case of applications for ‘major development’ it is 13 weeks, and in the case of applications requiring an Environmental Impact Assessment (see Glossary) it is 16 weeks. Appendix 3 explains what is meant by ‘major development’.

Consultation

- 3.22 Once the borough council or the city council formally register a planning application, a period of consultation is undertaken during which views on the proposed development can be expressed. This formal consultation period will usually last for 21 days. There are different types of consultation; this Statement of Community Involvement is concerned only with the consultation with the public including consultation with neighbouring residents, and community groups. Other types of consultation include consultation with statutory consultees, consultation with non-statutory consultees, and consultations required by government direction. Non- statutory consultees will be engaged in line with the requirements of the Planning Practice Guidance, which requires that the councils should consider whether there are planning policy reasons to engage other consultees who - whilst not designated in law - are likely to have an interest in a proposed development.

Public consultation:

What steps must the borough council and the city council take to involve members of the public on planning applications?

- 3.23 As far as applications for planning permission are concerned the borough council and the city council are required by statute to undertake a formal period of public consultation, prior to deciding the application. Similar requirements exist for application for listed building consent, and some other types of applications.

Who is eligible to respond to a consultation?

- 3.24 Anyone can respond to public consultation – they do not need to be directly notified of the application by either council. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups may wish to make representations on planning applications. The borough council and the city council invite comments both for and opposed to proposals, and upon conditions which they may attach should permission be granted.

What publicity will take place to let the public know that a planning application has been received?

- 3.25 Within certain legislative requirements the borough council and the city council have discretion about how they inform the public about planning applications. Each council, within and in addition to these legislative requirements, has its own policies on what method of publicity is to be used in specific cases. The publicity methods can include press notices, site notices, and direct neighbour notification. The method/s used will depend upon the scale and type of application, with details set out within Appendices 6 and 7.
- 3.26 In both authority areas it is possible for users of either council's website to set up a "saved search" for any applications on a property or an area and to receive email alerts whenever any application made under planning legislation is made to either council with respect to that property or area.

What is the time period for making comments?

- 3.27 The publicity given by the borough council and the city council will set out the time period within which comments are invited. This is normally 21 days from the date when the publicity was first given.
- 3.28 For both authorities whilst the application may be determined as soon as the time period has passed, it is current practice to take into account late representations received up to the point of determination of the application. However in the case of the borough council, with respect to items that are being considered by its Planning Committee, a guillotine or deadline is operated, after which any further representations received will not be reported to or considered by the Planning Committee. This is not the case within the city council and it is always best to submit representations within the time period indicated in the council's publicity.

Will receipt of my comments be acknowledged?

- 3.29 In the case of the city council, you will be sent an acknowledgement of receipt of your representation and details of how the application will be determined. In the case of the borough council, no acknowledgement will be sent but as representations are displayed on the council's website you will be able to check that they have been received, provided you allow sufficient time for the representation to be uploaded.

If an application is amended after it has been submitted, will it be the subject of further consultation?

- 3.30 It is up to the borough council and the city council to decide whether further publicity and public consultation is necessary. In deciding whether this is necessary the following may be relevant:
- Were objections or reservations raised in the original consultation stage substantial and, in view of the council, enough to justify further publicity?
 - Are the proposed changes significant?
 - Did earlier views cover the issues raised by the proposed changes?
 - Are the issues raised by the proposed changes likely to be of concern to parties not previously notified of the application?

3.31 Where the borough council or city council decide that re-publicity and re-consultation is necessary it is open to the respective council to set the time frame for responses, balancing the need for the public to be given time to consider the issue that is being re-consulted upon and respond, against the need for efficient decision making.

Representations

3.32 Before making a decision, we will review all relevant planning policies, any comments received during the consultation and any other material considerations.

3.33 Representations on a planning application can only be taken into account if they relate to material planning considerations. Material planning considerations include the following:

- Overlooking and loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Previous planning decisions (including appeal decisions)
- Nature conservation
- Economic factors including job creation and New Homes Bonus

Please note that the above list is not exhaustive but provides examples of material planning considerations. It should also be noted that the weight given to any material considerations is determined on a case by case basis.

3.34 These do not include the following (note: this list is not exhaustive):

- the fact that development has already begun (people can carry out development at their own risk)
- the fact that an applicant has carried out unauthorised development in the past
- "trade objections" from potential competitors
- moral objections, for instance against betting shops as a matter of principle
- the belief that an application is submitted by an owner with the intention of selling on the property at an enhanced value
- the loss of an attractive private view (for instance when development is proposed at the rear of an objector's house)
- the fear that an objectors' house or property might be devalued
- the fact that an applicant does not own the land to which his application relates (this being capable of being overcome by agreement with the owner)
- the fact that an objector is a tenant of land where development is proposed (the owner of land can terminate the tenancy whether or not he carries out the development; and therefore any consequences are therefore unrelated to the development, except in the case of agricultural tenants where the grant of planning permission has special consequences)
- allegations that a proposal might affect private rights e.g. restrictive covenants; property maintenance; ownership and private rights of way disputes.

Decisions

- 3.35 **Delegated decisions:** Around 90% of planning applications are decided by planning officers in both councils. Both the borough council and the city council have an 'Approved Scheme of Delegation' which gives certain officers powers to take decisions on behalf of the Council, under 'delegated powers'. In the case of the city council the Approved Scheme of Delegation can be viewed within the Council's Constitution. In the case of the borough council a link is provided to the agreed report which has led to the decision.
- 3.36 **Committee decisions:** Where a planning application is of a more significant scale, the application may be considered and decided by a committee, which is made up of elected Councillors. The committee at the city council is called the Development Management Committee, whilst at borough council the committee is called the Planning Committee.
- 3.37 In both authorities, the committee meetings are open to the public, unless the committee have expressly decided to exclude members of the public because it is likely that confidential information as defined in legislation is likely to be disclosed during the consideration of the item.
- 3.38 When a planning application is to be decided by committee, the officer will produce a report summarising details of the proposal, the key planning policies and issues, and comments made during the consultation period. The report will include a recommendation to either approve or refuse the application, and the reason for that recommendation. The report will be made publicly available at least 5 clear working days before the day of the committee meeting. Supplementary reports are also often published immediately prior to or at the committee meeting.
- 3.39 In the borough council, those who have made representations in writing concerning the application are advised at the date of the publication of the agenda of the meeting about how they can view the report that has been prepared on the application, how and by when they can request to address the Planning Committee and of the deadline for any further representations.
- 3.40 The city council only inform those who indicated in writing a wish to speak at any future planning committee of the committee date and the associated procedures.
- 3.41 At the committee meeting itself both the borough council and the city council permit public speaking subject to certain criteria being met. In the case of city council, members of the public and other interested parties are able to make a short presentation to the committee, to support, comment or oppose a planning application. It is normally held that only one person can address the committee for each case and so those wishing to speak are encouraged to discuss their opinions with others with a view to appointing a single spokesperson. The applicant also has the right to address the committee and Councillors may also ask questions of the speakers on both sides.
- 3.42 In the case of the borough council, only those who have either made a written representation or who have submitted the application, or persons who speak on their behalf, are permitted to address the committee. For each application only one supporter and one objector are allowed to address the committee. Councillors are not able to ask questions of the speakers. Details of the procedure and the dates for the committee meetings are available online: www.newcastle-staffs.gov.uk and www.stoke.gov.uk, or by contacting either council's Committee Services departments.
- 3.43 Once an application has been decided, a copy of the planning decision notice will be sent to the applicant and will also be made available online by both councils. In the case of the city council, notification of the decision will be sent to all third parties who have made representations. In the case of the borough council the third parties will only be written to where there is a need to comply with legal requirements in this respect, but it will promptly make the decision available to view on its website, along with the reports that have been considered in the reaching of the decision.

Enforcement

3.44 Insofar as the consideration of whether or not it is expedient to take enforcement action in the case of unauthorised development, the councils will consider comments that they receive from members of the public on the merits or otherwise of unauthorised developments. They will not however undertake any publicity expressly inviting comment upon such developments. In the event of any appeal being lodged against an Enforcement Notice (see Glossary) appropriate publicity as required by legislation, will be given to the lodging of the appeal, providing an opportunity for members of the public to write to the Planning Inspectorate and provide comments.

Planning Aid

3.45 Planning Aid offers free, independent and professional planning advice on all planning issues, to people and communities who cannot afford to pay to hire a planning consultant. Planning Aid can help communities engage with the planning process and influence decisions that affect their local area.

3.46 For more information, please visit: www.rtpi.org.uk/planning-aid/



Appendix 1: Joint Local Plan consultation bodies

This appendix sets out the organisations who have been identified under the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. Specific Consultation Bodies:

Specific Consultees:

Local Planning Authorities:

- Cheshire East Council
- Shropshire Council
- Stafford Borough Council
- Staffordshire County Council
- Staffordshire Moorlands District Council

Parish Councils within the Joint Local Plan area:

- Audley Rural Parish Council
- Betley, Balterley & Wrinehill Parish Council
- Chapel and Hill Chorlton Parish Council
- Keele Parish Council
- Kidsgrove Town Council
- Loggerheads Parish Council
- Madeley Parish Council
- Maer and Aston Parish Council
- Silverdale Parish Council
- Whitmore Parish Council

Adjoining Parish & Town Councils:

- Alsager Town Council
- Barthomley Parish Council
- Biddulph Town Council
- Brown Edge Parish Council
- Caverswall Parish Council
- Cheswardine Parish Council
- Church Lawton Parish Council
- Doddington and District Parish Council
- Draycott in the Moors Parish Council
- Eccleshall Parish Council
- Endon & Stanley Parish Council
- Forsbrook Parish Council
- Fulford Parish Council
- Hough & Chorlton Parish Council
- Market Drayton Town Council
- Norton in Hales Parish Council
- Odd Rode Parish Council
- Standon Parish Council
- Sutton Upon Tern Parish Council
- Swynnerton Parish Council
- Werrington Parish Council
- Weston & Basford Parish Council
- Woore Parish Council

Other Organisations:

- Staffordshire & Stoke-on-Trent Partnership
- NHS Trust
- Staffordshire Police and Staffordshire Police and Crime Commissioner
- Utility Companies
- Relevant Government Agencies & Departments (including those listed in the Regulations as “specific consultation bodies” the Coal Authority, the Environment Agency, Historic England, Network Rail Infrastructure Limited, the Highways England and Homes and Communities Agency)

General Consultees:

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority areas.
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority areas.
- Bodies which represent the interests of different religious groups in the local planning authority areas.
- Bodies which represent the interests of disabled persons in the local planning authority areas.
- Bodies which represent the interests of persons carrying on business in the local planning authority areas.

Any person / group / organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group / organization/ agent who has expressed an interest in being kept informed to notify the relevant council.

Appendix 2:

Types of applications made under planning legislation to Local Planning Authorities

Types of Application	
Full	An application where full details are submitted at the outset, sometimes called a detailed application
Outline	An application for planning permission for the erection of a building where details are not given for at least one of the reserved matters as defined below. Reserved matters means any of the following (a) access (b) appearance (c) landscaping (d) layout, and (e) scale Each of the above terms are themselves defined in legislation
Reserved matters	An application for the approval of a reserved matter of a previously granted outline planning permission
Variation of conditions	An application to undertake development without complying with conditions subject to which a previous planning permission has been granted
Retrospective	An application for permission for development that has already been carried out
Approval of details required by conditions of a condition of a planning permission	An application for approval of details required by conditions of a planning permission, other than a condition referring to the reserved matter of an outline planning permission
Non Material Amendment	An application to the Planning Authority to change the terms of a planning permission if they are satisfied that the change is not material
Extension of time application	An application to extend the period of time within which in the case of a planning permission it can commence, and in the case of an outline planning permission either the period of time within which any application for approval of its reserved matters must be made or the period of time within which the development can be commence
Prior approval	An application for a determination by the Authority as to whether its approval is required of certain details, as required by various Parts and Classes of the General Permitted Development Order, and if it is required whether that approval is to be given
Modification or discharge of a planning obligation	An application to vary or discharge a previously entered into planning obligation. A planning obligation can restrict development, can require specific operations to be carried out, can require land to be used in a specific way or require the payment of money to the planning authority
Modification or discharge of affordable housing requirements	An application to vary, replace, remove or discharge an affordable housing requirement within a previously entered into planning obligation.

Types of Application	
Lawfulness of existing use or development	An application for a certificate that an existing use or development was at the date of the application lawful in planning terms
Lawfulness of proposed use or development	An application for a certificate that a proposed use or development would have been, at the date of the application, lawful in planning terms
Works to protected trees	An application for works to trees which are the subject of a Tree Preservation Order
Work to Trees in a Conservation Area	Notice to the authority of proposed works to trees in a Conservation Area that are not the subject of a Tree Preservation Order
Advertisement	An application for express consent to display an advertisement
Listed building	An application for consent under Listed Building legislation
Approval of details required by conditions of a Listed Building Consent	An application for approval of details required by conditions of a previously granted Listed Building Consent
Lawfulness of works to a Listed building	An application for a certificate that works to a listed building do not require Listed building consent, or are already consented
Hazardous Substances Consent	An application to the authority for approval of the storage and keeping of hazardous substances
Householder	An application for (a) planning permission for the development of an existing dwellinghouse or development within the curtilage of that dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse (b) any consent, agreement or approval required by a planning permission, or development order in relation to such development

Appendix 3: Development Types

Types of Development	
Major development	<ul style="list-style-type: none"> Residential: 10+ dwellings / Site area of over 0.5 Hectare Non-Residential: floorspace of 1,000+ m² / site area of over 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 13 weeks</p>
Minor development	<ul style="list-style-type: none"> Residential: 1-9 dwellings / under 0.5 Hectare Non-Residential: floorspace of up to 999 m² / site area under 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks</p>
Other development	<p>Changes of use, advertisements, telecommunications, TPO's, Lawful Development Certificates, etc.</p> <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks.</p>

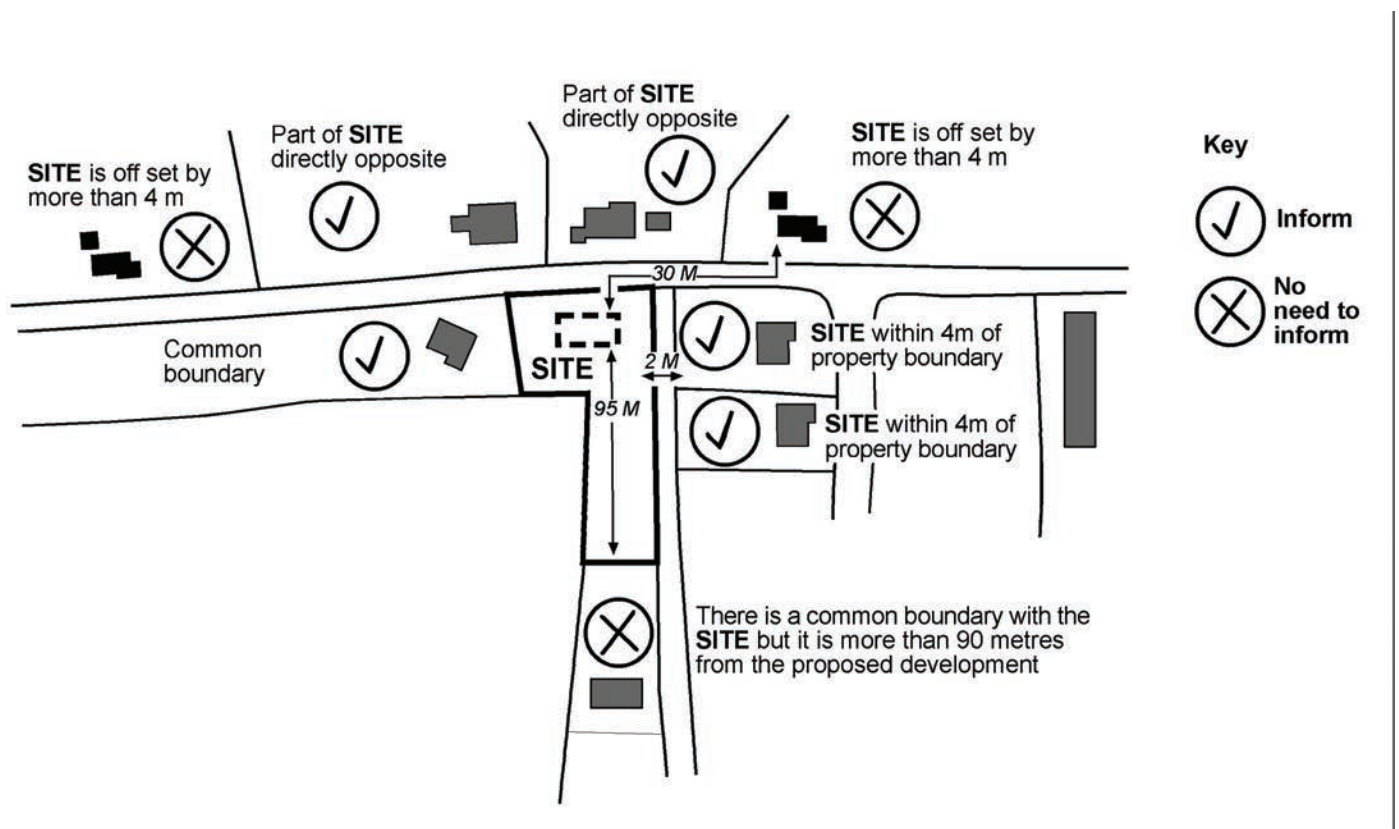
**Appendix 4:
Identification of adjoining land whose owners/occupiers are to be notified of an application**

Which neighbours are to be notified?

Notifications are to be sent to:

- The occupiers/ owners of any land or buildings which share, or lie within 4 m of, a boundary of the application site (normally the area outlined in red) (ignoring any road 20 m or less in width when measuring the 4 m)
- No notification is required where a road wider than 20 m separates adjoining land from the application site
- No notification is required where there is at least 90 m between the application site and the boundary with adjoining land.
- Where a site is isolated and there are no neighbours that can be identified, a site notice will be displayed

The diagram below provides further guidance



**Appendix 5:
Pre-Application consultation**

The following table sets out the methods to be applied where pre-application consultation is a compulsory requirement upon the developer.

Type of Application:	Method of consultation to be applied:					
	Direct Mailing	Press and other Media releases	Press Notice	Site Notice	Exhibition	Public Meeting
Applications for planning permission for Wind farms (more than 2 turbines) and turbines of a hub height of more than 15 metres	✓	◇	◇	◇	◇	◇

Key for all tables in appendices 5 to 7:

Method will be appropriate



Method will not be appropriate



Method will sometimes be applied



**Appendix 6:
Publicity for planning applications made under planning legislation**

Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
Planning application for	During application process					Following decision				
	Publication on the council website	Making hard copy of application documents available for inspection	Press notice	Site notice	Neighbour notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on council website	Press notice	Direct notice to affected owners or agricultural tenants of applications site ²⁰	
Major Development	✓	✓	✓	✓	✗	✓	✓	✗	✓	
Residential development up to 9 dwellings, or where number of units is not known up to 0.4ha	✓	✗	✗	✗	✓	✓	✓	✗	✓	
Householder development	✓	✗	✗	✗	✓	✓	✓	✗	✓	
All other applications for planning permission	✓	✗	✗	✓	✓	✓	✓	✗	✓	
Development that does not accord with the development plan	✓	◇	✓	✓	◇	✓	✓	✗	✓	
EIA Development	✓	◇	✓	✓	✗	✓	✓	✓	✓	
Development that affects a public right of way	✓	◇	✓	✓	◇	✓	✓	✗	✓	
Development affecting the character or appearance of a Conservation Area (sn 73 of LBA)	✓	◇	✓	✓	◇	✓	✓	✗	✓	
Development affecting the setting of a Listed Building (sn 67 if the LBA)	✓	◇	✓	✓	◇	✓	✓	✗	✓	

²⁰Only where the owner or tenant has requested this and/or made an comment or objection to the application

Methods of publicity to be used by Stoke-on-Trent City Council

Planning application for	During application process							Following decision			
	Publication on the council website	Making hard copy of application documents available for inspection	Press notice	Site notice	Neighbour notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on council website	Press notice	Direct notice to affected owners or tenants of agricultural applications site ²¹	Direct notice to other interested parties	
Major Development	✓	◇	✓	✓	✓	✓	✓	X	✓	✓	
Residential development up to 9 dwellings, or where number of units is not known up to 0.4ha	✓	◇	X	✓	✓	✓	✓	X	✓	✓	
Householder development	✓	◇	X	X	✓	✓	✓	X	✓	✓	
All other applications for planning permission	✓	◇	X	✓	✓	✓	✓	X	✓	✓	
Development that does not accord with the development plan	✓	◇	✓	✓	✓	✓	✓	X	✓	✓	
EIA Development	✓	◇	✓	✓	✓	✓	✓	✓	✓	✓	
Development that affects a public right of way	✓	◇	✓	✓	✓	✓	✓	X	✓	✓	
Development affecting the character or appearance of a Conservation Area (sn 73 of LBA)	✓	◇	✓	✓	✓	✓	✓	X	✓	✓	
Development affecting the setting of a Listed Building (s 67 if the LBA)	✓	◇	✓	✓	✓	✓	✓	X	✓	✓	

²¹ Only where the owner or tenant has requested this and/or made an comment or objection to the application

**Appendix 7:
Publicity for other types of applications made under planning legislation**

Methods of publicity to be used by Newcastle-under-Lyme Borough Council														
Application type	During application process							Following decision						
	Publication on the council website	Making hard copy of application documents available for inspection	Press notice	Site notice	Neighbour notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on council website	Press notice	Direct notice to affected owners or agricultural tenants of applications site ²²	Direct notice to other interested parties			
Approval of details required by conditions of a condition of a planning permission	✓	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗			
Non Material Amendment	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Extension of time application	✓	◇	◇	◇	◇	✓	✗	✓	✗	✓	✗			
Prior Approval	✓	✗	✗	✗	✓	✓	✗	✓	✗	✗	✗			
Modification or discharge of a planning obligation	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗			
Modification or discharge of affordable housing requirements	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗			
Lawfulness of existing use or development	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Lawfulness of proposed use or development	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Works to Protected Trees	✓	✗	✗	✗	✗	✗	✓	✓	✗	✓	✗			
Work to Trees in a Conservation Area	✓	✗	✗	✗	✗	✗	✓	✓	✗	✓	✗			
Advertisement	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Listed Building	✓	✗	✓	✓	◇	✓	✗	✓	✗	✓	✗			
Approval of details required by conditions of a Listed Building consent	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Lawfulness of works to a Listed building	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗			
Hazardous Substances Consent	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗			

²²Only where the owner or tenant has requested this and/or made an comment or objection to the application

Methods of publicity to be used by Stoke-on-Trent City Council

Application type	During application process						Following decision				
	Publication on the council website	Making hard copy of application documents available for inspection	Press notice	Site notice	Neighbour notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on council website	Press notice	Direct notice to affected owners or agricultural tenants of applications site ²³	Direct notice to other interested parties
Approval of details required by conditions of a condition of a planning permission	✓	◇	X	X	X	X	X	✓	X	✓	✓
Non Material Amendment	✓	◇	X	X	X	X	X	✓	X	✓	✓
Extension of time application	✓	◇	◇	◇	◇	✓	X	✓	X	✓	✓
Prior Approval	✓	◇	X	X	✓	✓	X	✓	X	✓	✓
Modification of a planning obligation	✓	◇	◇	◇	◇	◇	X	✓	X	✓	✓
Discharge of a planning obligation	✓	◇	X	X	X	X	X	X	X	✓	✓
Lawfulness of existing use or development	✓	◇	X	X	X	X	X	✓	X	✓	✓
Lawfulness of proposed use or development	✓	◇	X	X	X	X	X	✓	X	✓	✓
Works to Protected Trees	✓	◇	X	◇	◇	X	X	✓	X	✓	✓
Work to Trees in a Conservation Area	✓	◇	X	X	X	X	X	✓	X	✓	✓
Advertisement	✓	◇	X	X	X	✓	X	✓	X	✓	✓
Listed Building	✓	◇	✓	✓	◇	✓	X	✓	X	✓	✓
Approval of details required by conditions of a Listed Building consent	✓	◇	X	X	X	X	X	✓	X	✓	✓
Lawfulness of works to a Listed building	✓	◇	X	X	X	✓	X	✓	X	X	X
Hazardous Substances consent	✓	◇	X	✓	X	X	X	✓	X	X	X

²³ Only where the owner or tenant has requested this and/or made an comment or objection to the application

Appendix 8: Glossary

Adoption Statement: A statement prepared when a local planning authority adopts a local plan, detailing the date at which a Local Plan has been adopted, any modifications made to the Local Plan and the grounds and time period within which aggrieved parties can apply to the High Court regarding the plan.

Authority Monitoring Report: A report produced annually detailing local planning authorities' progress in producing planning policies and the effectiveness of those policies.

Business forums: A group of businesses, investors, developers and other commercial organisations which has been formally designated as a body that can produce a neighbourhood plan for an area.

Consultation Statement: A statement produced describing how consultation has been undertaken and taken into account in preparing a planning scheme or policy document.

Development management (decision-taking): A function of the respective councils which considers and decides submitted planning applications against relevant planning policy and any other material considerations.

Development Plan: 'Development Plan Documents' (DPDs) detail planning strategies and policies for the future development of the local area, drawn up by the local planning authority in consultation with the community. Also referred to as 'Local Plans'.

Duty to cooperate: This is a legal requirement introduced by the Localism Act 2011. It requires that public bodies should engage constructively, actively and on an ongoing basis on strategic planning issues that cross administrative boundaries.

Enforcement Notice: A notice issued at the discretion of the local planning authority where a breach of planning control has occurred. The notice will contain information as to what the breach of planning control is and what steps will be required to correct this.

Environmental Impact Assessment: An assessment that establishes any likely significant effects a proposal is likely to have on the environment, so that these can be fully taken into account in the decision-making process. The types of development which require assessment are described in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Evidence base: Evidential studies designed to support the preparation of the Local Plan and ensure that it is based on up-to-date relevant evidence about the economic, social and environmental characteristics and prospects of the area.

Equality Act 2010: The Equality Act 2010 protects people from discrimination and replaces previous anti-discrimination laws with a single Act. The Act identifies a number of characteristics which are protected characteristics these are as follows; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

General consultee: General categories of interest groups that by law the local planning authority is required to consult with under the Town and Country Planning (Local Planning) (England) Regulations 2012.

Independent Examination: Before it can be adopted, a Local Plan must be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with legal and procedural requirements, and whether it is considered 'sound'. To be 'sound' a document must be positively prepared, justified, effective and consistent with national policy.

'Hard to Reach' Groups: Groups that may traditionally be under represented in consultation exercises, such as young people, minority groups, those with disabilities, those living in rural areas and the local business community.

Local Development Scheme: The Local Development Scheme sets out the Council's timetable for the production and review of planning documents that form the Local Development Framework.

Local Development Framework: The collection of local Development Plan Documents and Supplementary Planning Documents adopted by a local planning authority.

Local Plan: A Joint Local Plan is being prepared by the city council and borough council to guide future development across the two local authority areas. This planning policy document will detail the planning strategies and policies which Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council will use to manage future development.

Local Planning Authority: The public authority whose duty it is to carry out specific planning functions for a particular area, such as creating planning policies or deciding planning applications. Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council are the local planning authorities for their respective areas.

Locality Action Partnership: Applies to Newcastle-under-Lyme only. Bodies that bring together elected members, residents, mainstream services (such as Police) and key local stakeholders (such as housing associations). These partnerships act as a mechanism to allow residents to set their own priorities for action in their neighbourhoods.

Material consideration: A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision. Examples of material considerations include representations made by the public, comments made by statutory and non-statutory consultees, draft plans, design issues and development impacts. Some material considerations may be more significant than others.

National Planning Policy Framework (NPPF): The Government's planning policies for England, which provide a policy framework that sets the parameters in which Local Plans and Neighbourhood Plans can be prepared.

National Planning Practice Guidance (NPPG): The Government's more detailed online guidance on national planning policies, which adds detail to the NPPF.

Neighbourhood Plans: Planning policy documents which can be developed by local communities, such as neighbourhood/business forums or parish and town councils. Neighbourhood Plans must support the strategic development needs of a Local Plan and can plan positively to shape and direct local development that is outside of the strategic elements of the Local Plan.

Parish and town councils: Elected local authority bodies responsible for civil parishes. Parish and town councils have the ability to be designated as bodies to produce Neighbourhood Plans for their local areas.

Planning Inspectorate: A national body which acts on behalf of the Secretary of State. The Planning Inspectorate deals with appeals on planning applications, as well as independently examining any local plans a local authority wants to adopt as planning policy.

Planning obligations: Legally binding agreements between local planning authorities and applicants for planning permission. These agreements are used to ensure developments provide schemes and infrastructure to mitigate any unacceptable impacts they might have on an area. This often includes measures such as affordable housing or open spaces to be provided as part of a development.

Planning policy (plan-making): A function of the respective councils that produces policies to guide planning decisions on local development.

Public venues: venues used for making reference copies of planning policy documents and response forms available, e.g. council offices, libraries, customer contact centres at the Guild Hall, Madeley and Kidsgrove.

Section 106 (S.106): A mechanism for securing planning obligations.

Sound: A Local Plan is considered "sound" where it meets the tests of soundness set out in paragraph 182 of the National Planning Policy Framework. These require that a plan is positively prepared, justified, effective and consistent with national policy.

Specific consultee: Organisations named in the Town and Country Planning (Local Planning) (England) Regulations 2012 that the local planning authority is required to consult.

Statement of Community Involvement: A document adopted by a local planning authority which describes how the public, business and interest groups within a local authority area can get involved in plan-making and the decision-taking.

Supplementary Planning Documents: documents which add further detail to policies contained within Development Plan Documents. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design.

Sustainability appraisal: An assessment of the impacts of policies and proposals on economic, social and environmental issues, i.e. 'sustainable development'.

Sustainable development: Development which contributes to meeting the long term economic and social needs of the community, whilst balancing this against the need to avoid creating an unacceptable long term impact on the environment.

For further information on this document or to obtain it in other formats, please contact one of the councils at:

City of Stoke-on-Trent Council
Planning and Transportation Policy
Civic Centre
Glebe Street
Stoke-on-Trent
ST4 1HH
Email: planning.policy@stoke.gov.uk
Telephone: **01782 232353**
Website: www.stoke.gov.uk/planningpolicy

or

Newcastle-under-Lyme Borough Council
Planning Policy
Regeneration and Development
Civic Offices
Merrial Street
Newcastle-under-Lyme
ST5 2AG
Email: planningpolicy@newcastle-staffs.gov.uk
Telephone: **01782 742408**
Website: www.newcastle-staffs.gov.uk/SCI

Table 1: Schedule of Consultation Responses and Recommended Changes

	Respondent/ Organisation name	Consultation question/SCI section referred to	Summary of Comments	Officer Response	Proposed Change
1	Woodland Trust	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
2	Woodland Trust	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
3	Woodland Trust	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	No The Woodland Trust would like to be included in the list of National and regional non-governmental organisations and interest groups, as set out in Appendix 1".	Comment noted. The councils provide a commitment to inform anyone on the councils' database of Consultation on the Joint Local Plan but it is their responsibility to ensure the information the councils holds is kept up-to-date. It is suggested that additional text could be added to paragraph 2.9 and Appendix 1. It is not considered practical to list interest groups within Appendix 1 as these may change overtime and the councils will need to be kept informed by these interest groups of their contact details.	Add to the end of paragraph 2.9 that "This list only contains those consultees and stakeholders which must be consulted in order to meet the requirements of section 18. Both councils are committed to informing all those who have made a request to the councils that they wish to be informed of future consultation by being included on their consultation database. Due to the timescales involved in producing planning documents and the number of people/ groups/organisations wishing to be kept informed, the councils have not listed them in Appendix 1." Add a note at the end of Appendix 1 stating that, "Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council."
4	Woodland Trust	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	In order to improve consultation on planning applications, we would like the SCI to commit to consulting the Woodland Trust on any planning application that affects the irreplaceable habitat of ancient woodland. The National Policy Planning Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed	Comment noted. It would be impractical to list all the scenarios of organisations which could be consulted on a planning application. However, it is worth noting that non-statutory consultees will be consulted in line with the NPPG Paragraph: 022 Reference ID: 15-022-20140306	Amend paragraph 3.22 to read "Non-statutory consultees will be engaged in line with the requirements of the Planning Practice Guidance which is that the councils should consider whether there are planning policy reasons to engage other consultees who- whilst not designated in law- are likely to have an interest in a proposed development."

			of these development cases. Other SCIs have incorporated this provision to consult the Woodland Trust on ancient woodland cases, such as Swindon Borough Council SCI (March 2013) and South Staffordshire District Council (Oct 2013)."		
5	Madeley Parish Council	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
6	Madeley Parish Council	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
7	Madeley Parish Council	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	Yes	n/a	n/a
8	Madeley Parish Council	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	Yes	n/a	n/a
9	Madeley Parish Council	Part 1: Introduction and Background	Madeley Parish Council has concerns relating to the future capacity of Planning officers to be able to effectively work with an applicant, the community, elected members and other statutory consultees.(3.7) As is stated in 1.15 cost is a major factor in delivering genuine consultation and with future resource reductions it is difficult to see how expectations within the community could be managed.	Comment noted. The SCI seeks to find a balance between meeting regulatory requirements, and going beyond these where the Councils consider it to be appropriate, and resource implications of doing so. This is explained at paragraph 1.15 of the Draft SCI. In respect of Newcastle-under-Lyme, consideration is being given to working practices in an attempt to create greater time and capacity for such matters. It is also recognised that groups with existing communication networks within the local community can play an important role in increasing awareness of planning consultations at the local level. The SCI will therefore be amended to emphasise this point.	In paragraph 2.2, delete "These methods have taken into account the outcomes of Newcastle-Under-Lyme Borough Council's public consultation exercise in 2012 to determine the scope and methods to be used in public consultation on site allocations and local planning policies1." and the associated footnote at the bottom of page 8 of the Draft SCI. Replace with the following text "We also recognise that there are groups with existing communication networks in their areas, such as Parish and Town Councils, Resident's Associations and Locality Action Partnerships. These groups can be key contributors in increasing awareness at the local level, particularly in the rural area."
10	Madeley Parish Council	Part 3: Development Management	There does need to be somewhere in the document a clear message to consultees that although effective community involvement does give the opportunity to help shape proposals from an early stage by drawing on	Comments noted. It is suggested that a reference could be added at paragraph 3.1 to the NPPF paragraphs 196 and 197 that "The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material	Add at the end of paragraph 3.1 of the Draft SCI "The NPPF paragraphs 196 and 197 identify that "The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in

			<p>their local knowledge and experience (3.16), their views will not necessarily be taken on board. Clearly this has been illustrated recently where there has been strong local opposition to dwelling developments at Keele, Madeley and Whitmore. There needs to be an honest and open approach to exactly what people can and cannot influence. The difference between "consultation" and "engagement" needs to be made clearer.</p>	<p>considerations indicate otherwise. The Framework is a material consideration in planning decisions." It goes on to state that "In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development."</p>	<p>planning decisions." It goes on to state that "In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development." Also at the end of paragraph 3.16 of the Draft SCI add "As detailed above there are only limited number of situations where it is mandatory to carry out pre-application consultation with the local community. These are explained in the Planning Practice Guidance, which states that "Pre-application engagement with the community is encouraged where it will add value to the process and the outcome." Insert footnote Planning Practice Guidance (2014) Paragraph: 009 Reference ID: 20-009-20140306</p>
11	Madeley Parish Council	Part 3: Development Management	<p>The section on "Decisions", 3.35-3.43 is a concise summary of how decisions are actually taken and a very useful tool for communities to refer to.</p>	<p>Comment noted.</p>	<p>No changes suggested</p>
12	Madeley Parish Council	Part 3: Development Management	<p>Madeley Parish Council has concerns relating to the future capacity of Planning officers to be able to effectively work with an applicant, the community, elected members and other statutory consultees.(3.7) As is stated in 1.15 cost is a major factor in delivering genuine consultation and with future resource reductions it is difficult to see how expectations within the community could be managed.</p>	<p>Comment noted. The SCI seeks to find a balance between meeting regulatory requirements, and going beyond these where the councils consider it to be appropriate, and resource implications of doing so. This is set out at paragraph 1.15 of the Draft SCI. In respect of Newcastle-under-Lyme, consideration is being given to working practices in an attempt to create greater time and capacity for such matters. The change to a 4 week planning committee cycle is part of this process.</p>	<p>No changes suggested.</p>
13	Judith Oppenheimer	Part 1: Introduction and Background	<p>'We ... will seek to clarify the relevance of planning to people's everyday lives'.</p> <p>The need is also for authorities to UNDERSTAND the relevance of planning to people's everyday lives and the impact of their decisions on people's everyday lives.</p>	<p>Comment noted. This is recognised in national guidance, NPPF, paragraph 9, "Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life..." The NPPF is a material consideration in the determination of planning applications (see paragraph 13 of the NPPF).</p>	<p>No changes suggested.</p>
14	Judith Oppenheimer	Part 2: Planning Policy	<p>'many people ... may find the bureaucratic and cumbersome nature of the process both frustrating and off-putting'.</p> <p>Planners need to think 'outside THEIR box' and work and communicate with the public in ways that are not bureaucratic, cumbersome, frustrating and off-putting. They need to communicate in plain English. They also need to welcome and really take on board public comment. They are planning for people and communities, not for themselves and not for developers.</p>	<p>Comment noted. The Draft SCI sets out the councils' approach to community involvement at paragraph 1.13 and Diagram 1. A variety of methods are set out in Tables 1 to 4. However it also must be noted that whilst the councils will seek to communicate in 'plain english' it also needs to be recognised that as planning policy documents will be used in the determination of planning applications they need to be written in a way that meets statutory and regulatory requirements. The Draft SCI at paragraph 1.15 explains that "although the current planning system seeks to open up the process , there are still many technical terms and expressions.</p> <p>Plain English will be used wherever possible, and glossaries provided within each planning policy document;" Add reference to the NPPF setting out the role of planning authorities in plan-making and decision- taking and that "The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground." (NPPF paragraph 186)</p>	<p>No suggested changes</p>

15	Judith Oppenheimer	Part 2: Planning Policy	<p>'anyone can respond ... they do not need to be notified directly ... for planning policy ... that covers only a limited area or topic ... will engage ... any others who have requested it.'</p> <p>How will you notify members of the public? They may have an interest in a policy area that they didn't even know existed. How will they find out about it?</p>	Comment noted. Tables 1 to 4 set out the methods of consultation that will be used for the production of planning policy documents.	No changes suggested.
16	Judith Oppenheimer	Part 3: Development Management	<p>'many types of applications ... which do not require to be subject of any publicity. ... it is possible to set up a 'saved search' on a property'.</p> <p>This is a wholly inadequate means of enabling the public to INFORM THEMSELVES, which is what you are asking them to do. Suppose that there is a planning application that does not have to be publicised, that is of interest to the public, and that no member of the public has created a saved search on the property in question. How many saved searches would a person have to make in order to keep informed about planning applications in their neighbourhood? I cannot even work out how to make a single saved search on my neighbourhood to keep myself informed - the help text on the NuL website is inadequate.</p>	Comment noted. It is appropriate that the SCI draws attention to this tool that is available to members of the public to use. It is recognised that the help function on the Newcastle website could be improved, and the need to do this has already been identified in the Action Plan arising from the Council's Planning Peer Review. The current version of the Council's website enables searches to be saved based upon areas such as a ward, a parish, by address or by the extent of a map. This search facility is also available in Stoke and this should be made clear in the SCI.	Amend the second sentence of paragraph 3.8 to read "In the case of both councils these applications are available for members of the public to view on its website but the council takes no proactive steps to invite comment upon them."
17	Judith Oppenheimer	Part 3: Development Management	A local by-law is needed that requires MEANINGFUL and PRODUCTIVE consultation between developers and communities. If the result of consultation and input of local knowledge is identification that a development is inappropriate, then the developer and the planners should respect that result.	Parliament has decided where pre-application consultation is mandatory and the local planning authorities cannot extend these legislative requirements	At the end of paragraph 3.16 of the Draft SCI add "As detailed above there are only limited number of situations where it is mandatory to carry out pre-application consultation with the local community. These are explained in the Planning Practice Guidance, which states that "Pre-application engagement with the community is encouraged where it will add value to the process and the outcome" "Insert footnote Planning Practice Guidance (2014) Paragraph: 009 Reference ID: 20-009-20140306
18	Judith Oppenheimer	Part 3: Development Management	'Material planning considerations' (MPCs). The document lists only items that are NOT MPCs. This document is written for the general public. If the general public is to be involved in planning decisions it needs to know what ARE MPCs. This example illustrates very well the comments above re paras 1.18 and 2.5. Planners need to put themselves into the shoes of ordinary people.	Comment noted. Additional text suggested at paragraph 3.33 to provide examples of material planning considerations. The list is not exhaustive and a note to this effect is also suggested.	<p>Add to paragraph 3.33 examples of material planning considerations.</p> <p>"Material planning considerations include the following:</p> <ul style="list-style-type: none"> • Overlooking and loss of privacy • Loss of light or overshadowing • Parking • Highway safety • Traffic • Noise • Effect on listed building and conservation area • Layout and density of building • Design, appearance and materials • Government policy • Disabled persons' access • Previous planning decisions (including appeal decisions) • Nature conservation • Economic factors including job creation and New Homes Bonus

					Please note that the above list is not exhaustive but provides examples of material planning consideration. It should also be noted that the weight given to any material consideration is determined on a case by case basis."
19	Judith Oppenheimer	Appendix 4	This method of identifying 'neighbours' may be adequate in urban areas. It is totally inadequate in rural areas where populations are dispersed and terms such as 'neighbour' and 'community' have quite a different meaning and even developments defined as 'minor' can have a significant impact on the environment of the community."	Clarify the use of site notices in Appendix 4	In Appendix 4, add in a bullet point saying: "Where a site is isolated and there are no neighbours that can be identified, a site notice will be displayed"
20	Lynne Porter	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	No Document not easy to understand if you do not have background information over the past few months	Comment noted but unclear as to the 'background information' they are referring too.	No changes suggested.
21	Lynne Porter	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	No Too much information given to the public in general - unclear outcomes.	Comment noted. It is considered that the document needs to be sufficiently detailed enough to demonstrate how communities can get involved in the production of local planning policy and the decision making process.	No changes suggested.
22	Judith Oppenheimer	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
23	Lynne Porter	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	No For non-computer users, it is no easy to located the relevant information. Why are we joining with Stoke - could we not stand alone?	It is acknowledged that consultation information should be easily available to non-computer users . The Draft SCI proposes a broad range measures to publicise plan-making consultation events so that people do not need to rely on access to a computer. It is considered that these measures are sufficient given the resources at the councils' disposal. The borough council's decision to prepare a Joint Local Plan was made in March 2014 and is outside the scope of this consultation. The purpose of the Draft SCI was to describe how the two councils propose to engage with public in preparing the Joint Local Plan and determining planning applications. It does not consider the principle of whether Newcastle-under-Lyme Borough Council should prepare planning policy with Stoke-on-Trent City Council.	In order to ensure information on council websites is as clearly available as possible to members of the public, add a a section 'Availability of Information on the Councils Websites' after the section headed 'Consultation database' New Paragraph 2.12 "Both councils will endeavour to ensure that information on plan-making activities, including stages in the process, can easily be located on their website by the use of shortcut links. During consultation periods each council will endeavour to provide a link on their respective homepage to help you access relevant information, including the council's evidence base." Change subsequent paragraph numbers in Part 2 to reflect the above change.
24	Lynne Porter	Qu 4: Has the Draft SCI sufficiently explained	Yes	n/a	n/a

		how the councils will consider and respond to comments received in plan-making and decision-taking?			
25	Lynne Porter	Part 2: Planning Policy	<p>In the Cabinet Report of November 12 2014, I note "The Butts" in Thistleberry, Newcastle, Staffs in included for development.</p> <p>I think that this is totally inappropriate. In your Local Plan you state needs need to complete with environment issues. In "The Butts" case, environmental issues outweigh needs. In "The Butts" case, there is long term sewage and drainage problems. This is a well used community asset and an open space which enhances your "Green" strategy. To develop this area with houses would seriously affect the infrastructure of the area.</p>	This matter is outside the scope of the Draft SCI consultation as it relates to Newcastle-under-Lyme Borough Council's decision to participate in the 'Call for Sites' exercise carried out between 8 September 2014 and 31 October 2014 .	This matter is not within the scope of the SCI consultation. Therefore, no change is proposed.
26	Paul Anderton	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	No	n/a	n/a
27	Paul Anderton	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	No	n/a	n/a
28	Paul Anderton	Part 2: Planning Policy	Enclosed with this letter is a copy of the Response Form to the Draft Statement of Community Involvement which indicates my dissatisfaction with the process being followed by Newcastle Borough Council in the matter of preparing yet another Local Plan to determine the course of land development in the borough for the next however many years before the next plan is called for.	Comment noted, however, the decision to prepare a Joint Local Plan was made in March 2014 and is outside the scope of this consultation. The Draft SCI sets out how the two councils propose to engage with public in preparing the Joint Local Plan and determining planning applications. It does not consider the principle of whether Newcastle-under-Lyme Borough Council should prepare planning policy with Stoke-on-Trent City Council.	This matter is outside the scope of the SCI. Therefore, no change is proposed.
29	Paul Anderton	Part 1: Introduction and Background	Your website is far too difficult to negotiate and the Draft Statement and Response Form were only found after considerable effort and third party guidance.	It is worth noting that all consultees on the councils' consultation databases were provided with a web address linking them directly to the relevant web page, where the Draft SCI and response form could be accessed. Nevertheless the comment draws attention to the importance of being able to find plan-making consultation material easily on each councils website. Every effort is made to achieve this, but consideration could be given to how it might be possible to improve the prominence of each plan-making	<p>In order to ensure information on council websites is as clearly available as possible to members of the public, add a a section 'Availability of Information on the Councils Websites' after the section headed 'Consultation database'</p> <p>New Paragraph 2.12 "Both councils will endeavour to ensure that information on plan-making activities, including stages in the process, can easily be located on their website by the use of shortcut links. During</p>

				consultation, for example by trying to ensure that each consultation stage of the Joint Local Plan is prominently featured on each respective council's /home page. However, it is considered that the Draft SCI proposes a broad range measures to inform people of planning consultation events, and that these combined measures should ensure that the public are able to access the necessary information to participate in plan-making, particularly given the limited resources at the councils' disposal.	consultation periods each council will endeavour to provide a link on their respective homepage to help you access relevant information, including the council's evidence base." Change subsequent paragraph numbers in Part 2 to reflect the above change.
30	Paul Anderton	Part 3: Development Management	The response form does not allow for objections to be raised about the actual situation which exists whereby preparations are in hand for making a Local Plan to determine land uses in the future, while at the same time, if not in, advance, decision are being made about proposed sales of council owned land with a view to allowing buildings to be erected which pre-empt the implementation of the Local Plan. This is to put the cart before the horse.	In November 2014, Newcastle-under-Lyme Borough Council's Cabinet made a decision to participate in the Call for Sites initiative and made a separate decision to proceed with the disposal of several sites in its ownership, which had been subject to public consultation. These two and entirely separate decisions, relating to different sites across the borough, appear to have been confused. This is unfortunate but nevertheless the issues raised are outside the scope of the SCI.	This matter is outside the scope of the SCI. Therefore, no change is proposed.
31	Paul Anderton	Part 2: Planning Policy	The council may have admirable aims in drawing up a new Local Plan in conjunction with Stoke on Trent to determine future land uses, but it should cease to pre-determine what the Plan will contain by selling land now in such a way as to open up building possibilities	In November 2014, Newcastle-under-Lyme Borough Council's Cabinet made a decision to participate in the Call for Sites initiative and made a separate decision to proceed with the disposal of several sites in its ownership, which had been subject to public consultation. These two and entirely separate decisions, relating to different sites across the borough, appear to have been confused. This is unfortunate but nevertheless the issues raised are outside the scope of the SCI.	This matter is outside the scope of the SCI. Therefore, no change is proposed.
32	Roger Tait (Newcastle under Lyme Borough Council)	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
33	Roger Tait (Newcastle under Lyme Borough Council)	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
34	Roger Tait (Newcastle under Lyme Borough Council)	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	Yes	n/a	n/a
35	Roger Tait (Newcastle under Lyme)	Qu 4: Has the Draft SCI sufficiently explained how the councils will	Yes	n/a	n/a

	Borough Council)	consider and respond to comments received in plan-making and decision-taking?			
36	Natural England	Part 2: Planning Policy	<p>We are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult, can be found on our website.</p>	Support noted.	No changes suggested.
37	Natural England	Part 3: Development Management	<p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development and advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	Comment noted. Council database checked to ensure that consultations are sent to the email address provided.	No changes suggested.
38	Marine Management Organisation	Part 2: Planning Policy	I can confirm that the MMO has no comments to submit in relation to this consultation.	Response noted.	No changes suggested.
39	Andy Smith	Part 1: Introduction and Background	<p>If we wanted to plan anything with Stoke Council - we would live in Stoke....</p> <p>We do not want any connection with Stoke.</p>	This matter is outside the scope of the Draft SCI consultation. The Draft SCI sets out how the two councils propose to engage with public in preparing the Joint Local Plan and determining planning applications. It does not consider the principle of whether a Joint Local Plan should be prepared, which was agreed in March 2014.	This matter is outside the scope of the SCI. Therefore, no change is proposed.
40	Highways Agency	Part 2: Planning Policy	The Highways Agency is pleased the SCI recognises our position as a statutory consultee in the local plan process and the development management process.	Support noted.	No changes suggested.
41	Highways Agency	Part 3: Development Management	We welcome the council's commitment to early and ongoing consultation, and request that the council continues to comply with current legislation and consult the Agency on any applications that have the potential to impact on the operation and performance of the named routes. This includes applications that may alter access arrangements or affect the safety and free flow of the SRN.	This is outside the scope of the SCI as it is not the function of a SCI to identify when a specific consultation is to be undertaken prior to the decision on a planning application	No changes suggested
42	William Doorbar	Part 3: Development Management	Should any development be proposed then as a matter of consideration it should be referred as a matter of course particularly if it is likely to impinge upon others area.	Meaning unclear.	No changes proposed.

43	William Doorbar	Part 2: Planning Policy	<p>However, I am concerned that it is just an attempt at take over by Stoke on Trent City Council and as such I most definitely and resolvedly against it.</p> <p>If larger means better, which it does not, then if this desired then why not have a single planning body for the whole of North Staffordshire and South Cheshire.</p>	<p>The decision to prepare a Joint Local Plan was made in March 2014 and is outside the scope of this consultation. The Draft SCI sets out how the two councils propose to engage with public in preparing the Joint Local Plan and determining planning applications. It does not consider the principle of whether Newcastle-under-Lyme Borough Council should prepare planning policy with Stoke-on-Trent City Council or any other neighbouring authority.</p>	<p>This matter is outside the scope of the SCI. Therefore, no change is proposed.</p>
44	William Doorbar	Part 1: Introduction and Background	<p>Again I get the feeling though that it does not really matter what the public think and this is just a pointless paper exercise.</p> <p>The decision has no doubt already been take behind the scenes.</p>	<p>The Draft SCI outlines how public comments are to be considered objectively in both plan-making (in paragraphs 2.17-2.19) and decision-making (in paragraphs 3.23-3.34). The councils are ultimately required to consider all comments in so as far as they relate to material planning considerations and the requirements of the development plan, and this is made clear in the above sections. To help clarify relevant matters in respect of decision-taking, the SCI could include examples of what are material planning considerations.</p>	<p>Add to paragraph 3.33 examples of material planning considerations. "Material planning considerations include the following:</p> <ul style="list-style-type: none"> • Overlooking and loss of privacy • Loss of light or overshadowing • Parking • Highway safety • Traffic • Noise • Effect on listed building and conservation area • Layout and density of building • Design, appearance and materials • Government policy • Disabled persons' access • Previous planning decisions (including appeal decisions) • Nature conservation • Economic factors including job creation and New Homes Bonus <p>Please note that the above list is not exhaustive but provides examples of material planning consideration. It should also be noted that the weight given to any material consideration is determined on a case by case basis."</p>
45	Thistleberry Residents' Association	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	<p>No</p> <p>No mention is made of Residents Associations in either a or b sections, yet they have to bear the brunt of many developments - large and small.</p>	<p>Comment noted. The councils provide a commitment to inform anyone on the councils' database of consultation on the Joint Local Plan but it is their responsibility to ensure the information the councils hold is kept up-to-date. It is suggested that additional text could be added to paragraph 2.9 and Appendix 1. It is not considered practical to list interest groups within Appendix 1 as these may change overtime and the councils will need to be kept informed by these interest groups of their contact details.</p>	<p>Add to the end of paragraph 2.9 that "This list only contains those consultees and stakeholders which must be consult in order to meet the requirements of regulation 18. Both councils are committed to informing all those who have informed the councils that they wish to be informed of future consultation by including them on the consultation database. Due to the timescales involved in producing planning documents and the number of people wishing to be kept informed the councils have not listed them in the Appendix 1." Add a note at the end of Appendix 1 stating that, "Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council."</p>
46	Thistleberry Residents' Association	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-	<p>No</p> <p>Residents need to understand the processes before they can properly engage. This document is far too vague to be useful to them to understand how the plan is being drawn and</p>	<p>Comment noted. 'Diagram 1: The Joint Local Plan production process' sets out the stages involved in the Joint Local Plan production process and Tables 1, 2 and 3 set out the methods of communication to be used by the Councils in preparing the Joint Local Plan.</p>	<p>No changes suggested.</p>

		making and decision taking?	how they can engage with that process.		
48	Thistleberry Residents' Association	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	No Either LAs want to engage residents in the process or in the issues of planning or they do not. This section and Section 3 inclines towards exclusion/half-heartedness rather positive inclusion.	It is considered that the Draft SCI makes it very clear that each council is committed to providing the public with good opportunities to engage in plan-making and decision-taking. Indeed the proposals set out in the SCI in respect of plan-making go well beyond the statutory minimum.	No change proposed
49	Thistleberry Residents' Association	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	No This section is very weak on both a and b sections. The monitoring of both appears to be non-existent and should be done in any event by an independent body such as the Audit Commission and certainly not in-house. The Language in both sections is weak implying that it may or may not happen depending on the discretion of the other dealing with the case.	In preparing local planning policy and making decisions on planning applications, the councils are required by national legislation to comply with the consultation measures set out in their adopted Statement of Community Involvement. In respect of the Joint Local Plan a member of the Planning Inspectorate will examine whether or not the councils have fulfilled this legal requirement at the independent examination of the Plan. In decision-taking, a complaint can ultimately be made to the Local Government Ombudsman, who would fairly and independently consider whether the council had complied with the measures in the SCI.	No changes proposed
50	Thistleberry Residents' Association	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	No 3.8 - is fine if it happens in practice. 3.12 - should be overshadow any other considerations or cloud judgment. 3.12, 3.14, 3.15 - very weak. 3.18 - we would like to see these protocols. 3.19 - could be open to exploitation. 3.25 - is ambiguous. 3.39 - does not appear to happen in practice at the moment anyway. 3.41 - should be 'single' not 'solitary'. 3.44 - when does enforcement action take place? 3.45 - Planning Aid and the Ombudsman are very limited in terms of their remit and would need considerable strengthening to make these a suitable recourse. Appendix 1 - Residents Associations should be mentioned specifically as should organisations like Civic Societies where they exist.	3.8 & 3.9 meaning unclear. 3.12. Assuming concerns relate to S106 - any obligation sought must comply with CIL Regs and should only address impacts of a development that can't be dealt with by condition. 3.13-3.15 No legal requirement for applicant to undertake pre-app consultation with the community other than the eg given, as such this can't be strengthened. 3.25 Appendix 6 clarifies publicity methods. 3.39. This does happen as a matter of practice. 3.41 No objection to the change proposed. 3.44 See comments on rep. no. 100 below. 3.45 noted but outside of the control of the Council. Appendix 1: The councils provides a commitment to inform anyone on the councils' database of consultation on the Joint Local Plan but it is their responsibility to ensure the information the council holds is kept up-to-date. It is suggested that additional text could be added to paragraph 2.9 and Appendix 1. It is not considered practical to list interest groups within Appendix 1 as these may change overtime and the councils will need to be kept informed by these interest groups of their contact details.	Change to paragraph 3.41 through the substitution of the word 'single' to replace 'solitary'. Add to the end of paragraph 2.9 that "This list only contains those consultees and stakeholders which must be consult in order to meet the requirements of regulation 18. Both councils are committed to informing all those who have informed the councils that they wish to be informed of future consultation by being added to the consultation database. Due to the timescales involved in producing planning documents and the number of people wishing to be kept informed the councils have not listed them in the Appendix 1." Add a note at the end of Appendix 1 stating that, "Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council."
51	Thistleberry Residents' Association	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	No How do (a) and (b) work out in practice so that comments are take on board particularly those which Las might not like or want to incorporate or agree with. More transparency is needed re how plan-making and decision-making take place. It is not clear at all in this document.	The Draft SCI outlines how public comments are to be considered objectively in both plan-making (in paragraphs 2.17-2.19) and decision-making (in paragraphs 3.23-3.34). The councils are ultimately required to consider all comments in so as far as they relate to material planning considerations and the requirements of the development plan, and this is made clear in the above sections. To help clarify relevant matters in respect of decision-taking, the SCI could include a section on what are material considerations and include a more explicit statement about the framework that	Add at the end of paragraph 3.1 of the Draft SCI "The NPPF paragraphs 196 and 197 identify that "The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in planning decisions." It goes on to state that "In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development." Also at the end of paragraph 3.16 of the Draft SCI add "As detailed above there are

				plan-making and decision-taking occur within.	<p>only limited number of situations where it is mandatory to carry out pre-application consultation with the local community. These are explained in the Planning Practice Guidance, which states that "Pre-application engagement with the community is encouraged where it will add value to the process and the outcome." Insert footnote Planning Practice Guidance (2014) Paragraph: 009 Reference ID: 20-009-20140306</p> <p>Add to paragraph 3.33 examples of material planning considerations. "Material planning considerations include the following:</p> <ul style="list-style-type: none"> • Overlooking and loss of privacy • Loss of light or overshadowing • Parking • Highway safety • Traffic • Noise • Effect on listed building and conservation area • Layout and density of building • Design, appearance and materials • Government policy • Disabled persons' access • Previous planning decisions (including appeal decisions) • Nature conservation • Economic factors including job creation and New Homes Bonus <p>Please note that the above list is not exhaustive but provides examples of material planning consideration. It should also be noted that the weight given to any material consideration is determined on a case by case basis."</p>
52	Thistleberry Residents' Association	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	No Decision-making does not appear to be transparent - i.e. why has a decision been arrived at, what is the evidence base etc. When people ask they are accused of being vexatious and taking up too much officer time!	Reports are prepared on all applications, other than those which seek approval of details required by condition. Such reports set out all the material considerations, identify the key and discuss the key issues and set out the recommendation. Such reports can be viewed and, it is considered, explain how a decision has been arrived at.	No changes proposed.
53	Thistleberry Residents' Association	Part 1: Introduction and Background	Overall, this document gives the impression of paying lip service to community engagement and of going through the motions, rather than being sincere in its intent.	Comment noted. The Draft SCI at paragraph 1.1 and 1.2 sets out the purpose of the SCI and that "The SCI is extremely important as it will establish a minimum standard of consultation on planning matters and these requirements are closely scrutinised when planning policy documents are independently examined." Paragraph 155 of the NPPF states that "Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made."	No changes suggested.
54	Staffordshire Police	Part 1: Introduction and Background	This is an opportune moment to revisit the issue of crime prevention responsibilities under Sec 17 of the Crime and Disorder Act 1998 which places a legal duty for authorities (i.e. the joint Councils) to consider crime prevention in all	Comment noted.	No changes suggested.

			that they do, which does of course include the planning process.		
55	Staffordshire Police	Part 3: Development Management	<p>It is the intention of Staffordshire Police to assist planning applicants wherever possible to include measures and sensible design features which help to mitigate potential crime threats to subjects of the application. Many forms of advice are given by police specialists that involve no or very little cost. Some forms of recommendation by the specialists may include the attainment of the Secured by Design award, a proven and well researched standard that features elements of crime prevention by environmental design and target hardening of individual units to minimum security standards. These issues are very much entwined with issues of sustainable communities and quality of life issues that feature in the Draft Statement of Community Involvement consultation document.</p> <p>Planning applications which do not consider security and crime prevention may become subject to a police objection and therefore it is extremely important that early discussions take place.</p>	Comment noted. This matter is outside the scope of the SCI	No changes suggested.
56	Staffordshire Police	Part 2: Planning Policy	<p>On page 14 of the Draft SCI it talks about the duty to co-operate via discussions and liaison with statutory consultees, stakeholders and partners. In the case of the Police and their Crime Prevention specialists the question to ask is "What criteria drive the decision to consult?" An agreed joint protocol should be established between planning departments and police that serve to identify development requiring automatic consultation with the police. However, all applicants (under the agreed protocol) should be encouraged, at the pre application stage, to consider security and crime prevention, and to determine their proposals in this regard. This will serve to evidence that crime prevention is being given reasonable consideration under Sec 17 Crime and disorder Act 1998. These actions would also evidence effective community involvement as it should not be forgotten that crime prevention is indeed a material planning consideration.</p>	Comments noted. Suggest the addition of further explanation of other organisations that discussions may be entered into, as appropriate, under the Duty to Cooperate.	<p>Add to the end of paragraph 2.13 "This will involve discussions with other organisations, Government Agencies and Departments as appropriate including:</p> <ul style="list-style-type: none"> • Staffordshire Police • Staffordshire and Stoke-on-Trent Local Enterprise Partnership • NHS Trust • Utility Companies • Relevant Government Agencies and Departments <p>Please note that the above list is not exhaustive and may be subject to change over time."</p> <p>At Appendix 1 add under 'Other Organisations' and "Staffordshire Police and Crime Commissioner"</p>
57	Staffordshire Police	Part 2: Planning Policy	Many planning applications, such as dwellings, commercial units, shutters and licensing may overlap council policies, issues around policing,	Comments noted. Staffordshire Police are listed at Appendix 1 of the Draft SCI and therefore will be consulted in the production of the Joint Local Plan. Regarding consultation on SPDs the Councils	No changes suggested.

			and crime prevention. It is important therefore that crime prevention is not overlooked with regard to Supplementary Planning Documents (SPDs) and to this end I again recommend early consultation with police specialists (Architectural Liaison Officers) regarding SPDs.	will follow the requirements set out in The Town and Country Planning (Local Planning) (England) Regulations 2012. Table 4 : SPD production sets out that at both the 'Evidence Gathering and SPD Preparation Stage' and 'Publication Stage' that the Councils will 'Liaise with statutory consultees/ partnerships'	
58	Staffordshire Police	Part 3: Development Management	<p>Many planning applications, such as dwellings, commercial units, shutters and licensing may overlap council policies, issues around policing, and crime prevention. It is important therefore that crime prevention is not overlooked with regard to Supplementary Planning Documents (SPDs) and to this end I again recommend early consultation with police specialists (Architectural Liaison Officers) regarding SPDs.</p> <p>I would suggest that the above content in this report particularly underpins paragraphs on page 22 namely 3.10 and 3.11 and 3.12 (early engagement), and paragraphs 3.14, 3.15, 3.16, 3.17 (community involvement).</p>	See response to representation 57. It would also be impractical to list all the scenarios of organisations which could be consulted on a planning application. However, it is worth noting that non-statutory consultees will be consulted in line with the NPPG Paragraph: 022 Reference ID: 15-022-20140306	Amend paragraph 3.22 to read "Non-statutory consultees will be engaged in line with the requirements of the Planning Practice Guidance which requires that the councils should consider whether there are planning policy reasons to engage other consultees who- whilst not designated in law- are likely to have an interest in a proposed development."
59	Staffordshire Police	Part 3: Development Management	In writing this report I recognise that paragraph 3.22 on page 23 of the Draft SCI explains that there are different forms of consultation, and that the Draft SCI specifically refers to consultation with the public, however I have taken the opportunity to make observations that are intended to assist members of the public and applicants in effectively addressing crime intervention issues and therefore avoiding problems that may arise via future police consultation as part of the planning process.	Comment noted.	No changes suggested.
60	Dawn Dobson	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
61	Dawn Dobson	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
62	Dawn Dobson	Qu 3: Are the consultation proposals described in the Draft	Yes	n/a	n/a

		SCI sufficient and appropriate?			
63	Dawn Dobson	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	Yes	n/a	n/a
64	Dawn Dobson	Part 3: Development Management	<p>I hope that those affected by any Planning Application will be consulted throughout the whole of the project.</p> <p>At the moment Audley Parish/Bignall End/Talke Pits are being affected by a Planning Application by UK Coal for an Opencast on Great Oak. All seems to have gone quiet and even through the application deadline was September 2014. We are still in the dark as to what is happening. We need more information and updates on a regular basis.</p>	<p>Comment noted. The Draft SCI sets out how the councils will undertake consultation in future, once the SCI is adopted. Both councils display up to date application material on their websites including representations, consultations, reports. In the event of a significant amendment to the proposals, appropriate publicity will be given.</p>	No changes suggested.
65	Stephanie Evans	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
66	Stephanie Evans	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
67	Stephanie Evans	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	Yes	n/a	n/a
68	Stephanie Evans	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	Yes	n/a	n/a
69	Keele Parish Council	Appendix 1	KPC would like to see more reference to community involvement, bearing in mind it is a draft SCI. Currently it is very heavy towards	It is acknowledged that Parish Councils, LAPs and residents associations are an important means of helping to communicate information to and from the councils. However, specific groups are	Add a note at the end of Appendix 1 stating that," Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the

			<p>other stakeholders more so that Parish Councils and residents of the borough.</p> <p>No mention of the LAPs in the process or as a stakeholder? Residents Associations?</p>	<p>not generally identified in detail due to vast number of potential groups which could be named across the two authority areas. Nonetheless, the councils did make all Parish Councils and Locality Action Partnership chairs aware of the Draft SCI consultation and will continue to consult these groups throughout the preparation of the Joint Local Plan.</p> <p>There is no requirement for Resident Associations to register themselves with the councils, therefore such organisations are included on the consultation database as and when they notify the councils of their interest in planning policy issues and request to be added. It is ultimately up to individual Resident Associations to decide if they have an interest in local plan-making and therefore want to be added to the consultation database. The Draft SCI provides instructions on how to be added to each council's consultation database.</p>	<p>relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council".</p>
70	Keele Parish Council	Part 3: Development Management	<p>KPC would like to have clearer understanding of the detail in terms of how exactly will Parish Councils and residents be involved - are you passively or actively seeking comments ... bearing in mind in the past few months Keele have actively provided comments on planning applications but it is felt that these have been dismissed, only later to be validated by other parties.</p>	<p>The SCI seeks to provide such a clearer understanding.</p>	<p>No changes proposed.</p>
71	Keele Parish Council	Part 2: Planning Policy	<p>There should be clearer reference (none currently) to any emerging Neighbourhood Plans and how these fit into the process - in the event of some being drawn up alongside the Local Plan. What support and links are there to the JLT if communities/developers choose to follow this approach? How would these be adopted within the timescale....</p>	<p>Comment noted. In accordance with the Localism Act 2011, a SCI is not intended to explain the process of neighbourhood planning and the role of a local planning authority in that process, rather its purpose is to focus on setting out the process for involving the community in the local development documents to be prepared by the Local Planning Authority. Nevertheless there is merit in including some text on Neighbourhood Planning to explain its role within the planning system.</p>	<p>Suggest amendments to the 'Plan-making' section in Part 1 to explain the role of Neighbourhood Plans alongside Local Plans:</p> <p>Insert new paragraphs after 1.21: "1.21 Plan-making involves thinking ahead about where it might be best to build new development to provide new homes and new jobs, whilst at the same time thinking about the necessary support facilities such as shops, schools, doctors. Local authority plans</p> <p>1.22 The type of plans normally prepared by a local authority (see Part 2: Planning Policy) usually deal with strategic issues i.e. issues that affect the whole of a local authority area and might impact on neighbouring local authorities, for example planning to ensure the housing needs of the whole local authority area can be fully met. Neighbourhood plans</p> <p>1.23 Since the Localism Act in 2011 the community is able to prepare neighbourhood development plans. These set out how a community wants their neighbourhood to be i.e. a vision for that area, and policies and proposals for the use and development of land. The decision to prepare a neighbourhood plan has to be made by the relevant designated bodies, such as parish and town councils, business forums and neighbourhood forums. Further information will be available on both councils' websites."</p>

					Amend other paragraph numbers as required
72	Keele Parish Council	Part 2: Planning Policy	<p>More explanation on the different types of consultation methods to be used for lay people ... how will you explain the bigger picture visually so that people can see the impact of the suggestions/your proposals. Heavy text documents and reliance on the electronic maps is not considered to be suitable to reach all user groups ... Large scale maps on a planning for real basis for more appropriate.</p>	<p>Comment noted. 'Diagram 1: The Joint Local Plan production process' sets out the stages involved in the Joint Local Plan production process and Tables 1, 2 and 3 set out the methods of communication to be used by the councils in preparing the Joint Local Plan. A variety of methods are set out in Tables 1 to 4. However it also must be noted that whilst the councils will seek to communicate in 'plain english' it also needs to be recognised that as planning policy documents will be used in the determination of planning applications they need to be written in a way that meets statutory and regulatory requirements. Paragraph 2.2 of the Draft SCI makes a commitment that "A range of methods and techniques will be used to involve the communities of both local authorities." It also explains that the methods set out in Tables 1 to 4 have "taken into account the outcomes of Newcastle-Under-Lyme Borough Council's public consultation exercise in 2012 to determine the scope and methods to be used in public consultation on site allocations and local planning policies."</p>	No changes suggested.
73	Paul Farrelly MP	Part 3: Development Management	<p>I have had the opportunity to consider the draft SCI in detail and the consultation process appears to be very much in line with good practice and the procedures adopted previously.</p> <p>Regarding the draft SCI, it is only in respect of the Borough's 'guillotine' that I have any substantive comments to make, and I note that Stoke-on-Trent adopts a different practice.</p> <p>While, on the face of it, the 'guillotine policy' - a cut off of four days before the application is determined seems reasonable, I have some concerns about my experience of its operation in practice.</p> <p>In particular, I seem to remember occasions when the 'guillotine' has been put into effect more than four days in advance of a meeting where an application is actually determined.</p> <p>In particular, when a major application has been made, but the planning meeting has been deferred - on occasion several times - beyond the normal statutory deadline for determination, I recall frustration in the past that the 'guillotine' has not been extended.</p> <p>I would be grateful, therefore, if the guillotine's practical operation could be reviewed as part of this SCI exercise - and to ensure all important</p>	<p>The operation of a guillotine on late representations was introduced by Newcastle's Planning Committee in July 2008 following a number of cases where members had been asked to consider at the Planning Committee itself significant new information material to the determination of an application. It has been operated with due regard to the legal requirement that a Local Planning Authority takes into account any material planning consideration and does not take into account any immaterial consideration. It is applied in a manner so that it does not cut down any period for comment referred to in publicity. It is considered an essential part of the efficient and effective decision making of the Planning Committee. The guillotine policy as adopted and subsequently reaffirmed after a trial period refers to working days rather than days. If a decision on an application is deferred (by the Planning Committee) the guillotine should be lifted, before being reimposed. Officers operating the guillotine will be reminded of the required procedures</p>	No changes suggested

			<p>views by statutory consultees are in the public domain, too, so that full representations can be made by the public, including myself.</p> <p>Separately, I also remember on one occasion when I submitted representations under the 'guillotine' at 6pm in the evening from my Westminster Officer - only to be told by Guy Benson, the Head of Development Control, that he had deemed the cut-off to be at 5pm, the Council's 'normal office hours', so they would not be reported to the Planning Committee.</p> <p>This seemed to me to be rather harsh and inflexible (and the actual time is not in the Committee's 'guillotine' resolution), but my protests were to no avail. I would be grateful if a little leeway (up to midnight) in this aspect of the guillotine's practical operation could also be considered as part of this consultation on the draft SCI.</p>		
74	Paul Farrelly MP	Part 2: Planning Policy	<p>Regarding the 'Call for Sites' exercise, which is part of the statutory Local Plan sequence, clearly as I am not a site owner this did not involve me, or most of the members of the public.</p> <p>I see, too, that the Borough itself responded to the call submitting a survey, effectively, of land the Council owns.</p>	This issue is outside the scope of the Draft SCI consultation as it relates to the decision of Newcastle-under-Lyme Borough Council to participate in the Call for Sites in its role as landowner.	No changes proposed
75	Donald Butterworth	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
76	Donald Butterworth	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
77	Donald Butterworth	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	Yes	n/a	n/a
78	Donald	Qu 4: Has the Draft SCI	Yes	n/a	n/a

	Butterworth	sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?			
79	Donald Butterworth	Part 1: Introduction and Background	<p>It is important for both the City and Borough Councils to fully appreciate the definition of the word "consult" and its derivatives as used in the Draft SCI. The policy of "consultation" would appear to indicate a significant shift in the current workings of the Borough Council and particularly the Planning Department which lacks credibility probably resulting from "management" issues.</p> <p>Whilst the Draft SCI says all the right things the City and Borough Councils must be prepared to "practice what they preach" in an open and transparent way. Any failure to do so then the offending parties must be held publicly responsible as would be the case in a commercial environment within a clearly defined and transparent disciplinary code with formal procedures.</p>	In preparing local planning policy and making decisions on planning applications, the councils are required by national legislation to comply with the consultation measures set out in their adopted Statement of Community Involvement. In plan-making, a member of the Planning Inspectorate will examine whether or not the councils have fulfilled this legal requirement in preparing the Joint Local Plan at the plan's independent examination. In decision-taking, a complaint can ultimately be made to the Local Government Ombudsman, who would fairly and independently consider whether the council had complied with the measures in the SCI. Both Councils also have procedures for the review of formal complaints.	No changes proposed
80	Westland, Seabridge and Claytom Residents Association	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
81	Westland, Seabridge and Claytom Residents Association	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
82	Westland, Seabridge and Claytom Residents Association	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	No	n/a	n/a

83	Westland, Seabridge and Claytom Residents Association	Part 2: Planning Policy	1.1 Publication of documents on the Internet (IN) and availability in public venues requiring frequent visits to both 'in case' of proposals existing which might be of concern. Your reference to newspapers OK provided notices are strongly headlined - more than once,	<p>This representation appears to suggest that consultations should be advertised in newspapers through multiple press notices. However, there would be significant costs associated with increasing the number of press notices.</p> <p>In respect of plan-making consultations, the Draft SCI explains at paragraphs 2.6-2.10 that residents are welcome to contact the councils and request they are added to the councils' consultation database, ensuring they are automatically notified on any plan-making consultations. In respect of decision-taking, a number of measures other than use of public venues and the internet are used to ensure members of the public are notified of planning applications. These include press notices, site notices, direct neighbour notification and a "saved search" function, which offers automatic notification of any applications coming forward on a specified property or area.</p> <p>Given the limited resources available to the councils and the need to reach a wide cross-section of the public, it is considered that it is not appropriate to focus resources into a singular consultation method, such as newspaper advertisements.</p>	No changes proposed
84	Westland, Seabridge and Claytom Residents Association	Part 2: Planning Policy	1.2 Residents who do not have IN access should not be penalised by having to pay for hard copies.	<p>Given the substantial cost involved in producing hard copies of Joint Local Plan documents and the limited financial resources available to the council, it is not possible for these to be provided for free. However, the councils also recognise that not everyone has access to a computer or is computer literate. Therefore, the measures identified in Tables 1-3 and Appendix 8 of the Draft SCI make it clear that a range of public venues will be used as deposit locations for documents prepared at key stages of the Joint Local Plan preparation process. Furthermore, computers with internet access are available to use at many of the public venues used as deposit locations, including customer contact centres and most libraries.</p>	No changes proposed.
85	Westland, Seabridge and Claytom Residents Association	Part 2: Planning Policy	1.3 Display Notices in proposed development areas. More than the minimum legal requirements in terms of numbers of notices displayed is essential. Residents responses - Westlands, Seabridge and Clayton - on issues at the Road Show 2012 confirmed that very many had not seen posters. A 'hands up' poll at my request showed that only one person originally come across the issue on the Internet!!	<p>It is not clear whether this is referring to the publicity associated with a consultation event or the notices proposed to be displayed on an 'allocation' site.</p> <p>There is no legal requirement to display notices proposing the allocation of land for development and there is no legal requirement to post notices informing the public of a plan-making consultation event. However, the Draft SCI does propose that site notices will be displayed in publicly accessible and visible locations at site boundaries when the councils are proposing the allocation of such sites for development and also display 'posters' to promote publicity events.</p> <p>The decision to display a poster in a particular location is a question of judgement, but there is always going to be a risk that it won't be seen. However, it would be inappropriate to deal with this by saturating an area with posters, particularly since the Draft</p>	No change is proposed to the Draft SCI, but the councils will endeavour to ensure that posters are displayed in prominent locations well in advance of a consultation event

				<p>SCI contains a wide range of methods for publicising consultation events. The community can help to overcome the limitation of posters by helping to spread information by word of mouth. Perhaps what is the most helpful way of addressing this issue is to ensure that the posters publicising consultations are put on display well in advance of a consultation event.</p> <p>In addition to site notices, a number of other measures, such as social media, the councils' websites and any other new technologies where resources permit will be used to inform people of proposals</p>	
86	Westland, Seabridge and Claytom Residents Association	Part 2: Planning Policy	2.0 Your 2.7 Consultation Database. Resident Associations should be listed. It is not evident from the list that such bodies are included.	As there is no requirement for Resident Associations to register themselves with the councils, such organisations are included on the consultation database as and when they notify the councils of the interest in planning policy issues. It is ultimately up to individual Resident Associations to decide if they have an interest in local planning policy and therefore want to be added to the consultation database (in which case the Draft SCI provides instructions of how they can ensure they are added to the database).	Add a note at the end of Appendix 1 stating that, "Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council."
87	Westland, Seabridge and Claytom Residents Association	Appendix 1	2.0 Your 2.7 Consultation Database. Resident Associations should be listed. It is not evident from the list that such bodies are included.	As there is no requirement for Resident Associations to register themselves with the councils, such organisations are included on the consultation database as and when they notify the councils of the interest in planning policy issues and request to be added. It is ultimately up to individual Resident Associations to decide if they have an interest in local planning policy and therefore want to be added to the consultation database (in which case the Draft SCI provides instructions of how they can ensure they are added to the database).	Add a note at the end of Appendix 1 stating that, "Any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant council or councils in order that their information is added to the consultation database to be informed of future consultation. If their contact details change it is the responsibility of the person/ group/ organisation/ agent who has expressed an interest in being kept informed to notify the relevant council."
88	Westland, Seabridge and Claytom Residents Association	Part 3: Development Management	3.3 Representations. The document should include a list of what are 'material considerations'.	Comment noted. Additional text suggested at paragraph 3.33 to provide examples of material planning considerations. The list is not exhaustive and a note to this effect is also suggested.	<p>Add to paragraph 3.33 examples of material planning considerations.</p> <p>"Material planning considerations include the following:</p> <ul style="list-style-type: none"> • Overlooking and loss of privacy • Loss of light or overshadowing • Parking • Highway safety • Traffic • Noise • Effect on listed building and conservation area • Layout and density of building • Design, appearance and materials • Government policy • Disabled persons' access • Previous planning decisions (including appeal decisions) • Nature conservation • Economic factors including job creation and New Homes Bonus <p>Please note that the above list is not exhaustive but provides examples of material planning consideration. It should also be noted that the weight given to any material consideration is determined on a case by case basis."</p>
89	Councillor Marion	Qu 1: Having considered the Draft	Yes	It's not clear which 'plan' is being referred to, it is assumed that this is the Draft SCI. It is considered that there is an appropriate	No changes proposed to the Draft SCI

	Reddish	SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	<p>Residents who have contacted me say there is too much information and not enough background information background information as to how this plan was formulated.</p> <p>They are disappointed that the consultation period was 6 weeks only - just before Christmas.</p> <p>They do not want a joint plan with Stoke - they would have preferred a Borough one.</p>	<p>level of information in the SCI and this is well balanced with the information explaining why an SCI is being prepared (see section 1.1 - 1.13 of the Draft SCI).</p> <p>There is no minimum statutory period for consultation on an SCI. The six week period reflected the standard length of consultation at statutory stages of the plan-making process. The timing of the Draft SCI consultation was to ensure that the preparation of the Joint Local Plan was not unduly delayed and it was considered that consulting over a six week period would not significantly disadvantage the public from participating.</p> <p>The issue of preparing a Joint Local Plan with Stoke is outside the scope of the Draft SCI consultation. The Draft SCI sets out how the two councils propose to engage with public in preparing the Joint Local Plan and determining planning applications. It does not consider the principle of whether Newcastle-under-Lyme Borough Council should prepare planning policy with Stoke-on-Trent City Council. The decision to prepare a Joint Local Plan was taken in March 2014</p>	
90	Councillor Marion Reddish	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	<p>Yes</p> <p>Residents do not accept that site notices are enough and would want those notified by letter to be greater.</p> <p>Residents feel there should have been more time/effort made publishing the SCI to those who do not have a computer.</p> <p>Residents wanted public meetings to explain more.</p>	<p>It is acknowledged that not everybody is computer literate. The councils used a variety of different measures in publicising the Draft SCI consultation, including sending letters or emailing all consultees on their respective consultation databases (which is open to any member of the public). Furthermore, hard copies of the consultation documents were put on deposit in local libraries and community centres, Parish Councils and Locality Action Partnership chairs in Newcastle-under-Lyme were consulted and the consultation was advertised in the councils' newspaper (The Reporter). However, a balance must be struck between the need to consult communities and the limited resources at the councils' disposal.</p> <p>In light of this, it is felt that the measures used in consulting on the Draft SCI were appropriate. Furthermore, it is important to note that manned exhibitions and focus groups and workshops will both be used to engage the public in consultations on the Issues and Strategic Options and Draft Local Plan stages.</p>	No changes proposed
91	Councillor Marion Reddish	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	<p>No</p> <p>Residents do not accept that site notices are enough and would want those notified by letter to be greater.</p> <p>Residents feel there should have been more time/effort made publishing the SCI to those who do not have a computer.</p> <p>Residents wanted public meetings to explain more.</p>	<p>App 4 sets out which neighbours are notified of an application. A site notice is likely to make more aware of an application than neighbour notification letters. It is acknowledged that consultation information should be easily available to non-computer users. The Draft SCI consultation was publicised using a broad range of measures so that it could be accessed by people without access to a computer. It is considered that these consultation measures were sufficient in light of the limited resources available to the council. However, measures such as focus groups, workshops and manned exhibitions will be used in consulting at key stages of the Joint Local Plan production process, as outlined in Table 2 of the Draft SCI.</p>	No changes proposed.

			Public need to be better informed about where and when applications are publicised. There doesn't appear to be consistency - major/minor different. Amendments do need to be publicised and further scrutinised.	The SCI seeks to inform the public about how applications will be publicised. In addition, the SCI indicates that further consultation will be undertaken on amended applications in certain circumstances. It is not justified to re-consult on all amendments as this would introduce an unnecessary delay in reaching a decision and will cost more.	
92	Councillor Marion Reddish	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	Yes Residents are wanting more explanation but in a simpler form. They have very much looked at Land Sales as the issue, rather than SCI on a larger scale. It is disappointing and confusing that the NBC Cabinet Agenda of Nove listed Sites and then they received this consultation. They will not separate the two.	The councils have attempted to strike a balance between providing sufficient information and avoiding the risk of overloading the reader with too much information. Without specific suggestions it is difficult to know which parts of the Draft SCI need to be amended to address this concern. Comment noted. In November 2014, Newcastle-under-Lyme Borough Council's Cabinet made a decision to participate in the Call for Sites initiative and made a separate decision to proceed with the disposal of several sites in its ownership, which had been subject to public consultation. These two and entirely separate decisions, relating to different sites across the borough, appear to have been confused. This is unfortunate but nevertheless issues raised regarding the Call for Sites initiative are outside the scope of the SCI.	No change proposed
93	Councillor Marion Reddish	Part 3: Development Management	I think there needs to be more explanation about the difference between Section 106 and the suggested Community Involvement Statement.	Comment noted. A Section 106 (S.106) is a way of securing a planning obligation. Paragraph 3.12 of the Draft SCI explains "For all planning applications, the borough council and the city council can advise on what is required to support an application and how planning policies will be applied when considering the proposal. In some cases, both councils will also negotiate Planning Obligations (see Glossary) via S.106 agreements and undertakings." Appendix 8: Glossary defines what a Statement of Community Involvement is and what a Consultation Statement is.	Add Section 106 to Appendix 8 Glossary "Section 106 (S.106): A mechanism for securing planning obligations."
94	Councillor Marion Reddish	Part 2: Planning Policy	Opposition to 'call for sites' and the inclusion of "The Butts" site.	This matter is outside the scope of the Draft SCI consultation as it relates to Newcastle-under-Lyme Borough Council's decision to participate in the 'Call for Sites' exercise carried out between 8 September 2014 and 31 October 2014.	No change proposed.
95	Newcastle-under-Lyme Civic Society	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
96	Newcastle-under-Lyme Civic Society	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
97	Newcastle-	Qu 3: Are the	Yes	n/a	n/a

	under-Lyme Civic Society	consultation proposals described in the Draft SCI sufficient and appropriate?			
98	Newcastle-under-Lyme Civic Society	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	Yes	n/a	n/a
99	Newcastle-under-Lyme Civic Society	Part 3: Development Management	However on a matter of some specific practices described in the draft, one of our members questions whether the practice described in 3.39 (opportunities for objectors to see planning officers reports and to address the planning committee) has in fact been operating and wonders whether it will be operated better in the future.	The practice has been operating and will continue to be operated.	No changes proposed.
100	Newcastle-under-Lyme Civic Society	Part 3: Development Management	Also more than one of our members have a belief that enforcement action against unauthorised development has often been weak up to now and the relevant section in the draft (SCI 3.44) in talking about what is expedient does not seem to hold out much hope for a more vigorous enforcement regime.	An Enforcement Plan is being prepared, in accordance with the National Planning Policy Framework, to manage enforcement proactively. It will set out how the council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.	No changes proposed.
101	Loggerheads Parish Council	Qu 1: Having considered the Draft SCI, do you feel sufficiently informed about how you will be involved in plan-making and decision taking?	Yes	n/a	n/a
102	Loggerheads Parish Council	Qu 2: Do you feel that the Draft SCI presents sufficient opportunities to get involved in plan-making and decision-taking?	Yes	n/a	n/a
103	Loggerheads Parish Council	Qu 3: Are the consultation proposals described in the Draft SCI sufficient and appropriate?	Yes	n/a	n/a

104	Loggerheads Parish Council	Qu 4: Has the Draft SCI sufficiently explained how the councils will consider and respond to comments received in plan-making and decision-taking?	<p>No</p> <p>At para 3.28 Stoke City Council will allow comments up to the date of the Planning Committee but NuLBC do not.</p> <p>At Para 3.29 City Council will provide and an acknowledgement, NuLBC do not.</p> <p>I would like to see NuLBC adopt the same standards as Stoke.</p>	<p>1The operation of a guillotine on late representations was introduced by Newcastle's Planning Committee in July 2008 following a number of cases where members had been asked to consider at the Planning Committee itself significant new information material to the determination of an application. It has been operated with due regard to the legal requirement that a Local Planning Authority takes into account any material planning consideration and does not take into account any immaterial consideration. It is applied in a manner so that it does not cut down any period for comment referred to in publicity. It is considered an essential part of the efficient and effective decision making of the Planning Committee. 2. It is possible to establish whether a representation has been received without an acknowledgement being sent and the practice takes up resources (support officer time and cost) which could be deployed elsewhere and would improve the performance of the section. It is possible for the two authorities to have different approaches, each aligned to their respective needs.</p>	No changes suggested
105	The Coal Authority (Planning and Local Authority Liaison Department)	Appendix 1	<p>OBJECT - In this appendix you rightly refer to the Town and Country Planning (Local Planning)(England) Regulations 2012, in relation to Specific Consultation Bodies. However you do not specify precisely who these are, the description 'Relevant Government Agencies & Departments' is considered to be imprecise and unclear. The Coal Authority is a Specific Consultation Body under these Regulations, however this fact is not made clear and it appears that the councils may not appreciate this fact. I note that we were sent the General Consultee Letter for the SCI which appears to demonstrate a misunderstanding of our legal status... Regulation 2 clearly indicated The Coal Authority to be a Specific Consultation Body. Appendix 1 should be amended to clearly specify the full list of bodies defined under the Regulations as the Specific Consultation Bodies.</p>	<p>Comment noted. Suggest additional text after relevant Government Agencies & Departments to further explain that this includes the Coal Authority.</p>	<p>Add to 'Appendix 1: Joint Local Plan consultation bodies' after Relevant Government Agencies & Departments "(including those listed in the Regulations as "specific consultation bodies" the Coal Authority, the Environment Agency, the Historic Buildings and Monuments Commission for England (known as English Heritage), the Marine Management Organisation, Natural England, Network Rail Infrastructure Limited, the Highways Agency and Homes and Communities Agency)"</p>
106	The Coal Authority (Planning and Local Authority Liaison Department)	Part 3: Development Management	<p>COMMENT - It is noted that the Councils recognise that they have an obligation to consult Statutory Consultees in the development management process. The Coal Authority is such a Statutory Consultee.</p>	<p>Comment noted. Suggest additional text after relevant Government Agencies & Departments to further explain that this includes the Coal Authority.</p>	<p>Comment noted. Suggest additional text after relevant Government Agencies & Departments to further explain that this includes the Coal Authority.</p>
107	Health and Safety Executive	Part 1: Introduction and Background	<p>We have concluded that we have no representation to make on this occasion. This is because your consultation request is not concerned with the potential encroachment of</p>	<p>Comment noted.</p>	No changes suggested.

			future development on the consultation zones of major hazard installations or MAHPs. As the request is not relevant to the HSE's land-use planning policy, we do not need to be informed of the next stages in the adoption of the Joint Draft Statement of Community Involvement.		
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Appendix 3: Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement, 2014 - Summary of main Changes.

This document lists the proposed main amendments to the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement, 2014, following the completion of the public consultation exercise on the 19 December 2014. The proposed amendments are listed in the order that they appear in the revised SCI (submitted version) and fall into two main categories: 1) changes made in direct response to public representations 2) changes made to bring the document up to date, including changes to reflect the latest legislation and guidance. It does not include typographical errors, reused paragraph numbers, or references to the document being draft.

Part 1 – Introduction and Background

- **Paragraph 1.3** update to explain the consultation undertaken on the draft version of the SCI and the Consultation Report subsequently produced.
- **Paragraph 1.4** update the section to identify that “In many cases the proposals in the SCI go beyond the minimum legal requirements. However, both councils have also recognised the need to deliver a service which is both effective and cost efficient.”
- **Paragraph 1.6** update to reflect the reasons why the respective councils’ previous 2006 and 2007 SCIs have been reviewed
- **Paragraph 1.17** update to reflect the Equality Act 2010 and that both councils have processes established for assessing the potential impacts of planning policy documents on equality called Equality Impact Assessment (EIA). Both councils will undertake EIA of planning policy documents that are to be produced in line with the respective council’s requirements and that the EIA will be published on their websites. It identifies that the councils, in their endeavour to work in an inclusive manner, will consider the way they deliver planning services from the perspective of a range of users, including ‘hard to reach’ groups (definition of ‘hard to reach’ added to the glossary).
- Insert **new paragraph before 1.20** further explaining the planning system and NPPF requirements.
- Add **new sections** within ‘The Planning System: plan-making and decision-taking’ on ‘**Local authority plans**’ and ‘**Neighbourhood plans**’. Within the neighbourhood plans section include that further information will be available on both councils’ websites.

Part 2 – Planning Policy

- **Delete part of paragraph 2.2** on consultation methods having taken into account Newcastle-under-Lyme Borough Council’s public consultation exercise in 2012 to determine the scope and methods to be used in public consultation on the allocations and local planning policies and replace with text explaining that the councils recognise that there are groups with existing communication networks in their areas, that can be key contributors in increasing awareness at the local level, particularly in the rural area.

- **Add a new sentence at paragraph 2.8** that the councils will put in place a shared data agreement to ensure the protection of personal data submitted with consultation responses and identified on the respective planning policy consultation database of each council.
- Further explanation suggested to be added to **paragraph 2.9** explaining that Appendix 1 only contains those consultees and stakeholders which must be consulted in order to meet the requirements of section 18 and that both councils are committed to informing all those who have made requests to the councils that they wish to be informed of future consultation by including them on the consultation database. Also, that due to the timescales involved in producing planning policy documents and the number of people wishing to be kept informed, the councils have not listed them in Appendix 1.
- Add a new sub-section 'Availability of Information on the councils Websites' and a **new paragraph 2.11** that both councils will endeavour to ensure that the information on plan-making activities, including stages in the process, can easily be located on their websites by the use of shortcut links. During consultation periods each council will endeavour to provide a link on their respective homepage to help you access relevant information, including the council's evidence base. (Subsequent paragraph numbers in Part 2 to be changed to reflect this change).
- Add to **paragraph 2.13** further explanation as to who may be involved in duty to cooperate discussions.
- Add **further text to Diagram 1**: The Joint Local Plan production process after "At this stage it is only possible to comment on whether the plan is sound" and insert "meets procedural requirements (set out in the regulations) and has complied with the Duty to Cooperate. The council cannot make substantive changes to the Final Draft Plan without undertaking further consultation."

Part 3 – Development Management

- Add to the end of **paragraph 3.1** that the NPPF paragraph 196 and 197 on the planning process being plan-led and there being a presumption in favour of sustainable development.
- Amend the second sentence of **paragraph 3.8** to read "In the case of both councils these applications are available for members of the public to view on its website but the council takes no proactive steps to invite comment upon them."
- Add to **paragraph 3.16** further explanation in relation to pre-application engagement and that the Planning Practice Guidance states that "Pre-application engagement with the community is encouraged where it will add value to the process and the outcome."¹
- Add to **paragraph 3.22** further explanation that non-statutory consultees will be engaged with in line with the requirements of the Planning Practice Guidance
- Add to **paragraph 3.33** examples of material planning considerations but also state that the list is not exhaustive and that it should also be noted that the

¹ Planning Practice Guidance (2014) Paragraph: 009 Reference ID: 20-009-20140306

weight given to any material consideration is determined on a case by case basis.

- At **paragraph 3.41** substitute the word 'single' to replace 'solitary'.

Appendices

Appendix 1

- Add to other Organisations Staffordshire Police and Crime Commissioner and in the Relevant Government Agencies & Departments explain that this includes those listed in the Regulations as "specific consultation bodies" the Coal Authority, the Environment Agency, Historic England, the Marine Management Organisation, Natural England, Network Rail Infrastructure Limited, the Highways England and Homes and Communities Agency.
- Add a note explaining that any person/ group/ organisation who is not listed in Appendix 1 who wishes to be notified of future consultation on planning policy documents should notify the relevant Council or Councils so that they can be added to the consultation database to be informed of future consultation and that it is their responsibility to notify the Council if their contact details change.

Appendix 2

- Delete final row at the end of Appendix 2 (titled 'Modification or discharge of affordable housing requirements') and amend the definition in the row above regarding 'Householder'.

Appendix 4

- Relevant to both authorities now therefore delete the reference to Newcastle.
- Add a bullet point explaining that where a site is isolated and there are no neighbours that can be identified that a site notice will be displayed.

Appendix 6

- Changes to the table on methods of publicity regarding direct notices.

Appendix 7

- Changes to the table on methods of publicity.

Appendix 8

- Add to glossary a definition of the Equality Act 2010 – protects people from discrimination and replaces previous anti-discrimination laws with a single Act and that the Act identifies a number of characteristics which are protected characteristics and that these are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- Add to the glossary a definition of ‘Hard to reach’ groups – groups that may traditionally be under represented in consultation exercises, such as young people, minority groups, those with disabilities, those living in rural areas and the local business community.
- Add to the glossary a definition of Section 106 (S.106) – that it is a mechanism for securing planning obligations.
- Add to glossary a definition of “sound” – that a Local Plan is considered “sound” if it meets the tests of soundness set out in paragraph 182 of the NPPF. This requires that a plan is positively prepared, justified, effective and consistent with national policy.

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- Add to text that to obtain the document in other formats, please contact one of the councils

5 Year Housing Land Supply Statement for the Borough of Newcastle-under-Lyme: 1st April 2015 to 31st March 2020

Purpose of the Report

To present the information and results of the calculation of the 5 year housing land supply, as contained in the accompanying Statement.

To provide guidance on the significance and impact of the 5 year supply position on the Development Management decision making process.

Recommendations

- 1) That members note the results of the 5 year supply report.**
- 2) That officers prepare a midyear housing supply statement following the publication of the Strategic Housing Market Assessment**
- 3) That members note the significance of the 5 year supply position in Development Management decision making.**

Reasons

To ensure the Council makes decisions in line with up-to-date planning policy and its latest 5 year housing land supply Statement.

1.0 INTRODUCTION & BACKGROUND

- 1.1 Local planning authorities are required by the National Planning Policy Framework (NPPF) to identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. Whether or not a local planning authority can demonstrate a five-year supply of deliverable housing sites is a key driver behind the increase in planning permissions granted for housing sites nationally. The consequences of not being able to demonstrate a five year supply of deliverable housing sites is that relevant housing supply policies in the development plan cannot be considered as up-to-date. Members will be aware that locally this has resulted in some refused housing proposals being won at appeal that do not conform to the adopted development strategy for the borough.
- 1.2 Under the NPPF and Planning Practice Guidance (PPG), the only way to definitively demonstrate beyond all doubt a five year supply of deliverable housing sites is to adopt an up-to-date Local Plan (i.e. a post-NPPF version). Without an up-to-date Local Plan, less weight can be given to the five year housing land supply figure. In other words it is open to challenge by the development industry, and may be found wanting on appeal. As Members will be aware, the Council is in the process of preparing an up to date Local Plan in partnership with Stoke-on-Trent City Council. This is scheduled to be subject to independent examination and adoption in 2018.
- 1.3 The NPPF and PPG oblige local planning authorities to produce a five year housing land supply Statement and to do so on at least an annual basis. Current guidance (the PPG) indicates that such assessments should be "made publicly available in accessible format", and that "once published, such assessments should normally not need to be updated for a full twelve months unless significant new evidence comes to

light or the local authority wishes to update its assessment earlier". The Five Year Housing Land Supply Statement (2015-2020) that accompanies this report fulfils this requirement. This is the fourth detailed annual statement prepared by the Council. Prior to publishing these annual statements, the Council previously set out the five year housing land supply figure within its Annual Monitoring Reports.

- 1.4 The Statement presents information on the availability of land for housing development in the Borough as at 1st April 2015. This date is used because it is the end of the monitoring year for collating information on development activity. The available supply of land at 1st April 2015 is projected forwards to determine the extent to which it can meet the anticipated requirement for housing to be developed over the next five years to 2020.
- 1.5 For the first time this calculation is based on official household projections. Previous statements have been based on the housing requirement set out in the Core Spatial Strategy. The reasons for this change are set out in more detail in section 2 of this report and sections 3 and 4 of the Statement. The resulting supply of housing land is expressed in the number of years that all of the land would be used up if the required levels of development were to be met.

2.0 KEY FINDINGS

Calculation of the Housing Requirement for the next Five Years

- 2.1 This year, the housing requirement for the Borough over the next five years has been derived from the official household projections published by the Department for Communities and Local Government (CLG). This reflects the PPG which states that evidence dating back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs, and the challenge that would have been mounted, at the Gateway Avenue appeal, to the Council's last Supply Statement, had the Inspector not concluded that there had been persistent under delivery of housing and that a 20% rather than a 5% buffer was required.
- 2.2 The Borough's current adopted housing target is set within the Core Spatial Strategy; this is for 5,700 net dwellings to be delivered between 2006 and 2026 (285 net additional dwellings per year). This figure is derived from the West Midlands Regional Spatial Strategy Phase 2 Revision and as such (in the words of the PPG) it 'may not adequately reflect current needs'.
- 2.3 The PPG also states that where evidence in Local Plans has become outdated, information provided in the latest full assessment of housing needs should be considered. The Council has commissioned a Strategic Housing Market Assessment (SHMA) which will present a full assessment of housing needs in the Borough. It is anticipated that this new assessment will be published in time for the public consultation period for the Issues & Options document in Autumn 2015. In order to support and inform the Issues & Options document, your officers are considering publishing a new five year housing land supply statement that takes account of the objective assessment of housing need contained within the SHMA. The assessment of housing needs will then form the basis for future calculations of housing land supply until a new housing requirement is developed as part of the Joint Local Plan.
- 2.4 Where neither an up to date housing requirement contained within a Local Plan nor an up to date assessment of housing need are available, the PPG states that the household projections published by CLG should be used as the starting point for

assessing the five year supply. The guidance also recognises that the weight given to the projections should take account of the fact that they have not been tested or moderated against relevant constraints. This testing would show whether past events that have informed the projections are unlikely to occur again (for example the economic downturn), whether the local property market is capable of accommodating the anticipated household growth, and whether or not there are significant constraints, for example in the local environment or infrastructure, that would prevent the growth from being accommodated in the area.

- 2.5 In light of such limitations, your officers consider that it is appropriate to moderate the 2012-based household projections, which are the latest CLG household projections to be released, with the earlier 2008-based household projections which were the previous full household projections to be released. Considering both sets of household projections together means that periods of economic growth and decline can be taken in to account and balanced out. The 2012-based household projections are influenced by the period of economic downturn that occurred from 2008, whilst the 2008-based household projections are similarly influenced by the strong economic growth that occurred in the early 2000s.
- 2.6 The housing requirement over the next five years, which results directly from averaging out these two sets of household projections, is for **1,420 new dwellings to be completed between 1st April 2015 and 31st March 2020. This averages out to 284 new dwellings per year.** It is worth noting that this is comparable to the previous Core Spatial Strategy target of 285 new dwellings per year, however it must be emphasised that the Core Spatial Strategy housing target has had no influence on this new calculation derived from the official household projections. Furthermore it is also worth reiterating that these household projections have as yet not been tested against market signals and constraints that may affect future housing development. As previously stated, this is an interim measure for calculating at this point in time the requirement over the next five years and is not a substitute for an NPPF compliant housing requirement set within an up to date Local Plan.

Past Housing Delivery

- 2.7 As well as the requirement for new housing development over the next five years, the Council also needs to take account of any past shortfall of housing that ought to have been delivered. This has to be added on to the requirement for 284 new dwellings per year identified above. Where past under-delivery has been persistent, the NPPF requires local planning authorities to also apply an additional 20% buffer to their housing requirement over the next five years. If there is no record of persistent under delivery then a 5% buffer can be applied.
- 2.8 The base dates for the two sets of households projections (2008 and 2012) have been used to define the time period for measuring past delivery. A requirement of 335 new dwellings per year is derived from the 2008-based household projections and applied to the period 2008 to 2012. From 2012 onwards, a requirement of 232 new dwellings per annum which is derived from the 2012-based household projections is applied. It isn't appropriate to apply the annual figure from the 2012-based household projections to the period preceding 2012, so splitting up the requirements of these two projections into separate time periods is the only way to ensure that they are considered in a balanced way.
- 2.9 The Table below shows how the borough has been delivering against these annual requirements derived from the household projections. This is also presented as Table 1 in the accompanying statement.

Monitoring year:	Net dwelling completions:	Household Projection Requirement:	Delivery against Requirement:
2008-09	277	335	-58
2009-10	207	335	-128
2010-11	183	335	-152
2011-12	251	335	-84
2012-13	414	232	+182
2013-14	295	232	+63
2014-15	219	232	-13
Total:	1,846	2,036	-190
Average per year:	264	291	-27

2.10 As shown, under-delivery has occurred in five out of the past seven years, leading to a shortfall of 190 dwellings at 1st April 2015. In accordance with the NPPF, this shortfall and an additional 20% buffer therefore have to be applied to the requirement derived from the household projections. **This increases the requirement for the next five years to 1,932 new dwellings (387 new dwellings per year).** The calculation for this is set out in Table 3 of the accompanying statement and is reproduced below.

Requirement for next five years: (derived from annual average of 2008 and 2012-based household projections)	1,420
+ existing shortfall (190 dwellings)	1,610
+ 20% buffer (322 dwellings)	1,932

Housing Land Supply

2.11 The Five Year Housing Land Supply Statement identifies that the remaining capacity of all sites with approval for housing development in the borough at 1st April 2015 was 1,698 new dwellings. Included within this figure are 256 dwellings that have been resolved to be permitted by Planning Committee and which were awaiting the signing of Section 106 obligations at 1st April 2015. The details of all sites included in the supply are provided in the Appendix to the Statement.

2.12 Three additional sites that as yet do not have planning approval have also been included in the housing supply contained within the Statement. These are:

- Wilmot Drive, Cross Heath (100 dwellings, SHLAA¹ site 337)
- Ashfields New Road, Cross Heath (42 dwellings, SHLAA site 9775)
- The Hawthorns, Keele (55 dwellings, SHLAA site 40)

¹ Strategic Housing Land Availability Assessment

- 2.13 These sites have been included taking into account the relevant sections of the NPPF and PPG. These do allow for sites without planning approval to be included as deliverable, provided that up to date and sound evidence to support the likelihood of their delivery in the next five years is clearly and transparently set out, taking into account a consideration of associated risks and an assessment of the local delivery record. Such sites must not have significant constraints to overcome, for example new infrastructure provision.
- 2.14 The first two sites listed above (Wilmot Drive and Ashfields New Road) have been included because written assurances have been received from the site landowners or their agents that planning approval is to be sought this year and taking account of the delivery record of such parties the view has been reached that the number of dwellings listed can be delivered in the next five years. Both sites have also been identified as deliverable in the SHLAA. Furthermore, the likelihood of the Wilmot Drive development taking place was agreed by both parties to the public inquiry into the appeal for land at Gateway Avenue, Baldwins Gate (13/00426/OUT).
- 2.15 The Keele Hawthorn site, as Members will be aware, is currently subject to a planning appeal against the Council's refusal of planning permission. As far as the Council was concerned the principle of residential redevelopment of the site was acceptable, but the scheme involved overdevelopment and harm to the character of the Conservation Area and the locality. The proposal that is subject to the appeal is for 92 dwellings, however the site is identified as deliverable in the SHLAA for 55 dwellings. In light of the Planning Authority's reasons for refusal your officers consider that it is appropriate to include the lower figure derived from the SHLAA within the housing land supply for the next five years.
- 2.16 The NPPF also states that an allowance for windfall sites can be included in the five year supply calculation if there is compelling evidence that they have consistently become available in the area and will continue to provide a reliable source of supply. Windfall sites are defined as those that have not specifically been identified as available in the Local Plan process and are normally previously developed sites that have unexpectedly become available.
- 2.17 For the purposes of the Five Year Housing Land Supply Statement, windfall sites are considered to include the change of use and conversion of existing buildings for residential use and sites not previously identified within the SHLAA. Table 4 of the Statement shows that an average of 33 new dwellings per year has previously been delivered on such sites between 2008 and 2015. This differs from last year's figure of 40 dwellings per annum because the development of windfall sites has been lower in the past year and last year's calculation was informed by a different time period.
- 2.18 33 dwellings per year is therefore the windfall assumption used in the five year supply calculation. As most planning approvals remain extant for up to 3 years, this windfall assumption is applied to the latter two years of the five year period (i.e. 2018-2020) in order to avoid duplication with any existing approvals or double counting. This provides an additional anticipated supply of 66 new dwellings within the next five years.
- 2.19 Taking in to account all of the above sources, **the total capacity of land for housing development in the period 2015-2020 is 1,961 new dwellings**. This is summarised in Table 5 of the statement, which is also reproduced below.

Source of Supply:	Dwellings:
Remaining capacity of sites with planning approval at 1 st April 2015:	1,442
Capacity of sites resolved to permit at Planning Committee but awaiting approval of conditions or S106 agreements:	256
Capacity of sites with no planning approval but anticipated to deliver new housing prior to 2020:	197
Windfall allowance:	66
Total:	1,961

Calculation of the 5 year Housing Land Supply Figure

- 2.20 With the housing requirement derived from the household projections for the next five years being 1,932 new dwellings, and the supply of land for housing development at 1st April 2015 being 1,961 new dwellings, there is an indicative land supply in the borough of **5.07 years**. This is however more of an indicative figure, rather than a clear demonstration of a 5 year housing land supply, because it is based on a calculation using the household projections, which is only a “starting point” in determining the need for housing land required to be developed.
- 2.21 The Council would only be able to beyond doubt defend this housing land supply position if an, as yet unidentified up to date housing requirement within an NPPF compliant Local Plan was at a similar level to the calculation derived from the household projections.
- 2.22 Despite these limitations, it is very important to note that the housing land supply has increased from 1,079 dwellings last year to 1,961 this year, an increase of 82%. This reflects the number of new dwellings that have obtained planning permission in the past year. By its very nature the continuation of a five year supply of deliverable housing sites means that that new planning approvals will also be required in future in order to keep the supply of housing land ‘topped up’. This is because sites must be removed from the supply either if their development has been completed or if their planning approval lapses (unless there is clear evidence to support a continued view that they remain deliverable). As an indication, approved but unimplemented sites with a combined capacity of 40 dwellings are due to expire in the six months from 1st April to 1st October 2015.
- 2.23 Full details of how the five year supply figure has been calculated are included in the Five Year Housing Land Supply Statement which is attached as an Appendix to this report. Following Planning Committee’s consideration of the Statement, it will be published on the Planning Policy pages of the Council’s website and be the basis for the Council’s position on housing land supply in the borough.

3.0 DEVELOPMENT MANAGEMENT IMPLICATIONS

- 3.1 According to the Statement the supply of land for housing development is 5.07 years' worth or 29 dwellings over the housing requirement that is derived from the household projections. As pointed out in the introduction, this is not a substitute for a robust and defensible housing requirement set within an up to date and NPPF compliant Local Plan, nor is it based upon a full objective assessment of housing needs as no such assessment is currently available.
- 3.2 Paragraph 49 of the NPPF states that housing applications should be "considered in the context of the presumption in favour of sustainable development" and that "relevant policies for the supply of housing should not be considered to be up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".
- 3.3 The NPPF describes housing supply policies as either up to date or not by reason of whether or not a planning authority can demonstrate a five year supply of housing sites. There is no middle ground anticipated in national policy. A Local Planning Authority either can or cannot demonstrate such a supply. Because the new Statement provides a supply calculation based upon household projections it is most unlikely that such a calculation would be considered to be a **demonstration** of a five year supply of deliverable housing sites, and so the directive in paragraph 49 of the NPPF must be considered to be engaged – the Council's housing supply policies still cannot be considered to be up-to-date.
- 3.4 If housing supply policies (which include most particularly saved Local Plan Policy H1 and its reference to village envelopes, and CSS policy ASP6 with its reference to Rural Service Centres and a maximum amount of dwellings within the Rural Area) are not up-to-date then, according to the NPPF in paragraph 14, insofar as development management or decision-taking is concerned, this means, because housing supply policies are not up-to-date, unless material considerations indicate otherwise, granting planning permission unless;
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

This is described as the presumption in favour of sustainable development.

- 3.6 Nevertheless it is considered by your officers that in undertaking the weighing up exercise referred to above, it would not now be unreasonable to take into account the improved housing supply position in assessing what weight to give to the contribution which a proposal might make to that supply. Without going into a specific example, this might mean for example that adverse landscape impact might perhaps more easily "significantly and demonstrably outweigh" the benefits particularly if such benefits were solely ones relating to the supply of housing.
- 3.5 The Framework in giving examples of the specific policies in the Framework (the second bullet point) refers to policies relating to land designated as Green Belt, designated heritage assets and locations at risk of flooding. This it should be noted is a list of examples rather than an exhaustive list.
- 3.6 The NPPG, published in March 2014, notes that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt. Member may remember that such advice was given at the time of the consideration of the Pepper Street proposals (13/00970/OUT)

- 3.7 Over the years there have been a series of responses by the Council as the local planning authority to this situation, in development management terms. With the focus always being on achieving sustainable development, there has been an acceptance for some time that an objection of conflict with policies on housing land supply within the development plan cannot be raised to the development of greenfield sites within the urban area. There are numerous examples of this with probably the most significant one being the site known as Apedale South, the residential development of which obtained planning permission from the Council in December 2014, with the signing of the associated Section 106 agreement.
- 3.8 A similar approach has been taken to greenfield sites in the Rural Service Centres (Madeley, Loggerheads and Audley Parish). Each of these locations has a village envelope or, in the case of Audley Parish, a series of village envelopes, the boundaries of which are set out in the Local Plan and on the Local Development Framework Proposals Map.
- 3.9 The same position has been adopted with respect to proposals within those village envelopes that are not within the Rural Service Centres and are not “washed over” by the Green Belt. This means Betley, Mow Cop, Madeley Heath, Baldwins Gate, Ashley and Whitmore. Even though Core Spatial Strategy Policy ASP6 seeks to direct residential development, within the rural areas, to the Rural Service Centres, this policy cannot be considered to be “up to date” and provided the development in question is a sustainable one such locations can be an acceptable location for development.
- 3.10 Over the last year and a half there have been a series of applications relating to significant residential proposals on sites which whilst not within a village envelope are immediately adjacent to it but are not within the Green Belt. Examples include the Gateway Avenue, Baldwins Gate proposals (13/00426/OUT), the land to the rear of Rowley House, Moss Lane, Madeley (13/00990/OUT), the land off Mill Lane, Madeley and the land off New Road, Madeley (14/00930/OUT). All of these proposals were approved, either on appeal (as in the case of Gateway Avenue), or by the Borough Council itself. Other proposals, for development that is further away from such villages have been generally refused and upon occasion this position has been supported on appeal – the development at Farcroft, Manor Lane (14/00037/OUT) being an example. An appeal has been lodged with respect to the proposals adjacent to Slaters, Stone Road, Hill Chorlton (14/00875/OUT)
- 3.11 The approach taken by your officers on such applications has reflected the position set out in paragraph 14 of the NPPF and will continue to do so given that it is still considered that the Council cannot demonstrate a 5 year supply of deliverable housing sites. Further applications for residential development have been received that are neither within the urban area nor within the Rural Service Centres nor the village envelopes indicated above. Each will need to be considered on its own merits bearing in mind in particular the guidance set out within paragraph 14 of the National Planning Policy Framework, as set out in paragraph 3.4 above.
- 3.12 Similarly applications may be received on employment sites whose development for residential purposes may be considered to be contrary to Local Plan Policy E11 on proposals that would lead to the loss of good quality business and general industrial land. Again the same approach will need to be taken, as it was in reports on applications such as those for Linley Trading Estate (13/00625/OUT) approved in January 2014 (subject to the prior completion of a legal agreement) and Land off Watermills Road (13/ 00974/OUT) refused in April 2014 and then allowed on appeal in

February 2015. The weight to be given to the benefit of additional supply of housing as opposed to the adverse impact of the loss of employment land, will take into account the information in the new Supply Statement.

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Newcastle-under-Lyme Borough Council

5 Year Housing Land Supply Statement: 2015-2020

1. Background

- 1.1 This is the fourth detailed annual statement of the five year housing land supply that Newcastle-under-Lyme Borough Council has produced. It sets out new information on the delivery of residential development in the borough for the period 1st April 2014 through to 31st March 2015 and the availability of land for housing development looking forward over the next five years from 2015 to 2020.
- 1.2 Since last year's statement was prepared there have been a number of important national changes that have meant that the Council must now reconsider the way in which its supply of housing land is calculated:
- Two years after the publication of the National Planning Policy Framework (NPPF) the Government published national Planning Practice Guidance (PPG), at the end of March 2014. This provides further detail on how assessments of housing land availability should be undertaken, for example using household projections as a starting point for an authority to establish its housing requirement. The detailed guidance in the PPG was last updated on 27th March 2015.
 - In June 2014 the Planning Advisory Service (PAS) issued a technical advice note to provide further guidance on objectively assessing housing needs, in the context of the PPG¹. The borough council has also sought direct advice from PAS on the methodology for the calculation of the 5 year supply. PAS have also released a paper in March 2015 summarising development proposals that have been refused at appeal or public inquiry, despite the lack of a five year housing land supply². PAS advice has however no official status.
 - New 2012-based Household Projections were released by the Department for Communities and Local Government (CLG) in February 2015. PPG states that these form the starting point for calculating the overall need for housing, whilst also recognising that they need adjustment to take account of local demographic trends and household formation rates. This is explained further in section 4.

¹ 'Objectively Assessed Need and Housing Targets: technical advice note' (PAS, June 2014):

http://www.pas.gov.uk/web/pas1/local-planning/-/journal_content/56/332612/6363116/ARTICLE

² 'Sensible decision-making without a Local Plan' (PAS, March 2015): http://www.pas.gov.uk/local-planning/-/journal_content/56/332612/7138663/ARTICLE

- Case law (e.g. Hunston Properties Ltd v St Albans DC 2013 and Solihull MBC v Gallagher Homes 2014) has shown that previous approaches to calculating the supply of housing land which take account previous plan targets may no longer be appropriate. These types of High Court judgements explain how local planning authorities should interpret national policy and therefore carry weight in decision making.

1.3 These changes have been outside of the control of the Borough Council. However they have implications for the calculation of the local housing land supply. These implications are explained in more detail throughout this report.

2. National Policy and Guidance

2.1 Paragraph 47 of the NPPF requires Local Planning Authorities to annually identify and update a supply of specific deliverable sites sufficient to provide five years worth of housing against the housing requirements for the area. To be considered 'deliverable', sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular the NPPF points out that the development has to be viable in order to be considered to be deliverable.

2.2 The PPG states that sites with planning approval can be considered to be deliverable but that this is not a prerequisite; sites without planning approval can be considered as deliverable if there is strong (robust and up-to-date) evidence that they will receive planning approval and can be delivered within five years. They must not have significant constraints to overcome, for example new infrastructure provision. Three such sites have been included in this year's housing land supply and these are detailed in section 8.

2.3 Assessments such take into account the anticipated trajectory of housing delivery, and consideration of associated risks and an assessment of the local delivery record

2.4 The PPG also states that housing requirement figures in up to date adopted Local Plans should be used as the starting point for calculating the five year supply. Such figures are considered to be the most robust because;

- a) they are derived from a full objective assessment of housing needs for the area which has taken into consideration both demographic and market trends;
- b) they have taken into account policy constraints such as sustainability or environmental factors and housing land availability issues;

- c) they have been informed by duty to cooperate discussions with neighbouring local authorities, and;
- d) they have been tested through public consultation and an independent examination.

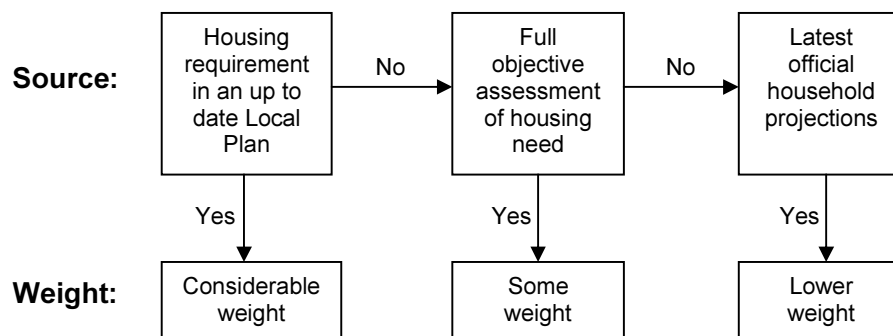
2.5 The PPG also states that adopted Local Plan targets may not adequately reflect current housing needs where the evidence underpinning them dates back several years, such as that drawn from revoked regional strategies.

2.6 In the absence of having a housing requirement derived from an up to date Local Plan and where evidence in a Local Plan has become outdated, the PPG states that the latest full objective assessment of housing needs should be considered. This is normally identified through a Strategic Housing Market Assessment (SHMA). However, the weight attached to such an Assessment has to take account of the fact they have not been tested or moderated against relevant constraints. Such constraints are meant to be identified in a Strategic Housing Land Availability Assessment (SHLAA).

2.7 The PPG goes onto indicated that where there is no robust recent assessment of full housing needs, as set out in a published SHMA, the household projections published by CLG should be used as a starting point for calculating an area’s housing need. Again, the weight given to these projections needs take in to account that they have not been tested against local circumstances, market signals or physical constraints.

2.8 The diagram below illustrates the weighting attached to the different sources of housing requirement.

Figure 1: Weighting of the different sources of housing requirement



3. The Newcastle-under-Lyme Situation

3.1 Newcastle-under-Lyme’s current housing target is set by the adopted Core Spatial Strategy (CSS). This sets a target of 5,700 net additional dwellings

over the plan period from 2006 to 2026, equating to an annual average requirement of 285 net new dwellings per year. This figure is derived directly from the West Midlands Regional Spatial Strategy Phase 2 Revision which has since been revoked. In light of the PPG, this housing requirement may not be considered to 'adequately reflect current housing needs' and whilst it has been used in the past it should no longer be used to assess supply.

- 3.2 The Borough Council is working with Stoke-on-Trent City Council on the preparation of a new Joint Local Plan. This will replace the Core Spatial Strategy and it will set a new housing requirement which will take in to consideration a full, up to date objective assessment of housing needs for both areas. In order to provide the evidence for these housing needs, both authorities have commissioned a new Strategic Housing Market Assessment (SHMA) which is due to be published in time for when the Councils consult upon the Joint Local Plan Issues and Options document in Autumn of this year.
- 3.3 There will be a need to further test the objective assessment of housing needs identified within the SHMA in order to precisely establish the number of houses that will be required over the next plan period. This further testing will include modelling within a new Employment Land Review to determine the levels of housing development required to accommodate a future workforce, as well as public consultation on the various different options for growth presented within the Issues & Options document. A new housing requirement will subsequently be developed as work on the Joint Local Plan progresses.
- 3.4 At present, taking into account the above, the Council considers it appropriate to use the Government's official household projections as the starting point for determining the housing requirement to measure the borough's housing land supply against.

4. Using the Household Projections

- 4.1 CLG published the latest household projections in February 2015. These are calculated from the 2012-based sub-national population projections which are prepared and issued by the Office for National Statistics. The household projections start from 2012 and they project forward to 2037.
- 4.2 The projections indicate a growth in the number of households within Newcastle-under-Lyme from 52,817 in 2012 to 58,612 in 2037. This is an increase of 5,795 households over a 25 year period, leading to an annual average increase of 232 new households requiring accommodation each year.

- 4.3 These latest projections have to be treated with a degree of caution as they are informed by past trends from the preceding five year period (2007-2012). They are therefore considerably affected by the economic downturn in 2008 and 2009 when households were forming at a much slower rate (due to circumstances such as young couples and families being unable to afford homes of their own and therefore living with other family members). This means that the actual need for housing may have been underestimated within these latest projections.
- 4.4 In order to balance out this potential underestimation the Council considers that it is necessary to also have regard to the 2008-based household projections, as these take in to account a more positive economic climate between 2003 and 2008, when households were forming at a greater rate and were therefore more able to occupy new properties. The 2008 projections identified an annual average increase of 335 new households forming each year.

5. Past delivery against the Housing Requirement

- 5.1 To ensure choice and competition in the market for land, the NPPF requires local planning authorities to add an additional 5% buffer to their housing requirements over the next five years. Where there has been a record or persistent under-delivery, this buffer is to be increased to 20%.
- 5.2 In order to determine whether or not we have persistently under-delivered and are therefore required to increase the buffer to 20%, we need to measure our past housing delivery against the housing requirement established by the two sets of household projections.
- 5.3 Table 1 below shows our annual dwelling completions as measured against the housing requirement derived from the household projections for each of the previous monitoring years.

Table 1: Housing Delivery 2008-2015

Monitoring year:	Net dwelling completions:	Household Projection Requirement:	Delivery against Requirement:
2008-09	277	335	-58
2009-10	207	335	-128
2010-11	183	335	-152
2011-12	251	335	-84
2012-13	414	232	+182
2013-14	295	232	+63
2014-15	219	232	-13

Total:	1,846	2,036	-190
Average per year:	264	291	-27

- 5.4 As described above, the 2008 and 2012 household projections have been used as the basis for measuring past delivery in the borough. The 2012-based household projections have been applied to the period between 2012 and 2015, giving a requirement of 232 new dwellings per annum, and the 2008-based household projections have been applied to the preceding period between 2008 and 2012, giving a requirement of 335 new dwellings per annum. Using both sets of projections to look back over a longer period of time enables peaks and troughs in the housing market to be taken in to account and to balance them out.
- 5.5 The Table shows that housing delivery for the years 2008 to 2012 were persistently below the household projections. This led to a cumulative shortfall of 422 dwellings by 2012. Dwelling completions increased to a peak of 414 in 2012/13, but have fallen away again since then. This is largely due to the delivery of a number of larger developments over this period, including;
- Silverdale Colliery (300 dwellings);
 - Land off Keele Road, Newcastle (293 dwellings);
 - Former Wolstanton Colliery (237 dwellings);
 - Former GEC Site, Lower Milehouse Lane (127 dwellings);
 - Land at Charter Road, Newcastle (117 dwellings).
- 5.6 The peak in delivery and the subsequent falling away follows national rates of construction over the same period. This has led to a cumulative shortfall of 190 dwellings in the borough by 2015.
- 5.7 Given this existing shortfall and previous years of under-delivery (5 out of 7) it is appropriate to apply a 20% buffer to our housing requirement over the next five years. It is relevant to note that this was the view which the Inspector in the January 2015 Gateway Avenue, Baldwin's Gate appeal came to³. He concluded as follows:-

“In assessing the correct buffer to apply, it is good practice to look at the Council's housing delivery figures over a significant period of time to iron-out short term fluctuations. The Council's own evidence is that the CSS target of 285 dwellings per annum has been met in only 2 of the last 8 years, and Mr Bridgwood (the Council's planning witness) submits that the

³ Appeal reference number: APP/P3420/A/14/2218530

current year appears to be on a similar upward trajectory, the fact remains that there is a large cumulative deficit of some 303 dwellings, which amounts to more than a full year's requirement. To my mind, the evidence clearly demonstrates persistent under-delivery, thereby requiring a 20% buffer to be applied".

- 5.8 Although the Inspector made this judgement against the Core Spatial Strategy housing requirement, the principle of determining past under-delivery against the household projections remains the same.
- 5.9 The cumulative shortfall is no longer more than a full year's requirement, and the Council is now measuring itself against a different requirement, however the position now is fundamentally as it was in January at the time of the appeal decision (and it is now known that delivery in 2014/15 did not demonstrate the upward trajectory anticipated by the Council's witness, but actually declined).

6. Housing Requirement over the Next Five Years

- 6.1 In line with the approach to measuring past delivery against the two sets of household projections in section 5 above, both projections are also used to project the amount of new housing to be delivered in the next five years between 2015 and 2020. This ensures consistency and presents a balanced picture between periods of significant economic growth and decline.
- 6.2 An average figure for the number of new households to be created each year is derived from both sets of projections. This annual average is then used to determine the annual requirement going forward. This is calculated as follows:

Table 2: Calculation of housing requirement for next five years

Average annual new households: (derived from 2008-based household projections)	335
Average annual new households: (derived from 2012-based household projections)	232
Average annual new households derived from both projections:	284

- 6.3 Projecting forward this average household increase of 284 new households per year indicates a requirement for 1,420 additional dwellings to be completed in the next five years up to 2020.
- 6.4 In light of the cumulative shortfall and the persistent past under-delivery identified in section 5, it is appropriate to apply a 20% buffer to the borough's housing requirement over the next 5 years, as required by

paragraph 47 of the NPPF. The current shortfall of 190 dwellings also needs to be added to the requirement. This is summarised in the table below.

Table 3: Additional housing requirements for next five years

Requirement for next five years: (derived from annual average of 2008 and 2012- based household projections)	1,420
+ existing shortfall (190 dwellings)	1,610
+ 20% buffer (322 dwellings)	1,932

7. Windfall Allowance

7.1 Paragraph 48 of the NPPF states that local planning authorities can make an allowance for windfall development in their five year supply if there is compelling evidence that such sites have consistently become available in the area and will continue to provide a reliable source of supply. Windfall sites are defined as those which have not specifically been identified as available in the Local Plan process. A windfall allowance should be realistic and have regard to the Strategic Housing Land Availability Assessment (SHLAA), historic windfall delivery rates and expected future trends.

7.2 The table below shows the past trends in windfall site completions since 2008. These typically comprise of changes of use and conversions and sites not already identified in the published SHLAA.

Table 4: Calculation of the windfall allowance

Year:	Windfall Completions		Total:
	Change of use/ Conversions:	Sites not identified in the SHLAA:	
2008-09	18	30	48
2009-10	39	8	47
2010-11	3	18	21
2011-12	16	11	27
2012-13	25	6	31

2013-14	18	15	33
2014-15	24	2	26
Average per year:			33

7.3 A windfall allowance of 33 dwellings per year for the last two years of the next five year period is carried forward in to the housing land supply calculation in the next section. This figure is applied to the last two years (i.e. 2018-2020) in order to avoid any duplication with existing planning approvals which are likely to be built in the next three years. This is lower than the allowance of 40 dwellings per year identified in last year's statement. This is due in part to the windfall completion figures for 2014-15 being lower than in preceding years.

8. Current Five Year Housing Land Supply

8.1 The Appendix to this report lists all sites included in the five year housing land supply. This includes all sites with existing planning approval as at 1st April 2015 and three sites without planning approval but which are highly likely to be deliverable in the next five years.

8.2 The inclusion of these three additional sites follows the guidance in the NPPF and PPG as described in section 2. Details of the three sites and the reasons for including them are as follows:

- Wilmot Drive, Cross Heath (100 dwellings) – this is a deliverable SHLAA site (no. 337) that has been included because the landowner has given sufficient assurance that planning approval is to be sought within a year and that 100 new dwellings (out of a total of 240) can be delivered within the next five years. It is also identified as a development site in the Knutton and Cross Heath Development Sites (Phase 1) Supplementary Planning Document.
- Ashfields New Road, Cross Heath (42 dwellings) – this is a deliverable SHLAA site (no. 9775) that has been included because the planning agent has given sufficient assurance that planning approval is to be sought this year and that all dwellings proposed on the site can be delivered before 2017.
- The Hawthorns, Keele (55 dwellings) – this is a deliverable SHLAA site (no. 40) that has had a planning application submitted on it for 92 dwellings (13/00424/FUL). Although the application was refused, as far as the Council was concerned the principle of residential redevelopment of the site was acceptable, but the scheme involved overdevelopment and harm to the character of the Conservation Area and the locality. A decision on the subsequent appeal is currently awaited. In light of this, the Council considers that the site

ought to be considered within the supply but at the lower figure recognised as deliverable within the SHLAA. This will be revisited once the appeal decision has been made.

- 8.3 Taken together, these three sites contribute 197 new dwellings to the supply of housing land over the next five years.
- 8.4 The remainder of the housing land supply is made up of sites with planning approval. Some of these approved sites have had some housing development completed on them (these completions are taken in to account in section 5). The remaining capacity of these approved sites once completions have been deducted is 1,698 new dwellings. Of these, as at 1st April 2015, 256 had been resolved to be permitted by Planning Committee and were awaiting the signing of Section 106 obligations at that date.
- 8.5 Table 5 below summarises all of the capacity included within this statement. Details of all of the sites are set out in an appendix to this report.

Table 5: Housing site supply 2015-2020

Source of Supply:	Dwellings:
Remaining capacity of sites with planning approval at 1 st April 2015:	1,442
Capacity of sites resolved to permitted by Planning Committee but awaiting signing of Section 106 obligations as at 1 st April 2015:	256
Capacity of sites with no planning approval but anticipated to deliver new housing prior to 2020:	197
Windfall allowance:	66
Total:	1,961

9. Housing Land Supply Calculation

- 9.1 The previous sections of this report explain all of the different considerations that need to be factored in to calculating the supply of housing land. This section brings together all of these factors to determine how the capacity of land for housing development in the borough compares with the requirement over the next five years.

- 9.2 The basic calculation to determine this is the amount of housing land available (the supply) divided by the annual requirement (the demand). This is set out in Table 6 below.

Table 6: Calculation of the housing land supply

Housing requirement 2015-2020:	1,932
Annual Requirement (i.e. 1,932 divided by 5 years):	387
Total Housing Land Supply:	1,961
Number of years' worth of housing land supply against the requirement: (i.e. total supply of 1,961 divided by the annual requirement of 387)	5.07

- 9.3 The Table indicates that the borough could demonstrate a five year supply of housing land if the as yet unidentified Local Plan housing requirement were comparable to the combined requirement of the 2008 and 2012-based household projections. This takes in to account the additional requirement of the 190 dwellings cumulative shortfall and the application of a 20% buffer for past under-delivery identified in section 6.
- 9.4 Whilst this appears to demonstrate a five year supply of housing land it must be noted that because the calculation is based on the two most recent household projections from 2008 and 2012, it is only a starting point in calculating the housing land supply situation in the borough. It therefore has lower weight in planning decisions than a housing requirement set within an up to date and NPPF compliant Local Plan.

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Appendix: Schedule of Sites

Table 1: Newcastle

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
CN47	50 King Street, Newcastle	12/00219/FUL	Change of use from offices to residential house (multiple occupancy)	1	0	1	0
CN97	2A Poplar Avenue, Cross Heath	04/00664/FUL	Change of use and conversion of part of ground floor and whole of first floor to provide 3 flat units	3	0	0	3
CN251	9 Brunswick Street, Newcastle	12/00559/FUL	Change of use of first and second floors to six residential units	6	0	0	6
CN333	89 Hassell Street, Newcastle	13/00309/FUL	Change of use from offices to house of multiple occupancy	1	0	1	0
CN394	Liverpool Road Surgery, 128 Liverpool Road, Cross Heath	11/00633/COU	Change of use of former doctors surgery to residential	1	0	1	0
CN404	36 High Street, Newcastle	11/00674/FUL	Conversion of existing two bed apartment to 2 one bedroom apartments	1	0	1	0
CN412	6 Silverdale Road, Newcastle	13/00671/COU	Change of use from hairdressers to a single residential dwelling	1	0	1	0
CN413	Garage, Cemetery Road, Knutton	13/00559/FUL	Increase of existing residential accommodation	1	0	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
			from one to two apartments				
CN414	First & Second Floor Offices, Rectory Chambers, 40 Ironmarket, Newcastle	13/00901/COUN OT	change of use of first floor offices to 4 self contained apartments	4	0	0	4
CN418	Richard Jacobs Pension & Trustee Services Ltd, 18 Water Street, Newcastle	14/00010/FUL	Change of use from offices (B1) to house of multiple occupation	1	0	0	1
CN419	Former Gradeworld Premises, 31 Dimsdale Parade East, Newcastle	14/00234/FUL	Conversion of existing building to 4 no. flats	4	0	0	4
CN420	38-40 Dimsdale Parade East, Newcastle	14/00392/FUL	Conversion of shop to 2 houses	2	0	0	2
CN421	16 St. Bernards Road, Knutton	14/00596/FUL	Conversion of existing two bedroom dwelling to 2 no. one bedroom flats	1	0	0	1
CN422	106 Lancaster Road, Newcastle	15/00071/COU	Change of use from hotel to dwelling	1	0	0	1
N528	Land adjacent to High View, Sandy Lane, Newcastle	14/00131/FUL	Erection of a detached dwelling	1	0	0	1
N614	Builders Yard, Queen Street, Chesterton	13/00192/FUL	Erection of 4 dwellings	4	0	0	4

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
N623	Land Adjacent To Gaunts Hatch, Sandy Lane, Newcastle	13/00364/FUL	Proposed dwelling house	1	0	1	0
N663	Land Adjacent 261 Dimsdale Parade West, Wolstanton Newcastle	13/00847/REM	Erection of two detached dwellings	2	0	0	2
N664	Former Wolstanton Colliery (South), Wolstanton, Newcastle	11/00129/FUL	Residential development; 237 dwellings	237	213	24	0
N732	17 Edward Avenue Newcastle	13/00934/REM	Detached dwelling	1	0	1	0
N747	Highland Nurseries Bungalow, Cross May Street, Newcastle	11/00526/REM	Proposed detached bungalow	1	0	0	1
N753	25 Newport Grove, Chesterton	13/00238/FUL	Erection of three dwellings	3	1	1	1
N766	Silverdale Colliery, Scot Hay Road, Silverdale	09/00698/REM	Residential development for 300 no. dwellings	225	210	15	0
N766a	Silverdale Colliery, Scot Hay Road, Silverdale	09/00698/REM	Residential development for 300 no. dwellings (affordable housing element)	75	68	7	0
N767	Land At Sutton Street, Chesterton	13/00020/FUL	Proposed residential development of 4 No. one	4	0	0	4

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
			bed apartments				
N769	Former GEC Site, Lower Milehouse Lane, Newcastle	11/00266/REM	Residential development; 127 dwellings	127	59	22	46
N771	Former Victoria Court, Brampton Road, May Bank	14/00521/FUL	Proposed development of six residential dwellings	6	0	0	6
N773	Land Adj 36 Daleview Drive Newcastle	14/00680/FUL	Erection of a detached dwelling	1	0	0	1
N775	Land adjacent to Sainsbury's, Ashfields New Road, Cross Heath	N/A (SHLAA site)	42 dwellings	42	0	0	42
N777	Land At Site Of 41 To 43 Wolstanton Road, Chesterton	07/1040/FUL 07/1040/EXTN	Erection of a pair of semi detached dwellings	2	0	0	2
N781	Former Builders Store, Adjacent 40 Lawson Terrace, Porthill, Newcastle	11/00091/OUT	Erection of 2 storey dwelling house	1	0	0	1
N786	Former Chesterton Servicemen's Club, Sandford Street, Chesterton	08/00800/REM	Mixed use development including new clubhouse, dwellings and commercial unit.	19	0	0	19
N787	May Cottage, Brampton Road, May Bank, Newcastle	09/00685/FUL 09/00685/EXTN	Erection of two, four bedroom detached dwellings	2	0	0	2
N792	148 Crackley	14/00256/FUL	Erection of two semi	3	0	0	3

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Bank, Newcastle		detached dwellings				
N797	31 Southlands Avenue, Wolstanton	08/00388/FUL	Demolition of existing bungalow and erection of four town houses	3	0	0	3
N799	T G Holdcroft, Knutton Road, Wolstanton	08/00795/EXTN2	Residential development (12 units)	12	0	0	12
N800	243 Liverpool Road, Cross Heath	09/00045/FUL	Demolition of existing bungalow and erection of eight dwellings	7	0	0	7
N801	1 Poolfields Avenue, Newcastle	09/00097/OUT 09/00097/EXTN	Erection of dwelling	1	0	0	1
N814	Cherry Hill Farm, Cherry Hill Lane, Silverdale	10/00551/FUL	Dismantling of former farm outbuilding and erection of 3 residential units	3	0	0	3
N815	Corona Park, Sandford Street, Chesterton	10/00480/FUL	Erection of 16 terraced dwellings	16	4	0	12
N825	Former Site Of Silverdale Station And Goods Shed, Station Road, Silverdale	11/00284/FUL	Erection of twenty three houses	23	0	0	23
N828 ¹	Oxford Arms, Moreton Parade, May Bank	14/00973/FUL	Erection of 7 dwellings	7	0	0	7
N840	8a Apedale Road,	13/00219/FUL	Erection of two dwellings	2	0	0	2

¹ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Chesterton						
N870	34 Beasley Place and 96 Beasley Avenue, Chesterton	12/00227/FUL	Construction of 5 No. dwellings	5	0	5	0
N874	34A Hillport Avenue, Bradwell, Newcastle	13/00024/FUL	Demolition of hairdressing salon and erection of replacement residential accommodation	1	0	1	0
N875	Land at Charter Road, Newcastle	12/00036/FUL	Construction of 117 new build dwellings	117	68	49	0
N876	Thistleberry House, Keele Road, Newcastle	12/00512/FUL	Demolition of existing Thistleberry House and erection of 37 dwellings	37	10	27	0
N877	126 Milehouse Lane, Newcastle	12/00480/FUL	Erection of detached dwelling	1	0	0	1
N879	The Orchard, Clayton Road, Newcastle	14/00798/FUL	Erection of 2 detached dwellings	2	0	0	2
N880	Land At Harrison Street, Newcastle	12/00590/FUL	Erection of 3 terrace dwellings	3	0	3	0
N881	Land Off Church Walk, Chesterton	12/00793/FUL	Erection of 7 elderly person bungalows	7	1	6	0
N883	Land Adjacent To 51 Dimsdale View East, Newcastle	13/00037/FUL	Erection of 2 semi-detached dwellings	2	0	0	2
N884	Former Garages off Brick Kiln Lane, Chesterton	12/00611/FUL	Demolition of the existing garage buildings and erection of a detached dwelling	1	0	0	1

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Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
N885	Land Adjoining 9 Droitwich Close, Silverdale	14/00729/FUL	Proposed semi-detached dwellings	2	0	0	2
N905	Rosendell Westlands Avenue Newcastle	13/00395/OUT	Erection of 2 semi-detached dwellings	2	0	0	2
N906	Land Off Brittain Avenue/Rear Of 93 London Road, Chesterton	13/00769/FUL	Proposed detached dwelling	1	0	0	1
N910 (DN102)	156 - 162 St Bernards Road, Knutton	13/00796/FUL	Demolition of 4 dwellings and the erection of 5 two bedroom terraced dwellings	1	0	1	0
N911	Land Adjacent 25 High Street, Silverdale	13/00863/FUL	Two storey dwelling	1	0	0	1
N912	Land Adjacent 41 Sneyd Terrace Silverdale	13/00228/FUL	Erection of a pair of semi-detached houses	2	0	0	2
N913	Midland House, London Road, Chesterton	12/00118/OUT	Proposed demolition of existing industrial building and erection of 14no. new dwellings and retail/commercial units	14	0	0	14
N914	Land at Church Lane/ Cherry Hill Lane, Knutton	13/00988/FUL	Construction of 7 houses for student accommodation	7	0	7	0
N915	53 High Street, Knutton	14/00023/FUL	Demolish existing house and garage. Replace with two new two storey houses	1	0	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
N916 ²	Apedale South	13/00525/OUT	Residential development of up to 350 dwellings	350	0	0	180
N917	Bickerton Bros. 141-143 London Road, Chesterton	14/00086/OUT	Residential development consisting 4 no. dwellings	4	0	0	4
N918	Priory Day Centre, Lymewood Grove, Newcastle	14/00284/FUL	Demolition of day care centre and the construction of 13 new single storey dwellings	13	0	0	13
N919	Land adjacent 16 Vale Street, Silverdale	14/00341/FUL	Erection of a pair of semi-detached houses	2	0	0	2
N920	Land at High Street, Silverdale	14/00342/FUL	Residential development - 4 terraced houses	4	0	0	4
N921	Land at junction of Church Street and Chapel Street, Silverdale	14/00437/FUL	Erection of 6 flats	6	0	0	6
N922	29 Harrowby Drive, Newcastle	14/00456/FUL	Demolition of existing single dwelling and construction of two replacement dwellings	1	0	0	1
N923	Chapel Court, Chapel Street, Silverdale	14/00531/FUL	Erection of 4 houses and 2 flats	6	0	0	6
N924	Homestead/May Place Former Day Centre, May	14/00476/FUL	65 apartment Extra Care scheme	65	0	0	65

² Assumed delivery of 60 dwellings per year from 2017 to 2020, remaining capacity identified beyond five year period.

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Place, Brampton Road, Newcastle						
N925	Site of 10 Milehouse Lane, Newcastle	14/00764/FUL	Erection of a four bedroom detached house	1	0	0	1
N926	Land between 105-109 Newcastle Street, Silverdale	14/00647/OUT	Erection of a dwelling	1	0	0	1
N927	Land off Lichfield Close, Silverdale	14/00855/FUL	Erection of 8 dwellings	8	0	0	8
N928	35 Palatine Drive, Chesterton	14/00902/FUL	Detached dwelling	1	0	0	1
N929	Land adjacent 44 Vale Street and 8 The Crescent, Silverdale	14/00840/OUT	Erection of detached dwelling	1	0	0	1
N930	Garage, Nash Street, Knutton	14/00958/OUT	Erection of two semi-detached houses	2	0	0	2
N931 ³	Land opposite superstore, Lyme Valley Road, Newcastle	14/00472/FUL	Erection of 6 dwellings	6	0	0	6
N932 ⁴	Newcastle Baptist Church, London Road, Newcastle	14/00477/FUL	Erection of 22 residential apartments	22	0	0	22
N934	Blackburn House,	14/00778/COUN	Prior notification for change	147	0	0	147

³ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

⁴ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	The Midway, Newcastle	OT	of use from office building to 147 serviced apartments				
N935	Land off Watermills Road, Chesterton	13/00974/OUT	Residential development of up to 65 dwellings	65	0	0	65
N936 ⁵	Former Randles Ltd, 35 Higherland, Newcastle	15/00077/OUT	Erection for up to 12 dwellings	12	0	0	12
N937	Land adjoining 53 Sparrow Terrace, Newcastle	15/00019/OUT	Proposed detached dwelling	1	0	0	1
N938	Land adjoining 46 Mount Pleasant, Newcastle	14/00785/OUT	Erection of a detached dwelling	1	0	0	1
40	The Hawthorns, Keele	N/A (SHLAA site)	55 dwellings	55	0	0	55
337	Wilmot Drive, Lower Milehouse Lane, Cross Heath	N/A (SHLAA site)	240 dwellings ⁶	240	0	0	100
Newcastle TOTALS:				2,080	634	175	961

⁵ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

⁶ 100 out of the 240 dwellings total site capacity are anticipated to be completed within the next 5 years.

Table 2: Kidsgrove

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
CK33	Harecastle Hotel, Liverpool Road, Kidsgrove	14/00408/FUL	Formation of 7 flats and retention of 4 existing flats	11	0	11	0
CK34	Police House, 15 Ravenscliffe Road, Kidsgrove	14/00954/FUL	Conversion of former police station reception building to new dwelling	1	0	0	1
CK86	95 Liverpool Road East, Kidsgrove	13/00698/FUL	Two additional apartments	2	0	0	2
CK87	Former Police Station, Ravenscliffe Road, Kidsgrove	14/00008/FUL	Change of use of former Kidsgrove Police Station to 6 no. one bedroom apartments and 3 no. two bedroom apartments	9	0	0	9
K322 ⁷	Linley Trading Estate, Linley Road, Talke	13/00625/OUT	Erection of up to 139 dwellings	139	0	0	80
K380	80 - 82 Church Street Butt Lane Kidsgrove	12/00636/OUT	Erection of a detached dwelling	1	0	0	1
K394	Former Talke Social Club, Coalpit Hill, Talke	08/00014/FUL	Residential development	8	3	0	5
K455 ⁸	Land adjacent 31 Banbury Street, Talke	14/00027/FUL	Erection of 13 new dwellings	13	0	0	13

⁷ Assumed delivery of 20 dwellings per year from 2016 to 2020, remaining capacity identified beyond five year period.

⁸ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
K458	16 And 18 Skellern Street, Butt Lane, Kidsgrove	08/00150/FUL 08/00150/EXTN	Erection of a pair of terraced dwellings	2	0	2	0
K459	17 St Saviours Street, Butt Lane	13/00043/REM	Two dwellings	2	1	1	0
K465	Imperial Works, Coalpit Hill, Talke	09/00599/OUT 09/00599/EXTN	Residential development of 32 dwellings	32	0	0	32
K471	Mill Heath, Mere Lake Road, Talke	11/00493/FUL	Replacement dwelling	0	-1	1	0
K472	Land Adj 4 High Street, The Rookery, Kidsgrove	10/00705/FUL	Erection of detached bungalow	1	0	0	1
K473	Former Squires, Copper Mount Road, Kidsgrove	14/00235/REM	12 dwellings	12	0	8	4
K476	Former Castle View Works High Street Harriseahead	11/00563/FUL	Erection of detached dwellinghouse	1	0	0	1
K478	Methodist Church Chapel Street Butt Lane	14/00266/FUL	Erection of 2 two bedroom dwellings, two semi-detached houses and 6 one bedroom apartments	10	0	0	10
K481	Land Adjacent 19 Grove Avenue, Kidsgrove	13/00402/FUL	1 no. Pair of new semi detached properties	2	0	0	2
K483	The Club At	13/00972/FUL	Demolition of existing	9	0	0	9

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Newchapel, Pennyfields Road, Newchapel		club and erection of 9 dwellings				
K484	St Saviours Church Church Street Rookery	12/00295/OUT	Demolition of a church and erection of detached dwelling	1	0	0	1
K485	Land South Of West Avenue, West Of Church Street And Congleton Road, And North Of Linley Road, Butt Lane, Kidsgrove	14/00562/REM	Residential development of 172 dwellings	172	0	0	172
K486	Land Adjacent 18 Sands Road, Harsehead	14/00004/REM	Erection of a detached dwelling	1	0	0	1
K487	Land Adjacent 79 Ravenscliffe Road, Kidsgrove	12/00640/OUT	Erection of a single dwelling house	1	0	0	1
K488	Land At The Rear Of 66 Windmill Avenue Kidsgrove	12/00621/OUT	Erection of a dormer bungalow	1	0	0	1
K489	3 Freedom Drive, Kidsgrove	12/00805/FUL	Erection of detached dwelling	1	0	0	1
K490	95 Jamage Road Talke Pits	14/00361/REM	Demolition of existing dwelling for a proposed residential development	9	0	5	4
K491	Former Childrens Home, 31A Westmoreland	13/00367/FUL	Demolition of former care home and erection of 2 dwellings	2	0	0	2

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Avenue, Kidsgrove						
K492	Land Rear Of 11A - 19 Moorland Road, Mow Cop	14/00626/REM	Erection of two detached dwellings	2	0	0	2
K497	Land Between 8 And 10 Bank Street, Kidsgrove	13/00342/FUL	2 duplex apartments	2	0	0	2
K498	Land Site Of 5 And 7 Wright Street, Butt Lane	13/00495/FUL	New Detached Dormer Bungalow	1	0	0	1
K499	The Skylark, High Street, Talke	13/00103/FUL	Demolition of public house and erection of 14 dwellings	14	0	0	14
K500	33 - 33A Lower Ash Road, Kidsgrove	13/00171/FUL	Demolition of existing buildings and construction of 7no. houses and 2no. maisonettes	9	0	0	9
K501	Land Off Slacken Lane, Kidsgrove	13/00266/FUL	Erection of 6 bungalows	6	0	0	6
K502	20 The Avenue Kidsgrove	13/00190/FUL	Erection of detached dwelling	1	0	0	1
K503	Former Garages, Gloucester Road, Kidsgrove	14/00890/DEEM3	Residential development for up to 8 dwellings	8	0	0	8
K504 ⁹	Former Woodshutts Inn, Lower Ash Road,	14/00767/FUL	Construction of 22 affordable dwellings	22	0	0	22

⁹ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Kidsgrove						
K505	Land at William Road and Warwick Close, Kidsgrove	14/00801/FUL	Erection of 5 dwellings	5	0	0	5
Kidsgrove TOTALS:				513	3	28	423

Table 3: Rural Area

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
CR15	Moss Farm, Bower End Lane, Madeley	14/00132/FUL	Conversion of existing rural buildings to 5 no. dwellings	5	0	0	5
CR38	Woodlands Hall, Bignall End Road, Bignall End	12/00660/COU	Change of use from dwelling to residential institution	-1	0	0	-1
CR81	The Old Dairy House Shut Lane Head Whitmore	14/00839/FUL	Change of use to dwelling	1	0	0	1
CR157	Land Adjacent The Bradburys Winnington	04/01283/EXTN	Change of use of redundant agricultural buildings to single residential unit	1	0	0	1
CR161	Shortfields Farm Nantwich Road Audley	05/00743/FUL	Conversion of farm buildings into residential unit	1	0	1	0
CR164	Oak Tree Barn, Knighton Farm, Bearstone Road, Knighton	14/00434/COU	Change of use of existing dwelling into 2 dwellings	1	0	0	1
CR185	Maer Hall, Maer	14/00077/FUL	Variation of condition restricting occupancy to short term holiday accommodation	2	0	2	0
CR194	Hillside Farm Knowlbank Road Audley	14/00714/FUL	Conversion of 2 barns to form 4 no. dwellings	4	0	0	4

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CR214	Old Hall, Poolside, Madeley	10/00416/FUL	Conversion and extension of outbuilding into living accommodation	1	0	0	1
CR221	House 82 Keele University Whitmore Road Keele	11/00415/COU	Change of use from offices to residential use	1	0	1	0
CR230	Wall Farm 99 Nantwich Road Audley	12/00189/FUL	Conversion of agricultural buildings to form five dwellings	5	0	0	5
CR235	Parkfields Farm Park Lane Audley	13/00469/FUL	Proposed conversion of barn to residential unit	1	0	1	0
CR237	Nags Head Farm Nantwich Road Blackbrook	13/00599/FUL	Conversion of 3 holiday lets into single dwelling	1	0	1	0
CR238	60 Chapel Street, Bignall End	13/00121/FUL	Change of use from residential dwelling to public house	-1	0	0	-1
CR240	Station Stores, Newcastle Road, Whitmore	13/00756/COU	Change of use from residential to hairdressing salon	-1	0	-1	0
CR241	Oakdene Farm, Great Oak Road, Bignall End	13/00627/FUL	Conversion of barn to dwelling	1	0	0	1
CR242	Barn South Of 12 Station Road Madeley	12/00209/FUL	Conversion of existing barn into 3 dwellings	3	0	0	3
CR243	15 -17 Nantwich Road Audley	13/00203/FUL	Conversion of existing dwelling into two dwellings	1	0	1	0
CR244	Pool Side Farm, Red Hall Lane, Halmerend	13/00938/FUL	Change of Use from 2no. holiday lets to form a single dwelling	1	0	1	0

CR245	Rye Hills Farm, Rye Hills	13/00540/FUL	Proposed barn conversion to residential	1	0	1	0
CR246	111 High Street, Halmerend	14/00374/FUL	Conversion of 111 High Street to 2no. 2 bed town house	2	0	0	2
CR247	181 Aston, Market Drayton	14/00669/FUL	Conversion of barn connected to former farmhouse to residential use	1	0	0	1
CR248	White Barn Farm, Blackbank Road, Knutton	14/00603/COUNOT	Conversion of existing agricultural building to residential use	1	0	0	1
CR249	Stonetrough Farm, Holly Lane, Harriseahead	14/00336/COUNOT	Change of use of barn to residential use	1	0	0	1
CR250	Rook Hall Farm, Trentham Road, Acton	14/00490/COUNOT	Change of use of milking parlour to residential use	1	0	0	1
R454	Land Adjacent To 10 Boon Hill, Bignall End	09/00543/FUL 09/00543/EXTN	New detached dwelling	1	0	1	0
R513	Plot 34 Eastwood Rise, Baldwins Gate	12/00301/FUL	Detached dwelling	1	0	0	1
R528	Wrinehill Garage, Main Road, Betley	08/00631/FUL	7 residential units	7	0	0	7
R559	The Croft, Newcastle Road, Loggerheads	05/00159/FUL 05/00159/EXTN 05/00159/EXTN2	Detached bungalow	1	0	0	1
R560	The Old Boars Head, 288 Heathcote Road,	08/00046/REM	Erection of four dwellings	4	0	4	0

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	Halmerend						
R580	Spring Bank, New Road, Bignall End	13/00394/FUL	Two detached dwellings	2	0	0	2
R592	Land Opposite 1 Church Villas, The Butts, Church Lane, Betley	12/00338/FUL	Erection of detached dwelling	1	0	0	1
R605	New Hall, Former M E Pierpoint And Son, New Road, Bignall End	13/00877/FUL	Demolition of existing building and erection of detached two storey dwelling and detached bungalow	2	0	0	2
R614	Old Works Moss Lane Madeley	14/00691/FUL	Erection of detached cottage	1	0	0	1
R617	51 Ravens Lane, Stoke On Trent	12/00297/FUL	Erection of detached dwelling	1	0	0	1
R620	Land Adjacent 118 Apedale Road, Wood Lane, Stoke On Trent	14/00459/OUT	Erection of two detached dwellings	2	0	0	2
R623	Land Rear Of 186 High Street, Off Podmore Lane, Halmerend	12/00085/FUL	Erection of detached dwelling	1	0	0	1
R642	Land Adjacent 10 And 8A,	14/00142/FUL	Detached dwelling	1	0	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Boon Hill, Bignall End						
R644	Land Rear Of Boars Head High Street Halmerend	12/00388/OUT	Erection of 8 dwellings	8	0	0	8
R646	Land Adjacent To 28 Newcastle Road Madeley	12/00785/FUL	Proposed three bedroom detached dwelling	1	0	0	1
R647	Land Adjacent 288 Heathcote Road, Miles Green	12/00659/FUL	Erection of a detached bungalow	1	0	0	1
R648	Land Rear Of 2 Newcastle Road, Madeley	12/00655/OUT	Erection of a detached dwelling	1	0	0	1
R650	19A Newcastle Road, Loggerheads	15/00025/FUL	Erection of a detached dwelling	1	0	0	1
R651	Sherringham, Apedale Road, Wood Lane, Stoke On Trent	13/00344/OUT	Erection of detached dwelling	1	0	0	1
R652	Land Adjoining 28 Albert Street, Bignall End	13/00249/FUL	Erection of 3 town houses	3	0	3	0
R653	The Sheet Anchor, Newcastle Road, Whitmore	13/00145/OUT	Demolition of existing warehouse/playbarn and the erection of 4 dwellings	4	0	0	4
R654	Land Adjacent To 6 New Row	13/00396/OUT	Erection of two semi-detached cottages	2	0	0	2

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Monument View Madeley Heath						
R655	Land Adjacent To 2 Watlands Road Bignall End	13/00182/FUL	Proposed detached dormer bungalow	1	0	0	1
R656	Blue Bell Inn New Road Wrinehill	13/00065/FUL	Demolition of former public house. Erection of 5 No. Houses & 2 No. Apartments	7	0	0	7
R679	Land Adjacent To 189 Heathcote Road Miles Green	14/00492/FUL	Proposed detached dwelling	1	0	0	1
R680	Garages On Land Adjacent 59 Vernon Avenue Audley	13/00542/FUL	Erection of four 2 bedroom semi-detached dwellings	4	0	0	4
R682	Newlyn, Acton Lane, Acton	13/00564/FUL	Demolition of house and erection of new detached house	0	0	0	0
R683	1 Chapel Street Bignall End	13/00579/OUT	Demolition of a detached dwelling and new residential development	2	0	0	2
R684	Land Off Watering Close Newcastle Road Baldwins Gate	13/00551/OUT	4 residential dwellings	4	0	0	4
R685	Land Off Rowney Close, Loggerheads	14/00662/FUL	The construction of 6 new 2 bed 4 person semi-detached dwellings	6	0	0	6

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
R686	Former St Marys Church Wharf Terrace Newcastle	13/00978/FUL	Demolition of redundant chapel and provision of detached two storey dwelling	1	0	0	1
R688	Rowley House Moss Lane Madeley	14/00009/FUL	Single dwelling in the grounds of Rowley House	1	0	0	1
R689	Land South Of Netherley Former Allotment Gardens, Newcastle Road, Madeley	14/00436/REM	Single dwelling	1	0	0	1
R690	8 Mow Cop Road, Mow Cop	14/00024/OUT	Demolition of cottage and construction of 4 no. self-contained flats	3	0	0	3
R691	The Crofts, Pinewood Road, Ashley	14/00150/OUT	Erection of detached dwelling	1	0	0	1
R692	Covers, Newcastle Road, Baldwins Gate	14/00214/FUL	Replacement dwelling	0	0	0	0
R693	Himley Rise, Pinewood Drive, Ashley Heath	14/00265/FUL	Reconstruction of fire damaged detached house	0	0	0	0
R694	Land between 64 and 66 High Street, Wood Lane	14/00273/OUT	Proposed new dwelling	1	0	0	1
R695	The Moss,	14/00299/OUT	Proposed new dwelling	1	0	0	1

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Moss Lane, Madeley						
R696	Land adjacent Cartref, former Old Coal Yard, Rye Hills, Bignall End	14/00322/FUL	Proposed detached bungalow	1	0	0	1
R697	Land rear of 78 to 94 Chapel Street, Bignall End	14/00503/FUL	Proposed 2 no. detached dwellings	2	0	0	2
R698	Land rear of 24 to 36 Heathcote Road, Miles Green	14/00533/FUL	Proposed 4 no. detached bungalows	4	0	0	4
R699	Land between 82 and 88 Harriseahead Lane, Harriseahead	13/00714/FUL	Erection of 1no. detached bungalow	1	0	0	1
R700	Grange Farm, School Lane, Onneley	13/00739/FUL	Change of use of brick and tile barn into an energy efficient dwelling	1	0	0	1
R701	Moss House Farm, Eardley End Road, Bignall End	13/00755/FUL	Change of use of former barn to two residential market housing units	2	0	0	2
R702 ¹⁰	Land off Pepper Street, Keele	13/00970/OUT	Residential development (maximum of 100 dwellings)	100	0	0	100

¹⁰ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
R703 ¹¹	Land adjacent to Rowley House, Moss Lane, Madeley	13/00990/OUT	Residential development for up to 42 dwellings	42	0	0	42
R704	The Coppice, Parkwood Drive, Baldwins Gate	14/00611/FUL	Demolition of existing single storey dwelling and erection of two storey dwelling	0	0	0	0
R705	Land South Of Appleton Cottage, Coneygreave Lane, Whitmore	14/00654/OUT	Residential development comprising of four detached properties	4	0	0	4
R706	Pinetrees, Pinetrees Lane, Ashley	14/00733/FUL	Demolition of existing bungalow and erection of replacement 4 bed detached dwelling	0	0	0	0
R707	178 Lower Road, Ashley	14/00737/FUL	Demolition of existing dwelling and erection of replacement dwelling	0	0	0	0
R708	The Nurseries, 35 Alsager Road, Audley	14/00731/OUT	5 no. residential units on site of bungalow	4	0	0	4
R709	Land adjoining The Owl House, Tower Road, Ashley	14/00854/FUL	Erection of detached bungalow	1	0	0	1
R710	Land south of Co-Operative Lane,	14/00929/OUT	Residential development for two dwellings	2	0	0	2

¹¹ Resolved to permit at Planning Committee, awaiting signing of S106 agreement

Monitoring Site Reference:	Address:	Planning Application (most recent):	Brief Description:	Total New Dwellings Proposed (net):	Completions Prior to 01/04/2014:	Completions 01/04/2014 to 31/03/2015:	Remaining Site Capacity for next 5 years at 01/04/2015:
	Halmerend						
R711	Red Gates, Haddon Lane, Chapel Chorlton	15/00039/OUT	Erection of a detached dwelling	1	0	0	1
R712 ¹²	Land off New Road, Madeley	14/00930/OUT	Outline application for the erection of up to 32 dwellings	32	0	0	32
R713	48 High Street, Rookery	14/00274/FUL	Demolition of existing garage and erection of a new detached house	1	0	0	1
R714	Land at Baldwin's Gate Farm, Baldwin's Gate	13/00426/OUT	Erection of up to 113 dwellings	113	0	0	113
R715	Land between 36 and 38 Kestrel Drive, Loggerheads	14/00905/OUT	Erection of a detached dwelling	1	0	0	1
Rural Area TOTALS:				427	0	16	411

¹² Resolved to permit at Planning Committee, awaiting signing of S106 agreement

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DRAFT STUBBS WALK CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENT

Purpose of the Report

To seek approval of the draft Appraisal and Management Plan for Stubbs Walk Conservation Area Supplementary Planning Document (SPD) for public consultation purposes

Recommendations

1. That the submitted document is approved for public consultation purposes.
2. That a further report is received on the outcome of the public consultation, before adoption of the SPD is considered.

Reasons

The SPD seeks to provide additional information to ensure that the Borough's Conservation Areas are safeguarded for the future to supplement the objectives and policies contained in the Joint Core Spatial Strategy. In accordance with the statutory regulations, an SPD has to undergo a consultation process before it can be adopted.

1.0 Background

- 1.1 Members may recall that a report was considered in February 2011 for a programme of Conservation Area appraisals and management plans.
- 1.2 The preparation of an SPD for a Conservation Area Appraisal and Management Plan for a Conservation Area is in line with the National Planning Policy Framework which endorses protecting heritage assets which are considered to have heritage significance.
- 1.3 Once adopted the SPD will supplement the objectives and policies contained in the Joint Core Spatial Strategy. It will be regarded as a "material consideration", and the fact that it has undergone some form of statutory preparation process increases its status. A draft SPD for consultation purposes has now been prepared and is presented to your meeting for consideration as Appendix 1 to this report, together with its Appraisal Map (Appendix 2).

2.0 Content of the SPD

- 2.1 A key purpose of the SPD through the Conservation Area Appraisal is to redefine the special interest of the Stubbs Walk Conservation Area, identify the issues which threaten these special qualities and to provide recommendations and guidance to manage change and suggest potential enhancements through the Management Plan. The appraisal also considers the boundary of the Conservation Area.
- 2.2 The Conservation Area Appraisal highlights the key characteristics and issues which are relevant in the Stubbs Walk Conservation Area, namely what makes it special by the combination of its history and development, its historic buildings, materials, landscape setting and important views. The Management Plan provides a framework for future actions.

3.0 Consultation Arrangements

- 3.1 Newcastle-under-Lyme School is the principal owner of land within the Conservation Area. The Council contacted the school at the start of the review process to gain their support and involvement. They have not been involved in the preparation of the documents but are in support of the process.
- 3.2 The Council's Conservation Advisory Working Party will be consulted on 28th May for their view on the documents for consultation purposes with the local community. These views will be reported to the Planning Committee. The exact dates of the formal consultation period have not yet been fixed, but the aim is to begin the consultation in June. This will be for a six week consultation period. Relevant parties will be sent the consultation draft of the SPD to enable them to make representations. A feedback form to make representations has also been prepared.
- 3.2 The draft SPD will be publicised on the web and made available in Newcastle Library. The Council will use its e-panel, its website and its Facebook page to raise awareness of the SPD. Representation forms have been prepared and will be sent to key target groups like the Civic Society and those who have already expressed an interest to be involved in the process. A surgery will hopefully be held in Newcastle-under-Lyme School about the Appraisal and Management Plan on one day during the consultation process. The publicity and consultation steps to be taken will be in accordance with best practice, set out in the draft Final Statement of Community Involvement, referred to elsewhere on this agenda.

4.0 Next Steps

- 4.1 All representations received will be considered and a report submitted to your Committee with recommendations for changes, if appropriate, to the draft SPD. The hope is that it can be adopted by the end of the year. The actual decision as to adoption will be taken by Cabinet.
- 4.2 Once adopted, the SPD (Conservation Appraisal and Management Plan for Stubbs Walk) will carry more weight in giving advice and determining planning applications in the Stubbs Walk Conservation Area or in any planning appeals.

5.0 Legal and Statutory Implications

- 5.1 The Council has a statutory obligation to review its Conservation Areas from time to time and to consider new areas. It also must publish from time to time its proposals for the preservation and enhancement of Conservation Areas and consult the local community about the proposals.
- 5.2 The Council has legal and statutory duties in relation to the production of the SPD to undertake public consultation and it has set out 'best practice' in its proposed draft Final Statement of Community Involvement. This Statement demonstrates the Council's commitment to using its best endeavours to consult and involve the community in the most effective way possible.

6.0 Background Papers

English Heritage: Guidance on conservation area appraisals and the management of conservation areas. Feb 2006

English Heritage: Understanding Place: Conservation Area Designation, Appraisal and Management

Stubbs Walk Conservation Area Appraisal and Management Plan

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1. Introduction

Stubbs Walk Conservation Area was designated in February 1993. The area is located south-east of Newcastle under Lyme Town Centre in Staffordshire.

Conservation Areas are defined as “areas of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance”. Local planning authorities are required to formulate and publish proposals for the preservation and enhancement of Conservation Areas and must pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The purpose of this Appraisal is to provide a good basis for planning decisions and for development proposals in the area in the future. The appraisal will inform the production of a management plan for the area. Once agreed by the Planning Committee of the Borough Council, the Draft Appraisal and Management Plan will be discussed with the wider community.

Planning Policy Context

These documents should be read in conjunction with the wider policy framework as set out in various policy documents. The Development Plan for the Borough currently consists of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy and saved Local and Structure Plan Policies. More information about the planning system can be found on the Borough Council’s website: www.newcastle-staffs.gov.uk/planning

These documents will therefore provide a firm basis on which applications for development within the Conservation Areas can be assessed. The government’s online Planning Practice Guidance is a valuable and accessible resource <http://planningguidance.planningportal.gov.uk/blog/guidance/> and Historic England (formerly English Heritage) guidance sets out the importance of appraisals and management plans, www.historicengland.org.uk. Additional historic and archaeological information can be obtained from the Historic Environment Record (HER) which is held at Staffordshire County Council. The Council has a Register of Locally Important Building and Structures. Information about the Register and the current list is available to view online at www.newcastle-staffs.gov.uk/localregister.

It is important to note that no appraisal can ever be completely comprehensive. If a building, feature or space is not mentioned this should not be taken to imply that it is of no interest.

2. Summary of Significance

Stubbs Walks Conservation Area is significant for the following reasons:

- It represents a well preserved street pattern of 19th Century development for the industrial expansion of the town.
- High quality environment marked by historic school buildings. Much of the land is now owned by Newcastle under Lyme School but the area still has the feel predominantly as a residential one.
- Distinctive high quality Victorian Villas and late Georgian town houses, creatively embellished with many original features retained, such as tile patterning, decorative banding, clay tiles and boundary walls with piers
- Interesting history named after a former open field and archaeologically significant with the area's industrial heritage and one of the earliest canals.
- Attractive setting with historic public walks with mature natural landscaping, open spaces and pathway networks.
- St Paul's Church, a Grade II Listed Building built from Hollington stone by R Scrivenor and Sons, Hanley

The Character Appraisal concludes that the key issues in the area are:

- Protection of the townscape and built features of the Conservation Area including the trees, landscape and front boundary walls.
- Use of modern materials on historic buildings, such as upvc windows and doors and inappropriate changes to historic buildings.
- Consideration of additions to the Register of Locally Important Buildings and Structures.
- Insensitive signage on businesses

3. Location and Setting

Stubbs Walk Conservation Area is located beyond the ring road of Newcastle-under-Lyme Town Centre to its southeast, close to the Borough boundary with Stoke-on-Trent. The central area of the Conservation Area is dominated by buildings and land owned by Newcastle-under-Lyme School. The school grounds are far more extensive than the Conservation Area include playing fields to the south which incorporate cricket and rugby pitches.

Around the periphery of the area the Conservation Area are terraced streets built on a grid-iron plan and which are occupied by both residential occupiers and businesses in what used to be predominantly a residential area. This area is occupied by offices and other business uses which have become established over the years especially to the north of the area and along Marsh Parade.

On Lancaster Road is a bowling club, nursing home, office and two children's nurseries

Stubbs Walk is relatively built up on the periphery around the junction of West Street and North Street, Marsh Parade and Mount Pleasant but opens out to provide green walks and school playing fields in the centre, as well as green areas on both school sites. The landscape value of the trees and shrubs within Stubbs Walk is particularly high and provides a setting for the Conservation Area. The character of the Conservation Area to the north beyond the boundary deteriorates quickly where the historic pattern of development has been lost and replaced by modern flats.

4. Historic development

In the medieval period this area was marshland and strip fields. Stubbs Field along with Brampton field and four other fields were still surrounding the town under crop cultivation until the early 19th century. By the early 19th Century, with the decrease in reliance on agriculture and increasing populations, the land was enclosed.

The demand for housing grew and so did the expansion of the town with the earliest development in the area around Marsh Parade and Mount Pleasant where houses were built in high density on a grid iron pattern. So no longer common land, the fields were managed by trustees and part of their role was to support the making of public walks in Brampton and Stubbs. Two linear walks were created and they still exist today and are a key feature of the character of the respective Conservation Areas.

Silk throwing was a new industry and established itself in the area. The former silk mill built by Henshall and Lester on Marsh Parade brought important industry to the area. It was in use from 1822 until 1938/9 and is now converted to offices.

In the mid-19th Century, Lancaster Road was not yet laid out although there was a path network relating to plots and former fields. By the end of the 19th Century Lancaster Road and Lancaster Avenue had been planned and built on. The Church of St Paul built between 1905-8 is shown to be built on the site on a former church.

Spatially the wider history of the area is significant defined by former canals and roads that linked them to the southwest. The historic maps from the mid and late 19th Centuries show that the general spatial layout and character remains the same with the principal streets, two school sites and the central park and walks. The Borough Council erected a bandstand in the location of the current playground and to the south a Russian gun was also exhibited until about 1940.

Allotments were a key characteristic of the mid-19th Century with a large area designated for this use at the former Orme Girls School which is now used as the school playing field. Allotments were also to be found close to Stubbs Walks on either side of Palmer Way, again this is now occupied by school sports buildings.

Malabars map (1847) shows the walks running along the side of the former canal. The former canal was known as Junction Canal and plans were approved in 1797 and in 1798 the canal was cut. This was planned to join up with Sir Nigel Gresley's Canal (of Knypersley Hall) which was built to transport coal from their coalmines at Apedale to Newcastle.

The main secondary school was built on Mount Pleasant as an upper school for boys of to 19 years old in 1872 and was said to follow the main grammar school curriculum but with an emphasis on experimental chemistry due to the proximity and influence of the trade manufacturers of the surrounding area. The former Orme Girl's School on Victoria Road was founded 1871 and a new school built shortly after. This also includes the former headmistresses' house. The two schools are now amalgamated and known as the Newcastle-under-Lyme School, an independent day school that owns a considerable amount of land and other buildings within the Conservation Area and beyond, including the former church Hall on Victoria Road.

The Extensive Urban Survey for Newcastle-under-Lyme states that overall there is a low potential for the survival of below ground archaeology in the area. However further research will always help with the understanding of any unknown heritage assets.

5. Spatial and Character analysis

Topography

The topography of the Conservation Area rises steeply to the east and is a distinctive feature, creating some attractive views of the town centre from certain vantage points especially across the playing fields westwards towards the town centre. The land rises from the town centre then it plateaus at Victoria Road across Stubbs Walks then rises up in an easterly direction again plateauing again at Lancaster Road and rising to the edge of the Borough boundary with the City Council area..

Layout and street pattern

The area is fairly cohesive with the school buildings and playing fields at the heart of the Conservation Area. The predominant street pattern is a series of roads in a linear pattern, straight roads running north/south. Still evident, to the north are terraced streets based on a grid iron pattern, more compact on West Street, North Street and Victoria Road. Mount Pleasant (north side) has terraces facing the school site, closely compact of different styles and sizes but again forming an unbroken frontage ascending up the street. The size of plots varies significantly and relates directly to the principal use and class level of the building. Workers housing was terraced with small private spaces and housing for the more affluent was larger with more space around the houses. Lancaster Road has villas on the east side of the road which are set in formal relatively generous plots, slightly set back behind small front gardens bounded by walls, they present a feeling of spaciousness and openness.

Lancaster Road, Victoria Road and Mount Pleasant all have gentle curves which restrict long distance views. The terraced streets to the north have buildings on one side of the road which are set to the back of the pavement giving a feeling of higher density.

A large part of the Conservation Area is occupied by the two school sites. The presence of the school and its amalgamation of the two school sites and other adjacent areas of land have helped to retain the character of the area. The school have expanded and extended parts of the school over the years and this is generally outside the Conservation Area and there is an ambience of spaciousness around the main school grounds providing a collegiate atmosphere as students move by foot between the two main sites.

Open spaces, trees and landscape

The natural environment in the Conservation Area is an integral part of its significance. Despite being a suburban landscape, there is a large amount of open space within the Conservation Area thanks to the school grounds with three main playing fields and Stubbs Walks, a public park.

There is a tranquil feeling about the area and in general terms the mature landscape and trees play an important part in the character of the area. The public park was designed and laid out to be an area that residents could enjoy and get exercise within, including avenues of trees and planting and this is exactly what it is used for now. The Council manages the park and open space and there is also a children's playground in the centre.

The main school site and grounds are set back from the road behind metal railings with brick decorative piers flanking the main access point and entrances. There are a row of trees and planting with a grassed area in front of the railings providing an attractive mature setting.

There are Tree Preservation Orders on trees within Gladstone Villas on Victoria Road and one on a property in Lancaster Avenue which protects the trees by law. Other trees are afforded some protection by virtue of being in the Conservation Area.

Focal points, focal buildings, views and vistas

Due to the topography and mature trees, the views are limited across the park but they provide vistas along the pathway networks. There are significant key buildings which are visible and make a positive contribution to the overall character of the area. Perhaps the most prominent building given its tall tower and spire is the Church of St Paul on Victoria Road. The Church is set within a relatively small plot with limited curtilage although its location adjacent to the edge of Stubbs Walk, the linear park, provides it with an attractive setting. The spire is framed in a number of views including along Stubbs Walks between the trees, from Garden Street at the bottom of the school playing field, across the school grounds from Lancaster Road, including more long distance views.

Other key buildings are the large school buildings, some elements of which are more prominent than others, depending on location. Buildings on corners, including the large villas which are designed to have presence and prominence and are in elevated positions, including decorative gables, embellished string courses with tiles, all contribute towards a high quality environment.

Boundary features

There are a variety of boundaries in the Conservation Area, generally man-made except the back lane, leading to Palmers Way which is an informal lane with soft edges. Boundaries vary between streets. Lancaster Road in general has stone boundary walls and piers with a hedge set behind. The main school is characterised by simple metal railings, painted black and brick stone piers with stone finials. The former Orme School also has simple railings, some set on a low brick wall along Vessey Terrace. There are generally no boundaries for the terraced properties along Marsh Parade which front directly onto the pavement. Victoria Road has brick boundary walls to the villas. The Church is set behind a low stone plinth with piers and simple metal railings.

Public Realm

There are few examples of historic public realm in the Conservation Area. The principal features in the public realm are the gate piers and walls marking the entrance into the public walks and park area. There is also a cast-iron post which used to have an ornamental lamp bracket. There are modern benches within the park and a playground and modern lampposts.

There are fairly extensive original blue brick paviers on the pavements along much of Mount Pleasant outside the periphery of the Newcastle-under-Lyme school. These have both a distinctive crisscross pattern and smooth finish. Stone kerbs are also still present within the area.

The character of the area is determined by more than just the appearance of the buildings. Due to the nature of the area as a residential area, there is little highway signage in the Conservation Area which can often cause unnecessary street clutter.

6. Quality and Character of Buildings

The historic buildings and structures in the area contribute greatly to making the area aesthetically special, and this is complemented by the presence of some nationally designated buildings as well. A Townscape appraisal building indicating positive and neutral features has been prepared and is attached as Appendix 1.

Positive features

The Conservation Area contains 5 Listed Buildings and Structures, all listed Grade II. There also 4 entries on the Council's Local Register Locally Important Buildings and Structures.

- Church of St Paul, an Edwardian Church, built in 1905 by R Scrivener & Son. It is built from red sandstone which is rusticated.
- Stone piers at the entrance to Stubbs Walks – the 4 piers are linked by stone walls and railings at the entrance are dated around 1800 so they were in existence earlier than the laying out of the walks. The cast iron post with an ornamental lamp bracket is also part of this listed building entry but this is missing.
- Former silk mill, at 21 Marsh Parade, built by 1822 and used as such until 1839. It is brick, now painted with plain tile roof. It is three-storeys, with sash windows although these were probably originally cast-iron and replaced in timber. It is now used as offices and a number of businesses occupy the building.
- No 23 and 25 and 27 Marsh Parade are early 19th Century houses but again are now in business uses. They are stuccoed, 3 storey, with fanlights, sash windows to No 23 and cross casements to no. 25.

The school buildings vary, but the main school built in 1872 is built in red brick with stone banding and window surrounds and a decorative fish scale clay tile roof. Later extensions are built in the same materials. The former Orme Girls school on Victoria Road was built around the same time in same materials but a little plainer. The school buildings have stone window surrounds, verges and quoins used to decorative effect. Other significant buildings include the Church and former Church hall.

There are a variety of building styles within the Conservation Area, but many are well-proportioned domestic villas. The majority of properties are Victorian or late Georgian, so there is a high survival of many historic buildings of a high quality which contributes to the interest of the area. They vary in terms of size and status from the most prestigious houses, like those on Lancaster Road grading down to mid-size terraces along Mount Pleasant and part of West Street (East of Victoria Road) which have bay windows and greater embellishments, to the smaller simpler terraces around the corner of Victoria Road and West Street. The villas have typical architectural detailing, such as steep gables, gable dormers, 3 storeys, well detailed chimney stacks, decorative timber barge boards and decorative banding which add to the special character of the area.

There is a unified palette of materials in the area which gives the area a great deal of character and the regular repetition of architectural detailing on some terraces that also contributes to the character. The predominant building materials are red brick but there are a few villas with slightly darker more typically Staffordshire brick with darker hues. The brick bonding in the area is almost exclusively Flemish bond. Only the main school buildings have English Garden Wall bond. Town houses on Marsh Parade are stuccoed in a classical regency style well-proportioned with balconies. Other houses on Mount Pleasant are currently rendered or have painted brickwork but were not originally

intended to be rendered or painted and this has resulted in the loss of historic architectural features. Roofs are generally plain clay tiles.

In terms of joinery, many of the timber windows and doors are still in situ. Some have been replaced with uPVC but generally window openings have not been altered and the window proportions have retained their traditional proportions.

Businesses

There are a number of businesses which have tended to cluster around Marsh Parade, Mount Pleasant and Lancaster Road. They all occupy former residential properties with the exception of the business which currently operate out of the former silk mill on Marsh Parade. Signage can be detrimental to the style and design of the residential properties and therefore detract from the character of the Conservation Area.

Neutral Buildings

There are very few modern buildings and extensions within the Conservation Area and they generally neither contribute to nor detract from the character of the area and these are considered to be neutral buildings. Such buildings are the modern sports buildings on the school site and some garages to the rear of some of the properties.

7. Summary of Issues

Since the Conservation Area was designated in 1993 there have been changes, but for the most part these have been changes of use to buildings from residential to businesses or vice versa with few external alterations and these have not harmed the overall character of the Conservation Area. Alterations to the school buildings have not materially altered the external appearance of the buildings from the main roads and vistas.

This desirable state must be continued, and improved when practicable, and this can only be achieved by continual vigilance by concerned local inhabitants, informed decisions by the local planning authority and positive action by enforcement where necessary, all acting in liaison for the common benefit.

Opportunities and Constraints

- Inappropriate signage on businesses occupying former residential sites and action needs to be taken to improve or remove the signage.
- A few properties have fairly substantial plots on Lancaster Road and the rear gardens are large. There has not been any significant pressure for development on this backland and in order to maintain the historic character of the road, this should be resisted to help preserve the open character of the area.
- Loss of historic features such as windows and doors. Where possible these should be retained or opportunities found to reinstate such features.
- The effect of permitted development can be harmful by incrementally removing significant historic features from buildings. An Article 4 Direction should be considered to tighten control over important buildings and frontages which are not protected from harmful change.
- Appropriate use of materials when altering or extending properties within the Conservation Area.
- Retain trees and landscape features.

Section 2: Conservation Area Management Plan

1. Introduction

The purpose of the Management Plan is to provide a framework for further actions which although primarily the responsibility of the Borough Council, will also depend on the cooperation and enthusiasm of local people and local organisations/institutions. This Plan is informed by Section 1 of this document which identified the special character and significance of the Conservation Area. The proposed actions contained in the Management Plan will be undertaken using existing Council resources unless otherwise stated.

The Conservation Area in Stubbs Walk has been existence for over 20 years and the effectiveness of the designation depends on the way it has been managed in the past by the Borough Council, local businesses, residents and Newcastle-under Lyme School.

Government policy guidance on Conservation Areas is contained in National Planning Policy Framework, where the government is still promoting informed and evidenced based conservation. It considers that parts of the environment which have significance due to their historic, archaeological, architectural or artistic interest are called heritage assets whether formally designated or not. These assets promote a sense of place and contribute towards the aims of sustainability.

Government policy has made it clear that Conservation Areas are not areas of preservation and that change is an inevitable fact of modern life. The challenge is therefore to manage that change in a manner which respects the special historic and architectural qualities of a place. The context for these policies is provided by the Local Development Framework (LDF) and the Core Spatial Strategy.

Local authorities are required by law to review their Conservation Areas and the preparation of management plans and conservation area appraisals form part of this obligation.

Consultation

The involvement of the local community in the formulation and delivery of these documents helps to strengthen the status and impact of Appraisals and Management Plans. A full period of consultation will take place with the documents to provide opportunities from the local community to input further into the documents. Following this the final document will go back to Committee before going to the Council's Cabinet for final approval and adoption as a Supplementary Planning Document.

Both documents will be of use to the Borough Council when determining planning applications for change within or on the edges of the Conservation Area, and for property owners and their agents when considering schemes for alteration or new development.

2. The implications of Conservation Area designation.

Designation as a Conservation Area brings a number of specific statutory provisions aimed at assisting the “preservation and/or enhancement” of the area. The overriding policy is that new development should pay special regard to the character or appearance of the Conservation Area.

Other effects are:-

- Extra publicity must be given to planning applications affecting Conservation Areas. This is done through a site notice and an advertisement in the local newspaper.
- Permission is required for the demolition of most unlisted buildings in a Conservation Area (except small structures) and the local authority may take enforcement action or consider criminal prosecution if permission is not obtained.
- Written notice must be given to the Borough Council before works are carried out to any tree in the area to give the Council the opportunity to include the tree within a Tree Preservation Order.
- The Borough Council may take steps to ensure that a building in a Conservation Area is kept in good repair through the use of Urgent Works Notices and Amenity Notices.
- The energy conservation expectations of the Building Regulations (Part L) do not necessarily apply to buildings within a Conservation Area.
- Powers exist for local authorities, Historic England or the Heritage Lottery Fund to provide financial grant schemes to help with the upkeep of buildings in Conservation Areas, if the area is economically deprived.
- The Council has a Historic Building Grant Fund for the repair and reinstatement of buildings and structures which are considered as heritage assets, namely Listed Buildings, buildings in Conservation Areas and on the Council’s Register of Locally Important Buildings.

It is always a good idea to check with the Planning Service before carrying out any work and if you need any advice on any planning issues.

Where a building is designated as a Listed Building separate legislation applies to all internal and external alterations which affect the special architectural or historic interest of the building and will probably require Listed Building Consent. Planning permission is also needed for all proposed buildings in the garden of a domestic Listed Building including gas/oil containers. Listed Building Consent is practically always required for the installation of `antennas` and if the Borough Council considers that the installation will have an adverse effect on the special interest of the building, consent will usually be refused.

3. The Management of the Historic Environment

The Borough Council has policies which are aimed at preserving the significance and character and appearance of Conservation Areas.

Each application has to be determined on its own merits but much can be achieved by having a clear interpretation of statutes, detailed policy and guidance and training to help elected Councillors and officers to work within these constraints. Development proposals can have an effect on a Conservation Area even when they are some distance outside it. In such cases, the duty to pay special attention to the character and appearance of the Conservation Area still applies. Alterations to the external appearance of a property often require planning permission.

Action 1 The Borough Council will adopt a consistent interpretation of what it considers to be a `material` change in the external appearance of a building.

Certain works to single dwelling houses within a Conservation Area are considered "permitted development" so that enables some alterations to be carried out without the need for planning permission. These can include changes to windows and doors, roofs materials or construction of minor extensions. Although they may be minimal in each case, such alterations can have a cumulative effect that is damaging to historic areas. In summary at the time of writing:

- Planning permission is needed for extensions to houses in Conservation Areas if it extends the side wall of the house or if it has more than one storey to the rear and if it exceeds certain length and height restrictions.
- Planning permission is needed for external cladding to houses using stone, artificial stone, pebble dash, render, timber, plastic or tiles.
- Planning permission is needed for any alteration to the roof of a house in a Conservation Area.
- Planning permission is needed for the erection of any structure within the curtilage of a house in a Conservation Area if the structure proposed would be on land to the side or front of the house. This is especially important for sheds, garages and other outbuildings in gardens.
- Planning permission is required for satellite dishes and antennas if they are mounted on a chimney, wall or roof slope which faces onto and is visible from a highway or a building which exceeds 15 metres in height. In these cases, planning permission would not normally be approved. Conventional TV aerials and their mountings and poles are not considered to be `development` and therefore planning permission is not required.
- With commercial properties, such as shops and pubs, planning permission is generally required for alterations to these buildings.
- Solar PV or thermal equipment needs planning permission if it is to be located on a wall or roof slope of the main elevation of the main house or outbuilding or on a Listed Building or a building in its garden.
- Within Conservation Areas, lopping or felling a tree greater than 75 mm. diameter at 1.5 metres above the ground requires six weeks' notice to be given to the Borough Council before starting the work. This provides the Borough Council with an opportunity of assessing the tree to see if it makes a positive contribution to the character or appearance of the Conservation Area, in which case a Tree Preservation Order may be served.

Article 4 Directions

Where this kind of development is considered to be harming the character of an area, an 'Article 4 Direction' can be made by the Borough Council which removes permitted development rights. This does not mean that development will not be possible but it does mean that planning permission has to be sought for certain changes. This allows for the merits of the proposal to be considered against the conservation interests of the area.

In the case of Stubbs Walks Conservation Area, it is considered that the exercise of permitted development rights would undermine the general aims and objectives for the historic environment and its local distinctiveness.

For example under an Article 4 Direction planning permission would then be required for

- All extensions whatever the size including porches on the *front* of the building
- Changing roof materials and insertion of rooflights on *front-facing* roofslope
- Replacing windows or doors on the *front* elevation
- Painting a house, and the removal or partial demolition of a chimney.
- The erection, alteration or removal of a wall, gate or fence at the front of the house can also be controlled as well as demolition (front means facing a public highway or road).

Action 2 The Borough Council will propose an Article 4 Direction within Stubbs Walk Conservation Area for certain and relevant types of development on the majority of properties in residential use in the Conservation Area as shown on the Townscape Appraisal Map, in order to seek to retain historic and architectural features which combine to give the Conservation Area its special character and significance. Full consultation will be undertaken with those affected.

Enforcement Strategy.

Planning permission is not always sought or implemented correctly. Here it is important that enforcement action is considered and that action where needed is taken. This does reinforce that the development control process is fair and should be followed.

As well as following the best practice principles for enforcement like openness, consistency and proportionality, the Borough Council has its own local Planning Enforcement Policy and within this historic building and conservation matters are given a greater priority. Usually issues are resolved through effective communication but this is not always the case.

Action 3 Where appropriate the Council will take enforcement action against unauthorised development within the Stubbs Walk Conservation Area.

Promotion and awareness

Some degree of change is inevitable in Conservation Areas and the issue is often not so much whether change should happen, but how it is undertaken. Owners and residents can minimise the negative effects of change by obtaining appropriate and qualified advice when preparing development proposals and by avoiding unrealistic aspirations.

It is important that the community should understand the significance of their surroundings if they are to play their part. There is a clear need to publish information on the history of each Conservation Area and its special qualities. This could be an effective outcome of the character appraisal process. There is also a significant role for amenity societies and other stakeholders to explain what matters, what is possible, what is expected and what has been achieved elsewhere.

Action 4 The Borough Council will encourage and work with the community and other organisations to help recognise and manage the heritage assets in the Conservation Area for future generations.

Action 5 The Borough Council will ensure that information is available to enable communities to understand the significance of their Conservation Areas and the consequences of living and working within them.

Community involvement is an integral part of the planning process. The Borough Council has a Conservation Advisory Working Party, which considers all relevant applications and acts as an important interface between local understanding and council decision making.

Action 6 The Council will continue supporting the Conservation Advisory Working Party and will continue to seek to ensure that the Working Party is given the opportunity of commenting on applications affecting the historic environment in the Borough.

Action 7 The Borough Council will consider increasing its offer of guidance and update its range of published guidance to include specific topics such as historic buildings and living in a Conservation Area.

Control of historic buildings

It is important that this historic environment continues to be recognised and that local policies are included in future policy documents for the future protection of Newcastle-under-Lyme's 20 Conservation Areas and Listed Building entries. Listed Building Consent is required for the demolition, alteration, or extension of statutorily listed buildings. There is current guidance for owners of listed building on the Borough Councils website.

Action 8 The Borough Council has placed information on its website on Listed Buildings and on the Conservation Areas in the Borough and this information should be updated and expanded upon.

Action 9 The Borough Council will continue to assess applications for Listed Building Consent in line with policy and guidance.

Register of Locally Important Buildings and Structures

There are buildings of local significance which, although not statutorily listed, are nonetheless important to the history and character and cultural value of the Borough.

The Register of Locally Important Buildings and Structures is a list of buildings which are of good design quality, attractive appearance and historic interest which make a significant contribution to the character of the area. It is one way that the Council can help to identify buildings which are important to the character of the area and help to prevent harmful changes that would be detrimental to the character of the area. The current Register and information about the process by which buildings can be added to the Register can be seen at www.newcastle-staffs.gov.uk/localregister.

Buildings currently included on this Register within the Stubbs Walk Conservation Area are;

- Newcastle-under-Lyme School, Mount Pleasant, Newcastle
- Former Orme School for Girls, Victoria Road, Newcastle
- Former Headmistress's house, Orme School for Girls, Victoria Road, Newcastle
- Former Church Hall, Victoria Road, Newcastle

There are number of buildings which have been identified on the Townscape Appraisal map as being positive buildings of townscape merit. Buildings here will vary in quality but will be good examples of relatively unaltered historic buildings. Where their style, materials and detailing provides the Conservation Area with interest and variety they will be considered for inclusion of the local Register during the next review process. Where a building has been heavily altered, and restoration would be impractical, they are excluded.

Action 10 The Borough Council will consider all buildings identified as making a positive contribution to the character of the area for the local Register of Locally Important Buildings and Structures and will encourage the local community to suggest other buildings that might be eligible for inclusion on the Register.

Action 11 The Borough Council will ensure that the Register of Locally Important Buildings and Structures is regularly updated.

Action 12 Positive buildings, buildings on the Council's local Register and Listed Buildings should be retained and their settings protected from unsympathetic development, where possible.

Control and management of the natural environment

Tree cover provides an important part of the Conservation Area especially within and around Stubbs Walks, the public park. These trees should be maintained retained and replaced when appropriate. All trees in Conservation Areas are already automatically protected by the requirement to notify the Council of any intention to carry out works to trees. The Council's Arboricultural Officer liaises with the Landscape section over tree works and has recently surveyed the trees in Stubbs Walks followed by a programme of maintenance works. In addition Newcastle-under-Lyme School have also had their trees recently surveyed and has a 3 year programme of works to the trees within their ownership. Tree Preservation Orders provide additional protection for significant trees or groups of trees and permission is required from the Council for any proposed works.

Action 13 The Borough Council will continue to maintain the trees within the public park and carry out any works which are necessary.

Action 14 The Borough Council will continue to work with landowners to manage the trees within the Conservation Area in a way which recognises the important contribution they make to the character of the Conservation Area.

4. The Conservation Area Boundary Review

Local authorities are required by law to review their boundaries of existing Conservation Areas from time to time. This is to ensure that they still retain special architectural or historic interest. As part of the Appraisal process the whole Conservation Area was inspected and the robustness of the present boundary assessed.

The Stubbs Walks Conservation Area contains buildings and features which are of principally Victorian and Georgian architectural styles and periods. It is fairly compact around the two school sites and includes the main streets, the historic church, and the majority of the better quality terraces and villas. The topography affects the experience one has as one enters into the Conservation Area. Trees and the natural landscape features also play a role in defining the area and its boundary.

The boundary to the north is less obvious in parts being along the centre of the road from North Street, West Street and around the grid iron section of smaller terraces to create a sensible inclusion of blocks of terraces. Whilst it would be possible to include all of these terraces, the quality for wholesale inclusion is not considered worthy of Conservation Status largely due to the high loss of features and fact that the smaller terraces are less embellished and are less integrated around the schools, church and Stubbs Walks.

The existing boundary is considered to be appropriate and no changes are proposed.

5. The setting of the Conservation Area

Stubbs Walk has a large number of trees, particularly within but also on the edges of the Conservation Area. The combined effect of the trees, shrubs, gardens contribute towards the character of the Conservation Area. These features are cherished by the local community and are well cared for including private gardens and the public open spaces.

Action 15 The Borough Council will continue to protect and enhance the qualities of the Conservation Area carefully considering applications for new development which would result in the removal or reduction of trees or established planting which enhances the Conservation Area.

The control of new development

New development should preserve and enhance the character and appearance of the Conservation Area. It must respect the historic and architectural context and should not necessarily copy existing styles but create sensitive, sympathetic and good quality modern architecture so that the special character and appearance of the Conservation Area is not downgraded or diluted, but reinforced, and enhanced whenever possible. The pattern and grain of the area is part of its special character and appearance and should be respected. It is important to have a good architect or advisor who understands the issues and context of Conservation Areas. New development should be sympathetic to surrounding historic buildings in terms of scale materials and details. It should also respect views both within and into and out of the Conservation Area.

The pressure for development in Stubbs Walk is mainly for changes of use, signage and extensions to existing buildings especially to the school buildings. There is potential for infill and backland development (usually in the gardens of existing buildings) some of

which sit in spacious plots which will intensify and may harm the character of the Conservation Area.

Action 16 The Borough Council will seek to ensure that new development conforms to policies within the LDF, saved Local Plan policies and the National Planning Policy Framework and does not have an adverse impact on the existing building or important landscape features of the Conservation Area.

Demolition

Permission is needed for demolition all buildings in the Conservation Area (over 115 cubic metres). Demolition of historically significant buildings within the Conservation Area will not be permitted unless the building to be demolished can be proven to have a harmful or negative effect. Partial demolition does not require permission, but some control will be exercised through an Article 4 Direction, particularly in relation to boundary walls and chimneys.

6. Implementation

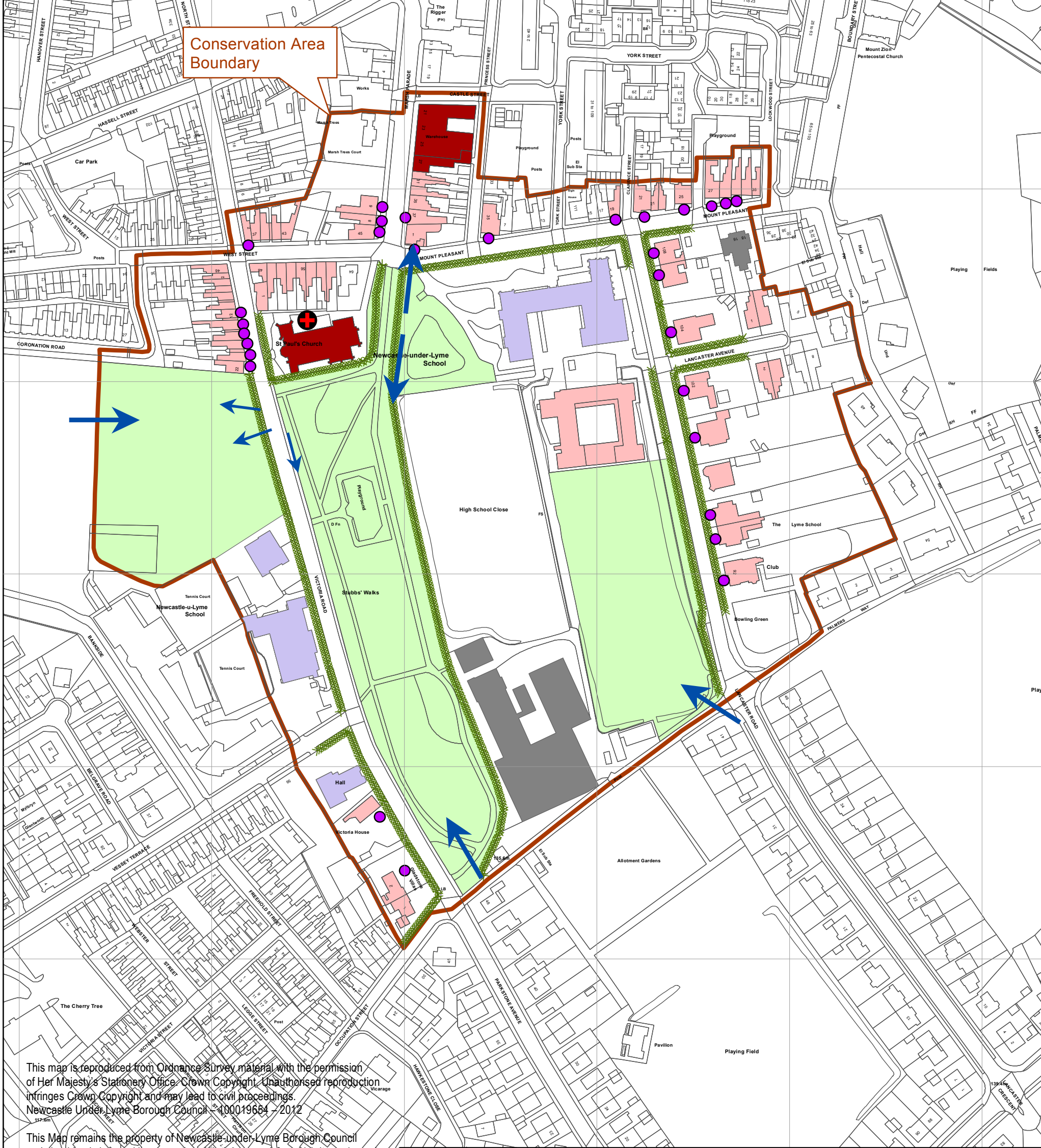
It is important that the Stubbs Walk Conservation Area should be a self sustaining as possible if it is to remain in its present state. Achieving this requires management to control any necessary changes so that its special character and appearance is not adversely affected. Success will require commitment by all Borough Council departments and their partners such as building control and the Highways Authority to ensure the sensitive exercise of controls, in the best interests of the Conservation Area, and the sensitive deployment of any resources which may become available. Success depends on the part played by other stakeholders: property owners, residents, businesses and amenity groups.

Those who live and work in the Conservation Area are encouraged to recognise the collective benefits they enjoy. For this they must understand the need to take a contextual view of proposals rather than acting in isolation. Change is inevitable in Conservation Areas but it is how rather than if it is undertaken. Employing skilled advice minimizes the effects of these changes.

It is important that communities are well informed about the qualities of their Conservation Areas and of the opportunities for enhancing them in particular the School. There is also a role for the Borough Council and other recognised community groups such as the Civic Society.

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Conservation Area Boundary



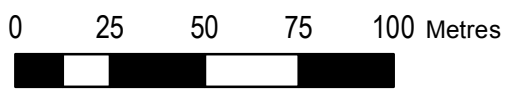
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This Map remains the property of Newcastle Under Lyme Borough Council and should only be used in connection with the purpose for which it was issued.

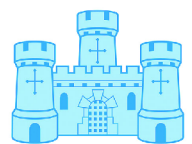
Stubbs Walks Conservation Area DRAFT Townscape Appraisal Map

Key

- Conservation Area boundary
- Listed buildings
- article 4 buildings
- landmark building
- neutral building
- local listed bldgs
- Positive buildings
- Significant open space
- characteristic boundaries
- Important views



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NEWCASTLE UNDER LYME
BOROUGH COUNCIL

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**JUBILEE BATHS, NELSON PLACE
WESTLANDS ESTATES LTD**

15/00166/FUL

The Application is for full planning permission for the demolition of the former swimming baths and construction of a 244 room student development on six floors comprising 154 self-contained, single person rooms and 90 en-suite rooms in clusters of 4 and 5 with shared lounge/kitchen areas. Ancillary accommodation including an IT suite, gymnasium, meeting room and cinema room is provided.

Vehicle and cycle access is proposed from School Street accessing a below ground parking area for 21 vehicles and cycle storage for 110 cycles. Two communal landscaped areas are proposed along School Street raised above street level.

The site lies within the Newcastle Town Centre Conservation Area and the Urban area of Newcastle as designated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within a Live-Work Office Quarter.

The 13 week period for this application expires on 2nd June 2015. The applicant's agreement to extend the statutory period is being sought.

RECOMMENDATION

- A. Subject to the applicant entering into a Section 106 obligation by no later than 3rd July , to secure the following:**
- (i) a financial contribution to the enhancement and maintenance of an area of public open space of £198,716 and a travel plan monitoring fee of £2,200.**
 - (ii) a financial contribution of £50,000 to be used to fund Resident Parking Zones in the event that it has been demonstrated (through surveys secured by condition) that the development has resulted in on street parking problems.**

Permit subject to conditions relating to the following matters:-

- 1. Time limit/ Revised Plans**
- 2. Materials**
- 3. Occupation to be restricted to students only**
- 4. Letting of contract for redevelopment prior to demolition of the building and commencement of development within six months of the demolition of the building**
- 5. Details of landscaping to be agreed, to include details of boundary treatment/security fence to the landscaped areas.**
- 6. Landscape management plan**
- 7. Residential parking survey of streets to be agreed prior to first occupation of the development and a second survey 12 months later when fully occupied.**
- 8. Provision of parking, turning areas and pedestrian visibility splays**
- 9. Replacement of disabled parking spaces that will be lost to accommodate the site access.**
- 10. Prior approval of the details of the management of the parking area and measures to prevent occupiers having cars.**
- 11. Implementation of Travel Plan**
- 12. Gymnasium, IT suite, cinema room and any other accommodation for the students use only**
- 13. Prior approval of ground floor glazing to rooms to ensure adequate privacy**
- 14. Prior approval of window treatment within the whole building to ensure consistency of approach**
- 15. Provision of the security measures set out in the submission, or other measures that have been agreed.**
- 16. Building recording prior to demolition**
- 17. Construction hours**
- 18. Construction Management Plan**
- 19. Implementation of measures to reduce the impact of noise as set out in the submitted noise assessment.**
- 20. Prior approval of plant and machinery, including a noise assessment and mitigation measures**
- 21. Piling operations, including a noise and vibration assessment, to be carried out in accordance with details that are agreed beforehand. The Council and residents of Brunswick Street and Hanover Street to be notified at least 14 days in advance of the commencement of the piling operations.**
- 22. Submission of an air quality impact assessment and details measures to minimise air pollution before installation of biomass and CHP systems and adherence to approved details for the life of the development.**
- 23. Details of ventilation system to ensure appropriate indoor air quality**
- 24. Waste storage and collection arrangements**
- 25. Contaminated land conditions**
- 26. Implementation of security/crime prevention measures**
- 27. Removal of permitted development rights for telecommunication apparatus**

B. Failing completion by the date referred to in the above resolution of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of a secured planning obligation the public open space needs of the development would not be met; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Reason for Recommendation

The site is located within the urban area of Newcastle close to the town centre and is a sustainable location for student housing. The benefits of the scheme include the provision of such accommodation within an appropriate location making use of previously developed land. The introduction of student accommodation in this location should also benefit the town centre, making it a more vibrant place. The development, although a sizeable development of a significant scale, would preserve the character and appearance of the Conservation Area and the setting of nearby listed buildings. It is not considered that the highway safety consequences arising from any additional on-street parking demands will be severe provided appropriate controls are in place and as such, as stated within the National Planning Policy Framework, the development should not be prevented or refused on transport grounds.

Subject to the imposition of suitable conditions it is not considered that there are any adverse impacts of the development that would significantly and demonstrably outweigh the benefits and accordingly permission should be granted.

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

Officers have worked with the applicant to address all issues and the application is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for the demolition of the former Jubilee Baths and the erection of a block of student accommodation comprising 244 bedrooms with ancillary accommodation, with the formation of a new access and associated car and cycle parking.

The application site is within the urban area of Newcastle, as indicated on the Local Development Framework Proposals Map. The main issues in the consideration of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area and nearby listed buildings both in relation to the loss of the existing building, and the proposed development itself?
- Are acceptable residential amenity levels achieved for the occupiers?
- Are crime prevention/security considerations appropriately addressed within the development?
- Is the proposal acceptable in terms of highway safety?
- What, if any, planning obligations are necessary to make the development policy compliant?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

Is the principle of proposed development on the site acceptable?

As indicated above the proposal is for residential accommodation specifically for students. Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. The site is located within the Urban Area of Newcastle.

Policy ASP5 of the Core Spatial Strategy (CSS) – the most up-to-date and relevant part of the development plan - sets a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026 and a target of at least 3,200 dwellings within Newcastle Urban Central (within which the site lies).

Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The Core Strategy goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall

sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

The Newcastle Town Centre SPD places the application site within the Live Work Quarter of the Town Centre where the main focus is offices, with any housing development likely to be marketed for those who wish to live in a bustling business community. The application site forms part of a larger site (that includes the adjoining site of Jubilee 2 and the area of land between School Street/Brunswick Street/Windsor Street/Hanover Street) which has been identified in the SPD as a key development site in the town centre for a mixed use development.

This is a previously developed site in a sustainable location within the urban area. The site is in easy walking distance of the shops and services of Newcastle Town Centre with regular bus services to destinations around the borough, including Keele University, and beyond. It is considered that the site provides a sustainable location for additional residential development that would accord with the Town Centre SPD.

The residential accommodation proposed if restricted to students only and in the absence of evidence that it would release housing onto the market elsewhere within the borough will not contribute to the supply of housing land, which can be taken into account when calculating the 5 year supply of deliverable housing sites within the Borough. However, it is still relevant to the consideration of the application that the Council is currently unable to demonstrate such a supply, as concluded in a report elsewhere on this agenda. In light of this, as set out in paragraphs 49 and 14 of the NPPF, the starting point therefore must be one of a presumption in favour of residential development. In this particular context as has already been stated the development is in a highly sustainable location which is close to services and facilities and promotes choice by reason of its proximity to modes of travel other than the private motor car.

On the basis of all of the above, it is considered that the principle of residential development in this location should be supported unless there are any adverse impacts which would significantly and demonstrably outweigh the benefits.

Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area both in relation to the loss of the existing building, and the proposed development itself?

Policies within the Development Plan that seek to ensure that development within and adjoining Conservation Areas preserves and enhances the character and appearance of such areas include policy CSP2 of the CSS and policy B10 of the NLP. Policy B11 of the NLP addresses proposals that involve demolition within Conservation Areas. It indicates that demolition is only acceptable in certain circumstances and where each of the following criteria are met as follows:-

- (i) The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal or replacement would benefit the appearance or character of the area.
- (ii) Detailed plans for redevelopment are approved where appropriate.
- (iii) An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy and the other policies referred to above are considered to be consistent with the NPPF.

The NPPF states that the effect of a proposal on the significance of a designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The existing site contains a largely unobtrusive building constructed from brick with very little interest in design terms or active frontage. It is located within an area that has been identified in the Town Centre Conservation Area Appraisal and Management Plan (CAAMP) as 19th century expansion, which is considered to be a positive character area. The building is not listed, is not on the Council's Register of Locally Important Buildings and Structures and is not specifically identified in the CAAMP as a positive (or a negative) feature. The applicant considers that the current building makes a neutral contribution to the character of the Conservation Area, and it is the back drop and massing it provides which has a value. This is accepted by Heritage England and your officer and it is therefore concluded that the loss of the building itself will not have an adverse impact on the character of the Conservation Area provided that a well-designed building of suitable scale and massing replaces it. Given the nature of the existing building it is also accepted that it is unlikely that it could be put to any reasonably beneficial use. The proposed demolition therefore meets the criteria of NLP policy B11(i) and , it is not considered that an objection to the loss of the building could be sustained unless it is concluded that the proposed redevelopment is not appropriate. However, given its Conservation Area location it is necessary that a condition should be imposed requiring a building survey to be carried out for the record.

The proposal is to construct a 6 storey building on the site – of between 20 and 22 metres in height. The building fronts Brunswick Street and Barracks Road. On School Street it is proposed to have two landscaped amenity areas above ground level. The larger of the two is located between the Barracks Road element of the building and a wing of the building which projects towards School Street from the back of the Brunswick Street element of the building. The smaller is located between the projecting wing and the Jubilee 2 building.

The proposed building is to be predominantly constructed in brick on two of the three site frontages (Brunswick Street and School Street). These were amended through the introduction of more glazing to the upper floor and the recessing of the glazing at ground floor on Brunswick Street to improve visual interest on this frontage, which is well used by pedestrians. The rear corner of the building, on Brunswick Street, and the corner of Barracks Road and School Street project from the building and are largely glazed and framed and subdivided by a light coloured cladding.

As initially submitted the proposed building had a projecting 'box' with deep recesses either side, above the main entrance, presenting to the Nelson Place roundabout, which was framed in a bold, red cladding with windows, with a strong vertical emphasis, set in a grey clad wall. This element was then amended by the removal of the grey cladding, the introduction of more glazing and a reduction in the amount of red cladding projecting element.

Further amendments have now been received in response to the comments of the Urban Vision Design Review Panel which recently reviewed the proposal, and whose comments are indicated in the consultation section below. The design approach to the projecting box has been further changed in the proposal now before the authority. On either side of this box are columns of a similar design to the corner stair wells referred to above. The building is clad in a mid-grey colour between these columns with glazing with a vertical emphasis other than the upper floor which will be largely glazed. This feature, therefore, provides a contrast, visually, to the rest of the building although not as significant a contrast as the previously proposed red framed glazed box.

The Brunswick Street is largely unchanged in the current plans. The projecting wing onto School Street has been repositioned to increase the size of the smaller landscaped area and reduce the size of the larger.

The Town Centre SPD considered that this site is capable of accommodating a landmark building of up to 5 storeys in height and the site is identified as "an opportunity for landmark design albeit one that pays "respect for the proportions and design of No.1 King Street on Nelson Place". No.1 King Street is a Grade 2 Listed building. The SPD also sets out elements of good design. It indicates, at element 6, that building heights should be sensitively addressed to ensure that buildings that are too high or too low do not undermine the historic core. At element 6 it also states that in many cases the maximum height will only be acceptable, if at all, in a relatively narrow built form rather than a continuous mass. At element 7 it indicates that important views should be safeguarded.

The Urban Design SPD considers that within existing centres buildings of up to 6 storeys in height can be accommodated in certain landmark or gateway locations which address the ring road.

Both the Design Review Panel and Heritage England have raised concern about the scale of the building onto Nelson Place. The building, however, is broadly the scale that was envisaged in the Town Centre SPD and does not exceed the height of buildings within the Urban Design SPD on landmark or gateway sites, which this is. The scale and massing of the building as proposed would provide an appropriate backdrop to Nelson Place and although considerably taller than the listed No 1 King Street would draw attention from the visually unsympathetic Copthall House which is also located on Nelson Place in a position closer to this property. The proposed building is six storeys across the entire building, but it presents a relatively narrow frontage onto Nelson Place and Barracks Road.

Heritage England has stated that the site is readily visible from Ironmarket and forms an important backdrop to Queen's Gardens. The latter is accepted as correct, however it is not accepted that the site is readily visible from Ironmarket as the site is not viewed until Queen's Gardens and is not prominent from this part of the Conservation Area. Whilst the proposed building will be more prominent, visually, than the existing building when viewed from Queen's Gardens this increase in height would not, in itself, be harmful to its appearance. The building will not impinge upon any other important views within the Conservation Area.

The building could not be described as having a landmark design. Notwithstanding this point it is considered that the building will be acceptable in appearance in this location.

Notwithstanding the concerns raised by Heritage England, the proposed building, subject to consideration of the choice of materials, is considered to be acceptable in terms of its scale, design and appearance and would preserve the character and appearance of the Conservation Area and the statutory requirement to pay special attention to such matters is considered to be met. In addition it would respect the setting of the nearby listed buildings. Notwithstanding this the applicant has been encouraged to refer this further revised proposal to the Urban Vision Design Review Panel so that their comments on this revised scheme can be taken into consideration in the determination of this application. Their comments will be reported.

Are acceptable residential amenity levels achieved for the occupiers?

The site is in a Town Centre location on the corner where three busy streets intersect. External noise levels are likely to affect the living conditions of the occupiers of the development. In addition there is the possibility that noise will be generated by plant required in association with certain ancillary activities within the building. A noise assessment has been submitted which recommends certain design features, such as acoustically rated double glazing to limit noise levels and to ensure that acceptable living conditions are secured for the students.

The Environmental Health Division has concerns that activities in the external amenity area have the potential to cause noise disturbance. The area is contained, on three sides, by the proposed building and as such it is not anticipated that any existing nearby residents will be affected, the impact will be on the residents of this development. Whilst the living conditions of the residents of the proposed development is clearly of importance it is considered that this is not a matter that should be addressed through the imposition of conditions. This can be left to the management of the building as it is in their interests to avoid problems arising from the use of this area.

There are self-contained, single person units at pavement level on Brunswick Street set back from the pavement by a very short distance. The level of privacy to the occupiers of such units will be very limited and appropriate glazing needs to be incorporated. This could be secured by a condition.

Overall it is considered that the development could provide appropriate living conditions for its occupiers. Given the distance from existing residential properties and the existing context for the site it is not considered that the development would unacceptably affect the amenity levels of nearby residents.

Are crime prevention/security considerations appropriately addressed within the development?

Since the comments of the Police Architectural Liaison Officer were received the applicant has provided additional information setting out how the building will be secured. Security measures include key fob activated access to all parts of the building; internal and external CCTV; and a security fence to prevent unauthorised access to the main elevated courtyard garden (which is 2.2m above street level at its lowest point). In light of this additional information it is considered that the building will be suitably secured and appropriate crime prevention measures adopted. A condition could be imposed to ensure such measures are provided.

Is the impact of the development on highway safety acceptable?

The access to the site would be via School Street. Based on the maximum parking standards in the Local Plan relating to student accommodation expected to be provided by Keele University, the development should not be permitted to provide more than 61 spaces. 21 spaces are proposed. 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 32, states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In March this year 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.

The applicant has argued that the limited parking proposed is adequate in this location as the students will be expected to commit to sign a student's charter which stipulates that they will not have a car at the site. This is supplemented by a student's welcome pack which will provide details of the bus and rail time-tables and an identification of the location of nearby amenity facilities. Keele University have written in support of the application advising that their transport and parking management policy states that students that are resident on campus are not permitted to bring a car to campus unless they are disabled or studying specified courses which require attendance on placements off campus, and that they envisage the same requirements for students residents in this proposed development. Whilst this is not a Keele University development and therefore it could be occupied by other students it is anticipated that the vast majority of the occupants will be Keele students given the relatively close proximity of the site to the campus and given the accommodation on offer to Staffordshire University students in more convenient locations to that University buildings.

There is a very good bus service between the town centre and the University Campus or Staffordshire University, and very limited parking is available to students at Staffordshire University and none at all at Keele other than in very limited circumstances – all of which would influence students to leave any vehicle they may have at home. In addition there is a wide range of facilities and services within a very short distance of the site that can be accessed more easily on foot than car. Such factors will encourage students to not bring a vehicle.

There is concern, however, that some students will nevertheless bring their car and will park remotely from the premises on residential streets where there are no parking restrictions thereby aggravating on street parking problems. In light of such concerns as expressed by the Highway Authority and in representations received, further information has been sought from the applicant who has identified a number of student developments which have no parking as examples to demonstrate that off-site parking issues don't arise. The Highway Authority has spoken to their colleagues at Stoke City Council, which is one of the examples referred to, and has been advised that they are not aware of any parking issues associated with that development. Notwithstanding this, they have expressed reservations that the proposal has the potential to create parking problems. They have recommended that a parking survey of residential streets be undertaken in an agreed area, followed by a second survey 12 months after full occupation to ascertain whether there are any parking issues. If the surveys demonstrate that the development has created parking issues then a residents parking zone should be established to paid for from £50,000 which would be deposited by the developer through a legal agreement.

The formation of the access will result in the loss of two of the six disabled parking bays that are located on this part of School Street. Discussions are taking place with the Highway Authority to establish where these spaces can be relocated but it is considered that this can be agreed through the imposition of a condition as recommended by the Highway Authority.

Whilst such concerns are legitimate and warrant close consideration, if the application to be refused on highway safety grounds it would be necessary to demonstrate that the impacts will be severe, and could not be addressed by appropriate planning conditions or planning obligations and it is not considered that such a case could be sustained.

What, if any, planning obligations are necessary to make the development policy compliant?

As indicated above the proposal is to provide student accommodation. Whilst this would be considered to be a Class C3 use (dwellinghouses) given the specific nature of the accommodation provided it would not trigger any requirement for education contributions as the development would not generate any pressure on local schools.

A development of this scale should, arguably, contribute to affordable housing provision. It is not considered appropriate, however, to secure affordable housing on site given the nature of the accommodation that is provided which is occupied on a temporary basis, or to secure a contribution to provision of affordable housing off site. Neither the Affordable housing SPD nor the Development Plan addresses student development and as such there is no clear policy justification for such a requirement. In addition it would be difficult to argue that this is a site that would otherwise be developed for housing which could include affordable homes as part of a wider tenure mix and as such the development does not affect any opportunities to secure affordable housing through other development proposals. In addition it has not been argued by this Council that such a contribution is required in recent decisions relating to student accommodation on the Keele University campus, and as such any decision to secure a contribution to off-site provision could be argued as inconsistent.

The development would, however, put pressure on nearby areas of public open space given that such needs are not satisfied on site and it considered that in principle a financial contribution towards such areas could comply with CIL Regulations and the Council's adopted Developer Contribution SPD.

The Landscape Development Section (LDS) has requested a contribution but has made certain adjustments in recognition that the standard contribution sought is based upon their being on average 2.5 people occupying each dwelling and that some of the units within this development will be single person accommodation. The adjustments that has been made is to request 2/5ths of the total for the single units, and the full contribution for the clusters of rooms (which will be occupied by 4 or 5) students. The LDS, however, has not made adjustments, by removing play area element of the contribution, in recognition that the occupiers of the development are of an age where they should not use equipped play areas. This would differ with the approach taken by the LPA on other developments where the age of occupants was restricted through a condition, namely Homestead at May Place for the over 55s. In that case the element of the contribution towards active open space (i.e. playing fields) was removed.

Whilst LDS maintain that a further adjustment should not be made to take out the play area element it is considered that it would be difficult to justify including the play area element as it could not be said that the provision or improvement of play areas is directly related to the development as such it is recommended that a financial contribution at a level that is less than has been requested by LDS should be secured.

LDS have indicated that any financial contribution that is secured should be spent in Queen's Gardens and given its close proximity to the application it is considered that this would be acceptable as it would be directly related to the development.

Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

In conclusion, subject to the imposition of suitable conditions and obligations, it is not considered that there are any adverse impacts of the development that would significantly and demonstrably outweigh the benefits and accordingly permission should be granted.

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 SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles of Economic Development
Policy SP3: Spatial principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change Policy
Policy CSP5: Open Space/Sport/Recreation
Policy CSP6: Affordable Housing
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1: Residential Development – Sustainable Location & Protection of the Countryside
Policy T16: Development – General Parking Requirements
Policy B3: Other Archaeological Sites
Policy B5: Control of Development Affecting the Setting of a Listed Building
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 B11: Demolition in Conservation Areas
Policy B13: Design and Development in Conservation Areas
Policy B14: Development in or Adjoining the Boundary of Conservation Areas
Policy C4: Open Space in new housing areas
Policy C22: Protection of Community Facilities
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)
Planning Practice Guidance (PPG) (2014)
The Community Infrastructure Levy (CIL) Regulations 2010, as amended

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (July 2004)
Developer Contributions Supplementary Planning Document (SPD) (September 2007)
Affordable Housing SPD (2009)
Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)
Newcastle Town Centre SPD (2009)
Newcastle Town Centre Conservation Area Appraisal and Management Plan

North Staffordshire Green Space Strategy – adopted December 2009

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

Relevant Planning History

09/00734/DEEM3 Proposed Health and Wellbeing Centre which includes a 25m swimming pool, learner pool, spectator gallery, changing facilities, climbing wall, fitness suite, children's activity zone, dance studio and multi-purpose room (Jubilee 2) permitted and constructed on the adjoining site on Brunswick Street.

None considered relevant

Views of Consultees

The **Highway Authority (HA)** has no objections subject to conditions relating to the following:

- Access, parking and turning
- Replacement disabled parking bays
- Details of barrier to car park
- Travel Plan
- Construction Method Statement

A Travel Plan monitoring fee is also requested.

The **Environmental Health Division** has no objections subject to the conditions relating to the following:

- Noise mitigation.
- Piling operations and construction
- Air quality from biomass and CHP systems.
- Contaminated land

The **Police Architectural Liaison Officer** welcomes the broad proposal. The submission, however, makes practically no reference to crime prevention/security considerations. The submission leads one to question to what extent crime prevention has featured in the thinking behind the proposals. It is suggested that the applicant demonstrates that crime prevention and security considerations are thoroughly embedded and concerns/issues have been adequately addressed.

The **Landscape Development Section** has no objections subject to approval of a detailed landscaping scheme, and securing a financial contribution for capital development/improvement of Queens Gardens. The contribution requested is £240,148.80 which has been calculated on the basis of the full contribution for the clusters and 2/5 of the full contribution for the self-contained single person rooms.

The **Housing Strategy Officer** states that if the development is exclusively for the use of students and the development is a student halls of residence then the affordable housing requirement would not apply. The accommodation should be restricted through the use of a condition.

The Council's **Conservation Officer**, has no objections to the demolition of the existing building providing steps are taken through a condition to ensure that the construction of the new building is undertaken within a reasonable time period to avoid a gap site. The site is surrounded by Listed buildings and important areas within the Conservation Area such as Queens Gardens, but the height of the proposed building, as indicated in the original submission and its massing was not of concern. The central projecting element which fronts the roundabout is successful in terms of its design and the colour could be toned down if that is considered too bold.

With respect to the original submission she considered the building to have some features which would need to be improved to provide a high quality new building in such a prominent location - notably the windows needed to be deeply recessed back with an arcade or a stronger articulation provided between the brickwork and the glass particularly at ground floor level to add interest and quality to the building. Retail at ground floor would have provided a much better active frontage. .

The principle of the garden areas is accepted but there are reservations about the practicality of their use and safety.

The **Conservation Advisory Working Party (CAWP)** welcomes a contemporary building of ideally a mixed use but objects to the scale and uninventive use of materials. The height will alter the building height to road width ratios which were planned and may create a microclimate and wind tunnel. They feel that the design should be more sympathetic to this significant part of late Georgian expansion of

the town and Conservation Area. The taller elements should ideally step back away from the street level. The views of CAWP on the scheme now being considered are being sought and will be reported to the Committee.

The applicant has sought the views of the **Urban Vision Design Review Panel**. The Panel had previously commented on an earlier scheme involving a building of up to 8 storeys in height. The Design Review Panel's conclusions on the scheme presented to them are summarised as follows:

- The response of the Panel to the comment on the previous scheme that the linking element on the corner should be strengthened had been taken to an extreme with the result that the development now looked like three individual buildings which did not sit well together.
- The design of the main corner needs to be re-visited to create a more subtle linking element connecting the two main parts of the building which makes better use of the internal floor. If the pavement could be widened this could be achieved by means of a curved elevation which would create space for reconfiguration of the floor layouts.
- The increase in the number of units in the development appears to have been achieved at the cost of reducing the floor area to a minimal standard. Consideration should be given to ways of increasing the size of the smaller units.
- The configuration of the amenity space on School Street could be improved by moving the six-storey wing towards the swimming baths and enlarging the main landscape area. Its use for basketball is likely to lead to a need for unsightly net or fence to prevent balls falling into the street.
- The computer generated images give the wrong impression about the amount of glazing that would be provided in the main corner feature and in the penthouse elevations. More realistic illustrations should be provided showing the true proportion of solid and glazed surfaces on these elevations.
- This is an important scheme which will set the standard for future student accommodation in the town and it is important to ensure that this precedent is of the best possible standard that can be achieved.

Heritage England (formerly English Heritage) has no objection to the principle of the demolition of the existing swimming baths, subject to an acceptable scheme being brought forward for the redevelopment of the site in a timely manner. They would support the principle of a contemporary building in this location but have concerns regarding the proposed scale. They recommend that the applicant revisit their proposals with a view to reducing the potential impact on views from and within the Conservation Area, and in particular Queen's Gardens. Whilst they accept the reasoning for an increase in height in this location, they are unconvinced that six storeys is appropriate as they have concerns as to the potential impact of a building of this scale on important views within the Conservation Area. A four storey building, combined with a careful palette of materials, would still provide a presence on the roundabout, whilst also have less impact on the Town Centre Conservation Area, and in particular Queens Gardens. They recommend that the current application is deferred or refused to allow amendments to the scheme in order to better contribute to the character, appearance and local distinctiveness of the Conservation Area.

The **Waste Management Section** and the former **Greater Town Centre Locality Action Partnership** have been consulted but as they have not responded by the due date it is assumed that they have no comments to make.

Representations

Nine letters of representation have been received including two from the **Thistleberry Residents Association** and one from the **Newcastle Civic Society**. Objection is made on the following grounds:

- Nature of the use, number of occupants, design, scale and use of materials inappropriate and harmful to the Conservation Area contrary to policy
- If not owned/managed by the Universities the building could fall into disrepair.
- The facilities provided on site would mean that the students wouldn't need to go into town and there would be no benefits to its location in the town centre.

- Crime and disorder hasn't been considered and inadequate details regarding drainage, heating etc.
- Policy states that private parking is not acceptable in the town centre, within the ring road. This limits the choice of students and right to travel as they wish.
- Noise and privacy for occupiers of concern
- Parking is inadequate and will result in problems off site.
- The development should be a genuine mixed use development including retail and office on the ground floor.
- The application is invalid as it incorrectly describes the proposal as being for Class C2 residential institutions purposes.
- The development is not financially viable and there is a high risk of failure mid development
- Keele University have not committed to use or endorse the development and does not provide reassurance that it final use will be students only.
- If not occupied by students who would occupy it and would the sustainable transport criteria be satisfied.

A further letter of support has been received from the **Newcastle Town Centre Partnership** supporting the application for the following reasons:

- It fits in with their objective to encourage the increase of residential accommodation and people living in or near to the town centre. The objective exists because of the knock-on-effects of the increase in footfall, the ambition to create a town centre community, and the potential for a more vibrant town which is inhabited rather than being merely a shopping and leisure centre.
- It redevelops a derelict building on the immediate periphery of the town centre and thus improves its appearance.
- It fits in with another of their objectives to make Newcastle-under-Lyme a true University Town and take full advantage of links with Keele University and its students.
- Given the environmental challenges that are faced, the problem of ever increasing traffic, the general move towards promoting walking, cycling and public transport it is residential development without provision for car parking for all residents that should indeed be supported.
- It is located opposite the main bus station and as such couldn't be much more convenient for public transport.

Applicant's/Agent's submission

The applicant has submitted the following

- Air Quality Assessment
- Asbestos Report, Survey and specification for abatement works
- Phase 1 Geo-Environmental Desk Study
- Noise Assessment
- Planning Statement
- Heritage Statement
- Design and Access Statement

Revised versions of some of these documents have been received during the consideration of the application. Details of the application are available to view via the following link www.newcastle-staffs.gov.uk/planning/1500166FUL

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

22nd May 2015