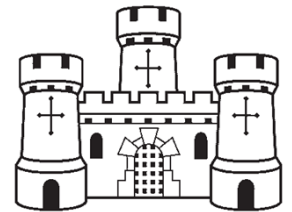


# Public Document Pack

**Date of meeting** Tuesday, 7th November, 2017  
**Time** 6.30 pm  
**Venue** Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG  
**Contact** Geoff Durham



**NEWCASTLE  
UNDER LYME**  
**BOROUGH COUNCIL**

Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

## Planning Committee

### SUPPLEMENTARY AGENDA

#### PART 1 – OPEN AGENDA

- 4a APPLICATION FOR MAJOR DEVELOPMENT - LAND BOUND (Pages 3 - 6)  
BY RYECROFT, RYEBANK, MERRIAL STREET,  
CORPORATION STREET & LIVERPOOL ROAD. HDD  
(NEWCASTLE-UNDER-LYME) LIMITED. 17/00637/FUL
- 4b APPLICATION FOR MAJOR DEVELOPMENT - LAND BOUND (Pages 7 - 10)  
BY RYECROFT, RYEBANK, MERRIAL STREET,  
CORPORATION STREET & LIVERPOOL ROAD. HDD  
(NEWCASTLE-UNDER-LYME) LIMITED. 17/00637/FUL
- 5a APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH (Pages 11 - 12)  
OF HONEYWALL LANE, MADELEY HEATH. MADELEY  
HEATH DEVELOPMENTAL LIMITED. 17/00514/OUT
- 7a APPLICATION FOR MINOR DEVELOPMENT- AUDLEY (Pages 13 - 14)  
WORKINGMEN'S CLUB, NEW ROAD, BIGNALL END.  
GREATREX, BRAMPTON HOMES LTD . 17/00673/FUL
- 10a GOVERNMENT CONSULTATION ON "PLANNING THE (Pages 15 - 30)  
RIGHT HOMES IN THE RIGHT PLACES"

#### **15A URGENT BUSINESS (Pages 31 - 32)**

This item has been brought to Planning Committee as an item of Urgent Business as comments are required by 17 November, 2017.



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**Members:** Councillors Burgess, Fear, S Hambleton, Heesom, Northcott, Panter, Proctor (Chair), Reddish, Simpson, Spence (Vice-Chair), Sweeney, S Tagg, G White, G Williams, J Williams and Wright

**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.**

## **FIELD\_TITLE**

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

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**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**7<sup>th</sup> November 2017**

**Agenda item 4**

**Application ref. 17/00637/FUL**

**Land bound by Ryecroft, Ryebank, Merrial Street, Corporation Street & Liverpool Road**

Since the main agenda report was published the following have been received:

1. The final comments of the **Environmental Health Division (EHD)**. No objections are raised subject to conditions as follows:
  - Construction hours
  - Construction Environmental Management Plan
  - Noise from plant and mechanical ventilation
  - Restriction on noise levels in habitable rooms from plant and mechanical ventilation
  - Ventilation provision to habitable spaces
  - Glazing specification
  - Control of shopping trolleys
  - External lighting
  - Noise mitigation measures, supported by a noise assessment, regarding delivery and waste collection
  - Control of food odours
  - Restriction on noise from entertainment
  - Air quality assessment from CHP plant.
  
2. The **applicant's** response to representations received from the Conservation Advisory Working Party (CAWP) and third parties the main points of which are summarised as follows:
  - Design commentary is inherently subjective, but the applicant does not agree that the design of the development is in any way mundane. The report sets out a contrary view that the development is visually attractive and would both improve and complement the local townscape. The applicant considers that the development is a high quality design, refined over a number of years and carefully reflects the urban grain of the town centre.
  - The quantum of the proposed development is necessary to achieve a development that is viable and deliverable.
  - The development is designed in order that the highest point of the student accommodation building is localised and it then steps down quickly to a level consistent with the existing civic offices building. The scale and massing is entirely appropriate to the site and its town centre location.
  - Contrary to the views of CAWP the scheme does take into account the relationship of the site and proposed building to the adjoining Conservation Area and the setting of statutorily Listed Buildings. The application is supported by a series of verified views to demonstrate that the proposed development will not cause any harm to the significance of Listed Buildings, and an assessment of the relationship the development has with these and the town centre conservation area is set out in a Heritage Statement and its addendum.
  - The applicant considers that no harm will be caused to designated heritage assets. The report takes a different view concluding that 'less than substantial harm' will be caused to some designated assets but ultimately when the benefits of the development are weighed against this the conclusion is that planning permission should be granted.

- The Conservation Officer, CAWP and the Historic Environment Advisor at the County Council all confirm no objection to the replacement of the Civic Offices building with the proposed development.
  - Third parties are misinformed in stating that there is no need for further purpose built student accommodation. The Keele University Growth Strategy sets out that student numbers are expected to increase by 30% to 13,000 over the period of 2015 to 2020 and this proposal is part of a wider solution to providing accommodation for a significantly greater number of students living locally in a sustainable location.
  - The site is well served by public transport and the applicant has indicated a willingness to include within a S106 legal agreement financial commitments to improving the cycle route from the town centre to Keele University and real-time bus network passenger information system.
  - The number of parking spaces that are proposed are supported by the Highway Authority and the Borough Council.
  - The development will bring new commercial uses to an under-utilised area of the town centre, and in doing so significant economic benefits arise.
  - There is no justification to the comment that there is no need for additional retail units in the town centre, as need is not a test in local or national planning policy. Impact is a national policy test but only where a proposal relates to a site that is not within a town centre.
  - Any “no poaching” condition preventing any of the floorspace being occupied by a retailer already within the town centre unless there is a scheme which commits the retailer to retaining their presence within the centre for a specified period does not meet the tests of planning conditions as it is not necessary or reasonable where an application site is within a primary shopping area.
3. A long elevational cross section drawing showing the south elevation of the proposed development theoretically in context of the Church of St Giles’ and the Church of St George’s and a note as to its interpretation and use.
  4. Revised draft heads of terms for a planning obligation has been provided by the applicant.

#### Officer Response

The conditions as recommended by the EHD have already been included within the recommendation set out in the main agenda report.

The response of the applicant to the comments received from CAWP and third parties are noted but as they are covered in detail within the report it is not considered necessary to discuss such matters further.

The cross section plan supports your Officer’s conclusions as to the impact on the form and character of nearby Listed Buildings, and the Conservation Area, as set out in paragraphs 2.52 to 2.58 of the report. The requirements of Section 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 that Local Planning Authorities have special regard to the desirability of preserving a Listed Building or its setting or features of special architectural or historic interest which it possesses have been met.

The revised draft heads of terms referred to above provides the level of financial contribution that the applicant considers appropriate for items 3, 4 and 5 of recommendation A. They suggest a contribution of £8,000 towards the cost of a real-time passenger information system for bus routes serving Newcastle town centre and Keele University; £8,000 towards the cost of installation and operation of a real-time town centre parking capacity information system; and £25,000 towards improvements to the cycle route from Newcastle town centre to Keele University. The sums suggested appear appropriate for the matters in question and the views of the Highway Authority will be sought to confirm that is the case and reported if received in

time. In addition it is hoped that the Highway Authority will provide an estimated cost of the public realm improvements in Corporation Street as referred to in item 1 of recommendation A.

A requirement to provide bus passes to the occupiers of the student accommodation has not been included to date within the list of recommended planning obligations. In respect of some, but not all of the other purpose built student accommodation developments within the town centre with either no or limited parking, the County Council has sought such a requirement and the LPA has agreed with and pursued that approach. The County Council have not made such a request in this case and the existence of such passes has not, it would appear, been assumed in the Transport Assessment nor is it an identified measure in the proposed Travel Plan. The views of the Highway Authority are being obtained on this aspect and the proposal below is for a 2 month introductory bus pass to be provided (which would, at current prices and assuming full occupation of the student part of the development, be an ongoing revenue cost of about £50,000 per annum). If the applicants have a view on such a proposal it is considered that notwithstanding the guillotine on late representations they should be allowed to have such a view reported.

In light of the proposed contributions the recommendation A is revised as follows. Recommendation B remains unaltered.

#### **Revised recommendation A**

##### **A) Subject to the applicant entering into planning obligations by 8<sup>th</sup> January 2018 to secure the following:-**

- 1. A financial contribution of £542,797 to public realm improvements in Corporation Street with the remainder to be spent on the enhancement of public open space at Brampton Park or Queen Elizabeth Gardens;**
- 2. £2,245 towards travel plan monitoring;**
- 3. £8,000 towards the installation costs of a Real Time Passenger Information system for bus services;**
- 4. £25,000 towards improvements to the cycle route from Newcastle town centre to Keele University;**
- 5. £8,000 towards the cost of installation and operation of a Real Time Town Centre Car Parking Capacity Information System;**
- 6. 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; and**
- 7. A financial contribution of £20,000 to be used to review and provide/amend traffic regulation orders on roads adjoining the site.**
- 8. The provision of a 2 month introductory bus pass for the occupiers of the student accommodation**

**PERMIT, subject to conditions relating to the conditions as set out in the main agenda report**

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**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**7<sup>th</sup> November 2017**

**Agenda item 4**

**Application ref. 17/00637/FUL**

**Land bound by Ryecroft, Ryebank, Merrial Street, Corporation Street & Liverpool Road**

The applicant has responded to the addition, as set out in the first supplementary report, of the requirement that a 2 month introductory bus pass for the occupiers of the student accommodation be secured through a planning obligation. The response is summarised as follows:

- The Planning Committee report published on 27<sup>th</sup> October sets out an Officer recommendation that planning permission should be granted subject to conditions and the applicant entering into planning obligations in relation to a number of specified matters not including the provision of student bus travel. Such a requirement was not, therefore, considered necessary to make the proposed development acceptable. The applicant does not understand how a contribution towards the provision of student bus travel can be sought now.
- Such a contribution is clearly not necessary given the highly sustainable location of the site and the fact that the Highway Authority has not sought a contribution in this regard.
- Planning obligations may only constitute a reason for granting planning permission if they meet the legal tests including that they are necessary to make the development acceptable in planning terms. As the positive recommendation within the main agenda report did not include such a requirement this cannot, therefore, be the case.
- Students can be expected to make use of the readily available and high frequency bus services without the need for any such incentive having regard to the significant disincentive of parking not being proposed.
- The Highway Authority has only made a request for such provision for the site of the Savoy Cinema and not for the other purpose built student accommodation development permitted at Orme Road, the site of the former Jubilee Baths and the former Bristol Street Motors site on London Road.
- The development proposed in this application makes provision of up to 40 parking permits which is a similar proportion to the number of parking spaces per student within the former Jubilee Baths development.
- The former Bristol Street Motors site planning permission secured a free bus pass for the first 12 months of occupation within a revised Travel Plan. This was not at the request of the Highway Authority; no reference was made to this requirement in the report; and the bus pass provision did not form part of the S106 legal agreement and there is therefore some considerable doubt over the mechanism by which any contribution will be secured.
- No parking was proposed for the Savoy development.
- A clear distinction can be drawn between this proposal and those for the Savoy and former Bristol Street Motors sites in that appropriate parking provision is proposed in this scheme whilst also encouraging sustainable modes of transport.
- Notwithstanding the overriding issue over the justification for the condition attached to the former Bristol Street Motors site planning permission and how any contribution might be secured, it is clearly time limited to the first 12 months of occupation whilst there is no such time limit in the revised recommendation for the development which is the subject of this report.

The Highway Authority have provided a rough estimate of the costs of the public realm works in Corporation Street assuming a similar specification to the works undertaken on Red Lion Square, High Street. They advise if such works were to be undertaken for the entire length of Corporation Street (from Liverpool Road to Merrial Street) it would cost around £929,000, and

if confined to the shorter section from the development to Merrial Street it would cost around £575,000.

#### Officer Response

Further consideration has been given to the inclusion of the requirement to provide a 2 month introductory bus pass for the occupiers of the student accommodation.

The applicant is incorrect in the assertion that there was no reference to the requirement within the report for the former Bristol Street Motors site (reference 16/01060/FUL). It was indicated at paragraph 5.27 of the report that occupants of that scheme “are proposed to be provided with free ‘introductory’ bus passes to promote the use of public transport” and the recommendation included that provision of introductory bus passes should be secured within a planning obligation. It is accepted, however, that a distinction can be made between this development and those proposed at the Savoy and the former Bristol Street Motors sites.

In the case of the development of the Savoy site no parking provision was proposed at all and the provision of bus passes was offered by the developer as a measure to further incentivise the occupiers to leave their cars at ‘home’ so that no on street parking problems would arise. In the case of the former Bristol Street Motors site a significant number of parking spaces were proposed which could encourage student resident in that scheme to bring their cars. The provision of bus passes was considered appropriate to encourage bus use and discourage car use in such circumstances.

The development here proposed seeks to address the issue of parking by providing some, but limited, car parking spaces and seeks to mitigate any parking issues by providing a sum of money to be used to fund Resident Parking Zones in the event that it has been demonstrated that the development has resulted in on street parking problems. In that regard this development is more comparable with the development that has been permitted on the former Jubilee Baths site which was accepted by the LPA without the provision of bus passes. In addition it is noted that the location of the nearest bus stop for the bus to Keele University is directly adjacent to the site, on Merrial Street, and as such it could not be any more convenient for the student occupiers. In the case the former Bristol Street Motors site the occupiers would have to walk further to and from the nearest bus stop and free bus travel in those cases could persuade the occupants to travel by bus when they might not otherwise have done so.

After further consideration it is therefore accepted that the provision of parking for the occupiers of this development in addition to all the other measures to encourage non-car usage (the provision of a Real Time Passenger information system for bus services and funding improvements to the cycle route to Keele University), together with the measures to address any on street parking issues that may arise, strikes the appropriate balance without the need to secure bus passes. As such it is accepted that the requirement to provide bus passes is not necessary to make the development acceptable and as such is not justified. The recommendation is therefore amended accordingly.

On the basis of the information provided by the Highway Authority it appears likely that the financial contribution of £542,797 would be insufficient to cover such works and leave any money left to be spent on the enhancement of Brampton Park or Queen Elizabeth Park. However the developer has suggested that the works may cost considerably less and as the costs of the public realm works within Corporation Street cannot be established at this time, when no public realm works have been designed, and as such the possibility remains that there will be some of the contribution left for public open space enhancements. It is considered important that some significant contribution towards public open space is obtained, given the additional demands placed upon on public open space, so the recommendation is amended to reflect this.

#### **Revised recommendation A**



**A) Subject to the applicant entering into planning obligations by 8<sup>th</sup> January 2018 to secure the following:-**

- 1. A financial contribution of at least £542,797 to public realm improvements in Corporation Street with the remainder to be spent on the enhancement of public open space at Brampton Park or Queen Elizabeth Gardens, the public open space contribution being at least £250,000**
- 2. £2,245 towards travel plan monitoring;**
- 3. £8,000 towards the installation costs of a Real Time Passenger Information system for bus services;**
- 4. £25,000 towards improvements to the cycle route from Newcastle town centre to Keele University;**
- 5. £8,000 towards the cost of installation and operation of a Real Time Town Centre Car Parking Capacity Information System;**
- 6. 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; and**
- 7. A financial contribution of £20,000 to be used to review and provide/amend traffic regulation orders on roads adjoining the site.**

**PERMIT, subject to conditions relating to the conditions as set out in the main agenda report**

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Published 3 November, 2017

**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**7<sup>th</sup> November 2017**

**Agenda item 5**

**Application ref. 17/00514/OUT**

**Land South of Honeywall Lane, Madeley Heath**

Since the main agenda report the **Environmental Health Division (EHD)** have advised that following the submission of the revised noise assessment report, which now considers the maximum noise levels permitted in the planning condition for the quarrying activity, they continue to have no objections to the application subject to the conditions set out in the main agenda report.

The applicant has also submitted further comments in response to the main agenda report. The applicant considers that the comments in the report in relation to the loss of hedgerow are disproportionate. They believe that the indicative landscape plan demonstrates that native hedgerows will be planted to compensate any loss of existing hedgerows and other planting is proposed within the site.

Officer Response

Your officer has not raised any significant concerns with the level of planting outlined on the indicative landscape plan. The plan does show that a replacement hedgerow on the north side of Honeywall Lane is proposed but this is outside of the application site and the applicant's ownership. There is no guarantee that a replacement hedgerow could be planted and a Grampian condition to secure this is not considered appropriate in this instance. Accordingly it is a negative impact of the development but the conclusions of the main agenda report are the same.

Finally, there was an error in paragraph 6.7 of the main agenda report which outlined that two previous contributions towards Sir John Offley primary school had been secured previously. However, this is incorrect and your officer can now confirm that no contributions have previously been secured. This has also been confirmed by the Education Authority.

**The recommendation remains as set out in the main agenda report.**

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Published 3 November, 2017

**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**7<sup>th</sup> November 2017**

**Agenda item 7**

**Application ref. 17/00673/FUL**

**Former Audley Workingmens Club, New Road, Bignall End**

Since the preparation of the main agenda report a further letter of objection has been received raising concerns regarding the recommendation in the report and the lack of response to the independent Highway Safety Report submitted on behalf of residents. They consider that the evidence presented within the report has not been acknowledged nor considered in terms of safety issues.

The applicant has also submitted a revised site layout plan for the scheme following concerns raised in respect of parking provision, on and off site delivery movements and the adequacy of the site access. The revised layout includes the following;

- Increased access radii of 9 metres (to change the tracking alignment on access and egress),
- A change to the internal movement profile to ensure that all deliveries can take place simply and quickly within the site,
- The number of parking spaces increased from 18 to 22, and
- The relocation of the cycle store to reduce clutter at the front of the store and enable a covered store to be provided,

The applicant also reiterates that they do not believe that there is any justification in this case for a sequential assessment. They consider that there are no suitable or available sites with Audley or Bignall End that could provide a sequentially better site than this one and offers a number of benefits to the local community including access and jobs for the area.

Officer Response

The submission of the revised layout plan now requires a further statutory consultation with the Parish Council. Therefore the Parish Council have now been consulted on the revised layout plan and a decision on the application cannot be made until the statutory consultation period expires. This period falls after the date of the next committee meeting. Accordingly, a revised report will have to be brought back to the 5<sup>th</sup> December 2017 planning committee. The comments of the further representation received will be considered and where necessary addressed in the new report.

**Revised Recommendation**

**That it be noted that a decision cannot lawfully be made on this application at this meeting and it will therefore be necessary to report the application to the 5<sup>th</sup> December planning committee meeting for a decision.**

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Published 31 October, 2017

## Report to Planning Committee 7<sup>th</sup> November 2017

### Government Consultation on “Planning for the right homes in the right places”

#### **Purpose of the Report**

To provide the Planning Committee with the opportunity to pass comments to Cabinet on an appropriate response to the Government Consultation ‘Planning the right homes in the right places’

#### **Recommendation**

**It is being recommended to Cabinet that the Council respond to the Consultation in the manner as set out in the proforma attached as Appendix 1 to this report**

#### **Reasons:**

The Council has the opportunity to respond to this consultation. An appropriate response is set out in the Appendix. The Planning Committee’s views will be reported to Cabinet when it considers this matter at its meeting on the 8<sup>th</sup> November.

### **1. Background**

Following on from the White Paper Fixing the Broken Housing Market published earlier this year the Government is now consulting on further measures set out in the White Paper to boost housing supply in England. Consultations are normally responded to by Executive Directors in accordance with the Council’s Constitution, but in this case requests have been received for members to have the opportunity to inform a response to this consultation so the matter is being brought to Cabinet. Any response to the consultation has to be submitted by 2345hrs on the 9<sup>th</sup> November using a proforma.

### **2. Issues**

The consultation sets out a number of proposals to reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth. Proposals include:-

- a standard method for calculating local authorities’ housing need
- how neighbourhood planning groups can have greater certainty on the level of housing need to plan for
- a statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries
- making use of viability assessments simpler, quicker and more transparent
- increased planning application fees in those areas where local planning authorities are delivering the homes their communities need

The Consultation document can be viewed via the following link

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

### **3. Proposal**

- 3.1** Your officers have drafted what it is considered to be a response to the questions that the Government is seeking responses to. This is provided as Appendix 1 to this report

Date report prepared 31<sup>st</sup> October

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Appendix to Planning Committee report on Planning for the right homes in the right places – Consultation

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

Recommended response by the Council to the Consultation

Proposed approach to calculating the local housing need

### Question 1(a)

**do you agree with the proposed standard approach to assessing local housing need? If not, what alternative approach or other factors should be considered?**

Yes

No

Not sure/ don't know

Please enter your comments here

The current position is unsatisfactory. Local Planning Authorities have been required to commission expensive and complex assessments to identify the “objectively assessed need” for market and affordable housing within their housing market areas. Whilst national planning practice guidance sets out a recommended method for doing so, it is accepted that the current process leave substantial room for interpretation, and disputes between local planning authorities, developers and communities on the method used both delay the process and adds cost. The Local Plan Expert Group argued that the existing approach to assessing housing need is too complex. The three key principles which the government considers a standard method should be based – that is simple, based on publicly available data and realistic (reflecting the actual need for homes in each area, taking into account the affordability of homes locally) are commended. The Council agrees that the affordability of new homes is a very good indicator that supply is not keeping up with demand. The standardised methodology however does not make adjustments to take account of the factors behind the worsening affordability and may therefore be over simplified.

Councils will however still need to define a Housing Market Area

The suggested standardised methodology looks forward and relies, for its demographic baseline upon projections of household growth, which are volatile/ unstable and therefore calculations of standardised housing need for an area have the propensity to change significantly every two years (the frequency with which household projections are published). Some method of smoothing or dampening such fluctuations should be considered. Similarly failure to look back risks ignoring trends, which could predict some of these potential fluctuations

The use of a measure of affordability (local affordability ratios) as an adjustment to take account of market signals is logical but the proposed use of workplace earnings information rather than residential earnings information does not appear appropriate and could in an area where there was significant commuting (either in or out) lead to a poor measure of affordability in that area.

### Question (1b)

**How can information on local housing need be made more transparent?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Question 2

**Do you agree with the proposal that an assessment of local housing need should be able to be relied upon for a period of two years from the date a plan is submitted?**

Yes

No

Not sure/ don't know

Please enter your comments here

It is important that the local housing needs assessment is not rendered out of date if changes to the household projections or affordability are published whilst the plan is being examined, as that can lead to continual delay in the finalisation of plans.

### Question 3

**Do you agree that we should amend national planning policy so that a sound plan should identify local housing needs using a clear and justified method?**

Yes

No

Not sure/ don't know

Please enter your comments here

It is considered that provision is already made for this in the NPPF and the scrutiny provided by the

Planning Inspector during the examination.

#### Question 4

**Do you agree with our approach in circumstances when plan makers deviate from the proposed method, including the level of scrutiny we expect from the Planning Inspectors?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council notes that paragraph 44 indicates a government expectation, given the significant financial and time saving benefits, that LPAs will adopt the proposed standardised method when assessing housing need, but also that there may be compelling reasons not to adopt the proposed approach which will need to be properly justified and will be subject to examination.

The Council notes in particular and welcomes the statement in paragraph 46 of the consultation that plan makers may put forward proposals that lead to a local housing need above that given by the government's proposed approach, and that this could be as a result of a strategic infrastructure project, or through increased employment (and hence housing) ambition as a result of a Local Economic Partnership investment strategy, a bespoke housing deal with Government or through delivering the modern Industrial Strategy. It also notes that the Government states that they want to make sure that they give proper support to those ambitious authorities who want to deliver more homes, and the proposal to amend planning guidance so that when a plan is based upon on assessment of local housing need in excess of that which the standard method would provide, Planning Inspectors are advised to work on the assumption that the approach adopted is sound unless there are compelling reasons to indicate otherwise. The Council supports the introduction of such guidance.

#### Question 5(a)

**Do you agree that the Secretary of State should have discretion to defer the period for using the baseline for some local planning authorities? If so, how best could this be achieved, what minimum requirements should be in place before the Secretary of State may exercise this discretion, and for how long should such deferral be permitted?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 5(b)

**Do you consider that authorities that have an adopted joint local plan, or which are covered by an adopted spatial development strategy, should be able to assess their five year land supply and /or be measured for the purposes of the Housing Delivery Test, across the area as a whole?**

Yes

No

Not sure/ don't know

Please enter your comments here

Such a change appears to the Council to be logical and to reflect that housing market areas can include a number of administrative areas. However it would be wrong if a local authority was penalised due to its inability to control delivery of housing in another authority within its HMA.

#### Question 5(c)

**Do you consider that authorities that are not able to use the new method of calculating local housing need should be able to use an existing or an emerging local plan figure for housing need for the purposes of calculating five year housing land supply and to be measured for the purposes of the housing delivery test ?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 6

**Do you agree with the proposed transitional arrangements for introducing the standard approach for calculating local housing need?**

Yes

Published 31 October, 2017

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Statement of Common Ground

#### Question 7(a)

**Do you agree with the proposed administrative arrangements for preparing the statement of common grounds?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 7 (b)

**How do you consider a statement of common ground should be implemented in areas where there is a Mayor with strategic plan-making powers?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 7 (c)

**Do you consider there is a role for directly elected Mayors without strategic plan-making powers, in the production of a statement of common ground?**

Yes

No

Published 31 October, 2017

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Question 8

**Do you agree that the proposed content and timescales for publication of the statement of common ground are appropriate and will support more effective co-operation on strategic cross-boundary planning matters?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Question 9(a)

**Do you agree with the proposal to amend the tests of soundness to include that:**

- i) Plans should be prepared based on a strategy informed by agreements over the wider area; and**
- ii) Plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Question 9 (b)

**Do you agree to the proposed transitional arrangements for amending the tests of soundness to ensure effective co-operation?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Planning for a mix of housing needs

#### Question 10 (a)

**Do you have any suggestions on how to streamline the process for identifying the housing needs of individual groups and what evidence could be used to help plan to meet the needs of particular groups?**

Please enter your comments

The Council does not wish to make any comments in response to this question

#### Question 10 (b)

**Do you agree that the current definition of older people within the National Planning Policy Framework is still fit-for-purpose?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Neighbourhood Planning

#### Question 11 (a)

**Should a local plan set out the housing need for designated neighbourhood planning areas and parished areas within the area?**

Yes

No

Not sure/ don't know

Please enter your comments here

Local authorities should not be obligated to do this. Could create complications/uncertainties for areas that are designated once the strategic plan has been adopted. This could also hinder the flexibility of local plans and the ability to respond to rapid economic change.

### Question 11(b)

**Do you agree with the proposal for a formula-based approach to apportion housing need to neighbourhood plan bodies in circumstances where the local plan cannot be relied upon as a basis for calculating housing need?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Proposed approach to Viability Assessment

### Question 13

**Do you agree that local plans should identify the infrastructure and affordable housing needed, how these will be funded and the contributions developers will be expected to make?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question



### Question 13

**In reviewing guidance on testing plans and policies for viability, what amendments could be made to improve current practice?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

### Question 14

**Do you agree that where policy requirements have been tested for their viability, the issue of should not normally need to be tested again at the planning application stage?**

Yes

No

Not sure/ don't know

Please enter your comments here

Whilst the presumption (that the issue should not normally need to be tested again at the planning application stage) is agreed and supported, the proposition does not reflect that viability assessments of individual sites will be undertaken at a much more detailed level than could ever be achieved, practically, at the Local Plan stage, and that with the passage of time key assumptions such as interest rates, values and costs are likely to change

### Question 15

**How can Government ensure that infrastructure providers, including housing associations, are engaged throughout the process, including in circumstances where a viability assessment may be required?**

Please enter your comments here

Ultimately the decision on whether a scheme is financially viable with contributions is one for the Local Planning Authority to take. Involving other parties in that decision is likely to significantly slow down decisions.

### Question 16

**What factors should we take into account in updating guidance to encourage viability assessments to be simpler, quicker and more transparent, for example through a standardised report or summary format?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 17(a)

**Do you agree that local planning authorities should set out in plans how they will monitor and report on planning agreements to help ensure that communities can easily understand what infrastructure and affordable housing has been secured and delivered through developer contributions?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Borough Council supports this – its current practice – of bringing half yearly reports to its Planning Committee on obligations entered into, payments received, expenditure undertaken, and cases where triggers for contributions have passed but there has not been compliance - reflects the proposal. However it does need to be understood that there are resource implications in the undertaking of such monitoring and recent appeal decisions have led authorities to conclude that obligations providing financial contributions towards monitoring of obligations are unlawful in that they do not comply with Regulation 122 of the CIL Regulations. The provision of policy support for such obligations would assist.

#### Question 17 (b)

**What factors should we take into account in preparing guidance on a standard approach to monitoring and reporting planning obligations?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 17 (c)

**How can local planning authorities and applicants work together to better publicise infrastructure and affordable housing secured through new development once development has commenced, or at other stages of the process?**

Please enter your comments here

It is hoped that the Government will not impose significant additional burdens upon LPAs but will leave LPAs to devise their own approaches. There are already requirements to provide access to planning obligations within the Planning Register. Most Councils make application documents available on their websites including planning obligations that have been entered into with respect to individual applications. It is recognised that obligations being legal documents are often difficult to interpret, so a summary approach is recognised to be required to provide public accessibility to planning obligations

One option to be considered would be to require developers to publicise infrastructure and affordable housing secured through new development

## Planning fees

### Question 18 (a)

**Do you agree that a further 20% fee increase should be applied to those local planning authorities who are delivering the homes their communities need? What should be the criteria to measure this?**

Yes

No

Not sure/ don't know

Please enter your comments here

The Council welcomes the Government's acknowledgement that it is vital to have well-resourced, effective and efficient local authority planning departments. It also welcomed the 20% increase already proposed in nationally set planning fees for those local planning authorities who commit to invest the additional fee income in improving the productivity of their planning departments. The Council also notes the acknowledgement that many local authorities have to invest additional financial resource into their planning services to supplement fee income to meet the challenge of delivering new homes. The Council is however concerned that the focus, of the Government, appears to be entirely upon the challenge of delivering new homes when there are other important challenges— for example delivering employment development, development associated with the further education sector, and town centre development.

### Question 18 (b)

**Do you think there are more appropriate circumstances when a local planning authority should be able to charge the further 20 per cent? If so, do you have views on how these circumstances could work in practice?**

Published 31 October, 2017

Yes

No

Not sure/ don't know

Please enter your comments here

See response to Question 18(a)

#### Question 18 (c)

**Should any additional fee increase be applied nationally once all local planning authorities meet the required criteria, or only to individual authorities who meet them?**

Apply nationally

Apply to individual authorities only

Not sure / don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

#### Question 18 (d)

**Are there any other issues we should consider in developing a framework for this additional fee increase?**

Please enter your comments here

The Council does not wish to make any comments in response to this question

Other Issues

#### Question 19

**Having regard to the measures we have already identified in the housing White Paper, are there any other actions that could increase build out rates?**

Yes

Published 31 October, 2017

No

Not sure/ don't know

Please enter your comments here

The Council does not wish to make any comments in response to this question

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**FORMER MMU SITE OFF HASSALL ROAD, ALSAGER**

**DAVID WILSON HOMES**

**CHESHIRE EAST ref: 17/5150c (NuIBC ref 348/244)**

The Borough Council has been very recently consulted by Cheshire East on an application to remove condition 34 of a planning permission granted by Cheshire East for the demolition of all buildings on the former Manchester Metropolitan University (MMU) site off Hassall Road, Alsager and the erection of 426 dwellings with associated car parking, laying out of grass pitches, two artificial grass pitches with associated floodlighting and fencing, new changing rooms and ancillary parking and new accesses.

**For any comments that the Borough Council may have on this application to be taken into account, they have to be received by Cheshire East by no later than 17<sup>th</sup> November.**

The Chair has agreed that this item can be considered by the Planning Committee as business that is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

**RECOMMENDATION**

**That the Cheshire East be informed that the Borough Council has no objections to application to remove condition 34**

**Reason for Recommendation**

The proposed removal of condition 34 of Cheshire East planning permission 15/522C has no strategic implications for the Borough Council.

**Key Issues**

Planning permission (Cheshire East reference 15/5222C) was granted by Cheshire East for the demolition of all buildings on the former MMU site off Hassall Road, Alsager and the erection of 426 dwellings with associated car parking, laying out of grass pitches, two artificial grass pitches with associated floodlighting and fencing, new changing rooms and ancillary parking and new accesses.

The applicant is seeking the removal of condition 34 on Cheshire East planning permission 15/522C.

That condition reads as follows "The replacement hockey pitch shall be constructed and be available for use prior to the closure and removal of the existing artificial grass pitch", the reason for the condition being "to ensure the availability of the sports pitch at all time having regard to paragraph 74 of the NPPF"

It would appear, from the submitted application form, that the hockey clubs that use the existing artificial pitch have made alternative arrangements whilst the MMU facilities are out of action during the build up to the opening of the new facilities on the development site (as per condition 37 of the planning permission).

Because of the scale of the development this has to be treated as an application for "Major development" and this consultation is accordingly reported to the Planning Committee so that a response can be agreed.

There are no strategic implications for the Borough Council arising from this application.

**Date Report Prepared**

2<sup>nd</sup> November 2017

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