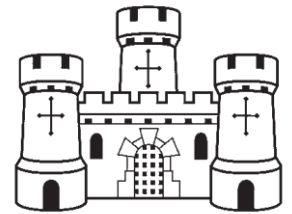


Date of meeting Tuesday, 29th March, 2022

Time 7.00 pm

Venue Astley Room - Castle

Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**

BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Planning Committee

AGENDA

PART 1 – OPEN AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF PREVIOUS MEETING(S) (Pages 5 - 10)

To consider the minutes of the previous meeting(s).

**4 APPLICATION FOR MAJOR DEVELOPMENT - HAMPTON'S
SCRAP YARD AND ADJACENT FIELD, KEELE ROAD.
PERSIMMON (NORTH WEST) LTD. 21/00616/FUL (Pages 11 - 18)**

**5 APPLICATION FOR MAJOR DEVELOPMENT - LAND NORTH OF
BRADWELL HOSPITAL, TALKE ROAD, BRADWELL. SEDDON
HOMES LIMITED. 21/00470/REM (Pages 19 - 32)**

**6 APPLICATION FOR MAJOR DEVELOPMENT - DUPRE
MINERALS, SPENCROFT ROAD, CHESTERTON. MR DAVID
CHALLINOR. 21/00654/FUL (Pages 33 - 40)**

**7 APPLICATION FOR MAJOR DEVELOPMENT - TADGEDALE
QUARRY, MUCKLESTONE ROAD, LOGGERHEADS. WAIN
HOMES WEST MIDLANDS. 21/00975/FUL (Pages 41 - 50)**

**8 APPLICATION FOR MAJOR DEVELOPMENT - LAND WEST OF
PIT HEAD CLOSE, LYMEDALE BUSINESS PARK. PEVERIL
SECURITIES LTD AND AVER PROPERTY LTD PARTNERSHIP.
21/01131/REM (Pages 51 - 60)**

**9 APPLICATION FOR MAJOR DEVELOPMENT - MADELEY
MANOR NURSING HOME, HEIGHLEY CASTLE WAY,
MADELEY. MR GERALD EMERY. 21/01175/FUL & 21/01176/LBC (Pages 61 - 76)**

- | | | |
|----|--|-------------------|
| 10 | APPLICATION FOR MINOR DEVELOPMENT - BETLEY COURT, MAIN ROAD, BETLEY. DR NIGEL BROWN. 21/01064/FUL | (Pages 77 - 86) |
| 11 | APPLICATION FOR MINOR DEVELOPMENT - THE OLD COACH HOUSE, RECTORY LANE, WHITMORE. MR LEE SHELTON. 22/00022/FUL | (Pages 87 - 94) |
| 12 | APPLICATION FOR MINOR DEVELOPMENT - THE NOOK, NEWCASTLE ROAD, MADELEY. MRS JULIE MIROWSKI. 22/00061/FUL | (Pages 95 - 102) |
| 13 | FIVE YEAR HOUSING LAND SUPPLY STATEMENT FOR THE BOROUGH OF NEWCASTLE-UNDER-LYME. 1 APRIL 2021 to 31 MARCH 2026 | (Pages 103 - 140) |
| 14 | UPDATE ON BREACH OF PLANNING OBLIGATION ENTERED INTO IN ASSOCIATION WITH 11/00284/FUL FOR THE ERECTION OF TWENTY THREE HOUSES AT THE FORMER SITE OF SILVERDALE STATION AND GOOD SHED, STATION ROAD, SILVERDALE | (Pages 141 - 142) |
| 15 | APPEAL DECISION - LAND AT ROEBURNDALE, LEYCETT LANE, MADELEY HEATH. 21/00484/OUT | (Pages 143 - 144) |
| 16 | APPEAL DECISION - 11 GREENOCK CLOSE, NEWCASTLE-UNDER-LYME. 21/00643/FUL | (Pages 145 - 146) |
| 17 | APPEAL DECISION - MOSS HOUSE FARM, EARDLEY END ROAD, BIGNALL END. 17/00062/207C2 | (Pages 147 - 148) |
| 18 | APPEAL DECISION- LAND TO THE NORTH OF THE A51, SOUTH OF CHORLTON MILL LANE AND WEST OF THE RAILWAY, STABLEFORD, NEWCASTLE-UNDER-LYME. 19/00961/OUT | (Pages 149 - 150) |
| 19 | APPEAL DECISION - LAND AT BLACKBROOK NURSERY, NEWCASTLE ROAD, BLACKBROOK. 20/00368/FUL | (Pages 151 - 154) |
| 20 | APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - ST PETERS CHURCHYARD RETAINING WALLI, MAER. 21/22001/HBG | (Pages 155 - 156) |
| 21 | APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - AUDLEYS CROSS FARMHOUSE, LOGGERHEADS. 21/22003/HBG | (Pages 157 - 158) |
| 22 | TREE PRESERVATION ORDER - FORMER CLAYTON LODGE HOTEL, CLAYTON. TPO 217 | (Pages 159 - 162) |
| 23 | URGENT BUSINESS | |

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

Members: Councillors Andrew Fear (Chair), Marion Reddish (Vice-Chair), Silvia Burgess, Dave Jones, Sue Moffat, Gillian Williams, John Williams, Jennifer Cooper, Helena Maxfield, Paul Northcott, Mark Holland and Kenneth Owen

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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.

SUBSTITUTE MEMBER SCHEME (Appendix 9, Section 4 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:	Simon Tagg	Sylvia Dymond
	Barry Panter	Mike Stubbs
	Stephen Sweeney	June Walklate
	Bert Proctor	

If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place) NB Only 2 Substitutes per political group are allowed for each meeting and your Chairman will advise you on whether that number has been reached

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

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

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Agenda Item 3

Planning Committee - 01/03/22

PLANNING COMMITTEE

Tuesday, 1st March, 2022
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Andrew Fear (Chair)

Councillors:	Marion Reddish	Gillian Williams	Paul Northcott
	Silvia Burgess	Jennifer Cooper	Mark Holland
	Dave Jones	Helena Maxfield	Kenneth Owen

Apologies: Councillor(s) John Williams

Substitutes:

Officers:	Rachel Killeen	Senior Planning Officer
	Elaine Moulton	Development Management Team Manager
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer
	Jeff Upton	Interim Head of Planning

Also in attendance:

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

2. **MINUTES OF PREVIOUS MEETING(S)**

Resolved: That the Minutes of the meeting held on 1 February, 2022 be agreed as a correct record.

3. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF APEDALE ROAD, CHESTERTON. ASHGREEN LTD. 20/01079/FUL**

Resolved: (A) That, subject to the applicant first entering into a Section 106 agreement by 22nd April 2022 to secure a review mechanism of the scheme's ability to provide affordable housing in accordance with policy and to make a policy compliant financial contribution of £103,838 (index linked) towards to public open space, if the development is not substantially commenced within 12 months from the date of the decision, and the payment of such contributions if found financially viable,

the application be permitted subject to the undermentioned conditions:

- (i) Standard time limit for commencement of development
 - (ii) Approved plans
 - (iii) Facing and roofing materials
 - (iv) Boundary treatments
 - (v) Soft landscaping scheme to include replacement tree planting
 - (vi) Electric vehicle charging provision
 - (vii) Prior approval of visibility splays for the access
 - (viii) Provision of access, parking and turning areas prior to occupation
 - (ix) Details of the surfacing of the access, parking and turning areas and delineation of the parking bays
 - (x) Car parking management/ allocation plan
 - (xi) Prior approval of weatherproof parking for 20 cycles
 - (xii) Access ungated
 - (xiii) Prior approval of a Construction Environmental Management Plan (CEMP)
 - (xiv) Design Measures to Secure Noise Levels – upgraded glazing specification
 - (xv) Overheating assessment/ mitigation
 - (xvi) External lighting scheme for parking area
 - (xvii) Prior approval of security measures
 - (xviii) Contaminated land
 - (xix) Construction hours
- (B) That, failing completion of the above planning obligation by the date referred to in the above recommendation, the Head of Planning either refuse the application on the grounds that without the obligation being secured, the development would fail to secure affordable housing and an appropriate contribution for off-site public open space which would reflect the infrastructure needs of the development and there would be no provision made to take into account a change in financial circumstances in the event of the development not proceeding promptly; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

[Watch the debate here](#)

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF MARKET DRAYTON ROAD, LOGGERHEADS. SHROPSHIRE HOMES. 21/00365/REM

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Link to outline planning permission and conditions;
- (ii) Approved plans;
- (iii) Facing and roofing materials in accordance with approved plans;

- (iv) Prior approval of finished ground and floor levels with finished floor levels to be a minimum of 150mm above surrounding ground level in accordance with the approved Flood Risk Assessment unless otherwise agreed;
- (v) Boundary treatments in accordance with approved plans;
- (vi) Landscaping in accordance with approved plans;
- (vii) Detailed tree protection plan;
- (viii) Approval of an arboricultural site monitoring plan;
- (ix) Approval of a woodland, tree and landscape management plan;
- (x) Schedule of works to retained trees;
- (xi) Alignment of utility apparatus (including drainage)
- (xii) Arboricultural Method Statement to be updated and works to be completed in accordance with it;
- (xiii) Submission and approval of micro drainage calculations information as set out in the Staffordshire County Council Flood Risk Team comments of 8th February 2022;
- (xiv) Submission and approval of details the surfacing materials and details of surface water drainage for the driveways, private drives and parking courts;
- (xv) Delineation of the parking spaces for plots 21 to 29, 37 to 43 and 49 to 55;
- (xvi) Secure cycle storage for all plots without a garage;
- (xvii) Lockable gates shall be provided to all shared rear access paths;
- (xviii) Provision of surfaced route through the play area and a maintenance access gate.

[Watch the debate here](#)

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND NORTH OF BRADWELL HOSPITAL, TALKE ROAD, BRADWELL. SEDDON HOMES LIMITED. 21/00470/REM

Councillor Fox- Hewitt spoke on this application

Amended recommendation proposed by Councillor Reddish and seconded by Councillor Jones.

- Resolved:** That the application be deferred so that further information could be reported to Committee as follows:
- Total number of trees to be removed
 - Further information to clarify what is meant by removal 'due to poor condition', is it Ash die back disease? Other disease? etc
 - Comparison of number of trees to be removed with trees to be planted

[Watch the debate here](#)

6. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE-UNDER-LYME COLLEGE, KNOTTON LANE. IAN HOOKWAY, NEWCASTLE AND STAFFORD COLLEGE. 21/00705/FUL

Planning Committee - 01/03/22

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Time limit condition
- (ii) Approved plans
- (iii) Materials
- (iv) Construction Environmental Management Plan
- (v) Provision of cycle spaces
- (vi) Tree protection
- (vii) Surface water drainage scheme

[Watch the debate here](#)

7. APPLICATION FOR MAJOR DEVELOPMENT - TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS. WAIN HOMES WEST MIDLANDS. 21/00975/FUL

Amended recommendation moved by Councillor Fear and seconded by Councillor Northcott

Resolved: That the application be deferred to enable consideration
And response to late comments from the Waste Management Service
and for information on the remedial work to the ground investigation.

[Watch the debate here](#)

8. APPLICATION FOR OTHER DEVELOPMENT - BETLEY COURT, MAIN ROAD, BETLEY. DR NIGEL BROWN. 21/01064/FUL

Councillor Gary White spoke on this application

Amended recommendation proposed by Councillor Fear and seconded by Councillor Northcott.

Resolved: That the application be deferred to give further consideration to how the proposed use could be restricted, exploring possibility of:

- Specifying uses
- Hours restrictions and getting balance right between this and number of days the building can be used in a week.
- Time limited permission

[Watch the debate here](#)

9. APPLICATION FOR OTHER DEVELOPMENT - CHESTERTON BOWLS AND STORE, CHESTERTON PARK, KING STREET. NEWCASTLE BOROUGH COUNCIL. 22/00047/DEEM3

Resolved: That prior approval be granted with no conditions.

[Watch the debate here](#)

10. MID-YEAR DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2021/2022

Members' attention was drawn to the table on page 66 of the agenda which showed the Council's performance. In all four areas, the Council had performed well and had improved on performance from the same time last year. Also, five of the seven indicators shown from page 67 were above target.

Councillor Northcott stated that this was a 'good news' story. The Council's Planning team were thanked for their work.

- Resolved:**
- (i) That the report be received.
 - (ii) That the Head of Planning and Development Management Business Manager seek to maintain and improve performance of the Development Management team taking account of the targets set out in the Planning Service Plan for 2021/22.
 - (iii) That the next 'Development Management Performance Report' be submitted to Committee around July 2022 reporting on performance for the complete year 2021/21.

[Watch the debate here](#)

11. QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED

Consideration was given to a report on the progress on enforcement cases where enforcement action had been authorised.

- Resolved:** That the information be received

[Watch the debate here](#)

12. QUARTERLY REPORT ON OPEN ENFORCEMENT CASES

Consideration was given to a report on open enforcement cases. Members were advised that the number of cases had been rising over the last few quarters, but had reduced in the last quarter.

- Resolved:**
- (i) That the report be received
 - (ii) That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.

[Watch the debate here](#)

13. HALF YEARLY REPORT ON PLANNING OBLIGATIONS

Councillor Jones declared an interest in application 18/01011/FUL at page 89 of the agenda as an employee of the Harper Keele Vet School.

Consideration was given to a report on half-yearly Planning Obligations.

- Resolved:** That the report be noted.

[Watch the debate here](#)

Planning Committee - 01/03/22

14. 5 BOGGS COTTAGES, KEELE. 14/00036/207C3

Members received an update report on 5 Boggs Cottages.

There were concerns in the area from residents in close proximity to the site regarding the appeal. It was suggested that a meeting be arranged for residents, the Chair of Keele Parish Council, interested parties from the Planning Department and Councillor Jones to be arranged in order to appease any concerns.

- Resolved:**
- (i) That the information be received
 - (ii) That a further update report be brought to this Committee in April
 - (iii) That a meeting be arranged between officers, Councillor Jones, a representative of the Parish Council and local residents

[Watch the debate here](#)

15. LAND AT DODDLESPPOOL, BETLEY. 17/00186/207C2

An update was given on land at Doddlespool, Betley.

- Resolved:**
- (i) That the information be received
 - (ii) That a further update report be brought to this Committee in April

[Watch the debate here](#)

16. URGENT BUSINESS

There was no Urgent Business.

**Councillor Andrew Fear
Chair**

Meeting concluded at 9.18 pm

HAMPTON'S SCRAP YARD AND ADJACENT FIELD, KEELE ROAD
PERSIMMON (NORTH WEST) LTD

21/00616/FUL

This application seeks to vary condition 2 of reserved matters approval 19/00623/REM relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 133 dwellings.

The site measures 4.99 hectares and is located to the south-east of Walley's Quarry landfill site. The site is within the Newcastle Neighbourhood as designated on the Local Development Framework Proposals Map and is within the urban area. Trees within the site are protected by Tree Preservation Orders Nos. 2 and 85.

The 13 week period for the determination of this application expired on 16th September 2021 and the agreed extension to that date of 4th February 2022 has also expired.

RECOMMENDATION

REFUSE for the following reasons:

- 1. The position of the footpath within the Root Protection Area of visually significant and protected trees would result in harm to, and potentially the loss of, the trees thereby adversely affecting the visual appearance of the area contrary to saved policies N12 and N17 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy, and the aims and objectives of the National Planning Policy Framework.**
- 2. The location of the Locally Equipped Area for Play is unacceptable due to the public safety risk arising from its position at a lower level than the adjoining carriageway, the inadequacy of the safety barrier and the frequency of vehicles breaching the barrier and as such the proposal is contrary to the aims and objectives of the National Planning Policy Framework.**

Reason for Recommendation

The relocation of the pump station, the alterations to the levels and the proposed amendments to the architectural are acceptable. However, the proposed re-routeing of the footpath within the Root Protection Area of protected trees would adversely affect those trees and the visual appearance of the area. In addition, the position of the Locally Equipped Area for Play raises highway safety concerns.

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

The applicant has been given additional time but to date the concerns have not been addressed. As such the proposal is not considered to be a sustainable form of development.

Key Issues

This application seeks, under section 73 of the Town and Country Planning Act 1990, to vary a condition of reserved matters approval 19/00623/REM relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 133 dwellings.

In deciding a section 73 application the Authority must only consider the condition that is the subject of that application, it is not a complete reconsideration of the development/original application.

Where an application under section 73 is granted, a new planning permission is issued that sits alongside the original permission, which remains intact and un-amended. In granting permission under section 73 the local planning authority may impose new conditions, provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier planning permission. For the purpose of clarity,

decision notices for the grant of planning permission under section 73 should set out all of the conditions on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect.

The variation sought relates to condition 2, which lists the approved drawings, and involves the following:

- Relocation of the pump station north eastwards from the approved location and re-routeing of the approved footpath through the linear open space to the north of the site.
- Relocation of the locally equipped play area (LEAP) to the southern area of public open space.
- Amendment of the architectural detailing on all approved house types from artificial stone heads and cills to slip tile cills and brick heads.
- Amendment of proposed finished floor levels.

The proposed amendments to the architectural detailing on the dwellings do not result in a significant change in the appearance of these dwellings and such changes are considered to be acceptable. The other changes will be considered in more detail below.

Amendment to proposed finished floor levels

The proposed changes to the finished floor levels show an increase across the site compared to the approved plans. In some parts the changes are relatively limited but are more significant in other parts where the difference is around 1m.

The layout and levels as proposed within this development do not raise any issues of residential amenity for the occupants of this development in respect of overbearing impact and loss of light. In addition there would be no discernible difference in appearance.

A section plan has been submitted showing the bund and acoustic fence and its relationship to proposed dwellings adjoining it. It demonstrates that the bund will still be effective as an acoustic barrier with the revised levels.

As such there are no objections to this change to the proposal

Relocation of pump station and LEAP

The submission sets out that the pump station has been moved north eastwards of its approved location within the linear open space, to the north of the site, to ensure that it meets Severn Trent Water size specification whilst avoiding impacting on retained TPO trees within the site. Such a change requires the re-routeing of the approved footpath through this space. The LEAP has been moved to an area of public open space, to the south of the site adjoining the Keele Road roundabout, to accommodate these changes.

The Landscape Development Section (LDS) has raised objections regarding the impact of these elements of the proposal on the Root Protection Area of retained and protected trees. Following discussions with the LDS it has been agreed that the pump station does not encroach within the Root Protection Area (RPA) of retained trees and as such there are no objections to this aspect of the current application. A stretch of the footpath through this linear open space as now proposed, does however lie within the RPA of protected trees and is unacceptable due to the harm to protected and visually significant trees. Below ground tank storage of surface water also encroaches into the RPA but such details are not for approval in this application as they are the subject of a separate conditions approval application.

The Landscape Development Section has expressed concerns about the position of the LEAP on the RPA of trees. The LEAP, as indicated above, is not to be located near to trees but is now proposed in the area of public open space, to the south of the site, adjoining the Keele Road roundabout. This location of the LEAP is considered to be unacceptable from a public safety viewpoint. This part of the site is at a lower level than the adjoining carriageway and vehicles frequently breach the barrier and

crash into this area. The layout of the site included the open space in this location in recognition of that. The introduction of a LEAP in this area is not appropriate, therefore.

Other matters

A number of matters have been raised in representations received on the application.

The developer has commenced development with the benefit of a reserved matters application. The pump station, LEAP and re-routed footpath have not been installed. Any deviations from the approved plans, therefore, relate to changes to levels and external appearance of the properties which are not considered to be unacceptable.

The drainage details, other than the position of the pump station, are not for consideration in this application as set out above. The relevant consultations have been undertaken on the condition approval applications.

The development as approved does not include a cycle path. An acoustic fence is required on the top of the bund along the northern boundary of the site and this application does not change that requirement.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal and the matters that can be addressed, it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy CSP1: Design Quality
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy N12: Development and the Protection of Trees
Policy N17: Landscape Character – General Considerations
Policy C4: Open Space in New Housing Areas

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (NPPF) (2021)

Planning Practice Guidance (March 2014)

Relevant Planning History

19/00623/REM	Reserved Matters application (appearance, landscaping, layout and scale) for residential development comprising 133 dwellings, public open space and associated works pursuant to outline consent 14/00948/OUT - Approved
15/01085/OUT	Residential development of up to 138 dwellings with details of access and proposed landscape bund (resubmission of planning application 14/00948/OUT) – Refused.
14/00948/OUT	Residential development of up to 138 dwellings – Refused but subsequently allowed on appeal

Views of Consultees

The **Environment Agency** state that they objected to residential development at this location when responding to the consultation in respect of 14/00948/OUT as it is located within 50m of a currently permitted non-hazardous landfill site which they regulate and which is known to be producing landfill gas. They considered that it represents an unacceptable risk to the proposed development and recommended that the application should be refused. These views remain. As the original proposal was granted planning permission at appeal against their advice they have no comments to make regarding the application.

The **Highway Authority** has no objections

The **Landscape Development Section** have the following concerns:

- The revised location of the playground equipment is not supported as it appears to be within the root protection area of retained and protected trees.
- The footpath, where within the RPA of retained trees and on previously unsurfaced ground, is not supported.
- Information concerning the impact of the installation of proposed services upon retained and protected trees has not been supported. They do not support current proposals that show new service connections within the RPAs of retained trees.
- Not all of the retained and protected trees are shown on the drawings provided. Retention and protection of trees should be made clear on all drawing layouts.

They request that the developer considers this proposal (revised layout, footpath and services installation) with his arboricultural consultant, and that adjustments be made to this layout to avoid RPAs.

All works within the RPAs of retained trees will require an Arboricultural Impact Assessment in accordance with BS5837:2012.

Representations

A representation has been received from the Thistleberry Residents' Association, the contents of which are summarised below:

- Although the plans have yet to be approved work appears to have already begun and it is surprising that more planning control and supervision has not taken place given the sensitivity of this site.
- The increase in size of the underground tanks is questioned and the ability of existing drainage and sewerage infrastructure to cope with the increase needs to be assessed. The lack of consultation with Severn Trent Water and Red Industries (owner of the adjoining landfill site) is questioned. The question as to whether the water pumping on this site is to replace the water pumping activity currently undertaken by the Coal Authority in relation to its managed mines upstream of the housing site and the landfill site is also questioned.
- Large amounts of soil that is being moved on site appears to be being used to build up the boundary with Cemetery Road and the field site to reduce the level difference and for a bund which will act as a buffer between the housing site and the landfill site. Such work should not be close to or damage the container lining of the landfill site particularly given that the play area is to be placed in the vicinity of the bund.
- The play area appears very close to the landfill boundary and the emissions might make the play area less than safe for children.
- It is of concern that this is an application for full planning permission given that important details seem to be missing.
- There is no sign of a cycle path on the plan.
- It is understood that the original application included an acoustic fence but this appears to have been downgraded to something else in this application.
- As this is an application for full planning permission it would appear that it is an oversight of the developer to have not entered into pre-consultation discussions with the TRA.
- It would be an unsafe decision to approve the application unless all concerns have been addressed.

Applicant's/Agent's submission

The application plans are available for inspection via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00616/FUL>

Background papers

Planning files referred to

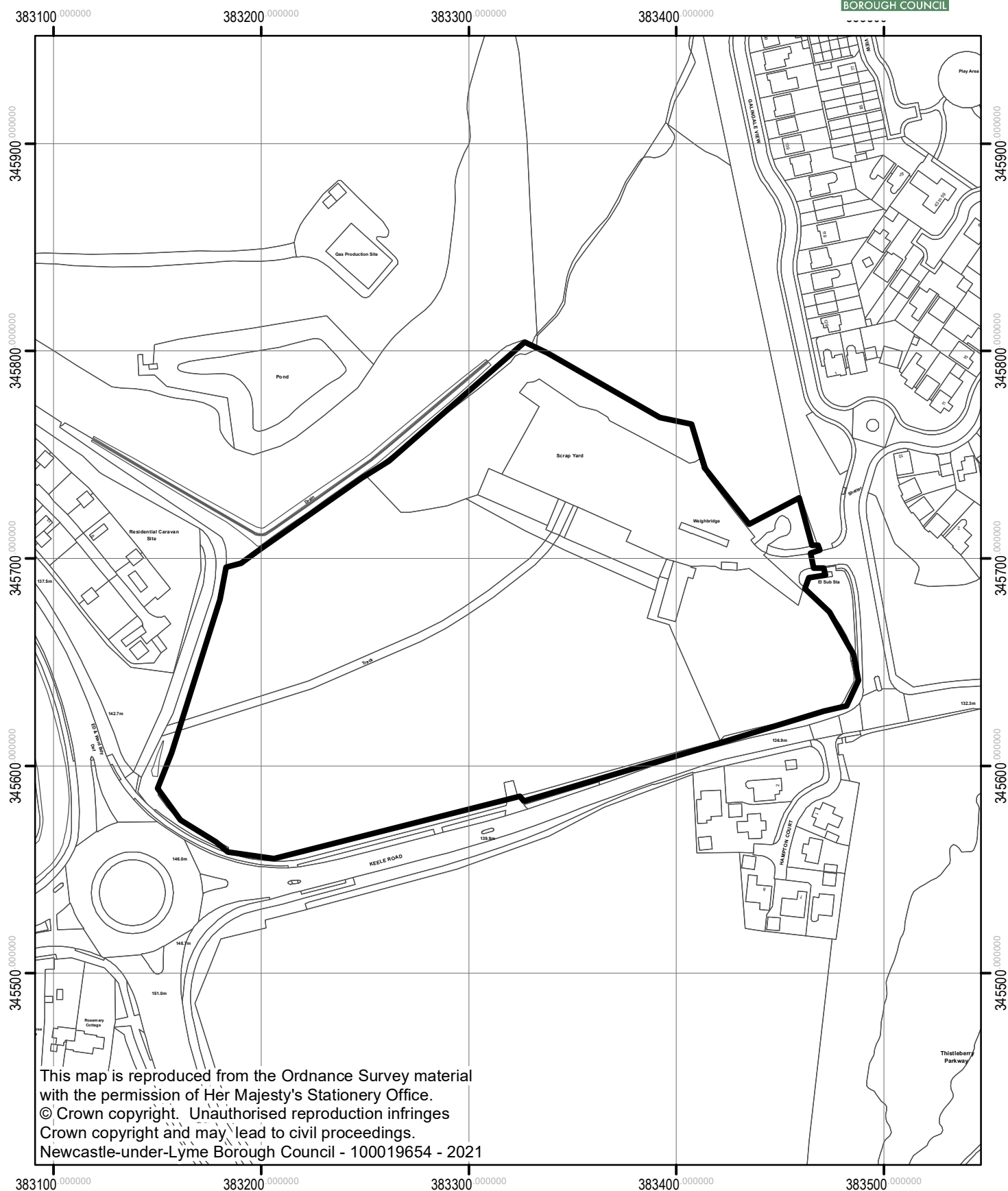
Planning Documents referred to

Date report prepared

10th March 2022

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21/00616/FUL
Former Hamptons Metal Merchants
Keele Road, Newcastle.



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LAND NORTH OF BRADWELL HOSPITAL, TALKE ROAD, BRADWELL
SEDDON HOMES LIMITED

21/00470/REM

The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 85 dwellings. It follows the granting of an outline planning permission in May 2018 for a residential development of up to 85 dwellings (17/00515/DEEM4). Details of access from the highway network were approved as part of the outline consent.

The application site lies within the major urban area, as indicated on the Local Development Framework Proposals Map. The site extends to approximately 2.56 hectares.

This application was reported to Committee on the 1st March but a decision was deferred so that further tree information could be reported to allow members to fully consider the impacts of tree loss.

The 13 week period for the determination of this application expired on the 10th August 2021 but the applicant has agreed an extension of time to the determination period to the 31st March 2022.

RECOMMENDATIONS

The Head of Planning be given the delegated authority to determine the application subject to any comments that are received from Lead Local Flood Authority not raising any significant objections that cannot be overcome through the imposition of conditions, PERMIT the application subject to the following conditions:

1. Link to outline planning permission and conditions;
2. Approved plans;
3. Facing and roofing materials;
4. Boundary treatments;
5. Hardstandings;
6. Soft landscaping;
7. Ecology mitigation and enhancements including the provision of bat roosts in buildings/and or erection of bat boxes in retained trees; and the re-inspection prior to felling of any category 2 trees (as identified in the Preliminary Ecological Appraisal) to confirm bats remain absent;
8. Provision of internal roads, private drives and parking areas;
9. Provision of visibility splays;
10. Prior approval of surfacing materials and surface water drainage for the driveways and private drives;
11. Garages retained for the parking of motor vehicles;
12. Prior approval of secure cycle storage for plots without a garage;
13. Prior approval of bin storage and collection arrangements for Plots 40 – 44 and plots 82 – 85;
14. Trees and hedgerows shown as retained shall be retained and protected throughout construction;
15. Surface water drainage;
16. Approval does not constitute the LPA's approval pursuant subject of other conditions of the outline planning permission, these needing to be subject of separate application

Reason for Recommendation

The proposed development represents a good quality design that would not harm the visual amenity of the area which would be suitable for the site and the character of the area. The level of tree loss within the site is supported following the submission of arboricultural information. The development for 85 dwellings would also provide acceptable living conditions for future occupiers and protect the residential amenity levels of neighbouring occupiers. Any issues can be addressed by suitably worded

conditions and on this basis the scheme is acceptable and meets development plan policies and the requirements of the National Planning Policy Framework.

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

The LPA and applicant have engaged in extensive discussions and the LPA has requested further information during the consideration of the application to address concerns. Following the submission of further information the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

1.1 The application is for the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 85 dwellings. It follows the granting of an outline planning permission in May 2018 for a residential development of up to 85 dwellings (17/00515/DEEM4). Details of access from the highway network were approved as part of the outline consent.

1.2 The application site lies within the major urban area, as indicated on the Local Development Framework Proposals Map. The site extends to approximately 2.56 hectares. The site adjoins the A34 which is a primary road on the highway network.

1.3 Access was approved under the outline permission with a separate access (left in only) at the northern end of the site and a separate egress (left out) at the southern end of the site. The layout of the internal access roads and parking are still reserved for approval.

1.4 The principle of residential development on the site has been established by the granting of outline planning permission 17/00515/DEEM4, following the completion of a Section 106 agreement which secured 25% Affordable Housing onsite and financial contributions of £5,579 per dwelling on the site towards the maintenance and improvement of public open space at Bradwell Dingle, £198,558 towards primary education places at Sun Primary Academy.

1.5 The outline planning permission was subject to a number of planning conditions, including conditions which required information to be submitted as part of the reserved matters submission, namely; details of a surface water management scheme; access arrangements/ improvements to the site for cyclists travelling from the south and replacement tree planting for any existing trees that are proposed to be lost.

1.6 The application was reported to Committee on the 1st March but a decision was deferred so that further tree information could be reported to allow members to fully consider the impacts of tree loss and given that this is a reserved matters application the key issues for consideration are now limited to:-

- The impact on trees and suitable replacement tree planting;
- The design of the scheme and the impact on the form and character of the area;
- The impact on the residential amenity and living conditions of neighbouring and future occupiers;
- Access, parking and highway safety matters;
- Ecology impacts;
- Sustainable drainage considerations;
- Reducing Inequalities.

2.0 The impact on trees and suitable replacement tree planting

2.1 The application was deferred at the 1st March meeting to enable further information to be reported in relation to tree loss and replacement tree planting to mitigate the impact. This has resulted in amended and additional tree information being submitted by the applicant.

2.2 Policy N12 of the local plan states that;

“The Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

Where, exceptionally, permission can be given and trees are to be lost through development, replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

Where appropriate, developers will be expected to set out what measures will be taken during the development to protect trees from damage.”

2.3 The application follows outline planning permission which was supported by a Tree Report. This Report proposed the removal of the northern and southern tree groups, as well as trees along the western edge to facilitate the access, and concluded that these are a mix of low and moderate quality specimens. In order to mitigate the impact of tree loss the outline permission secured tree protection measures for trees to be retained, along with replacement tree planting as part of the reserved matters application. The tree report is an approved document of the outline permission.

2.4 The application is now supported by an Arboricultural Impact Assessment (AIA) and method statement (AMS) that indicates that tree removal and replacement will be required and whilst the submitted information seeks to demonstrate the total number of trees to be removed it must be recognised that a specific number of trees to be removed will always be difficult to quantify because some trees or areas of woodland are grouped together as one rather than trees being counted and then recorded individually. This is accepted as an appropriate method of recording trees within the British Standard BS 5837:2012 and in this instance this method has been used by the applicant to record groups of trees and woodland on the site.

2.5 There are two groups of trees extending along the northern boundary, either side of an existing access, and one group extending along the southern boundary, which are to be removed. Such groups are densely packed and contain high numbers of self-seeded trees. They are relatively young trees that are generally similarly dimensioned. Whilst these groups have some value, none of the trees in these groups stand out as being of a larger size, more established tree or being of higher quality.

2.6 In terms of the individual trees that have been surveyed and counted, 81 trees will be removed. Of the removals, 67 of these are Ash trees that will need to be removed due to ill health; 1 Beech tree will also be removed due to ill health; and 13 trees along the western boundary are required for removal to facilitate the development (entrance and exit) to the site. The removal of trees due to ill-health therefore equates to 84% of the total number of individual trees for removal. A total of 20 individual trees and 3 groups containing about 32 trees in total are to be retained along the western, front boundary.

No of trees	No of trees to be removed or planted	Reason for removal
Total No of 133 individually surveyed trees within the site including groups on western (front) boundary	81 to be removed	68 removed due to ill health (84%) 13 trees removed to accommodate development (16%)
Total No of trees to be planted	93 trees to be planted overall 84 of which are to be heavy standard	N/A
Total No of Trees at the end of the development	145 overall	N/A

Note paragraph 2.9 below which details the additional landscaping measures being provided.

2.7 It is evident that Ash die back is a problem affecting trees on the site. In particular the trees affected by Ash die back on the western boundary represents a significant safety hazard because of the close proximity to the A34. It is likely that the Ash dieback infection will spread to the remaining

Ash trees on the site. In a 'no-development scenario' it is almost certain that these trees will die in any case.

2.8 Following the removal of the ash trees and the trees to facilitate the development, as listed above, the application submissions provide for a landscape buffer and a long term solution to the Ash die back outbreak on the western boundary of the site. To achieve this, the landscape strategy proposes 25 replacement trees which will be heavy standards. These will supplement the retained Beech trees which will maintain the mature buffer on this prominent boundary.

2.9 The submitted landscape strategy overall details that 93 replacement trees will be planted with 84 of these being heavy standard replacement trees. There are also proposed to be over 2,500 hedgerows plants, over 1,900 shrubs, 1,800 bulbs as well as aquatics and climbers.

2.10 The groups of trees on the northern and southern boundaries will be lost but this is consistent with the outline permission, as is the tree loss on the western boundary.

2.11 A number of objections have been received raising concerns about tree loss to accommodate the proposed development and the associated impacts on the visual amenity of the area and wildlife.

2.12 It is clear that tree loss is necessary due to poor condition or to accommodate the development. This loss will undoubtedly result in a degree of impact and your officers have sought suitable tree replacement to mitigate the impact.

2.13 The Councils Landscape Development Section (LDS) have been heavily involved in discussions at the outline application stage and as part of this application. They are content with the information set out within the submitted Arboricultural Impact Assessment (AIA), the method statement (AMS) and the landscape strategy plans which demonstrate that suitable and acceptable tree replacement can be achieved to supplement trees that can be retained. In addition to the replacement trees, there are also proposed to be the substantial areas of hedgerow, shrub, bulb, aquatic and climber elements as part of a comprehensive landscape strategy. The replacement planting and landscape strategy can be secured by condition.

2.14 It is considered that the level of replacement tree planting is acceptable and would accord with Policy N12 of the local plan, whilst also ensuring that the landscape strategy for the site would help to enhance the design of the proposed scheme in accordance with CSP1 of the CSS and the guidance and requirements of the NPPF.

3.0 The design of the scheme and the impact on the form and character of the area, including loss of trees

3.1 Paragraph 126 of the recently published revised National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 130 of the revised framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

3.2 Policy CSP1 of the Core Spatial Strategy (CSS) lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the revised NPPF.

3.3 Section 7 of the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) provides residential design guidance. In particular, Policy R14 states that developments must provide an appropriate balance of variety and consistency.

3.4 The application site fronts the A34 and is dominated by a linear group of trees that runs the length of the front boundary to the site. The approved access arrangements will result in tree loss on the site frontage but the application is supported by a comprehensive design and access statement, along with arboricultural information and a landscaping scheme.

3.5 The proposed development is for 85 dwellings which will be a mix of apartments, mews, semi-detached and detached dwellings that would front an internal road network.

3.6 The design of existing dwellings in the surrounding area is varied, as is the character and form of the area.

3.7 The layout of the scheme is similar to the indicative layout presented at the outline stage but the applicant has set out that the proposed development has sought to achieve, amongst other things, a high quality sustainable residential neighbourhood, which maintains and enhances the key, existing landscape features, integrating the site into the wider area. The design also seeks to provide a range of house types to create a balanced mixed community.

3.8 The design of the house types is acceptable and the mix and quality of the facing materials will add interest to the street scenes. The location and type of boundary treatments would also add interest to the street scenes. These aspects would contribute to the acceptable design of the development and the proposed soft landscaping will enhance the appearance of the development, in particular landscaping on the sites boundaries.

3.9 Subject to conditions which secure the details set out within the application regarding facing materials and boundary treatments, it is considered that the proposed development represents a good quality design and accords with policy CSP1 of the CSS and the guidance and requirements of the NPPF.

4.0 The impact on the residential amenity and living conditions of neighbouring and future occupiers

4.1 Paragraph 130 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 185 that decisions should also ensure that new development reduces potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

4.2 The outline planning permission secured noise mitigation conditions and this application is supported by an up-to-date Noise Impact Assessment (NIA) which recognises that the proposed dwellings closest to the A34 will be affected by road traffic noise. It further acknowledges that the calculated noise levels for proposed dwellings closest to the A34 are such that noise mitigation measures are appropriate to protect the living conditions of future occupiers of certain plots. The mitigation consists of sound insulated windows, along with specialist powered acoustic ventilators. In terms of any rear gardens that could be unacceptably affected by road traffic noise, a 2.0m high acoustic barrier is recommended.

4.3 The rear of the site shares a boundary with the neighbouring primary school play areas and noise impact is likely during weekdays. Therefore the submitted NIA suggests that a 1.8m high acoustic barrier is installed along the boundary with the school to mitigate the impact on future occupiers of the dwellings. The plots affected by noise mitigation measures are set out at figure 3 of the NIA.

4.4 The noise mitigation measures set out in the NIA are acceptable and the Environmental Health Division (EHD) has raised no objections. The noise mitigation conditions of the outline planning permission are still binding and no additional conditions are necessary. The conditions include a restriction on construction hours and the submission and approval of a construction management plan. These conditions will also address concerns raised in representations received from neighbouring occupiers.

4.5 The Council's Supplementary Planning Guidance (SPG) - Space Around Dwelling provides more detailed guidance on privacy and daylight standards including separation distances between proposed dwellings and new development in relation to existing dwellings.

4.6 Objections have been received from neighbouring properties about the potential loss of privacy due to overlooking from the proposed dwellings. The proposed layout of the scheme has demonstrated that the required separation distances, set out in the SPG, between existing dwellings on Knype Way and the proposed dwellings will be exceeded. Therefore, acceptable living conditions for existing neighbouring properties and future residents of the development will be achieved. Acceptable separation distances between plots that directly face one another is also achieved.

4.7 The orientation and design of the proposed plot 1, near the front of the site, will ensure that no adverse impact would be caused to the occupiers of existing house at No. 6 Talke Road.

4.8 All proposed plots would have an acceptable level of private amenity space.

4.9 Overall, the proposal is considered to meet the guidance and requirements of the NPPF and the living conditions and quality of life of existing and future residents will be protected to an appropriate and acceptable standard.

5.0 Access, parking and highway safety matters

5.1 As discussed, details of the access to the site were approved when outline planning permission was granted, which secured a separate access (left in only) at the northern end of the site and a separate egress (left out) at the southern end of the site. The layout of the internal access roads and parking are still reserved for approval.

5.2 The outline permission sought, via conditions 8 & 9, the detailed access works to include details of construction, surface water drainage, street lighting, signing, road markings and a stage 2 safety audit, along with a Traffic Regulation Order to prohibit U turns at the A34 Talke Road / Bradwell Lane traffic signal junction. The outline planning permission also secured a footpath link to, and through, the eastern boundary of the site to allow a direct pedestrian access from the development to the Sun Primary Academy at school opening and closing times.

5.3 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.4 The internal access roads, parking and turning arrangements are now submitted for approval.

5.5 The proposed dwellings would be a mix a 1, 2, 3 and 4 bedroom properties. The one bedroom properties will have one space, the 2 and 3 bedrooms properties will each have two spaces, and the 4 bedroom properties would have 3 spaces. This is in full accordance with the maximum standards set out in policy T16 of the local plan. This is considered acceptable for this location.

5.6 The Highways Authority has raised no objections subject to conditions which will secure acceptable access, the internal road layout and car parking arrangements, along with measures to promote sustainable development objectives. However, the requested condition for a Residential Travel Plan is not required because this is secured by condition 10 of the outline planning permission.

5.7 The Council's waste management section have advised that the roads and accesses need to be to adoptable highway standards. They also raise a number of concerns with the layout of the proposed development in terms of collection arrangements for plots on private drives, whilst also raising concerns about bins being left on the highway which has a negative impact. A concern about the layout requiring a waste collection vehicle to drive around the development twice, increasing financial, time and carbon costs, is also set out.

5.8 The applicant has provided plans showing the extent of the adoptable highway. This shows that of the 85 dwellings proposed seven do not fully, or partially, front onto adopted highway. One property has a distance of 33m to the adoptable highway and the others have a distance of less than 25m.

5.9 It is accepted that a refuse vehicle may have to travel around part of the site twice but the layout is not dissimilar to the indicative layout presented in the outline planning application. The layout is

appropriate for bin collection and plots on private drives can easily present and retrieve their bins on bin collection day.

5.10 Condition 11 of the outline consent sought to secure access arrangements/ improvements to the site for cyclists travelling from the south. This condition has been removed by the approval of application, reference 17/00515/NMA as there are no obvious improvements that could be implemented that would improve connectivity of the site for cyclists travelling from the south, that aren't already achieved.

5.11 All other conditions of the outline planning permission are still binding and, subject to the further conditions advised by the Highways Authority, the proposed development is considered unlikely to lead to significant highway safety and on street car parking implications within the development site. The development would therefore meet the relevant policy and guidance and requirements of the NPPF.

6.0 Ecology Impacts

6.1 "Policy CSP4 of the Core Strategy states that "the quality and quantity of the plan area's natural assets will be protected, maintained and enhanced through the following measures ... ensuring that the location, scale and nature of all development planned and delivered through this Core Spatial Strategy avoids and mitigates adverse impacts, and wherever possible enhances, the plan area's distinctive natural assets, landscape character".

6.2 Paragraphs 174 & 180 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If development cannot avoid significant harm to biodiversity by adequate mitigation then planning permission should be refused.

6.3 As discussed, the principle of residential development on the site has been established by the granting of outline planning permission 17/00515/DEEM4 for up to 85 dwellings. The outline planning application was supported by an Extended Phase 1 Ecology Report, dated January 2016, which set out that the planted trees and rough grassland borders around the edge of the site are likely to be the areas of most value to wildlife and a number of recommendations were made.

6.4 This application is now supported by a Preliminary Ecological Appraisal, dated April 2021, which again sets out that woodland, trees and vegetation are its key features. These features support amphibians, bats or badgers, birds and reptiles but surveys indicate that there is no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development but mitigation measures are proposed.

6.5 A significant number of objections have been received to the loss of trees and the impact on wildlife on the site. Staffordshire Wildlife Trust (SWT) have also objected on the grounds of net loss of biodiversity, insufficient information on protected species and surface water drainage. In particular they advise that more of the existing trees and green areas could be retained, for greater amenity, landscape, wildlife and carbon storage. They also indicate that additional bat surveys are required before a decision is made.

6.6 The proposal has outline planning permission and the principle of residential development of up to 85 dwellings on the land and the associated impacts on, and potential loss of, biodiversity has been accepted. However, it is considered that Biodiversity mitigation and enhancements have been proposed where possible in this application.

6.7 The application is supported by a Preliminary Ecological Appraisal (PEA) which indicates that bat species may use the woodland, trees and hedgerow along the site perimeters for foraging and commuting and that roosting of bats may occur within some trees on the western (front) boundary, but use is unlikely. No trees have been identified that have definite bat roost potential. No other protected species or habitat has been identified.

6.8 The PEA indicates that the trees on the western boundary which have limited potential to support bats (category 2 trees) can be felled if reasonable avoidance measures are used recommending that

before felling they are re-inspected for bats to confirm they remain absent. No other bat survey work is recommended in the PEA.

6.9 Other mitigation/enhancement measures recommended in the PEA include amongst other things, in addition to supplemental planting, rear garden fences to include gaps at the base to allow the passage of hedgehogs; bat boxes and sparrow terraces. A condition can secure the recommendations and mitigation measures of the PEA.

6.10 Following consideration of the layout of the site and the provision of the proposed enhancements and mitigation and acknowledging that the principle of the development of the site has been accepted it is concluded that the proposal is acceptable in respect of its impact to biodiversity and ecology.

7.0 Sustainable drainage considerations

7.1 Policy CSP3 of the CSS indicates that development which positively addresses the impacts of climate change and delivers a sustainable approach will be encouraged.

7.2 Paragraph 152 of the revised NPPF also recognises that “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development”.

7.3 The outline permission was supported by an indicative sustainable urban drainage scheme (SuDS) which included a surface water pumping station, pervious pavements and attenuation tanks into the scheme. On this basis, condition 6 of the outline permission required that any application for the approval of reserved matters shall include a detailed surface water management scheme which shall include a scheme for the provision and implementation of the method of working and maintenance of the surface water drainage system.

7.4 The application has been supported by a Flood Risk Assessment & Drainage Assessment but the County Council acting as the Lead Local Flood Authority (LLFA) has advised that the assessments have a number of shortfalls and they have requested further information to ensure that an acceptable final sustainable urban drainage scheme is secured.

7.5 Since the LLFA consultation response, there have been ongoing discussions between the applicant and the LLFA. This has resulted in subsequent revised Flood Risk Assessments & Drainage Assessments being submitted and your officers are content that an acceptable final sustainable urban drainage scheme can be secured but the further comments of the LLFA are again awaited. These are likely to be received prior to the committee meeting.

7.6 Severn Trent Water have raised no objections to the proposals and subject to no objections being received from the LLFA the proposed development has demonstrated an acceptable sustainable urban drainage scheme, in accordance with CSP3 of the NPPF and the guidance and requirements of the NPPF

8.0 Reducing Inequalities

8.1 The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

8.2 The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

8.3 People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

8.4 When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

8.5 The scheme has been developed embracing the Building for Life 12 criteria developed by CABI and the Home Builders Federation. It is therefore considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

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

Policy T16: Development – General Parking Requirements
Policy N3 Development and Nature Conservation – Protection and Enhancement Measures
Policy N4 Development and Nature Conservation – Use of Local Species
Policy N12: Development and the Protection of Trees
Policy N17: Landscape Character – General Considerations

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (July 2021)

[Planning Practice Guidance](#) (March 2014)

Supplementary Planning Guidance/Documents

[Space Around Dwellings SPG](#) (SAD) (July 2004)

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

[Waste Management and Recycling Planning Practice Guidance Note](#) (2011)

Relevant Planning History

17/00515/DEEM4 Development of up to 85 dwellings and associated access arrangements Permitted

17/00515/NMA Non-material amendment to application reference 17/00515/DEEM4 to remove Condition 11 Permitted

Views of Consultees

The **Highways Authority** raises no objections subject to conditions which secure internal roads, private drives and parking areas; the footpath link to the Sun Academy primary school; visibility splays; surfacing materials and means of surface water drainage for the driveways and private drives; garages retained for the parking of vehicles; bin storage and collection arrangements for Plots 40 – 44 and plots 82 – 85; secure cycle storage provision for plots without a garage; and the implementation of the Residential Travel Plan.

The **Environmental Health Officer** raises no objections.

The **Landscape Development Section** initially raised objections to the substantial loss of trees from the frontage with Talke Road to accommodate the new vehicular access points. They also raised concerns about the impact on retained trees. They advised that trees are an important feature to the locality and there appears to be the opportunity to retain additional trees north of the new access road in the north-western corner of the site. Additionally, they advise that it is also unclear from the information submitted whether the trees are within the site or not. Therefore they have requested

information of existing and proposed levels, an Arboricultural Impact Assessment, Tree Removal/Retention Plan, Schedule of Work for Retained Trees and details of special engineering within RPAs.

Following the submission of a series of tree reports, protection plans and landscaping proposals there are no objections to the scheme but up to date comments are awaited.

Additionally, they request a contribution by the developer for capital development/improvement of offsite open space of £4,427 per dwelling in addition to £1,152 per dwelling for 60% of maintenance costs for 10 years. Total contribution £5,579 per dwelling. This will be used for improvements to Bradwell Dingle which is approximately 700m away.

The **Crime Prevention Design Advisor** are supportive of the scheme and advises that references within the Design and Access Statement and particularly the very comprehensive Crime impact Statement ably demonstrate that the applicant has sought to provide a development where designing out crime and designing in community safety are central considerations. The layout proposals would seem to bear this out and positive comments are made on a number of design measures to reduce crime and disorder. However, one matter of concern identified is the pedestrian connection to the neighbouring school but design advice is given regarding gate type and security measures.

The **County Flood Authority** has raised a number of concerns in relation to the submitted surface water drainage strategy set out within the flood risk assessment. However, their comments on a revised surface water drainage strategy, set out in a revised flood risk assessment, are now awaited.

Severn Trent Water raises no objections.

Staffordshire Wildlife Trust has submitted a holding objection on the grounds that the proposals do not follow the same principles as the previous indicative masterplan, submitted for the outline permission 17/00515/DEEM4 and the proposed development results in net loss of biodiversity. There is also insufficient information on protected species and surface water drainage. Therefore they request further information on biodiversity net gain, sustainable drainage and bats, along with amendments to the layout to retain more trees, reduce hard surfaces and provide more green space.

In order to determine the measures and compensation necessary to achieve net biodiversity gain, the easiest and clearest method is to carry out an assessment using the Defra 3.0 biodiversity metric. This will quantify the effect of the current proposal, help inform design and establish compensatory measures where necessary. They also request further bat surveys to be undertaken.

Comments were also invited from the **Councils Housing Strategy Section, Waste Management Section** and the **Greater Chesterton Locality Action Partnership (LAP)** but in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

Twenty Two (22) representations have been received raising the following objections;

- Loss of privacy to neighbouring properties;
- Adverse impact of noise from construction activities;
- Lack of traffic and access considerations;
- Loss of trees will impact bat and bird populations;
- Loss of wildlife;
- The woodland and tree line should be retained, protected, and enhanced;
- Impact on root protection areas;
- Loss of a view;
- Loss of open (green) space;
- Green spaces should be protected to improve our mental or physical wellbeing;
- Flooding and climate change issues; and
- The Council have a clear legal duty to protect the environment;

Applicant's/Agent's submission

The application is accompanied by the following key documents;

- Planning Statement;
- Design and Access Statement;
- Arboricultural Report
- Tree Protection Plans;
- Noise Impact assessment;
- Soft Landscaping Plans;
- Flood Risk Assessment & Drainage Assessment;
- Preliminary Ecological Appraisal; and
- Air Quality Assessment.

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/00470/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17th March 2022



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DUPRE MINERALS, SPENCROFT ROAD, CHESTERTON
MR DAVID CHALLINOR

21/00654/FUL

The application seeks full planning permission for the demolition of a cluster of small buildings and the construction of an extension to the existing industrial building. The proposed extension would have an internal floor area of 1008 square metres.

The site is located off Spencroft Road in the urban area, as indicated on the Local Development Framework Proposals Map.

The site is located within Flood Zone 3 therefore it has a high risk of flooding.

The 13 week period for the determination of this application expired on the 2nd December 2021 but the applicant has agreed an extension of time to the determination period to the 4th March 2022.

RECOMMENDATIONS

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

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Colour of cladding**
- 4. Prior approval of existing and proposed parking arrangements**
- 5. Provision of sound insulation**
- 6. Construction hours**
- 7. Electric vehicle charging provision**
- 8. Flood risk mitigation measures and Sustainable Drainage Strategy**
- 9. Unexpected land contamination remediation**

Reason for Recommendation

The proposed development would support the economic growth of the business within a highly sustainable location. The scheme represents an acceptable design that would not harm the visual amenity of the area and mitigation measures secured by condition can suitably address concerns. Overall the scheme represents a sustainable form of development that accords with the guidance and requirements of the NPPF and should be supported.

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

Officers of the Authority have requested further information throughout the application process to address concerns of consultees. The applicant has subsequently provided amended and additional information. This has resulted in an acceptable form of development now being proposed.

Key Issues

The application seeks full planning permission for the demolition of a cluster of small buildings and the construction of an extension to the existing industrial building. The proposed extension would have an internal floor area of 1008 square metres.

The site is located off Spencroft Road in the urban area, as indicated on the Local Development Framework Proposals Map.

The site is located within Flood Zone 3 therefore it has a high risk of flooding.

The application confirms that the proposed extension would serve the existing industrial uses of the site and due to its location within an established industrial setting it is considered that the proposed development is acceptable. The application is supported by appropriate ground investigation reports

which did not find any significant risks from ground contamination and subject to appropriate planning conditions land contamination matters can be mitigated. Therefore, the key issues in the determination of this planning application are considered to be;

1. Design, Appearance and Impact on Amenity,
2. Parking Provision and Impact on Highway Safety, and
3. Flood Risk issues.

1. Design, Appearance and Impact on Amenity

Paragraph 126 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to say at paragraph 130, that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

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.

The Urban Design Supplementary Planning Document indicates at Policy E3 that business development should be designed to contribute towards improving the character and quality of the area.

The application site is set within an industrial context with a variety of style, design and size of buildings and units.

The existing building to be extended is a two storey brick building with a flat roof. The proposed extension would also replace an existing single storey brick building with a pitched roof.

The proposed development represents a large side extension that would be constructed of metal sheet cladding to the elevations and roof. Therefore, the design of the proposed extension would be a contrast to the existing building. It would also be taller than the existing building.

Whilst the proposed extension would be a contrast to the existing two storey brick building it would be similar in appearance to neighbouring industrial buildings. Therefore the proposed extension would sit comfortably within the context of the area and it would showcase the difference between old and new.

The colour of the proposed metal sheeting and external appearance of the extension would be a light grey colour and no objections are raised with neighbouring buildings being of a similar colour.

The application is supported by a Noise Impact Assessment (NIA) and the Environmental Health Division has raised no objections subject to conditions which limit construction and demolition hours and secure sound insulation in the construction of the building.

Overall, the proposed development would have an acceptable design and it would not result in significant harm to the visual amenity of the area. It is therefore considered to comply with Policy CSP1 of the CSS and the guidance and requirements of the NPPF.

2. Parking Provision and Impact on Highway Safety

The NPPF indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The NPPF also states that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.

Saved Policy T16 of the NLP states that development which provides significantly less parking than the maximum specified levels it refers to 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 application indicates that access arrangements for the site will not be altered and the site currently has 25 car parking spaces.

Policy T16 of the local plan requires a maximum of 13 additional spaces to be provided for an extension of this size. However, whilst no additional spaces are proposed there appears to be scope for an additional 7 car parking spaces to the front of the proposed extension.

The site is within a highly sustainable location within walking and cycling distance of residential areas and with good access to public transport opportunities.

The Highways Authority has raised no objections subject to the submission and approval of a car parking and access plan.

The requested condition is considered reasonable and necessary to make the development acceptable and to ensure that appropriate parking provision for the site is secured, which currently appears informal and sporadic.

It is also considered necessary to secure electric vehicle charging provision and similar schemes have secured at least 1 parking space per 1000 square meters of commercial floor space with a fully operational dedicated electric vehicle charging point, with all other parking spaces being provided with passive wiring to allow future charging point connection. This level of provision is also considered acceptable for this development and 2 spaces within the site should be provided with a fully operational dedicated electric vehicle charging point. Additional spaces provided within the site shall be provided with passive wiring to allow future charging point connection.

Due to the nature of the development and its location it is considered that the proposed development would not exacerbate an existing on street car parking problem and the proposed development is considered to comply with the guidance and requirements of the NPPF.

3. Flood Risk issues

The application site is located within Flood Zone 3 therefore it has a high risk of flooding.

Paragraph 159 of the NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

The application was originally supported by a Flood Risk Assessment (FRA) but the Environment Agency (EA) and Lead Local Flood Authority (LLFA) both raised concerns with the information and this has resulted in a revised FRA and Drainage Strategy (DS) being submitted.

The EA and LLFA now raise no objections subject to conditions which secure flood risk mitigation measures. In particular the LLFA request a pre commencement condition which incorporates the identified measures into an acceptable surface water drainage scheme, which will then need to be submitted for further approval. Therefore, subject to the advised planning conditions the development is acceptable and flood risk is minimised in accordance with the guidance and requirements of the NPPF.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public**

authorities to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

The scheme has been developed embracing the Building for Life 12 criteria developed by CABI and the Home Builders Federation. It is therefore considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy 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 CSP3: Sustainability and Climate Change

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

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

National Planning Policy

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

[Planning Practice Guidance](#) (March 2014)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

None relevant to the determination of this planning application.

Views of Consultees

The **Highways Authority** raises no objections subject to a condition that secures the car parking and access arrangements.

The **Council's Economic Regeneration Section** support the application.

The **Environmental Health Division** raises no objections subject to a series of conditions that secure matters relating to the following;

- Construction hours restriction
- Sound insulation for the building to control noise breakout, and
- Prior approval of ground gas mitigation measures.

Staffordshire County Council as the **Lead Local Flood Authority** have raised no objections following the submission of a revised Flood Risk Assessment and Drainage Strategy but they request a pre commencement condition which secures the measures, as set out in the submitted documents, are incorporated into an acceptable surface water drainage scheme. An advisory/informative is also recommended for satisfactory arrangements for the control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy.

The **Environment Agency** advises that they are satisfied the revised Flood Risk Assessment and raise no objections subject to conditions which secure the identified Flood Resilience Measures, along with a condition which secures a remediation strategy for previously unidentified contamination during construction.

Comments were also invited from and **Greater Chesterton Locality Action Partnership (LAP)** and in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by a Planning Statement, Noise Impact Assessment, Revised Flood Risk Assessment and Phase 1 & 2 Environmental Report.

All of the application documents are available for inspection at
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/00654/FUL>

Background papers

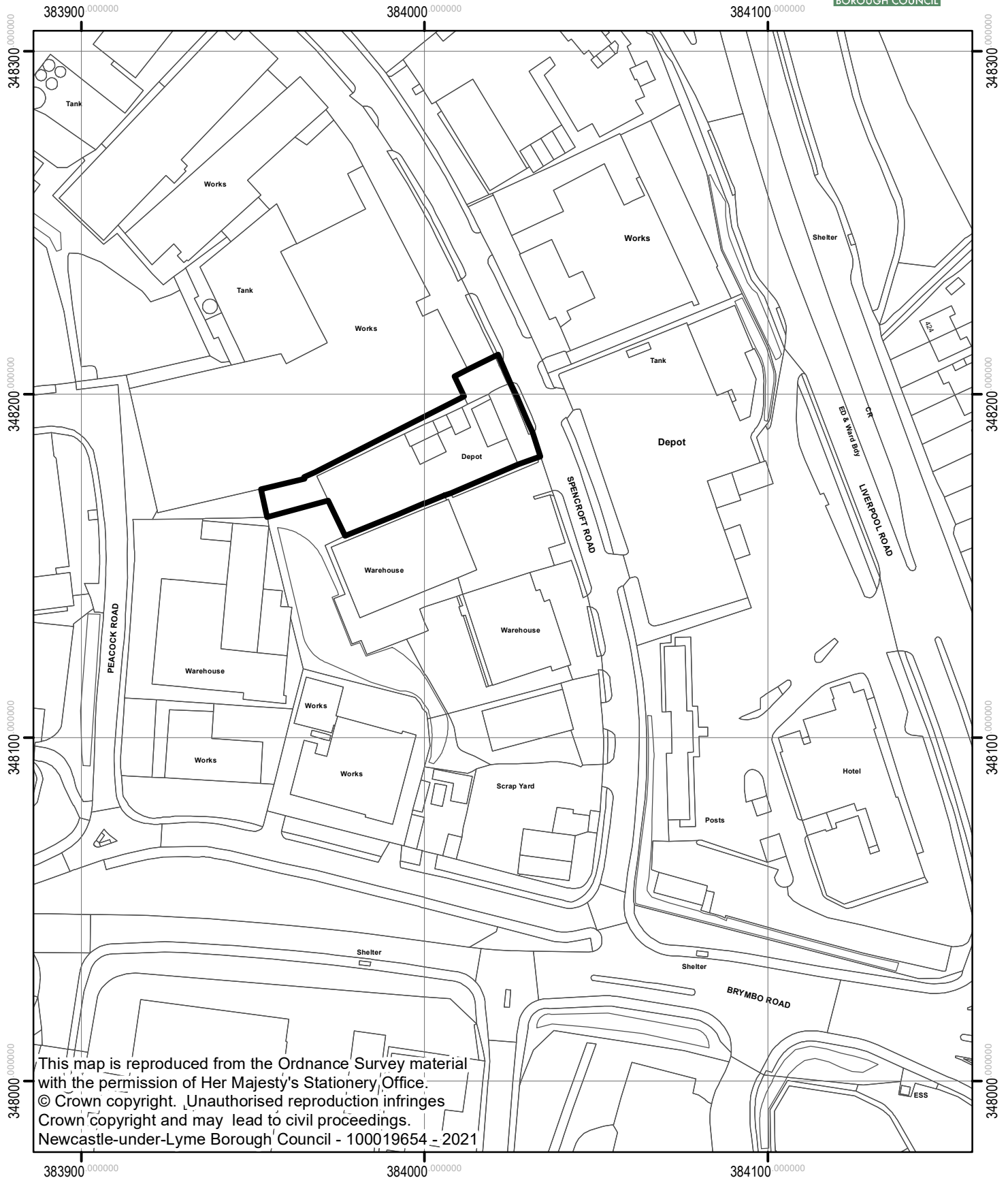
Planning files referred to
Planning Documents referred to

Date report prepared

11th March 2022

21/00654/FUL

Dupre Minerals, Spencroft Road,
Newcastle.



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TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS
WAIN HOMES WEST MIDLANDS

21/00975/FUL

This application seeks to vary Condition 2 of permission 20/00201/REM which granted reserved matters consent (internal access arrangements, layout, scale, appearance and landscaping) in respect of a residential development of 128 dwellings. Condition 2 lists the approved drawings and the variations sought are to allow changes to the approved site layout and house type plans.

The application site lies outside the village envelope of Loggerheads and within the open countryside and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map. The site area is approximately 5.83 hectares.

This application was reported to Committee on the 1st March but a decision was deferred to enable consideration and response to late comments from the Waste Management Service.

The 13 week period for the determination of this application expired on 21st January 2022 but the applicant has agreed an extension to the statutory period until 1st April.

RECOMMENDATION

PERMIT subject to conditions relating to the following:

- 1. Variation of condition 2 to list the revised plans**
- 2. Any other conditions attached to planning permission 21/00975/REM that remain relevant at this time.**

Reason for Recommendation

The proposed amendments to the layout and elevations would be acceptable in terms of impact on the form and character of the area. There would be no adverse impact on highway safety or trees and it is considered that appropriate waste collection arrangements can be achieved throughout the development.

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

Additional and amended information has been sought from the applicant where necessary and obtained and the proposal is now considered to be a sustainable form of development in compliance with the provisions of the development plan and the National Planning Policy Framework.

Key Issues

This application seeks to vary Condition 2 of permission 20/00201/REM which granted reserved matters consent (internal access arrangements, layout, scale, appearance and landscaping) in respect of a residential development of 128 dwellings. Condition 2 lists the approved drawings and the variations sought are to allow changes to the approved site layout and house type plans.

In considering an application to vary a condition, the Authority has to consider only the question of the conditions that are the subject of the application, it is not a complete reconsideration of the application. If the Authority considers that planning permission may be granted subject to different conditions it can do so. If the Authority considers that the conditions should not be varied or removed it should refuse the application.

There is a Grade II Listed milepost on Eccleshall Road to the south-west corner of the site but it was concluded in relation to the outline application, that the development would not adversely affect its setting. The revised application raises no residential amenity issues and the number, mix and

distribution of affordable units across the site is acceptable. Therefore, the issues for consideration now are:-

- Is the proposal acceptable in terms of its design, housing mix and impact on the form and character of the area?
- Is the internal road layout and parking provision acceptable in highway safety terms?
- Is the impact on trees acceptable?
- Other matters

Is the proposal acceptable in terms of its design and impact on the form and character of the area?

Section 12 of the NPPF sets out policy which aims to achieve well-designed places. Paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. At paragraph 130 it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CSP1 of the CSS lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the NPPF.

Section 7 of the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) provides residential design guidance. R3 of that document states that new development must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it.

Section 10.1 of the SPD indicates that the aims for development within, or to extend, existing rural settlements are

- a. To respond to the unique character and setting of each*
- b. Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location*
- c. Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character*

RE5 states that new development in the rural area should amongst other things respond to the typical forms of buildings in the village or locality and that new buildings should respond to the materials, details and colours that may be distinctive to a locality.

R13 states that the assessment of an appropriate site density must be design-led and should consider massing, height and bulk as well as density. R14 states that developments must provide an appropriate balance of variety and consistency.

Policy LNPG2 of the Loggerheads Neighbourhood Plan states that to be supported, proposals for ten or more houses must include a mix of types of accommodation to meet requirements identified in the latest assessment of local housing needs including accommodation suitable for first time buyers and the elderly. At least a third of new homes, unless it can be demonstrated there is not a need for this level of provision must comprise a combination of one or two bedroomed properties and one or two bedroomed properties suitable to provide independent living for the elderly.

Policy LNPP1 states that to be supported, new development must demonstrate high standards of design. A number of requirements are listed, the most relevant of which are as follows:

- Complementing the established character of the surrounding context in terms of scale, density, massing, height and degree of set-back from streets and spaces.
- Creating attractive, safe and convenient environments for pedestrians.
- Providing a mix of overlooked parking provision, as an integral part of layout, so that parking does not dominate streets and space.
- Include high quality materials, to complement those used in the surrounding context.

- Designing residential garages so that they do not obscure or dominate frontages and are in or behind the building line.

Since the approval of the reserved matters consent, Wainhomes has been appointed as the developer for the site. This application therefore seeks approval for Wainhomes' house type range.

The proposed layout of the site is very similar to that of the approved scheme and the proposals would provide a similar range of house types as previously approved, but with the addition of 12 no. 1-bed apartments. A mix of 1, 2, 3, 4 and 5-bed dwellings are proposed with a mix of detached, semi-detached, terraced and bungalows. The dwellings would be a maximum of 2-storeys in height. The internal street layout would remain largely unchanged and the house types now proposed would sit roughly on the same building line and footprint as the dwellings already approved. Given the variety of dwelling size, density and style currently in Loggerheads, it is considered that the layout proposed would respect local character.

The proposals provide a total of 36 no. 1 & 2-bed properties, which includes 4 no. 2-bed bungalows for the elderly. A further 3 no. 3-bed bungalows would be provided which could be suitable for the elderly, increasing the total provision of smaller properties and bungalows to 30.5%. Although this is marginally below the recommended proportion of one third of the dwellings referred to in Policy LNPG2 of the Neighbourhood Plan, it is comparable to that provided in the approved scheme and it is considered sufficient in providing a mix of accommodation types to create a mixed and balanced community.

The proposed dwellings would comprise a traditional form, have gable features, and would be constructed primarily with red brick and tiled pitched roofs. The dwellings would have brick detailing to windows and door cills and lintels and some would also have bay windows. Rendered elements would be provided in part to add variety to the street scene and provide legibility across the development. The materials and details are consistent with those previously approved and the appearance of the proposed dwellings would be broadly similar.

Your Officer's view is that the design of the dwellings and the materials palette proposed would provide a consistency throughout the site and would also provide sufficient articulation and focal points to create variety and interest in the streetscene. The layout and density of the proposed scheme and the proposed house types reflect local character and it is considered that the proposal would be acceptable in terms of its design and impact on the form and character of the area.

Is the internal road layout and parking provision acceptable in highway safety terms?

The means of access to the site was determined at the outline stage. Regarding the internal access and parking, the Highway Authority requested amendments and further clarification. The information has been received and the Highway Authority now has no objections subject to the imposition of conditions. It is considered therefore that the scheme is acceptable in terms of impact on highway safety.

In the previous scheme, a number of dwellings were accessed via short private driveways and given that the refuse vehicle would be unable to access the front of those properties, occupiers of 15 dwellings would have had to move their bins for collection a distance of between 10 and 15m. For this scheme, a Refuse Strategy Plan has been submitted and whilst a similar number of properties would be accessed via private driveways, the occupiers of some would be greater distances from bin collection points.

The applicant considers that there are no adopted development plan policies which set out policy / guidance in terms of appropriate distances for the collection of waste receptacles and makes reference to Part H of the Building Regulations 2010 and relevant provisions of Manual for Streets. This confirms that waste containers should be sited so that the distance householders are required to carry refuse does not exceed 30 metres (excluding any vertical distance) and that containers should be within 25m of the waste collection point specified by the waste collection authority.

The applicant considers that the proposed development provides a mix of road layouts, the majority of which would be constructed to adoptable standards, with the remainder towards the periphery of the

site / adjacent to proposed areas of public open space comprising shared private driveways in order to provide a less engineered development in these locations and a better urban design response which allows for more soft landscaping.

The applicant also confirms that the approach adopted is recognised in Manual for Streets, relating to quality of place and that this will be significantly affected by the type of waste collection and management systems used. The applicant draws attention to the fact that Manual for Streets recognises the operation of waste collection services to be an integral part of street design, but should be achieved in ways that do not compromise quality of place.

In this case, a mixed approach has been taken in relation to the storage and collection of waste. Each of the proposed dwellings would have a location within the curtilage of their dwellings for the storage of receptacles. Dwellings with a direct frontage onto the adoptable highway would leave receptacles on the kerbside for collection on waste collection days.

For dwellings accessed off private driveways, a hard surfaced shared collection point would be provided where residents would leave their receptacles on collection day. All of the shared collection points for the private driveways shown on the submitted Refuse Strategy Plan (drawing reference 2041/WHB/TQL/RS01 Revision E) would be located within 25 metres of the adoptable highway in accordance with the guidance contained within Manual for Streets and Part H of the Building Regulations.

In terms of the 30 metre distance for residents moving bins from their homes to a collection point, the applicant considers that all of the proposed dwellings would be within 30 metres of a collection point (kerbside or communal), except for plots 1, 56 and 128 which would be marginally above the recommended 30 metre distance. In the instances of dwellings accessed by shared private driveways, the applicant proposes shared collection points in locations to ensure compliance with the 30m requirement. The applicant considers that while this may not be ideal, this needs to be balanced with the fact that the overall design approach seeks to create quality of place.

There is commentary in the application submissions that there are no adopted policies of the development plan which would justify a refusal of the proposal on the basis of the distance that a prospective occupier may have to drag their bins, nor are there any adopted policies or standards which depart from the guidance contained in the Building Regulations or Manual for Streets. They reaffirm that out of 128 dwellings, only three dwellings fall outside of these standards, albeit marginally, and it would be unreasonable to refuse the proposed development on this basis.

The Council's Waste Management Section (WMS) has raised some concerns relating to the submission, particularly the bin store proposals at both apartment blocks. It is stated that the pulling distance required for operatives needs to be no more than 10m and the stores need to be at the front of the development, and readily accessible, with a minimised pulling distance and safe parking for collection vehicles on the highway. In response to these concerns, amended plans have been secured from the applicant which show the bin stores relocated to be adjacent to the adopted highway. Although this would result in the stores being more visible in the streetscene, landscaping proposals have been submitted which would provide screening to them. The WMS also expresses concern that, in a number of locations, the development layout is likely to lead to bins being left out between collections which is building in future complaints.

Your Officer's view is that the distance that occupiers would be required to move their bins for collection would generally accord with recommended distances and it is considered that appropriate bin collection arrangements can be achieved throughout the development taking account of the original submissions as updated by amended plans that have been submitted following the receipt and consideration of comments from consultees.

Is the impact on trees acceptable?

The Landscape Development Section (LDS) is concerned regarding the impact of the access point onto Mucklestone Road and the footpath through the open space on visually important roadside trees. A footpath on the site side of Mucklestone Road would require additional assessment of its impact on roadside trees. Concerns are also raised about some of the points in the additional information,

including the application of the 20% calculation and the term 'minimal dig'. The position of the access is as approved in the outline application and previous reserved matters scheme and therefore it would not be reasonable to raise concerns at this stage.

Other matters

At its previous meeting, the Committee requested information on the remedial works required following ground investigation. Conditions of the outline consent required further investigation and risk assessment to be agreed by the local planning authority to assess the nature and extent of any contamination on the site and a detailed remediation scheme to bring the site to a condition suitable for the intended use. Significantly elevated concentrations of lead and nickel were recorded in the central and northern sectors of the site as well as elevated concentrations of cadmium. As a result, various mitigation measures are to be incorporated in the development of the site. These measures comprise the following:

- All works to be undertaken in strict accordance with UK Environmental Permitting and Local Planning Authority Requirements.
- Excavation and processing of all surface materials in the south-eastern sector of the site.
- Excavation and careful storage of any site won top-soil within the southeast section of the site.
- Supplemental ground investigation in the central sector of the site and in the area of the suspected Underground Storage Tank to confirm ground conditions within proposed garden areas.
- Validation sampling to confirm all material retained on-site poses no risk to human health or the wider environment.
- Removal and/or treatment of any previously unidentified contamination hotspots.
- Provision of a 600 mm clean cover system to all plots in Area B.
- If required, importation of chemically and geotechnically suitable materials to build levels below the proposed residential areas.
- Placement of materials in accordance with enabling specification and engineering requirements.
- Validation of materials placement to confirm suitability.
- Post remediation ground gas monitoring within areas of newly placed material to include an initial period of six visits over a three month period.

The Council's Contaminated Land Officer is satisfied with the proposed mitigation measures and therefore the details required by the conditions of the outline consent have been approved.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex

- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy CSP1	Design Quality
Policy CSP2	Historic Environment
Policy CSP3	Sustainability and Climate Change
Policy CSP4	Natural Assets
Policy CSP6	Affordable Housing

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

Policy B5	Control of Development Affecting the Setting of a Listed Building
Policy N3	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4	Development and Nature Conservation – Use of Local Species
Policy N17	Landscape Character – General Considerations
Policy N19	Landscape Maintenance Areas
Policy T16	Development – General Parking Requirements

[Loggerheads Neighbourhood Plan \(LNP\) 2013-2033](#)

Policy LNPG2:	Housing Mix
Policy LNPP1:	Urban Design and Environment
Policy LNPP2:	Local Character & Heritage
Policy LNPT1:	Sustainable Transport

Other Material Considerations include:

National Planning Policy

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

[Planning Practice Guidance](#) (2018)

Supplementary Planning Guidance/Documents

[Affordable Housing SPD](#) (2009)

[Space Around Dwellings SPG](#) (SAD) (July 2004)

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

[Waste Management and Recycling Planning Practice Guidance Note](#) (2011)

Relevant Planning History

15/00015/OUT	Outline planning application for the erection of up to 128 dwellings (including details of access) – Allowed at appeal
16/00202/OUT	Outline planning application for the erection of up to 128 dwellings (including details of access) – Refused
20/00201/REM	Approval of appearance, landscaping, scale and layout for the erection of up to 128 dwellings as approved under planning application 15/00015/OUT – Approved

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding provision and retention of internal roads, private drives and parking areas, submission of details of surfacing materials and means of surface water drainage for private drives and parking areas, provision of visibility splays, secure cycle storage for dwellings without a garage, retention of garages for parking of motor vehicles and cycles and length and gradient of private drives.

The **Conservation Officer** has no observations.

The **Landscape Development Section** is concerned regarding the impact of the access point onto Mucklestone Road and the footpath through the open space on visually important roadside trees. A footpath on the site side of Mucklestone Road would require additional assessment of its impact on roadside trees. Concerns are also raised about some of the points in the additional information, including the application of the 20% calculation and the term 'minimal dig'. Construction within RPAs in accordance with BS5837:2012 requires 'no dig'.

The **Waste Section** objects on the following grounds:

- All of the shared bin collection points require the service to collect across unadopted land which is against their policy, and unacceptable.
- The bin store proposals at both apartment blocks are unacceptable. The pulling distance required for operatives needs to be no more than 10m and the stores need to be at the front of the development, and readily accessible, with a minimised pulling distance and safe parking for collection vehicles on the highway.
- The bin stores for these buildings will need to accommodate shared containers.
- In a number of locations the development layout is likely to lead to bins being left out between collections which is building in future complaints.
- The vehicle weight is not given in the swept path analysis.

No comments have been received from **Loggerheads Parish Council** and therefore it must be assumed that they have no comments to make.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Planning Statement
- Arboricultural Impact Assessment

All of the application documents can be viewed on the Council's website using the following link: <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00975/FUL>

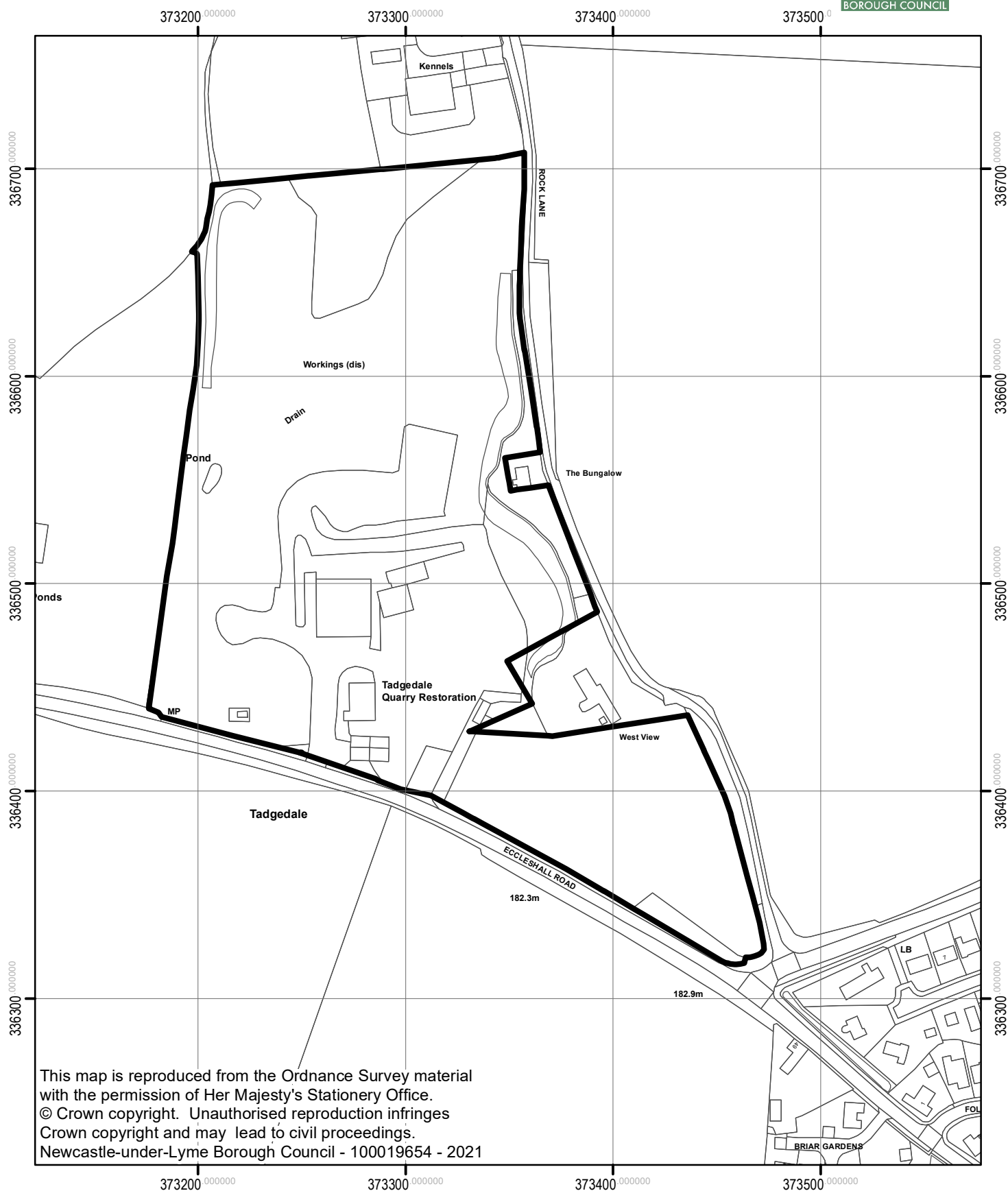
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

16th March 2022

21/00975/FUL
Tadgedale Quarry
Mucklestone Road
Loggerheads



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LAND WEST OF PIT HEAD CLOSE, LYMEDALE BUSINESS PARK
PEVERIL SECURITIES LTD AND AVER PROPERTY LTD PARTNERSHIP
21/01131/REM

The application is for the approval of reserved matters relating to the layout, scale, appearance and landscaping in respect of the erection of an industrial building within Use Class E (g)(iii), B2 and/or B8 (Flexible), together with associated vehicular car park and service/delivery yard, soft landscaping, engineering works, detention basin and other associated works. It follows the granting of an outline planning permission, reference 20/00123/OUT, in July 2020 for the erection of business/industrial development.

The application site was previously occupied by the former Loomer Road Speedway Stadium and is located in the urban area of Chesterton, Newcastle, as indicated on the Local Development Framework Proposals Map.

Vehicle access to the site is proposed off Pit Head Close via Lymedale Business Park and these details were approved as part of the outline consent.

The application site extends to approximately 6.5 hectares in size.

The 13 week period for the determination of this application expired on the 17th March 2022.

RECOMMENDATIONS

Subject to the Lead Local Flood Authority not raising objections that cannot be resolved through conditions, the Head of Planning be given the delegated authority to Permit, subject to conditions relating to;

- 1. Link to outline planning permission and conditions;**
- 2. Approved plans;**
- 3. Facing and roofing materials;**
- 4. Boundary treatments, including acoustic fencing;**
- 5. Hardstandings;**
- 6. Provision of parking, servicing and turning areas;**
- 7. Prior approval of surfacing materials, surface water drainage and delineation of the parking spaces and servicing areas;**
- 8. Provision of cycle and smoking shelter;**
- 9. Soft landscaping/ approved masterplan;**
- 10. Prior approval of noise validation report;**
- 11. Waste storage and collection arrangements**
- 12. Surface water drainage strategy; and**
- 13. Coal mining remedial / mitigation measures.**

Reason for Recommendation

The proposed development represents a good quality design and following the submission of a revised landscape masterplan it is accepted that there would be no significant harm to the visual amenity of the area, including views from Apedale Country Park. The scheme has demonstrated that coal mining legacy matters have been suitably addressed and that suitably worded planning conditions can secure appropriate noise mitigation measures and a sustainable surface water drainage strategy. It is therefore accepted that the proposed development is a sustainable form of development that accords with the development plan policies identified and the guidance and requirements of the National Planning Policy Framework and should be approved.

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

The LPA and applicant have engaged in proactive discussions and the LPA has requested further information during the consideration of the application to address concerns. Following the submission

of further information the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

1.1 The application is for the approval of reserved matters relating to the layout, scale, appearance and landscaping in respect of the erection of an industrial building within Use Class E (g)(iii), B2 and/or B8 (Flexible), together with associated vehicular car park and service/delivery yard, soft landscaping, engineering works, detention basin and other associated works. It follows the granting of an outline planning permission, reference 20/00123/OUT, in July 2020 for the erection of business/industrial development.

1.2 The application site was previously occupied by the former Loomer Road Speedway Stadium and is located in the urban area of Chesterton, Newcastle, as indicated on the Local Development Framework Proposals Map.

1.3 Vehicle access to the site is proposed off Pit Head Close via Lymedale Business Park and these details were approved as part of the outline consent.

1.4 The application site extends to approximately 6.5 hectares in size.

1.5 The outline planning permission was subject to a number of planning conditions, including conditions which required information to be submitted as part of the reserved matters submission, namely; details of a noise management plan and mitigation; a detailed surface water drainage design; a detailed landscape masterplan; details of the waste storage and collection arrangements; and intrusive site investigations for coal mining.

1.6 The outline planning permission remains extant and given that access arrangements and transport matters have already been accepted the key issues for consideration now are limited to:-

- The design of the scheme and the impact on the visual amenity of the area;
- Impact on the amenity of the area;
- Sustainable drainage considerations;
- Coal mining legacy; and
- Reducing Inequalities.

2.0 Design of the scheme and the impact on the form and character of the area, including loss of trees

2.1 Paragraph 126 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 130 of the revised framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

2.2 Policy CSP1 of the Core Spatial Strategy (CSS) lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the revised NPPF.

2.3 The Urban Design Supplementary Planning Document indicates at Policy E3 that business development should be designed to contribute towards improving the character and quality of the area.

2.4 The proposal is for a large single building with a floor area of approximately 30,000 square metres. The footprint of the proposed building would be built close to the eastern and southern boundaries, with large car parking and service areas to the northern and western parts of the site.

2.5 The height of the proposed building would be approximately 22 metres in height, which accords with a restriction imposed by condition 6 of the outline permission.

2.6 The application site is located adjacent to an existing business park and other industrial and commercial buildings on Loomer Road. Therefore, the proposed development would be seen within the context of the existing industrial land uses and the existing large expansive units that form part of the business park immediately to the east.

2.7 The general design of the proposed building represents a simple rectangular form but the elevations will be clad using colour-coated metal panels which are graded in horizontal bands of colour from dark at the base to light at the top. This serves to reduce the apparent height of the building, particularly when seen from distance. The roof would be a series of curved gables and have a dark tone colour. These design features add interest to the building and seek to minimise the impact that a building of this size and appearance can have on the visual amenity of the area.

2.8 The outline planning application acknowledged that the proposed development would be viewed from the public open space to the south, including the Apedale Country Park. Therefore a landscape buffer primarily on the southern boundary was necessary to soften the impact of the proposed development on Apedale Country Park and the outline permission required the submission of a landscape masterplan as part of the reserved matters application.

2.9 A landscape master plan has been submitted to support the application which sets out that a buffer, in the form of an 8 metre strip of woodland planting to the south west, will allow the developed site to merge with the wider green open space. Tree planting in this location will be dense and include suitable species to promote height so as to maximise visual screening of the building. A detention basin will also be located in this area as part of the site drainage strategy.

2.10 The Loomer Road boundary will also feature woodland planting and the wider site, including car parking areas, will feature soft landscaping to break up the commercial appearance of the site.

2.11 The Council's Landscape Development Section (LDS) have raised concerns regarding the level of landscaping proposals and they consider that the visual appeal of the scheme is reduced from the indicative details submitted at the outline stage. They also believe that the building is much larger and views will be more imposing from Apedale Country Park with visual softening and the screening effect of landscaping being much reduced.

2.12 In response to the comments of LDS the applicant has submitted revised landscaping proposals and further commentary on the landscape masterplan. They advise, amongst other things, that changes to the landscaping scheme include an increase in tree planting to 100 trees, which equates to a 5:1 tree replacement ratio for the trees lost, alongside other planting and green infrastructure enhancements. The additional tree planting is focused around the boundaries of the site and in particular the Loomer Road boundary and cycle path.

2.13 Your officers are content that the proposed landscape masterplan for the site will soften the appearance of the development and whilst the proposed building is vast the application has demonstrated that the design is of a high quality for a development of this nature. The proposed development would be a 'stand out' building within the context of the area and other neighbouring commercial buildings. The views of the building from the Country Park would be softened by the landscape buffer and whilst there would be some level of impact it is accepted that the impact would not be significant and would be outweighed by the high quality appearance of the development and the backdrop of the commercial and industrial character of the wider area.

2.14 It should also be noted that neighbouring commercial buildings of a similar size and scale have a similar impact.

2.15 Subject to conditions which secure the details set out within the application regarding facing materials, boundary treatments and soft landscaping plans, it is considered that the proposed development represents a good quality design and accords with policy CSP1 of the CSS and the guidance and requirements of the NPPF.

3.0 Impact on the amenity of the area

3.1 Paragraph 130 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 185 that decisions should also ensure that new development reduces potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and quality of life.

3.2 The outline planning permission secured a condition that required any reserved matters application to include a noise management plan and a noise assessment to demonstrate proposed mitigation measures to ensure acceptable noise levels.

3.3 This reserved matters application is therefore supported by a Noise Impact Assessment Report (NIAR) which concludes that mitigation measures are required to minimise the impact of the proposed development on the amenity of the area.

3.4 The Environmental Health Division (EHD) has raised a number of concerns with the NIAR, in particular reversing alarms of HGV's have not been considered and one of the mitigation measures is for an acoustic fence but limited details have been provided about the fence. There are also limited details on waste collection arrangements and external lighting has not been assessed properly.

3.5 Details of an acoustic fence have been shown on the application plans. The plans show a small section of acoustic fencing in the form of a 2.4m high timber close boarded acoustic fence with concrete posts adjacent to the access point on the northern boundary. The specific design and noise reducing specification can be secured by condition. A Waste Storage & Collection Strategy also supports the application which sets out details requested by EHD.

3.6 Condition 14 of the outline permission secures the prior approval of external lighting and on this basis the comments of EHD are not relevant. In terms of other concerns raised by EHD, their further comments have been requested but due to the context of the area, along with the matters raised, it is considered that appropriately worded conditions can secure this information prior to the building being operational.

3.7 Subject to appropriately worded conditions, the proposal is considered to meet the guidance and requirements of the NPPF and the living conditions of nearby residential areas to the west will be protected to an appropriate and acceptable standard.

4.0 Sustainable drainage considerations

4.1 Policy CSP3 of the CSS indicates that development which positively addresses the impacts of climate change and delivers a sustainable approach will be encouraged.

4.2 Paragraph 152 of the revised NPPF also recognises that "Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development".

4.3 The outline permission was supported by a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy (SuDS) and condition 16 of the permission required the reserved matters application to include a detailed surface water drainage design.

4.4 This application is now supported by a drainage strategy which is linked to the FRA and SuDS submitted with the outline permission but the Lead Local Flood Authority (LLFA) has advised that the submitted information was missing specific details.

4.5 The applicant has submitted further information to address the comments of the LLFA and their further comments are now awaited. These are likely to be received prior to the committee meeting.

4.6 Subject to no objections being received from the LLFA the proposed development has demonstrated an acceptable sustainable urban drainage scheme, in accordance with CSP3 of the NPPF and the guidance and requirements of the NPPF.

5.0 Coal mining legacy

5.1 The site lies within a High Risk Coal Mining Area and it has been identified that two mine entries are located within the site, near to the western boundary. The outline permission considered these matters with advice and comments being received from the Coal Authority (CA). This resulted in a condition which secured intrusive site investigations and the requirement for a further report to be submitted as part of this application.

5.2 The proposed layout demonstrates that the footprint of the buildings will be away from the mine entries and the application is supported by detailed information, which includes a Remedial Strategy on how the remediation of the site will be undertaken and how the works will be validated. The CA have raised no objections to the application on the basis of the submitted documents. A condition to ensure that the development is carried out in accordance with the submitted information, in particular the Remedial Strategy is considered reasonable and necessary due to the risks involved.

5.3 The proposed development has now demonstrated that risks arising from land instability and contamination can be suitably addressed in accordance with the guidance and requirements of the NPPF, in particular paragraph 183.

6.0 Reducing Inequalities

6.1 The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

6.2 The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

6.3 People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

6.4 When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

6.5 The scheme has been developed embracing good design and access and it is therefore considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

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

Policy E3: Lymedale Park Extension
Policy T16: Development – General Parking Requirements
Policy N12: Development and the Protection of Trees

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (July 2021)

[Planning Practice Guidance](#) (March 2014)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

20/00114/DEM Application for prior notification of proposed demolition of all existing buildings and structures Permitted

20/00123/OUT Erection of business/industrial development of B1(c), B2 and/or B8 uses with all matters reserved except access on the site of the former Loomer Road Speedway Stadium Permitted

Views of Consultees

The **Highways Authority** raises no objections subject to conditions related to the following matters;

- Provision of parking, servicing and turning areas;
- Surfacing materials, means of surface water drainage for the parking, servicing and turning areas and delineation of the parking spaces and servicing areas;

The **Environmental Health Officer** raises no objections to land contamination matters but raises concerns with the proposed external lighting levels, the timing and frequency of waste collection arrangements and noise impacts. Their comments are now awaited on further information that has been received.

The **Coal Authority** raises no objections to the proposed layout and subject to the development being carried out in accordance with the identified remedial / mitigation measures set out within the technical documents submitted with the application the development is acceptable.

The **Landscape Development Section** has raised concerns with the layout and request an updated Tree Survey; tree retentions and removals plan; and updated Arboricultural Implications Assessment.

They also advise that the visual appeal of the layout is much reduced when compared with the schemes supplied at outline application stage. In particular the proposed building is larger and views will be more imposing from Apedale Country Park.

Visual softening and screening effect of landscaping proposals will be much reduced:

- Views from the cycleway will be less attractive due to the expansive carparking which is much nearer to the route, with little meaningful space remaining for landscaping,
- There is a considerable reduction in space left for landscaping/buffer treatment and replacement tree planting,
- Views from Loomer Road will be less attractive due to reduction in space for landscaping and proximity of additional car parking,
- The revised layout shows no opportunities to use internal landscaping to break up very large expanses of tarmac. We would suggest that landscaping treatment to these vast areas be considered.

Additional information is also required:

- Proposals for lighting the cycleway.
- Landscaping proposals to cover treatment of the brook
- Details of hard landscaping including construction details and cross sections showing levels treatments (including any retaining structures) be provided

However, their comments on further information are now awaited.

The **Crime Prevention Design Advisor** advises that they welcome the broad principles of the site layout and the site security measures. In particular, they advise that landscaping behind fencing, including the buffer on the southern boundary, is supported as a good security measure. Further security design is advised and it is recommended that the site would clearly benefit from a well-considered ongoing security strategy and a suitable risk assessment. Any potential vulnerabilities associated with the area around the quiet end of Loomer Road in particular will need to be suitably countered with good quality (attack-resistant) fencing/gating (reinforced by defensive planting where possible) and suitable CCTV coverage providing a good starting point.

The **County Flood Authority** has raised a number of technical concerns with the submitted drainage strategy. However, their comments on a revised surface water drainage strategy, set out in a revised flood risk assessment, are now awaited.

Comments were also invited from the **Waste Management Section** and the **Greater Chesterton Locality Action Partnership (LAP)** but in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

One representation has been received raising the following concerns and observations;

- Construction traffic should be via Pit Head Close and not Loomer Road;
- Noise & light pollution should be controlled;
- The site should be cleared appropriately;
- Surrounding roads should be cleared of mud debris;
- Complete the double yellow lines all the way down Loomer Rd to the entrance of Apedale Country Park;
- Encourage wildlife, insects, nature with sympathetic planting - bat & bird boxes and suitable habitats, wildflowers;
- Ensure adequate facilities for the wagon drivers;
- Litter from employees should be controlled correctly; and
- Do not allow any travellers to set up camp on Loomer Rd.

Applicant's/Agent's submission

The application is accompanied by the following key documents;

- Design and Access Statement;
- Noise Impact assessment;
- Soft Landscaping Plans;
- Flood Risk Assessment & Drainage Strategy;
- Waste storage and collection arrangements document;
- Utilities report;
- Cut and fill design note;
- Geo-Environmental Assessment;
- Remedial Strategy; and
- Gas Protection Measures

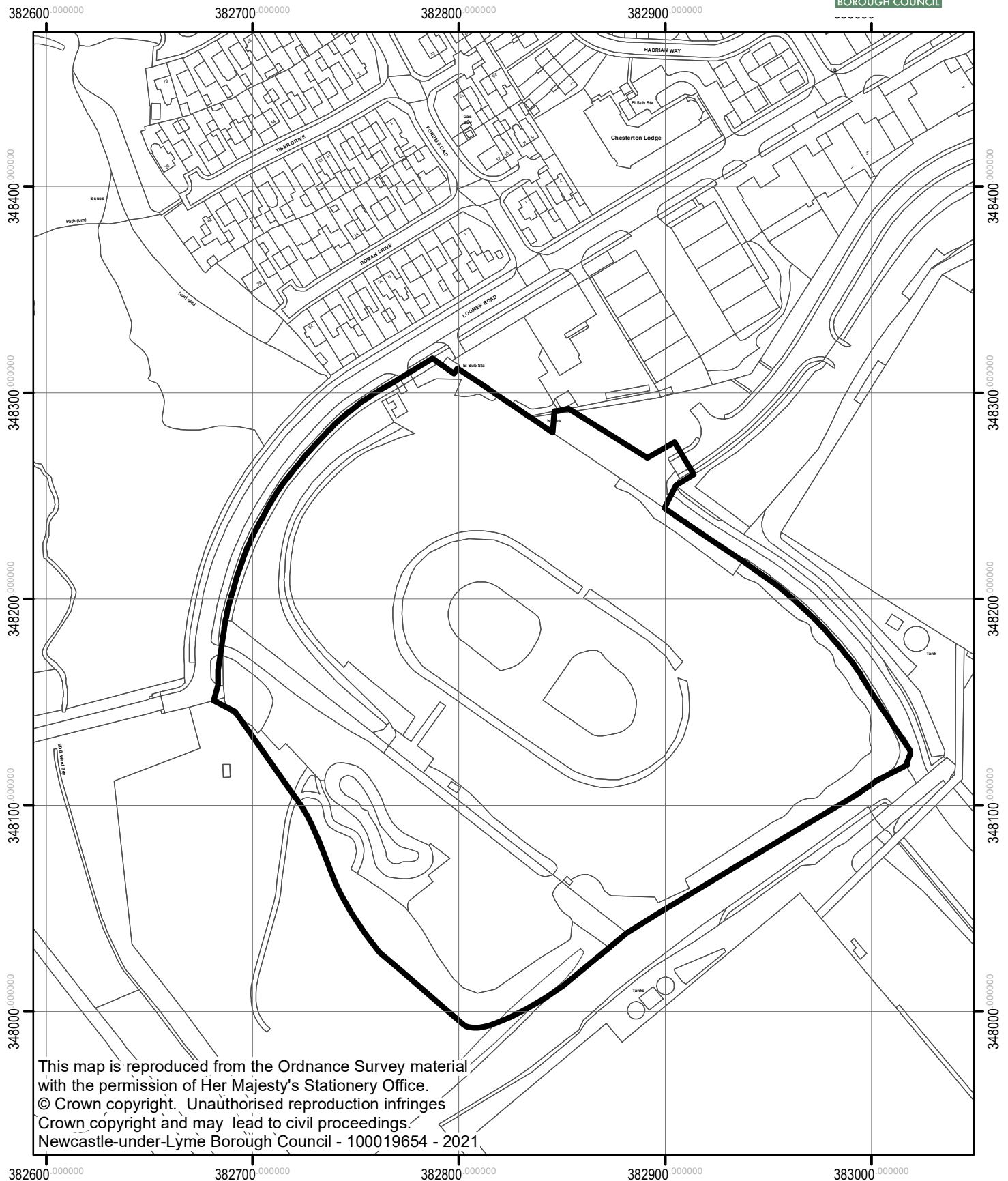
All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/01131/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17th March 2022



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**MADELEY MANOR NURSING HOME, HEIGHLEY CASTLE WAY, MADELEY
MR GERALD EMERY**

21/01175/FUL & 21/01176/LBC

The report considers two applications:

- for full planning permission for the conversion of Madeley Manor into 12 apartments and 2 houses, demolition of the boiler house, and upgrades to driveway and provision of 30 parking spaces (21/01175/FUL); and
- for listed building consent for the alterations to, and partial demolition of, the Listed Building (21/01176/LBC).

The application site is within the North Staffordshire Green Belt, the Rural Area and a Landscape Enhancement Area as indicated on the Local Development Framework Proposals Map.

Madeley Manor is a Grade II Listed Building. Trees within the site are protected by Tree Preservation Orders 3 and 110.

The 13 week period for the planning application expires on 25th March, and the 8 week determination period for the listed building consent application expired on 18th February.

RECOMMENDATIONS

A) With respect to the application for listed building consent 21/01176/LBC

PERMIT subject to conditions relating to the following:

1. Time limit for commencement of development
2. Approved plans
3. Work to be undertaken in accordance with the Repair Schedule unless otherwise agreed
4. Prior approval of details of the methods of blocking up internal openings
5. Windows in the south elevation facing the M6 motorway shall be repaired and secondary glazing (not double glazing) shall be installed in accordance with details that are to be approved
6. Further details of internal doors and window architraves where alterations are being made to be approved
7. Details of repair work to existing windows and details of proposed new windows to be approved
8. Before boiler house building is demolished details of the reinstatement of the rear conservatory/orangery wall to be approved

B) With respect to the planning application 21/01175FUL

- (1) Subject to the applicant entering into a Section 106 obligation by 29th June 2022 to secure 3 affordable housing units**

PERMIT subject to conditions relating to the following matters:

1. Time limit
2. Approved plans
3. Prior approval of the position and appearance of cycle (to be secure and weatherproof) and bin stores
4. Prior approval of details of the windows of the Mews
5. Details of screening around the conservatory/orangery
6. Prior approval of surfacing materials for the internal roads, parking and turning areas
7. Provision of access, internal roads, parking and turning areas prior to occupation and retention for the life of the development
8. Landscaping to include replacement tree planting
9. Tree protection measures
10. Contamination conditions

- (2) Failing completion of the planning obligation referred to in B(1) by the recommended date the Head of Planning be given delegated authority to either refuse the planning application on the grounds that in the absence of a secured planning obligation the development would not provide policy compliant affordable housing; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.**

Reason for Recommendations

Taking into account the requirement for the decision-maker to pay special attention to such matters, subject to conditions it is considered that the alterations to, and partial demolition of, the Listed Building would retain its character and features. The engineering works proposed to provide parking spaces and upgrade the driveway would preserve the setting of the Listed Building.

It is considered that sufficient parking is provided and acceptable living conditions are provided for the occupants of the development.

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

Amendments have been sought from the applicant and the proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

1.1 These proposals seek full planning permission for the conversion of Madeley Manor, last used as a nursing home, into residential accommodation. The main manor house is proposed to be subdivided into 6 apartments as is the attached service block. An attached Mews house is to be renovated as a two bedroom dwelling. The orangery and the single storey building linking it to the main house is to be converted to a two bedroom dwelling.

1.2 Madeley Manor is a Grade II Listed Building and listed building consent is also sought for the works of alteration that are involved. The attached Mews is not part of the listing.

1.3 The application site is within the North Staffordshire Green Belt, the Rural Area and a Landscape Enhancement Area as indicated on the Local Development Framework Proposals Map.

1.4 It is appropriate to consider the application for listed building consent first.

2. 21/01176/LBC - Listed building consent for alterations to, and partial demolition of, the Listed Building

2.1 When making a decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

2.2 Saved Policy B4 of the Newcastle Local Plan (NLP) states that the Council will resist total or substantial demolition of a listed building, unless exceptionally, an applicant can convince the Council that it is not practicable to continue to use the building for its existing purpose and there is no other viable use. Demolition will not be permitted unless there are approved detailed plans for redevelopment and, where appropriate, an enforceable agreement or contract exists to ensure the construction of the replacement building.

2.3 Saved NLP Policy B6 states that the Council will resist alterations or additions to a Listed Building that would adversely affect its character or its architectural or historic features. Saved policy B7 states that the change of use of a listed building will only be permitted if its character or appearance would be preserved or enhanced.

2.4 The NPPF, at paragraph 192, states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

2.5 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset such as a Conservation Area, Listed Building or Registered Park and Garden, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

2.6 In paragraph 195 it is indicated that where a proposed development would lead to *substantial* harm to or total loss of significance of a designated heritage asset, local planning authorities should

refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:-

- The nature of the heritage asset prevents all reasonable uses of the site
- No viable use of heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use

2.7 Paragraph 196 of the NPPF states that where a development proposal will lead to *less than substantial* harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

2.8 The proposal involves the demolition of a single storey boiler house that is attached at the rear of the orangery. The boiler house is a relatively modern addition to the listed building and does not contribute to its significance. Its demolition would not amount to total or substantial demolition. Bearing this in mind, and taking into consideration its limited scale, it is not considered that the loss of this part of the listed building will be harmful to the designated heritage asset and it will not conflict with saved policy B4 of the Local Plan.

2.9 The proposal involves limited alteration to the external appearance of the listed building, in addition to the demolition of the boiler house.

2.10 The most significant external change is the replacement of the glazed roof of the orangery with a solid lead roof. The orangery requires restoration given its poor condition and the alteration to the roof is considered acceptable and compatible with the intended use. The design and appearance of the proposed roof is considered to be satisfactory and in keeping with the listed building, however the loss of the original fabric of the building and alteration as proposed amounts to less than substantial harm to the heritage asset.

2.11 The removal of two external staircases is another external change. As the functional appearance of the staircases is harmful to the appearance of the listed building their removal is beneficial.

2.12 The proposed replacement of the timber roof lanterns on the main building which are in poor condition and deemed unrepairable, is also acceptable.

2.13 There will be other interventions internally in order to facilitate the conversion such as blocking of internal openings, mainly for the purpose of creating cellular apartments and create separate rooms. Such changes are considered to be reasonable and acceptable but nonetheless amount to less than substantial harm to the listed building.

2.14 In other respects the internal works are minimal and key features are retained. The longstanding main entry point to the building is to be retained as are the principal elements of communal internal circulation, fireplaces and other features of significance thereby allowing the opportunity to restore and conserve damaged or missing elements. All the principal rooms are being retained in their present form. The partitions used to subdivide the principal rooms are to be removed and the rooms restored to the original proportions.

2.15 As indicated above, some of the elements of the proposal result in less than substantial harm to the heritage asset and as such it is necessary to weigh such harm against the public benefits of the proposal.

2.16 The orangery has been at risk for a number of years and, as indicated by the Conservation Officer, the condition of the main buildings is such that it is now also in the 'at risk' category. Without a new use the building will continue to deteriorate. The proposal is for an acceptable new use for the building and as the conversion works involves the preservation of the vast majority of the fabric and external envelope of the building this is considered to be of significant public benefit. The less than substantial harm that has been identified will therefore be outweighed by such public benefits.

2.17 Subject to control over the details through the use of conditions the proposed development is considered to accord with the NPPF and the local planning policies and guidance set out above.

3. 21/01075/FUL – Full planning application for the conversion to 12 apartments and 2 houses, demolition of the boiler house, and upgrades to driveway and provision of 30 parking spaces

3.1 The main issues in the consideration of this application are:

- The impact of the proposal on the character and appearance of the Listed Building including impact on trees
- The principle of the development in this Green Belt location
- Residential amenity levels of future occupiers
- Parking and highway safety
- Planning obligations

3.2 Impact upon the character and appearance of the Listed Building

3.2.1 In respect of the alterations to the listed building there are no further matters to address additional to those set out above. Consideration is, however, required of the proposed amendments to the driveway and provision of car parking spaces and their impact on the setting of the listed building.

3.2.2 Saved NLP Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a Listed Building.

3.2.3 An aspect of the proposal is the incorporation and rationalisation of areas of hardstanding throughout the site in order to accommodate the associated car parking areas. This would result in the narrowing of the width of the main entrance road and the provision of small clusters of car parking areas along its length, and the alteration of the larger parking areas near to the building.

3.2.4 An amended site layout plan has been submitted relocating the position of some of the parking spaces in response to the comments of the Landscape Development Section. As initially submitted, two small areas for parking were to be provided between trees to the south of the driveway. One of these groups has been relocated to the less treed area at the front of the site. In addition the number of parking spaces in the area near to the building has been reduced in area. The number of parking spaces to be provided has been maintained.

3.2.15 Informal parking off the driveway between trees has taken place whilst the building was in use as a nursing home and the 'formalisation' of this practice is not considered to be harmful to the setting of the listed building subject to controls over the surfacing of such areas.

3.2.6 The proposal as amended still involves the removal of trees to accommodate the proposals (2 Sawara Cypress, 1 Norway Spruce and 3 Holly) all of which are Category C, of low quality with an estimated remaining life of at least 10 years. The arboricultural report also recommends the removal of a number of other trees due to poor condition of such trees.

3.2.7 Whilst the loss of trees is always regrettable it is considered that it would not harm the setting of the listed building. Replacement planting for the trees to be removed in association with the development and to compensate for other tree loss due to tree management practices can be secured through a condition.

3.3 Principle of the development in this Green Belt location

3.3.1 Paragraph 137 of the NPPF details that "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

3.3.2 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

3.3.3 The NPPF further indicates in paragraph 149 that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, identifying a number of exceptions to this. Paragraph 150 states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The exceptions listed include the re-use of buildings provided that the buildings are of permanent and substantial construction; material changes in the use of land; and engineering operations.

3.3.4 The building as it stands is the original for the purposes of Green Belt policy and is of permanent and substantial construction. Its re-use amounts to appropriate development. No extension or building is proposed. The material change of use of the land to a use associated with the residential occupation of the building preserves openness and does not conflict with the purposes of including land in the Green Belt as does the engineering works involved in the formation of the access and parking. Such aspects of the proposal are therefore also appropriate.

3.3.5 Overall it is considered that the proposal comprises appropriate development within the Green Belt.

3.3.6 Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods within General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say 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.

3.3.7 CSS Policy ASP6 states that in the Rural Area there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

3.3.8 Furthermore, Policy H1 of the Newcastle Local Plan (NLP) indicates that planning permission for residential development will only be given in certain circumstances – one of which is that the site is within one of the village envelopes.

3.3.9 The site lies outside of the village envelope of Madeley, in the open countryside.

3.3.10 Paragraph 11 of the revised NPPF states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay (11(c)); or (11(d)) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.3.11 Following a number of appeal decisions it has been concluded that policies H1 and ASP6 should only be afforded limited weight and paragraph 11(d) of the Framework should be engaged unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. In this particular case even though the site lies within the Green Belt and includes a heritage asset, both of which are protected through policies in the NPPF, these don't provide a clear reason for refusing the development proposed. Applying this to the case in hand planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies taken as a whole. This will be considered below.

3.4 Residential amenity

3.4.1 Paragraph 119 of the NPPF states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and

ensuring safe and healthy living conditions. Paragraph 125 supports higher density residential developments provided that they result in acceptable living conditions. Paragraph 127 lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

3.4.2 Care has been taken to ensure that the parking areas are positioned away from principal windows of the proposed dwellings to minimise disturbance. The noise report recommends double glazing for south elevation facing M6 and trickle vents on other elevations, the repair schedule in section G9 and G9.2, however, sets out proposals for the windows and repair and introduction of secondary glazing. This is the correct approach to minimise harm to the listed building whilst protecting amenity.

3.4.3 The proposed dwelling incorporating the orangery would have principal windows in close proximity to the main entrance into the building and largest parking area. Whilst details haven't been provided the site layout plan shows some form of boundary treatment in front of the glazed elevations which would deflect activity away from directly adjacent to the building. It is considered that an acceptable level of residential amenity will be achieved.

3.4.4 The property is set within extensive grounds and whilst the proposal does not include private amenity space for the occupiers of the units, their public open space needs would be met on site. As the proposal does not include family accommodation there is no requirement to provide an equipped play area and as such a contribution towards improvements to public open space off site could not be justified.

3.4.5 In conclusion, it is considered that a good standard of amenity for all existing and future occupants of land and buildings can be achieved and maintained, as required by the NPPF, and subject to suitably worded conditions.

3.5 Parking and highway safety

3.5.1 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.

3.5.2 Paragraph 110 of the NPPF states that safe and suitable access to a site shall be achieved for all users and paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe. Paragraph 112 also sets out a list of criteria that applications for development should seek to achieve, these include, amongst other things, priority first to pedestrian and cycle movements and designed to enable charging of plug-in and other ultra-low emission vehicles.

3.5.3 The proposed site plan shows the provision of 25 parking spaces for the proposed development and the provision of six additional parking spaces for the occupants of three mews houses adjacent to the application site. This equates to approximately 1.5 parking spaces for each proposed residential unit which is considered to be acceptable.

3.5.4 The submission indicates that the internal road network has been designed to ensure the movements of refuse vehicles can be accommodated without allowing their requirements to dominate the layout. Swept path analysis has been undertaken which seeks to demonstrate that a refuse vehicle can enter the site in forward gear, access bin stores, turn in the proposed turning heads and exit the site in a forward gear. Whilst the views of the Waste Management Service have not, as yet, been received, it is considered that the proposed layout strikes the right balance in respect of minimising harm to the setting of the listed building and ensuring that waste vehicles can service the development.

3.6 Planning obligations

3.6.1 As the proposal involves major development, given that 10 or more new dwellings are proposed, the provision of 25% affordable housing is required to accord with policy. This equates to 3 units.

3.6.2 Such an obligation is considered to meet the requirements of the CIL Regulations.

3.7 Reducing Inequalities

3.7.1 The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

3.7.2 The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

3.7.3 People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

3.7.4 When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

3.7.5 With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

3.9 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?

3.9.1 The NPPF refers to three objectives of sustainable development – economic, social and environmental. It also seeks to promote sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of local communities.

3.9.2 There would be some encroachment of the development into the open countryside and some tree loss. In addition certain elements of the proposal would result in less than substantial harm to the heritage asset.

3.9.3 The proposal is for an acceptable new use for the building and as the conversion works involves the preservation of the vast majority of the fabric and external envelope of the building this is considered to be of significant public benefit. The contribution that the proposal makes to the supply of houses in the Borough is also of benefit.

3.9.4 It is considered that the benefits of the proposed development would clearly outweigh any harm. It is therefore considered that the proposal accords with the requirements of paragraph 11(d) of the NPPF as well as the overarching aims and objectives of the NPPF. On this basis planning permission should be granted provided affordable housing is secured and appropriate conditions are used, as recommended.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to the decision on the application for Listed Building Consent:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 \(adopted 2009\) \(CSS\)](#)

Policy CSP2: Historic Environment

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

Policy B4: Demolition of Listed Buildings
Policy B5: Control of Development Affecting the Setting of a Listed Building
Policy B6: Extension or Alteration of Listed Buildings
Policy B7: Listed Buildings – Change of Use

Policies and Proposals in the approved Development Plan relevant to the decision on the planning application:-

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

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP3: Spatial Principles of Movement and Access
Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
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 and protection of the countryside
Policy N12: Development and the Protection of Trees
Policy N13: Felling and Pruning of Trees
Policy N17: Landscape Character – General Considerations
Policy N20: Areas of Landscape Enhancement
Policy B4: Demolition of Listed Buildings
Policy B5: Control of Development Affecting the Setting of a Listed Building
Policy B6: Extension or Alteration of Listed Buildings
Policy B7: Listed Buildings – Change of Use
Policy T16: Development – General Parking Requirements
Policy IM1: Provision of essential supporting infrastructure and community facilities

Other Material Considerations include:

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

[Planning Practice Guidance \(NPPG\) \(2014\)](#)

[Supplementary Planning Documents \(SPDs\)](#)

[Affordable Housing SPD \(2009\)](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

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

Developer contributions SPD (2007)

Relevant Planning History

96/00137/LBC & 96/00138/FUL	Extension	Refused and subsequently allowed on appeal
02/00615/FUL	Renewal of planning permission 96/00138/FUL for two storey extension	Permitted
02/00726/LBC	Two storey extension	Permitted
04/00625/FUL	Extension to provide additional patient accommodation for nursing home (Revised Scheme)	Permitted
04/00625/EXTN	Extension to the time limit to implement planning permission 04/00625/FUL for extension to provide additional patient accommodation for nursing home (Revised Scheme)	Permitted
04/00626/LBC	Extension to nursing home	Permitted
21/00021/FUL & 21/00022/LBC	Part demolition and restoration of Listed Building and change of use from nursing home to 10 residential apartments and 1 mews house, construction of 52 new apartments.	Withdrawn

Views of Consultees

The Council's **Conservation Officer** (CO) notes that current scheme is to provide enabling development off-site to minimise the adverse impact of development on the setting of the listed building which was the case in the previous scheme. It is accepted that a residential conversion of the house is an acceptable way of securing a viable future for the building with minimum careful intervention. Clearly any off-site enabling development, providing all information is put forward to establish the conservation deficit and comply with other aspects of the Historic England's Good Practice Advice 'Enabling Development and Heritage Assets', will preserve the setting of the listed building.

A condition survey has now been undertaken and a schedule of repairs and this gives a much more comprehensive picture of the state of the building which is poor and as the building is vacant, this puts the whole complex with a category of at risk. As the condition survey and photographs were undertaken in April 2021, almost 12 months ago, the building can have only deteriorated further. The survey refers to rapid mould growth and water ingress and penetration in the cellar and from the roof.

The current scheme presented states the following points which are agreed:-

- There will be no significant external alteration,
- The proposal retains the longstanding point of entry into the main building,
- Principal elements of communal internal circulation are retained,
- No fireplaces or features of significance will be removed, with an opportunity to restore and conserve damaged or missing elements,
- All the principal rooms can be retained in their present form, and there will be the opportunity to remove later partitions and to restore rooms to their original proportions (with benefits for cornices, skirtings etc),
- Most of the internal alteration (new partitions and removal of partitions) will take place in the plainer and later service areas of the building.

Various minor interventions are described within the submission and the approach is readily accepted providing that we can agree the details of how this will be undertaken. The building has already undergone such changes over its existence and some of these harmful elements will be rectified through this development. This in turn will preserve the building, its external envelope and setting into the future.

The timber roof lanterns are in poor condition and deemed unrepairable. It is proposed to replace the lanterns with new bespoke units in black painted steel sections with lead dressed detailing. Due to the

vulnerable location of the lanterns and rooflights it is proposed that a more robust replacement is provided. The CO is happy with this alteration to the existing materials and considers it to be a sensible approach.

There is extensive restoration required for the orangery and some details have been provided with regard to how and when this will be undertaken but it is relatively speculative. A lead roof is proposed to replace the existing roof which was glazed with a timber structure and steel ties. This is an alteration but one which, given the new use, will enable the building to be sustained into the future.

Notwithstanding the noise report which recommends double glazing for south elevation facing M6 and trickle vents on other elevations, the repair schedule sets out proposals for the windows and repair and introduction of secondary glazing and this should be highlighted as the appropriate way forward. All shutters still in existence should be retained and overhauled so that they can be utilised. Consideration also needs to be given to windows which have a bathroom, especially on the ground floor. The possibility of using the shutters at low level has been discussed.

Given the number of apartments on the site and limited storage within the apartments, the CO wonders what the plans are for storage etc. as there are no elevations or details for cycle store or bin store. It is reasonable that there may be a demand for permanent storage of bikes etc and the apartments do not have that much room. Positioning of cycle store is not convenient. We want to consider and prevent future issues and possible enforcement cases around erection of sheds etc and other domestic paraphernalia. Details of screening around conservatory are required. In addition arrangements for management of the grounds is important and how spaces can be used etc.

Schedule of works indicates full scaffold which would help to keep the water out. This ideally needs to be erected as soon as possible and would negate the need for the Council to consider ways of dealing with the building at risk through its enforcement powers, such as an urgent works notice. The CO considers that the Council should be considering this as our next steps potentially because if this proposal is considered acceptable and grant permission the indication is still that enabling development is still required and this complicated process could take some time. Meanwhile the building will continue to deteriorate and suddenly the parameters of the enabling scheme will change.

Timescales are key to ensuring the building does not continue to get worse and begins to be repaired and we cannot ensure this happens through this set of applications.

The **Conservation Advisory Working Party (CAWP)** were happy that the scheme was now workable and practical and were aligned with the general principles and fully supportive of its intentions to restore the listed building with a viable use.

A lot of detail is still missing particularly regarding ventilation and heating, resultant trunking and vents especially between apartments. In addition more detail is needed for the windows, for example any replacements and secondary glazing.

The group were happy with the incorporation of the orangery into a dwelling but felt that the room layout in this apartment could be slightly altered and would prefer it if some glazing could be retained on the roof. Concern was raised on the large amount of glazing within the new room and how this would be dealt with from an energy efficiency and heritage perspective. They felt that the orangery needed a separate more detailed schedule of works and specification.

Historic England state that in heritage terms the current proposals are a significant improvement on the previously submitted scheme. However, further detailed information is required, and they would recommend that this is provided for consideration prior to these applications being determined.

Given that the condition of Madeley Manor continues to decline, they would also recommend that consideration be given as to what repairs and holding works are required in the short to medium term, in order to ensure that this important Grade II listed building is stable, secure, water tight and well ventilated.

The **Landscape Development Section** highlights that the tree report states that encroachment into RPAs by surfacing proposed for the additional parking and road widening will be carried out by no dig

construction. It is by no means clear, given the information submitted, that it will be possible for this to be achieved. No levels or road construction details have been provided and it cannot be judged if the work will be possible without harm to the existing trees, most of which are covered by Tree Preservation Orders 3 and 110. There is concern that harm to the trees may be unavoidable to enable implementation of the proposed scheme. Many trees adjacent to the proposed surfacing are on ground significantly higher than the existing road and it is likely to be necessary to raise all roads to enable new surfacing to be no dig? To enable comments to be made engineer's construction details are requested, for both surfacing and edging, along with existing and proposed levels and details of special measures, sufficient to demonstrate that the special measures are realistic.

The **Highway Authority** has no objections to the proposal subject to conditions relating to the following matters:

- Provision of access, internal roads, parking and turning areas prior to occupation.
- Prior approval of surfacing materials for internal roads, parking and turning areas.
- Provision of secure weatherproof cycle parking in accordance with details to be approved.

The **Local Lead Flood Authority** has no objections as the plan shows that any additional footprint will be permeable paving and does not appear to show any other changes relevant for drainage. There is unlikely to be a significant impact on surface water caused by any of the proposed changes, given the proposals, and the existing risk to the site.

The **Public Rights of Way Officer** indicates that public footpaths nos. 9 and 52 Madeley Parish run through the development site. The submission shows an unidentified public right of way which deviates from the legal line of the path. The applicant needs to submit a plan showing the legal line of path, along with the development proposals.

The attention of the developer should be drawn to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. It is asked that trees are not planted within 3 metres of the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

Cadent Gas states that they have gas assets in the area which may be affected by the proposal.

Madeley Parish Council has no objections.

The **Environmental Health Division** advises that should the local planning authority be minded to permit contaminated land conditions should be applied.

The views of the Council's **Waste Management Section** have been sought and will be reported if received.

The County Council as the **Mineral and Waste Planning Authority** makes no comments on the application.

No comments have been received from the Council's **Housing Strategy Section** and given that the period for comment has now expired, it must be assumed that they have no comments to make.

Representations

None

Applicant's/Agent's submission

The applications are accompanied by the following documents:

- Heritage Report

- Planning Statement
- Design and Access Statement
- Building Condition Report
- Repair Schedule
- Highways Report
- Acoustic Report
- Ground Report
- Ecology Report
- Arboricultural Report
- Archaeological Report

All of these documents are available for inspection at the Guildhall and as associated documents to the applications via the following links

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/01175/FUL>

and

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/21/01176/LBC>

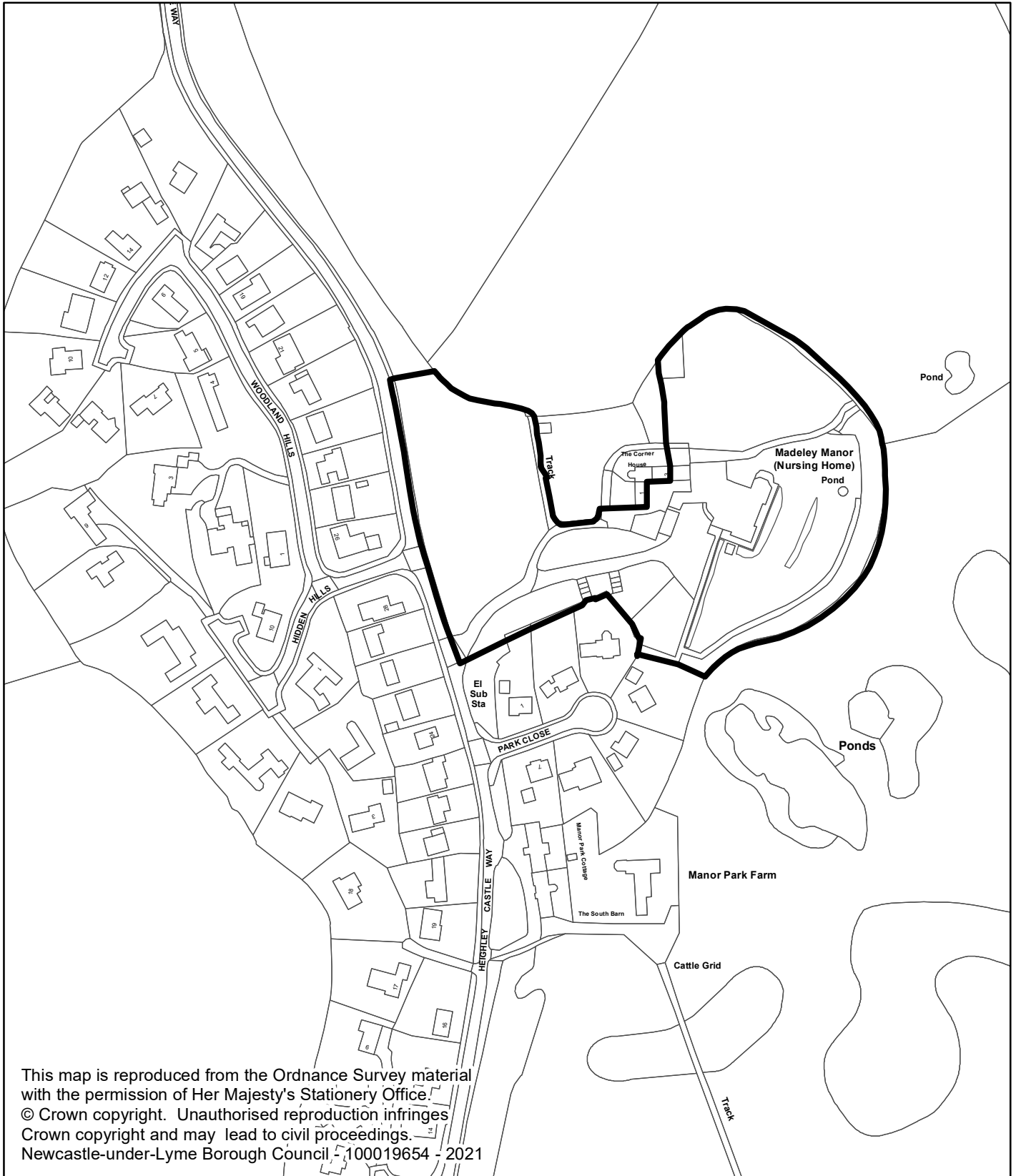
Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

17th March 2022

Madeley Manor, Heighley Castle Way, Madeley.



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BETLEY COURT, MAIN ROAD, BETLEY
DR NIGEL BROWN

21/01064/FUL

The application is for full planning permission for the retention of a change of use of a visitor hub, permitted under reference 18/00943/FUL, for classes, meetings and small gatherings in addition to its use in association with the opening of gardens as a visitor attraction.

The site is located within the Green Belt, Betley Conservation Area and within an Area of Active Landscape Conservation as defined by the Local Development Framework Proposals Map. Betley Court is a Grade II* Listed Building. Trees within the site are protected under a Tree Preservation Order.

The application has been called in to Committee by two Councillors on the grounds that it could present a noise problem to the immediate adjoining houses on Court Walk.

This application was reported to Committee on 1st March when the decision was deferred to enable further consideration to be given to how the proposed use could be restricted to ensure that residential amenity is protected.

The 8 week period for the determination of this application expired on the 1st March 2022.

RECOMMENDATION

PERMIT subject to the following conditions:

- 1. Implementation of the parking management scheme approved under 18/00943/FUL when the gardens are open to visitors.**
- 2. Gardens to be open to visitors no more than 6 weekends per year.**
- 3. In addition to the use of the building for purposes incidental to the residential occupation of Betley Court, the building shall be used for pre-booked activities only at times when not in use in association with the opening of the gardens to visitors, subject to the following limitations:**
 - It shall be used for no more than 320 activity hours per week (defined as the use of the building by one person for one hour);**
 - A maximum of 20 people shall attend each event;**
 - Events shall take place on no more than five days in any week (commencing on Monday).**
 - No more than 2 events shall take place on any day.**
 - Events shall be restricted to between the hours of 8.30am and 9.30pm**

Any additional use shall only take place with the express permission of the local planning authority.

- 4. No cooking of food without the prior approval and implementation of details of any kitchen ventilation system and external plant.**
- 5. Restriction on the hours when deliveries and waste collections can take place.**

Reason for Recommendation

Taking into account the requirement for the decision-maker to pay special attention to such matters it is considered that the use of building would preserve the setting of the Listed Building and would not harm the character and appearance of the Conservation Area.

Subject to conditions it is considered that the proposed use will not result in harm to residential amenity or highway safety. As such it is considered that planning permission can be granted.

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

The proposed development is 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 retention of a change of use of a visitor hub, permitted under reference 18/00943/FUL, for classes, meetings and small gatherings in addition to its use in association with the opening of gardens as a visitor attraction. The building as permitted measures 84m². It contains a refreshments area, kitchen, office and toilet facility. It is used in connection with the opening up of the landscaped grounds of Betley Court as a visitor attraction for 6 weekends in any calendar year, with additional openings for events. The use proposed in this current application commenced in 2021 without the benefit of planning permission and in breach of conditions of planning permission 18/00943/FUL.

The site is located within the Green Belt, Betley Conservation Area and within an Area of Active Landscape Conservation as defined by the Local Development Framework Proposals Map. Betley Court is a Grade II* Listed Building. Trees within the site are protected under Tree Preservation Orders.

As no construction works are involved, the development will not result in any adverse impact on trees or on the wider landscape. The key issues in the determination of this application are therefore considered to be:

- Whether or not the proposal is inappropriate development in the Green Belt
- Impact on the Listed Building and the Conservation Area
- The acceptability of the principle of the proposed development in this location, including consideration of residential amenity
- Highway safety

Whether or not the proposal is inappropriate development in the Green Belt

Paragraph 137 of the National Planning Policy Framework (NPPF) indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

Paragraph 147 of the NPPF indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 149 and 150 of the NPPF identify a number of forms of development that are not regarded as inappropriate in the Green Belt. One of these exceptions, at paragraph 150, is the reuse of buildings provided that the buildings are of permanent and substantial construction. The proposal is considered to fall within this exception. As such it is appropriate within the Green Belt.

In view of this conclusion, consideration as to whether the very special circumstances required to justify the granting of planning permission is not required.

Impact on the Listed Building and the Conservation Area

When making a decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. In addition where a planning application affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

Saved Newcastle Local Plan Policy B9 states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas. This policy is consistent with the NPPF and the weight to be given to it should reflect this.

Policy BBW5 of the Betley, Balterley and Wrinehill Neighbourhood Plan (BBWNP) indicates that new development and conversions must preserve and enhance the special historical and architectural character of the Conservation Area.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset such as a Conservation Area, Listed Building or Registered Park and Garden, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The building is sited in a wooded area to rear of the listed building. As highlighted by the Conservation Officer, no physical changes are proposed to the parking area, building or garden. The building is modest in size and this will limit the extent of activity associated with the proposed use of the building over and above that previously permitted. As such it is considered that the proposed development will result in no harm to the heritage assets i.e. the Listed Building and Conservation Area, as previously concluded when granting planning permission under reference 18/00943/FUL.

Acceptability of the principle of the proposed development in this location, including consideration of residential amenity

Paragraph 130 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, including that developments should create places with a high standard of amenity for all existing and future users.

In granting planning permission for the building and associated use it was acknowledged that the introduction of visitors to the site had the potential to cause disturbance to occupants of Betley Court and the dwellings sited near to the House and its gardens. It was, however, concluded that such impacts could be kept to an acceptable level through conditions restricting the number of times in a year that the gardens are open to the public.

The building is sited approximately 9m at its nearest point from the boundary of the gardens and property on Court Walk. The parking area is directly adjoining the shared boundary.

Given the proximity of the site to adjoining properties and bearing in mind that the proposal increases the regularity of the use of the building the proposal will result in a greater possibility of disturbance. The extent of the activity will, however, be small scale given the limited size of the building. When it is noted that the boundary treatment separating the site from Court Walk dwellings is a tall boundary wall, it remains that the impact on the living conditions of adjoining residents could be maintained at an acceptable level through the imposition of restrictions within conditions of planning permission. The decision on this application was deferred by Planning Committee at its meeting on 1st March to enable further consideration to be given to the nature of such restrictions.

The applicant has indicated that the building would, if permission is granted, be used for, and/or in connection with, the following in addition to activities associated with the residential occupation of Betley Court:

- Floristry classes
- Evening classes
- Personal trainer
- Meetings
- Private tea parties
- Education visits

- Garden activities
- Volunteers

The revised recommendation as reported included specifying that the building should be used for pre-booked activities on no more than two days a week and for a maximum of 20 people only at times when it is not in use in association with the opening of the gardens to visitors. The applicant expressed concern that such a condition was unduly restrictive. In discussions the applicant has suggested the following revision to that condition: *The building shall be used for pre-booked activities for no more than 320 person activity hours (defined as the use of the building by one person for one hour) per week for a maximum of 20 people only at times when not in use in association with the opening of the gardens to visitors. Any additional use shall only take place with the express permission of the local planning authority.*

The number of person activity hours as proposed by the applicant could be generated on two days per week if activities involving 20 people take place over eight hours on each day. This would be in accordance with the restrictions as previously recommended and this would be acceptable subject to the other recommended conditions. However, without additional limitations a significant number of smaller events could also take place over seven days each week. This would give little respite to local residents from the impact of such events, particularly from disturbance generated by attendees arriving and departing each event. It is therefore considered that in addition to a limitation on person activity hours there should also be a limitation on the number of days in any week that activities can take place, the number of events on each day as well as a restriction on the hours of operation. Subject to such controls it is considered that additional use of the building would not result in an unacceptable impact on residential amenity.

Concern has been expressed that the use of the building for classes, meetings etc. would be harmful to the viability of similar existing businesses in Betley. There is, however, no evidence to support such a conclusion and as local and national policies are supportive of the development of local services and community facilities in the rural area, such concerns are not justification to refuse the application.

Impact on highway safety

At paragraph 111 the NPPF indicates that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highway Authority have not objected to the proposal noting that the permission is for small scale activities for groups of up to 20 people through pre-booked events so the number of visitors will be known in advance. The level of parking demand and traffic movements associated with this use is therefore different to opening up the gardens where the number of visitors is difficult to predict.

It is therefore anticipated that the level of parking within the site will be sufficient to meet the demands generated by the use proposed in this application in addition to the residents of Betley Court, when they are able to occupy the building again.

Overall it is considered that the proposal will not have an adverse impact on the local highway network and that a highway safety reason for refusal could not be sustained.

Other matters

Representations have been submitted highlighting that planning permission was given for a specific purpose despite its location in the Green Belt and the Conservation Area.

When planning permission was granted for the building it was identified that it represented inappropriate development in the Green Belt and could not be approved except in very special circumstances. It was, however, concluded that very special circumstances existed as

the development would provide additional income that could be used for the maintenance and upkeep of this Grade II* Listed Building, a particularly important building of more than special interest, thereby providing some assurance of its future.

Such justification for the granting of planning permission for inappropriate development in the Green Belt would not be undermined by any additional use of the building as now proposed and does not justify the refusal of planning permission for such additional use if assessed as being acceptable on its own merits.

As set out above when planning permission reference 18/00943/FUL was granted, it was concluded that it would not result in any harm to heritage assets and no such harm has been identified when assessing the current application.

The submitted application accords with the legislative requirements for applications for planning permission. The local planning authority cannot, therefore, insist upon the submission of plans showing the relationship of the proposal to adjoining properties as has been suggested in representations. The absence of such plans does not prevent the proper consideration of the impact of the development upon the occupants of the adjoining properties.

There is no basis to consider that the additional use of the building would have any material and adverse impact on issues of nature conservation.

APPENDIX

Policies and Proposals in the Approved Development Plan relevant to this decision:-

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

Policy SP2: Spatial Principles of Economic Development
Policy ASP6: Rural Area Spatial Policy
Policy CSP2: Historic Environment

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3: Development in the Green Belt
Policy T16: Development – General Parking Requirements
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 B14: Development In or Adjoining the Boundary of Conservation Areas

Betley, Balterley and Wrinehill Neighbourhood Plan (BBWNP) Made January 2022

Policy BBW1: Promoting Sustainable Development
Policy BBW5: Conserving and Enhancing Betley Conservation Area
Policy BBW6: Recognising the Intrinsic Character of the Countryside and Protecting and Enhancing Valued Landscapes
Policy BBW10: Community Facilities

Other Material Considerations

National Planning Policy Framework (2021)

Planning Practice Guidance (2018)

Relevant Planning History

There have been a number of applications associated with the repair and renovation of Betley Court following a fire. Such applications are not directly relevant to this application. The planning history that is relevant is as follows:

18/00943/FUL	Proposed opening of gardens as a visitor attraction; construction of a detached building to form toilets/office and facilities for light refreshments; demolition of garages and the construction of car parking. (resubmission of 18/00268/FUL)	PERMITTED
20/00655/FUL	Variation of condition 2 (approved plans) of P/A 18/00943/FUL to permit the substitution of revised plans to reflect the details of the visitor centre as built	PERMITTED

Views of Consultees

The **Highway Authority** has no objections.

The **Conservation Officer** has no objections considering that in this context the use will not have a harmful impact on the character and special interest of the listed building as there are no physical changes to the parking, buildings or garden.

The **Landscape Development Section** raise no objections.

The views of the **Environmental Health Division** and **Betley, Balterley and Wrinehill Parish Council** have been sought however as they have not responded by the due date it is assumed that they have no comments on the application.

Representations

Eight representations have been received objecting to the application and raising the following concerns:

- The plans are not accurate and do not show the dwellings on Court Walk and the parking.
- The use would result in noise, odour, anti-social behaviour, nuisance and disruption to Court Walk residents.
- There is permanent parking congestion on the one access road and as such it is always a single carriageway. The additional activities will inevitably incur a greater degree of traffic resulting in safety issues, disruption and pollution.
- Permission was given for a specific purpose despite its location in the Conservation Area and the Green Belt and not as another village meeting place.
- There are no proposed restrictions on the use and it could take place throughout the year.
- The use will have an adverse impact on other local business.
- The furtherance of profit for the benefit is understandable but should not be at the expense of the mental wellbeing of the residents of Court Walk.
- There is an ongoing and flagrant abuse of the conditions that restrict the use of the building which should be addressed.
- An increase of people has to potential to adversely affect nature conservation.

Following the publication of the report for the meeting of Planning Committee on 1st March, the applicant has written in to express disappointment about the recommended restrictions on the use of the building (visitor hub), questioning whether there will be sufficient benefits given such restrictions to make it worthwhile, and to respond to the objections that have been submitted. The comments are summarised as follows:

- The additional use of the visitor hub should not result in congestion on Court Walk. Contractor's vehicles are parked on Court Walk during the rebuilding of the exterior of Betley Court. This phase of the works should be completed by end of October 2022 when the scaffolding will be dismantled allowing the forecourt to be used for parking and reducing the level of contractor parking on Court Walk. Whilst the main contractors are working no activity will be allowed in the Visitor Hub due to health and safety issues.
- There will be fewer cars associated with the visitor hub than when the house was occupied. Activities within the garden will be pre-booked and if additional parking is required then the overspill car park on the main lawn will be used. Car parking for the future tenants of Betley Court will be detailed in a separate planning application for the re-creation of the flats in Betley Court.
- The visitor hub has been used for flower arranging taster test classes but that use has ceased and will not recommence until planning permission is in place.
- There is a requirement for additional funds for the restoration of Betley Court and the income generated by the additional use proposed will assist.
- The visitor hub offers a different type of venue to those offered within the village. It will not compete with them and may complement them by bringing in more visitors.
- The visitor hub will not be used for activities that would result in distress to the occupants of Betley Court. Such residents are slightly further away from the visitor hub than residents on Court Walk but don't have the protection of a high, solid wall.

Applicant/agent's submission

The planning application is supported by the requisite application form, plans, and Heritage Appraisal.

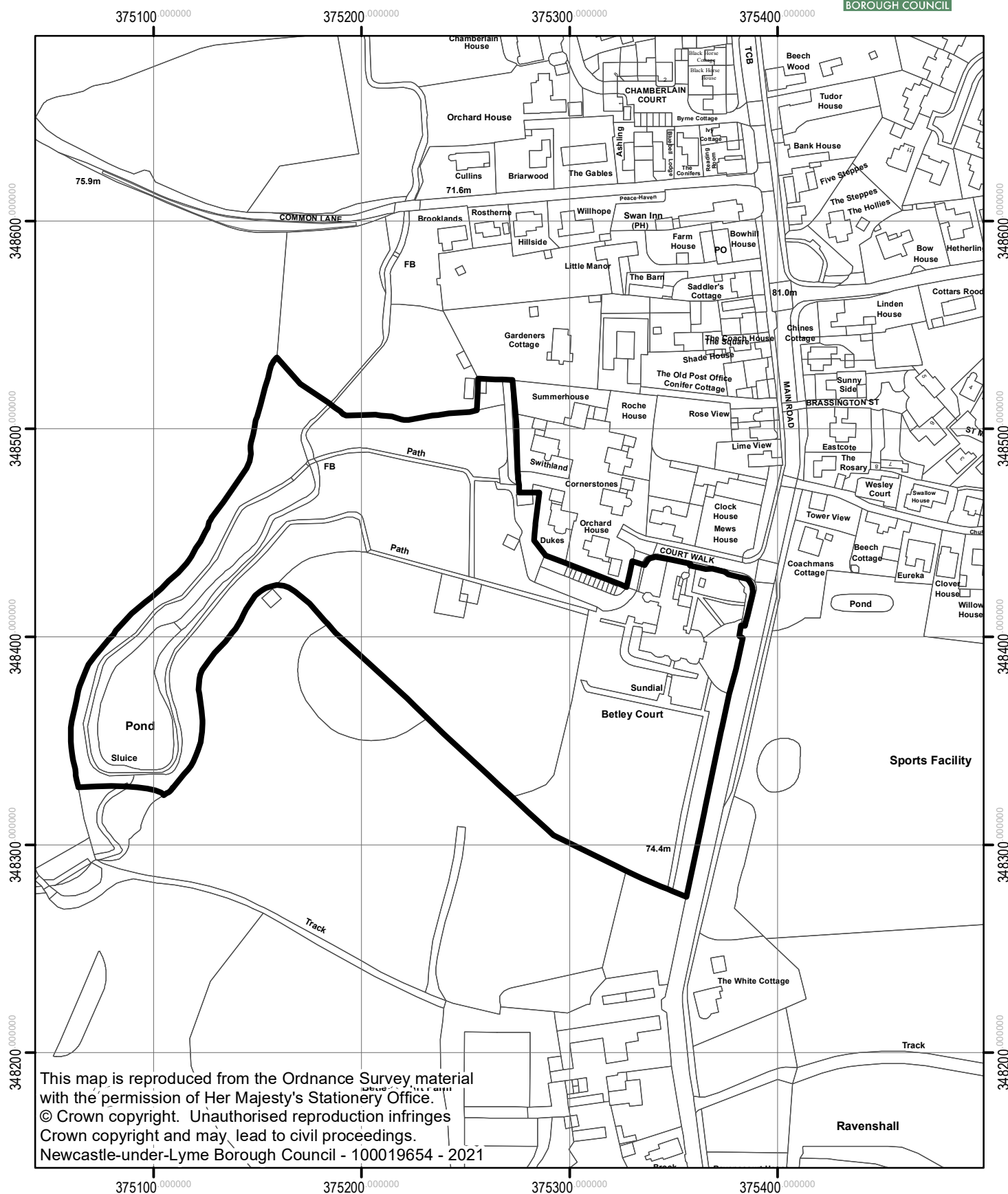
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/01064/FUL>

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

11th March 2022



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THE OLD COACH HOUSE, RECTORY LANE, WHITMORE
MR LEE SHELTON

22/00022/FUL

The application is for full planning permission for a replacement dwelling at 'The Old Coach House' on Rectory Lane, Whitmore.

The site lies within the open countryside in the Green Belt and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map.

The 8 week determination period for this application expired on the 8th March, however an extension of time has been agreed until 1st April.

RECOMMENDATION

Permit, subject to conditions relating to the following: -

- 1. Time limit**
- 2. Approved plans**
- 3. Materials**
- 4. Electric vehicle charging provision**
- 5. Prior approval of parking and turning areas**
- 6. Tree protection measures**

Reason for Recommendation

Whilst the development represents inappropriate development within the Green Belt, it is accepted that there are very special circumstances which would outweigh the associated harm to the openness of the Green Belt from this development. The design and layout of the proposal is considered acceptable and to be in accordance with the aims and objectives of the National Planning Policy Framework and the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD. The proposed development fully complies with planning policy guidance in terms of the impact on highway safety, residential amenity and impact on trees.

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

Amended plans have been submitted in support of the application and the development is now considered to be a sustainable form of development in accordance with the National Planning Policy Framework.

Key Issues

The application seeks full planning permission for a replacement dwelling at the Old Coach House, Rectory Lane, Whitmore. The site lies within the open countryside, which is designated as being within the Green Belt and a Landscape Maintenance Area, as indicated on the Local Development Framework Proposals Map.

The application site comprises a spacious plot set away from neighbouring residential properties and the access and parking arrangements are considered acceptable subject to conditions. The application raises no issues of residential amenity or highway safety and therefore the key matters in the consideration of the application are;

- Is the development appropriate or inappropriate within the Green Belt and if inappropriate, do the very special circumstances exist to justify approval?
- The design and the impact on the character and appearance of the area
- Impact on visually significant trees
- Other matters
- Reducing Inequalities

Is the development an appropriate form of development within the Green Belt?

Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149 of the NPPF states that other than in the case of a number of specified exceptions the construction of new buildings should be regarded as inappropriate in the Green Belt. One of these exceptions is (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Concerns were raised with the scale of the replacement dwelling as originally submitted. Amended plans have been received which have resulted in the replacement dwelling being reduced in size so that it would comprise an approximate increase in volume of 50% over and above the size of the original dwelling. On this basis it must be concluded that the proposed replacement dwelling is materially larger than the existing dwelling and this constitutes inappropriate development in the Green Belt and should only be permitted if very special circumstances exist.

The design and the impact on the character and appearance of the area

Paragraph 127 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the Framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Council's Core Spatial Strategy 2006-2026 requires that the design of the development is respectful to the character of the area.

Policy DC2 of the Neighbourhood Plan states that proposals will be supported if they complement local landscape or townscape character in terms of urban and built form, spacing, enclosure and definition of streets and spaces and when they do not harm the character and appearance of the landscape or existing townscape.

The application site consists of a traditionally designed two storey detached property and large single storey outbuilding. The application site is located on the southern slope of a hill and is the last property located on Rectory Road. A number of protected trees are located within and directly adjacent to the application site.

The proposed dwelling would be of a traditional two storey design but would include more contemporary fenestration which includes a number of large ground and first floor windows on the front and rear of the property. The eaves height of the property would be set at 5m, with the overall ridge height being 8.3m which is approximately 1.8m higher than the ridge height of the original dwelling. There are only a limited number of dwellings close to the application site, however there is a mixture of design styles and the majority are two-storey traditionally designed properties. As such, it is considered that the overall external appearance, with respect to the proposed materials and design character, is appropriate for the area.

It is recognised that the replacement dwelling would result in a clear visual change to the application site. However, although taller than the existing property, the proposed dwelling would not result in any significant change to views from the north or west due to the sloping topography of the area, and any views of the property from the east and south will be softened by the existing mature trees which surround the site. In addition to the above, the application site also benefits from being set within a generous plot and can therefore accommodate the proposed development without appearing as an overdevelopment of the site itself.

On balance it is considered that the overall scale, appearance and siting of the proposed dwelling would have an acceptable visual impact when assessed against adopted national and local development plan design policies and would not result in an adverse impact to the Landscape Maintenance Area.

Although the Parish Council have noted that the property should be classed as historical, the building does not have any statutory protection and is not on the Register of Locally Important Buildings. Therefore, whilst the current property has an attractive, traditional design, it is not considered that its demolition can reasonably be resisted by the Local Planning Authority.

Impact on Trees

Policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

There are a three trees within or in close proximity to the application site which are covered by Tree Protection Order no.62. Whilst two of these trees are located in the western corner of the site and will not be affected by the proposal, there is large Hungarian Oak tree located just outside of the south eastern corner of the plot which could be impacted by the new property. An Arboricultural Impact Survey has been submitted in support of the application which recommends that tree protection methods are put in place to protect this tree.

The Council's Landscape Development Section has not provided any comments on the application but the proposed dwelling would be situated approximately 0.5m further away from the Oak tree than the existing dwelling and therefore there would be no further encroachment into the root protection area of the tree than currently exists. Subject to a condition requiring that the proposed tree protection measures are put in place during the construction phase of the development, it is considered that the impact to this tree can be satisfactorily mitigated as required by Policy N12 of the Local Plan.

Do the required very special circumstances exist (to justify inappropriate development)?

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The current dwelling was granted planning permission in 1990 (Ref. N20304) as a conversion of a disused coach house and stable. Although the permitted development rights for the property were removed, planning permission was granted last year for extensions to the existing dwelling which comprised a 50% increase in volume (Ref. 21/00863/FUL). Such an increase was considered appropriate development in the Green Belt.

The previous planning permission does provide the applicant with a genuine fall-back position. The harm that the replacement dwelling would have on the openness of the Green Belt would be no greater than the extended original dwelling and the new dwelling also has the benefit of being of a more compact form of development which takes up less built footprint than the current arrangement. Your officer accepts that the above represents the very special circumstances required to justify the proposed development and the proposal is therefore considered to be in accordance with the requirements of the NPPF.

Consideration must be given to whether permitted development rights (PDR) should be removed by condition, to make the development acceptable.

Paragraph 56 states that "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects".

Appeal inspectors have concluded that there are rarely exceptional circumstances for removing PDR just because a site is within the Green Belt. Therefore, your officer does not consider that a condition removing PDR is justified in this instance.

Other Matters

In response to the requested conditions set out by the Highway Authority, amended plans have been submitted which show the removal of the chain fence and the reinstatement of a grass boundary verge along the application site's northern boundary. Although the Highway Authority has requested that the access drive be surfaced in tarmac, as this is for a replacement dwelling, there would be no intensification of the use of the existing gravelled driveway and therefore, such a request would not be reasonable.

The Parish Council objects to the proposal on the basis that it does not comply with Policy HG1 of the Neighbourhood Plan. Policy HG1 states that new housing will be supported in sustainable locations which include 'as a replacement dwelling'. It is therefore considered that the proposal would not be in conflict with the requirements of this NP policy.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy SP1:	Spatial Principles of Targeted Regeneration
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP6:	Rural Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3:	Development in the Green Belt
Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy N3:	Development and Nature Conservation – Protection and Enhancement Measures
Policy N12:	Development and the Protection of Trees
Policy N17:	Landscape Character – General Considerations
Policy N19:	Landscape Maintenance Areas

Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Plan

Policy DC2:	Sustainable Design
Policy NE1:	Natural Environment
Policy DC1:	Local Heritage
Policy DC6:	Housing Standards
Policy HG1:	New Housing

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (February 2021)

Planning Practice Guidance (March 2019)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

N20304 - Conversion of disused coach house and stable to dwelling – approved

21/00863/FUL - Extensions and alterations – approved

Views of Consultees

The **Environmental Health Division** raises no objections to the proposal with regards to land contamination.

The **Highway Authority** raises no objections to the proposed development subject to conditions requiring a revised site plan which indicates the removal of the post and chain fence within the adopted highway verge, the reinstatement of the grass verge and the whole area of existing driveway rear of the existing carriageway to be surfaced in tarmac up to and including the access gates.

No representations have been submitted by the **Landscape Development Section**

HS2 raise no objection to the proposal but wishes to make the applicant aware that there are significant works within close proximity to the proposed development.

Whitmore Parish Council object to the proposals for the following reasons:

- The planning statement ignores the policies in the Neighbourhood Development Plan (NDP).
- The site is in the Green Belt and there are no very special circumstances to permit this encroachment.
- Although not listed, the dwelling has historical interest and significance and is adjacent to Whitmore Conservation Area.
- The proposal conflicts with policies HG1 and NE1 of the NDP.
- The size of the replacement dwelling is much greater than the approved extended dwelling and therefore would harm the openness of the Green Belt and would be inappropriate development. The Planning statement acknowledges that it is materially larger and could be considered inappropriate development in this location causing harm.

Representations

One objection letter has been received raising the following concerns:

- The dwelling should be considered as a historic site
- The planning statement ignores the policies in the Neighbourhood Development Plan (NDP)
- The extensions are disproportionate and do not enhance the intrinsic rural character and is harmful
- The planning statement acknowledges that the development is materially larger and could be considered inappropriate development in this location causing harm

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Tree Survey Plan

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00022/FUL>

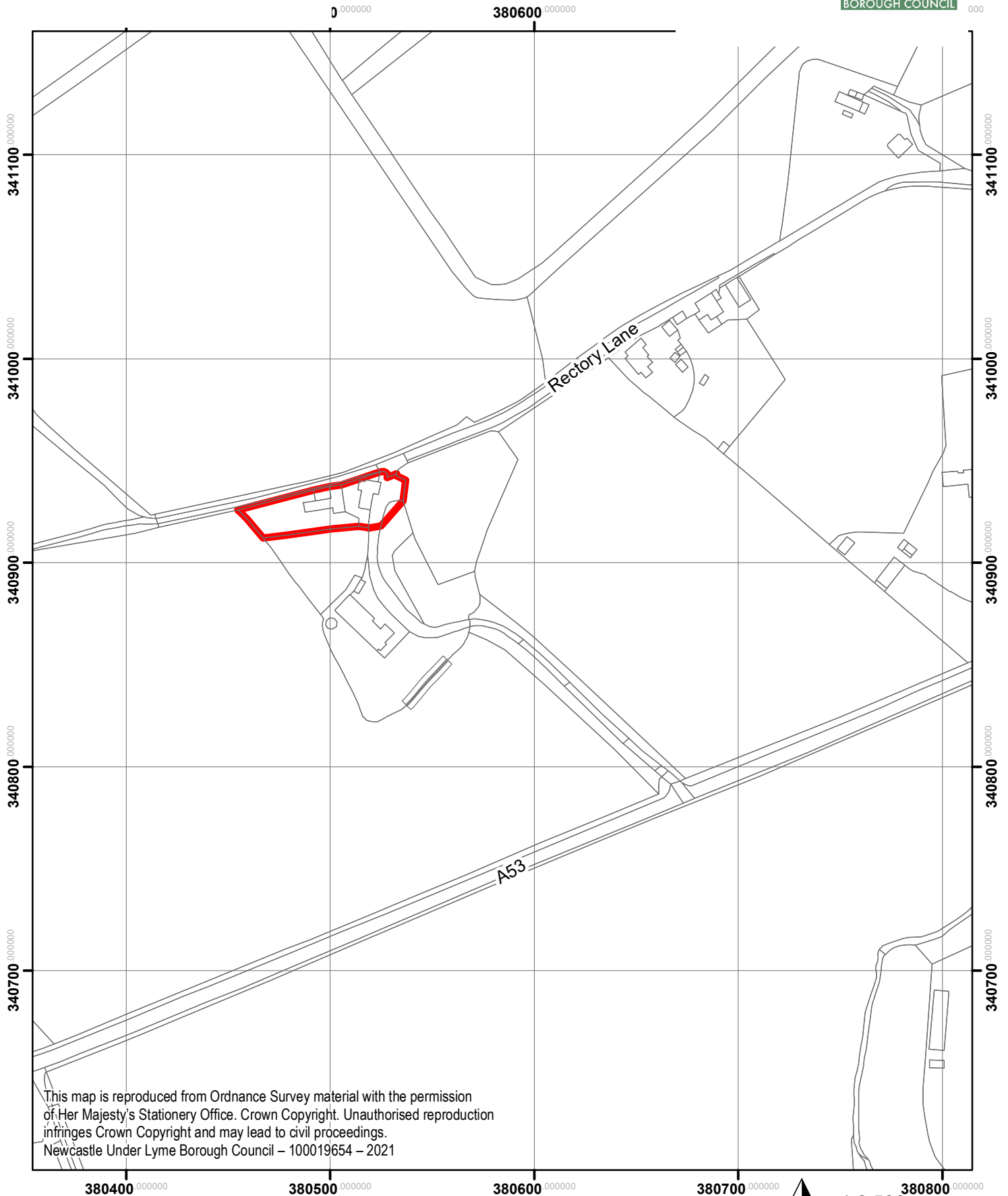
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

10th March 2022

22/00022/FUL
The Old Coach House
Rectory Lane
Whitmore



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Newcastle Under Lyme Borough Council – 100019654 – 2021



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THE NOOK, NEWCASTLE ROAD, MADELEY
MRS JULIE MIROWSKI

22/00061/FUL

This application seeks approval for a new access at a recently constructed property located on land adjacent to 'The Nook'.

The dwelling is located within the rural area of the Borough, as identified by the Local Development Proposal Framework Map.

The application has been called into the planning committee at the request of Cllr Gary White and Simon White due to concerns relating to highway safety.

The 8 week determination of this application expires on the 24th March 2022, however an extension of time has been agreed until 01/04/2022.

RECOMMENDATION

Refuse, for the following reason:

The submitted application fails to demonstrate that suitable visibility splays, measuring 2.4m by 43m in both directions, can be provided from the centre of the proposed vehicular access on land either within the control of the applicant or within the highway and as such the application fails to demonstrate that the access is safe and suitable and is contrary to the requirements of paragraph 110 of the National Planning Policy Framework.

Reason for Recommendation

Although this is a balanced case, the proposed access arrangement fails to demonstrate suitable visibility splays on to Crewe Road in accordance with current National Guidance (Manual for Streets). The proposal would therefore result in an adverse impact to highway safety and is contrary to the requirements of paragraph 110 of the National Planning Policy Framework.

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

It is considered that the proposal is unsustainable and does not conform to the core planning principles of the National Planning Policy Framework and it is considered that the applicant is unable to overcome the concerns raised.

Key Issues

This application seeks permission for a new access arrangement at a recently constructed property located on Crewe Road. The proposal does not raise any concerns relating to visual impact or residential amenity, and as such the key issues to be considered in the determination of the application are;

- Is the proposed access and parking provision acceptable in highway safety terms?
- Impact on trees
- Reducing Inequalities

Is the layout and parking provision acceptable in highway safety terms?

The National Planning Policy Framework states, at paragraph 110, that a safe and suitable access to the site should be achievable for all people and, on paragraph 111, that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development on the road network are severe.

The application site contains a recently constructed two storey detached dwelling which was granted under planning application 21/00800/FUL. The property currently makes use of an existing access arrangement which allows vehicles to enter and leave the site via a narrow shared access road located to the site south of the dwelling. Due to the position of high level brick wall that runs along the Meadows School boundary, the shared access road has a poor level of visibility where it connects to Crewe Road, however it must be recognised that this access road has been in use for other neighbouring residential properties for a number of years.

This application seeks permission for a new access at the northern boundary of the application of the property which would link directly onto Crewe Road. The agent of the application had provided supporting information, including photos taken from the proposed and existing access roads, in an attempt to demonstrate that the new access arrangement would be a safer alternative to the existing access. The Highway Authority has however raised objections to the proposed access arrangement onto Crewe Road on the basis that it would not provide car users with visibility of 2.4m x 43m in both directions taken from the centre of the proposed new vehicular access which would be contrary to the requirements of National Guidance (Manual for Streets).

It could be argued that the proposed new access onto Crewe Road would provide slightly better visibility for drivers than the existing shared access arrangement. Nevertheless, it is considered, on balance, that the proposed access set out in this application would result in an adverse impact to highway safety and that the approved access arrangement is the preference.

Impact on trees

Policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

The Council's Landscape Development Team have requested that a condition is applied to any permission requiring that a landscaping scheme be submitted to the LPA for consideration, the scheme should include details of a replacement roadside tree for the tree felled in 2016 (in accordance with the conditions in application ref 6/00789/TWA5) which would need to be planted within the next available growing season. Subject to the above condition being added to any permission, it is considered that the landscape matters related to the site could be satisfactorily mitigated.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is noted that access to all dwellings will be level and compliant with Part M of Building Regulations. It is therefore considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy N17 Landscape Character – General Considerations
Policy T16 Development – General Parking Requirements

Other Material Considerations include:

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

[Planning Practice Guidance](#) (March 2014, as updated)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG](#) (SAD) (July 2004)

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

Relevant Planning History

20/00223/OUT - New dwelling in rear garden (Amended plans received 26.05.2020) – permitted

20/00969/REM - Access, appearance, landscaping, layout and scale relating to 1 no. proposed dwelling. (details relating to the access to the existing dwelling (C6) have already been approved (20/00223/CN06) – permitted

21/00800/FUL - New dwelling – permitted

Views of Consultees

The **Environmental Health Division** raises no objections to the proposal.

The **Highway Authority** raise objections to the proposed access arrangement from Crewe Road on the basis that it does not provide the required visibility splays.

The **Landscape Development Team** raises no objections to the proposal but request that the landscaping scheme includes a replacement roadside tree for the tree felled in 2016 (in accordance with the conditions in application ref 16/00789/TWA5) to be planted within the next available growing season.

Madeley Parish Council has no comments on the application.

United Utilities have requested evidence is provided to show that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

Representations

None.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Noise Report

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00061/FUL>

Background papers

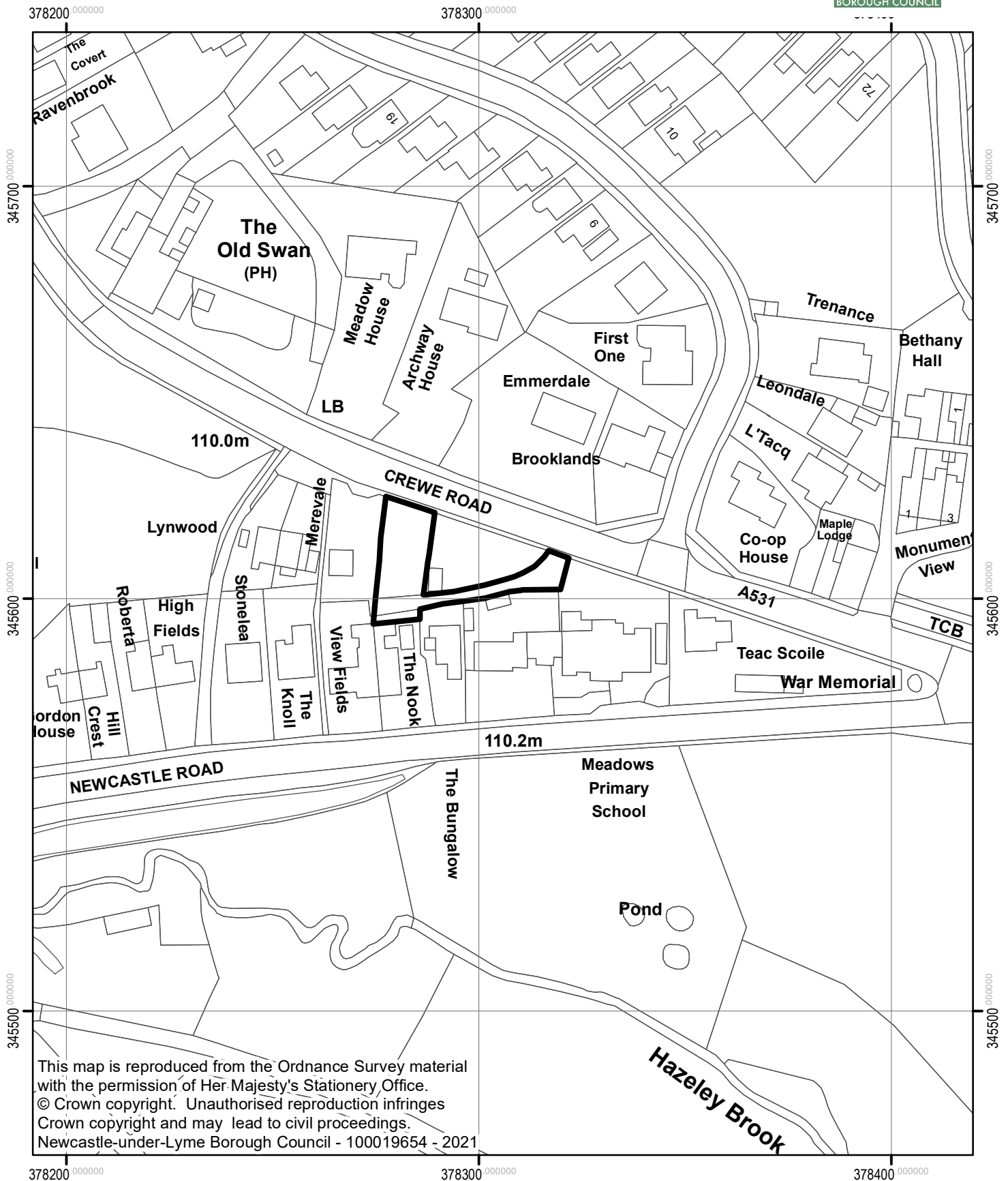
Planning files referred to
Planning Documents referred to

Date report prepared

9th March 2022

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22/00061/FUL
Land Adjacent To The Nook
Newcastle Road
Madeley



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Report to Planning Committee 29 March 2022

5 year Housing Land Supply Statement for the Borough of Newcastle-under-Lyme covering the 5 year period from 1 April 2021 to 31 March 2026

Purpose of the Report

To present updated information on the current 5 year housing land supply position (at 31 March 2021) as set out in accompanying statement.

Recommendations

- 1) That members note the content of the 5 year Housing Supply Statement and agree that it represents the current position of the Council.
- 2) That members note the significance of the 5 year supply position for Development Management decision making.

Reasons for recommendations

To ensure the Council calculates its 5 year Housing Land Supply Statement in accordance with current government policy, Planning Practice Guidance and reflects the most up-to-date position regarding its supply of deliverable housing sites.

1. Member's attention is drawn to the accompanying 5 year Housing Land Supply Statement and its Appendix 1. The purpose of this report is not to repeat the content of the Supply Statement, but rather to draw attention to key elements of it.
2. The 5 year Supply Statement is a measurement of Borough's supply of deliverable housing sites against the Borough's local housing need. Local housing need is required to be calculated using the standard method set out in the Planning Practice Guidance.
3. The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (Local Plan) was adopted more than five years ago (October 2009), and the emerging Local Plan is yet to be prepared and examined. Therefore, the standard method should be used to calculate the housing need.
4. **The Borough's annual housing requirement is 368 homes per annum or 1,838 homes over the five year period 2021-2026.** This is based on the standard method and application of a 5% buffer.
5. To be included in the Borough's 5 year housing land supply statement, sites have to be deliverable which means that they should be available now, offer a suitable location for development now, and be achievable with a reasonable prospect that housing will be delivered on the site within the 5 years and in particular that development of the site is viable. Sites which are not categorised as major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example, if they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield land register should only be

considered deliverable where there is clear evidence that housing completions will begin on site within 5 years.

6. **As at 31 March 2021, the Council is able to demonstrate 7.3 years supply of housing** taking into account the application of a 5% buffer.
7. The Council's supply exceeds the 5 year figure by 2.3 years or 851 units. The figures are considered to be robust and defensible.



Contents

1. Background
2. National Policy and Guidance
3. Local Housing Need
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1. Background

- 1.1. This five year housing land supply sets out new information on the availability of land in Newcastle-under-Lyme for housing development looking forward over the next five years from 2021 to 2026.

2. National Policy and Guidance

- 2.1. The National Planning Policy Framework (NPPF) states:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old” (*NPPF, Paragraph 74, p20*).

- 2.2. The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (Local Plan) was adopted more than five years ago (October 2009), and the emerging Local Plan has not yet been subject to examination. Therefore, the standard method should be used to calculate the local housing need for Newcastle-under-Lyme.

- 2.3. The NPPF also states:

“...to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals” (*NPPF, Paragraph 61, p17*).

- 2.4. As Newcastle-under-Lyme Borough Council’s existing strategic policies are more than five years old, the Borough’s local housing need should be applied for the purposes of assessing the Borough’s five year housing land supply. The NPPF glossary defines local housing need as:

“the number of homes identified as being needed through the application of the standard method set out in national planning guidance, (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 61 of this Framework)” (*NPPF, p68*).

- 2.5. Furthermore, with regard to local housing need assessment, Planning Practice Guidance (PPG) provides greater detail on the approach to be adopted in prescribed circumstances. PPG directs all local authorities with strategic policies older than 5 years, or where strategic housing policies have not been reviewed and found to be up-to-date, to use the Government’s standard method as the starting point for calculating the 5 year housing land supply.

- 2.6. The NPPF glossary defines ‘deliverable’ as follows:

To be considered ‘deliverable’, sites for housing 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:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years (*NPPF, p66*).

- 2.7. The NPPF sets out the Housing Delivery Test (HDT). Fundamentally, the result of the test is expressed as a percentage arrived at by dividing the minimum number of total dwellings required to have been built over the preceding 3 year period by the total number of dwellings that were built during the same period. The Housing Delivery Test result is used to determine the application of an appropriate buffer to the Borough's supply of deliverable sites, along with determining what other measures are required, according to national policy, to address under-delivery.

3. Local Housing Need

- 3.1. Newcastle-under-Lyme Borough Council is currently in the early phases of preparing a Local Plan. This will replace the Core Spatial Strategy and set a new housing requirement which will assess housing need for the Borough, and constraints to development.
- 3.2. Strategic policies within the Core Spatial Strategy are more than 5 years old. In accordance with Planning Practice Guidance, the Government's standard method for assessing local housing need for Newcastle-under-Lyme is the prescribed method for calculating a five year housing land supply (*PPG, Paragraph: 003, Reference ID: 68-003-20190722, Revision Date: 22 July 2019*). The standard method was also used in the previous 2020-2025 five year housing land supply statement.
- 3.3. Figure 1 below indicates the Borough's local housing need according to the Government's standard method to assess housing need:

Figure 1: Local Housing Need - Government's Standard Approach

Step 1- Setting the baseline:

Average household growth in Newcastle-under-Lyme between 2021-2031.

59,169 households in 2031 and 56,048 in 2021. 3,121 household growth.

$$312 \text{ (Annual Household Growth)} = \frac{59,169 - 56,048}{10}$$

Average annual household growth= **312**

Step 2 - An adjustment to take account of affordability:

2019 median workplace-based affordability ratio for Newcastle-under-Lyme: 5.93

$$\left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$

5.93 (local affordability ratio) – 4 = 1.93

1.93 / 4 = 0.4825

0.4825 x 0.25 = 0.120625

0.120625 + 1 = 1.120625

Adjustment factor= **1.120625**

The minimum annual local housing need figure for Newcastle-under-Lyme:

(Adjustment factor) x projected household growth 1.120625 x 312 = 349.635

The resulting figure is **350** (rounded).

Step 3 - Capping the level of any increase

The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (Local Plan) was adopted more than five years ago (October 2009). A cap may therefore be applied whichever is the higher of:

285 dwellings per annum set out in the 2009 Core Strategy

312 based on average annual household growth 2021-2031 (as per Step 1)

The cap is set at 40% above the higher of the most recent average annual housing requirement figure, or average household growth. In this case, the household growth is the greatest figure:

Cap = 312 + (40% x 312) = 436.8

The capped figure is greater than the minimum annual local housing need figure and therefore does not limit the increase to this authority's minimum annual housing need figure (i.e. no cap is applicable).

The minimum annual housing need figure for Newcastle-under-Lyme is **350**.

Application of an Appropriate Buffer

3.4. The NPPF states:

“the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period)” (*NPPF, Paragraph. 74, p21*).

3.5. As defined in the NPPF, the appropriate buffer for Newcastle-under-Lyme Borough Council is “a) 5% to ensure choice and completion in the market for land”, as

delivery has risen above 85% of the requirement. This is due to the Borough's 2021 Housing Delivery Test Result of 132% as per below calculation.

$$\frac{1186 \text{ (total net additional homes delivered 2018/19 to 2020/21)}}{899 \text{ (total number of net homes required 2018/19 to 2020/21)}}$$

Housing Delivery Test 2021 Measurement

Addressing the shortfall

- 3.6. The PPG indicates that any shortfall should also be included in the requirement for the first five years (*PPG, Paragraph: 022, Reference ID: 68-022-20190722, Revision date: 22 July 2019*). This results in a five year supply requirement in excess of the local housing need figure.
- 3.7. Therefore, to assess the five year housing land supply, it is relevant to assess housing delivery during the 2018/19-2020/21 period against the housing requirement. This corresponds with the results of the Housing Delivery Test 2021 measurement published by the Ministry of Housing, Communities & Local Government (MHCLG). Figure 2 below shows the results.

Figure 2 Housing Delivery Test 2021 Measurements: number of homes required, number of homes delivered and cumulative shortfall.

Year	Number of Homes Required	Number of Homes Delivered	Shortfall/Surplus (cumulative)
2018-19	344	236	-108
2019-20	319	320	-107
2020-21	236	630	+287
Total	899	1186	287
Source: Housing Delivery Test: 2021 measurement, Ministry of Housing, Communities & Local Government			

- 3.8. The table above shows there is no shortfall of homes delivered. Therefore, it does not need to be factored into the five year housing land supply requirement calculation.

4. Local Housing Need 2021 – 2026

- 4.1. Figure 1 indicates the annual local housing need figure according to the Government's standard method to assess housing need. In accordance with the NPPF and PPG regarding housing delivery and 5 year housing land supply, the Borough's minimum housing need has been calculated using the standard method. This amounts to a local housing need of 1,750 homes over a 5 year period, as set out in Figure 3, with which to assess the Council's housing land supply against.

Figure 3: Local Housing Need Assessment

Local Housing Need (per annum)	350
Five year Local Housing Need	1,750
Shortfall	0
Five year requirement including shortfall and 5% buffer (rounded)	1838
Annual requirement including 5% buffer (rounded)	368
Total five year housing requirement (rounded)	1,838

5. Housing Land Supply

Assessment of Deliverable Sites

- 5.1. The capacities identified in this section were derived having considered the amended definition of 'deliverable' sites as set out in the glossary of the NPPF and PPG (*NPPF, p66 and PPG, Paragraph: 007, Reference ID: 68-007-20190722*).
- 5.2. Furthermore, an assessment of all sites within the land supply has been undertaken in accordance with the Council's SHLAA Methodology.
- 5.3. The approach adopted ensures an up-to-date trajectory and robust deliverable supply having determined which sites are deliverable and the amount of capacity (delivery) that can realistically be expected from each site during the 2021-2026 period.

Detailed Planning Permission

- 5.4. In accordance with the NPPF, sites (including small sites) which have detailed planning permission have been considered deliverable during the period their permission remains extant, unless there was clear evidence that the site will not be implemented or commence delivery within the five year period.

Outline Planning Permission

- 5.5. Sites with outline permission have only been considered as counting towards the deliverable supply where there is clear evidence that housing completions will begin on site within five years (i.e. progression towards reserved matters, discharge of conditions or significant developer interest).

Planning Applications with Resolutions to Grant

- 5.6. Sites with planning applications with resolutions to grant (outline or full) planning permission subject to a Section 106 agreement or Unilateral Undertaking being completed are considered deliverable. These applications have progressed positively through the development management process with the proposal generally being considered acceptable by the Council and are ready to receive planning permission, subject to the detail of planning requirements being secured in a Section 106 legal agreement or Unilateral undertaking.

Windfall Development and Allowance

- 5.7. The NPPF states:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area” (*NPPF, Paragraph 71, p19*).

- 5.8. We have found compelling evidence that windfall sites provide a reliable source of supply in Newcastle-under-Lyme. Figure 4 below shows the past trends in windfall site completions since 2008. These typically comprise of changes of use, conversions and sites not already identified in the published SHLAA.

Figure 4: Calculation of the windfall allowance

<u>Windfall Completions</u>			
Year	Change of Use/ Conversions	Sites not identified in the SHLAA	Total
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
2015-16	49	12	61
2016-17	232	20	252

2017-18	11	29	40
2018-19	12	47	59
2019-20	7	37	44
2020-21	20	34	54
Total	474	269	743
Average per year			57.15

- 5.9. Considering the monitoring data presented in Figure 4, a windfall allowance of 57.15 dwellings per year for years 2024/25 and 2025/26 of the five year period is included in the housing land supply calculation. A total windfall allowance of 114 is applied for the last two years of the five year supply period. This avoids double counting of existing planning approvals which are likely to be built during the preceding three years.

Student Accommodation

- 5.10. In recent years, the Council has seen a rise in the number of planning applications proposing significant amounts of purpose built student accommodation.

- 5.11. The PPG states:

“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can in principle count towards contributing to an authority’s housing land supply based on:

- the amount of accommodation that new student housing releases in the wider housing market (by allowing existing properties to return to general residential use); and / or
- the extent to which it allows general market housing to remain in such use, rather than being converted for use as student accommodation.

This will need to be applied to both communal establishments and to multi bedroom self-contained student flats. Several units of purpose-built student accommodation may be needed to replace a house which may have accommodated several students.

Authorities will need to base their calculations on the average number of students living in student only accommodation, using the published census data, and take steps to avoid double-counting. The exception to this approach is studio flats designed for students, graduates or young professionals, which can be counted on a one for one basis. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that fully functions as an independent dwelling” (*PPG, Paragraph: 034, Reference ID: 68-034-20190722, Revision Date: 22 July 2019*).

- 5.12. In accordance with the above guidance, the Council considered it appropriate to include student housing in the housing land supply. This assessment usually involves calculating a ratio to estimate the amount of student accommodation required to free-up or release a conventional self-contained home.
- 5.13. The Housing Delivery Test includes the provision of student accommodation. The Council applied the nationally set ratios based on England Census data, to

determine the number of students within the Borough who occupy student only households. Figure 5 below provides information on the number of student households in the Borough and the number of households containing 1-7 student occupants.

Figure 5: Newcastle-under-Lyme- Number of Students in Student only Households

All Student only Households	Students in Household						
	1	2	3	4	5	6	7
857	273	196	138	171	67	8	4

2011 Census - Number of students in student only household - national to local authority level

- 5.14. From the data presented in Figure 5, it can be assumed that there were 2,174 students in the Borough at 2011, based on the number of properties occupied by 1 to 7 students. Dividing the total number of students living in student only households by the total number of student only households (2174 / 857) provides the average student household occupancy, which for the Borough is 2.5. This suggests that 2.5 units of student accommodation are required in order to assume the release of one self-contained home.
- 5.15. Figure 6 indicates that Keele University's full-time student population in 2020/21 is 1185 (15.02%) higher than it was in 2013/14. Therefore, it is considered reasonable to assume that a net increase of student accommodation provision (i.e. halls of residence or self-contained student accommodation) will release a proportionate amount of market housing.

Figure 6: Keele University Full-Time Student Numbers

Full time student numbers (Undergraduate and Postgraduate)	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Keele University	7,890	7,425	7,875	8,365	8,545	8,565	8,620	9,075

Higher Education Statistics Agency

- 5.16. It is the Council's view that the approach as described results in an accurate ratio with which to estimate the release of market housing through the supply of new purpose built student accommodation. This view is also supported by the fact that the average number of students in student only households in England is 2.5.

- 5.17. At the time of writing this statement, there are 4 sites with planning permission to provide student accommodation, for which there is considered sufficient evidence to conclude they are deliverable. These are shown in Figure 7 below.

Figure 7: Student accommodation considered deliverable and contribute to housing supply

Planning Applications for Student Accommodation	Number of units proposed	Average number of adults per household	Contribution to five year supply
16/01106/FUL (20/01002/FUL)	499	n/a	323
20/00282/FUL	31	n/a	31
17/00252/FUL	273	2.5	208
18/00698/FUL	953	2.5	406
Supply total:			968

- 5.18. The ratio stated in Paragraphs 5.14 and within Figure 7 (average number of adults per household) is applicable to two planning permissions because they include shared and communal elements (17/00252/FUL & 18/00698/FUL). Two of the planning permissions are for self-contained student units, meaning that they do not share communal areas or living facilities (16/01106/FUL & 20/00282/FUL). The ratio is not applicable to these. Cumulatively, these planning permissions give a total of 968 units that contribute to the Council's housing supply.

Older people's housing

- 5.19. Older people's housing also contributes to housing land supply. The PPG explains:

"Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply. This contribution is based on the amount of accommodation released in the housing market" (*PPG, Paragraph: 035 Reference ID: 68-035-20190722, Revised Date: 22 July 2019*).

- 5.20. Figure 8 below sets out older people's housing in Use Class C2 which contribute 57 residential units towards the five year housing land supply. For this a ratio (average number of adults per household) is applied to determine the release of accommodation in the housing market.

Figure 8 Purpose built elderly accommodation considered deliverable and contribute to housing supply

Planning Application for Elderly	Number of bedrooms proposed	Average number of adults per household	Contribution to five year supply
19/00254/FUL	20	1.8	11
20/00923/FUL	7	1.8	4
18/00693/FUL	75	1.8	42
Supply total:			57

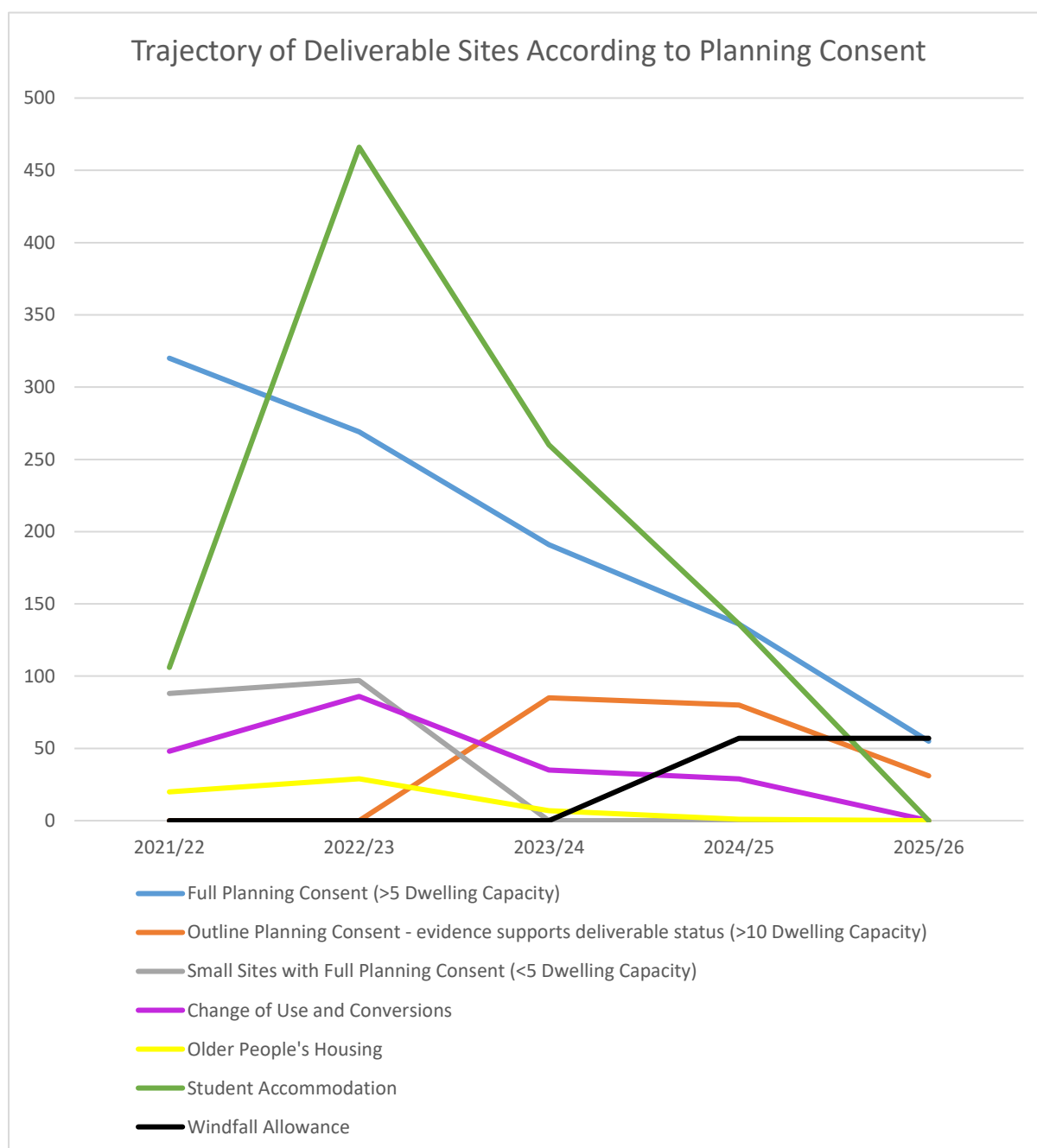
Overview of Housing Land Supply Components

- 5.21. Having described the various components which form the Council's housing land supply, Figure 9 provides an overview of the Borough's deliverable housing land supply. Details of the sites which form each component of the housing land supply are provided in Appendix 1 of this document.

Figure 9: Five Year Housing Supply

Housing Supply Components	Housing Supply 2021-2026
Full Planning Consent (>5 Dwelling Capacity)	971
Outline Planning Consent – evidence supports deliverable status (>10 Dwelling Capacity)	196
Small Sites with Full Planning Consent (<5 Dwelling Capacity)	185
Change of Use and Conversions	198
Older People's Housing (housing release onto market)	57
Student Accommodation (housing release onto market from deliverable student provision)	968
Windfall Allowance (added to years' 4 and 5)	114
Total	2,689

5.22. The below chart provides a yearly indication of housing delivery anticipated from each component (planning consent type) of the deliverable housing land supply.



6. Five Year Housing Land Supply Position

6.1. Figure 10 below demonstrates the Council is able to demonstrate 4.7 years of housing land supply (excluding student accommodation) taking into account the application of a 5% buffer. If student accommodation is included in accordance with Planning Practice Guidance, the Council is able to demonstrate 7.3 years of housing land supply.

Figure 10: Five year housing land supply position

Five Year Supply Calculation for period 2021 - 2026 (Sedgefield Method)		
Calculating the required supply		Dwellings
a	Requirement 2018/19 - 2020/21	899
b	Completions 2018/19 - 2020/21	1186
c	Five year Local Housing Need 2021/22-2025/26	1,750
d	Shortfall	0
e	Five year requirement with shortfall	1,750
f	Five year requirement including shortfall and 5% buffer (rounded)	1838
g	Annual requirement including shortfall and 5% buffer (rounded)	368
Identified Supply		
h	Supply over 5 year period 2021/22-2025/26 (including student accommodation)	2,689
i	Supply over 5 year period 2021/22-2025/26 (excluding student accommodation)	1,721
Five year land supply (expressed in years)		
Including student accommodation (h/g)		7.3
Excluding student accommodation (i/g)		4.7

7. Summary

- 7.1. This statement details the approach taken to determine the five year housing land supply position. The Council has prepared this in accordance with the National Planning Policy Framework and updated Planning Practice Guidance.
- 7.2. The Council has updated its five year housing land supply position as of 31/03/2021 and has demonstrated a **housing land supply of 7.3 years**.

Appendix 1 - Schedule of Deliverable Sites

Full Planning Consent (>5 Dwelling Capacity)

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
CH4	17/00281/FUL	Land Around Wilmot Drive EstateLower Milehouse LaneNewcastle Under LymeStaffordshireST5 9AX	Cross Heath	Development of 276 dwellings, public open space and associated infrastructure works	16/05/18	16/05/21	276	Under construction	122	30	30	30	30	2	122
CT17	20/00369/FUL	Land Off Cross StreetChestertonNewcastle Under LymeStaffordshireST5 7HF	Holditch & Chesterton	Demolition of all existing buildings and a) full planning permission for the development of 9 bungalows (C3 Use Class) along with car parking, landscaping and associated amenity space; and b) outline planning permission with all matters reserved except access for (i) the development of 43 dwellings (C3 Use Class) and (ii) an older persons scheme comprising 73 supported living apartments for the over 55's and associated communal facilities, along with additional car parking, landscaping and amenity space	26/02/21	26/02/24	15	Not started	15		5	5	5		15
CT21	20/00463/FUL	Land OffWatermills RoadChestertonNewcastle Under LymeStaffordshireST5 7ET	Holditch & Chesterton	Residential development of No.67 Dwellings including means of access.	18/12/20	18/12/23	67	Not started	67		30	30	7		67
CT3	18/00854/REM	Land Off Deans Lane And Moss GroveRed StreetNewcastle Under LymeStaffordshire	Crackley & Red Street	Outline Planning Consent for the development of up to 50 dwellings (Resubmission of 16/00634/DEEM4)	01/02/19	01/02/21	50	Under construction	35	30	5				35
CT9	17/01033/FUL	Land At Birch House Road, Holly Road And Whitethorne Way Chesterton Newcastle Under Lyme Staffordshire ST5 7BL	Crackley & Red Street	Demolition of former Community Centre and construction of 30 dwellings	28/022019	28/02/22	30	Under construction	30	20	10				30
HD18	09/00155/FUL	London Road, Chesterton (Bennett Arms)	Holditch & Chesterton	Demolition of a public housing and erection of seven dwellings	22/05/09	22/05/12	7	Under construction	7	5	2				7
HD22	18/00243/FUL	Former PlaygroundBrutus RoadChestertonNewcastle Under LymeStaffordshire	Holditch & Chesterton	Construction of 4No 3 bed semi-detached houses and 1No 4 bed detached house	29/03/19	29/03/22	5	Not started	5		5				5

HM3	17/00968/FUL	Site Of FormerWrinehill GarageMain RoadBetleyCreweCheshireCW3 9BZ	Madeley & Betley	Erection of 9 no. Dwellings, associated car parking and landscaping (amendment to approval 06/00984/FUL)	10/04/18	10/04/21	9	Under construction	9	5	4					9
HM9	19/00117/FUL	Former Halmerend And District Working Mens ClubCo Operative LaneNewcastle Under LymeStaffordshireST7 8BL	Audley	Proposed demolition of existing Working Mens Club and the development of 7 new dwelling houses (Resubmission of 18/00329/FUL)	15/04/19	15/04/22	7	Not started	7		5	2				7
KG15	18/00059/REM	Former Garages Gloucester RoadKidsgroveStoke-On-TrentStaffordshire	Kidsgrove & Ravenscliffe	Reserved matters application for the access, appearance, layout and scale of residential development - 8 dwellings	27/03/18	01/05/21	8	Under construction	8	5	3					8
KG16	18/00686/REM	Lock Up GaragesSussex DriveKidsgroveStoke-On-TrentStaffordshire	Kidsgrove & Ravenscliffe	Reserved matters application for the access, appearance, landscaping, layout and scale for erection of 6 town houses	30/10/18	01/05/21	6	Under construction	6	5	1					6
KL16	13/00970/AEA 18/00262/REM	Land North OfPepper StreetKeeleNewcastle Under LymeStaffordshire	Keele	Additional Environmental Approval to extend the time limit of planning permission reference 13/00970/OUT for Residential development (maximum of 100 dwellings)	17/08/18	01/05/21	100	Not started	100		30	30	30	10		100
KL17	15/01004/FUL	University Of Keele Keele Newcastle Under Lyme Staffordshire	Keele	Proposed student accommodation with carparking (Barnes, Keele Campus) and proposed residential development of 83 dwellings with school drop off point, shop and areas of greenspace (The Hawthorns, Keele Village).	05/04/16	05/04/18	83	Under construction	31	30	1					31
KS16	18/00932/FUL	Stanton Close And Site Of Former Forge Inn Public HouseKnuttonNewcastle Under LymeStaffordshireST5 6EZ	Knutton	Demolition of existing bungalows and construction of 30 affordable dwellings with associated external works	26/04/19	26/04/22	19	Under construction	19	19						19
KS24	18/00443/FUL	Land OffSt Bernards RoadKnuttonNewcastle Under LymeStaffordshire	Knutton	The Construction of 8 houses for affordable rent	29/03/18	29/03/22	8	Under construction	8	5	3					8
LW12	20/00201/REM	Tadgedale QuarryMucklestone RoadLoggerheadsMarket DraytonShropshireTF9 4DJ	Loggerheads	Approval of appearance, landscaping, scale and layout for the erection of up to 128 dwellings as approved under planning application 15/00015/OUT	04/02/21	04/01/23	128	Not started	128		30	30	30	30		120
LW13	18/00315/REM	Land South Of Mucklestone Road And West Of Price CloseLoggerheadsMarket DraytonTF9 4ES	Loggerheads	Reserved Matters application for layout, internal access arrangements, scale, appearance and landscaping details for 73 dwellings	17/08/18	01/05/21	73	Under construction	44	30	14					44
LW17	20/00158/REM	Land OffEccleshall RoadLoggerheadsMarket DraytonShropshire	Loggerheads	Reserved Matters application (appearance, landscaping, layout and scale) for residential development of 44 bungalows	06/10/20	06/10/22	44	Not started	44		20	20	4			44

LW34	17/01001/FUL	Land To The North East Of Eccleshall RoadSouth East Of Pinewood RoadAnd North West Of Lower RoadHook GateMarket DraytonShropshireTF9 4QJ	Loggerheads	Erection of 22 houses and bungalows with associated access roads and drainage (Amended plans received 26.02.2018)	28//10/2018	28/10/21	22	Under construction	22	20	2					22
MD31	19/00036/FUL	Land OffNew RoadMadeleyCreweCheshireCW 3 9HA	Madeley & Betley	Proposed residential development of 32 residential dwellings with site access, car parking, landscaping and all associated engineering works.	04/09/19	04/09/22	32	Not started	32		20	12				32
NA	19/00352/FUL	9 Russell StreetWolstantonNewcastle Under LymeStaffordshireST5 8BL	Wolstanton	Demolition of existing workshops to 9 Russell Street and the construction of a new apartment block (Resubmission of 19/00029/FUL)	17/07/19	17/07/22	5	Under construction	5	5						5
NA	18/00967/FUL	Site AtLoomer RoadChestertonNewcastle Under LymeStaffordshireST5 7LB	Holditch & Chesterton	Proposed residential development consisting of 5 No. 2 bed detached bungalows with new accesses	21/03/19	22/03/22	5	Not started	5		5					5
AB76	18/00122/FUL	New FarmAlsager RoadAudleyStoke On TrentStaffordshireST7 8JQ	Audley	Demolition of existing builders yard and the erection of 7 dwelling houses with associated access road and landscaping	07/06/19	07/06/22	7	Not started	7		5	2				7
TB5	19/00623/REM	Hamptons Metal MerchantsKeele RoadNewcastle Under LymeStaffordshireST5 5AA	Thistleberry	Reserved Matters application (appearance, landscaping, layout and scale) for residential development comprising 133 dwellings, public open space and associated works pursuant to outline consent 14/00948/OUT (Appeal Ref: APP/P3420/W/3138033).	11/12/19	11/12/21	133	Under construction	133	30	30	30	30	13		133
TC32	14/00477/FUL	Newcastle Baptist ChurchLondon RoadNewcastle Under LymeStaffordshireST5 1LN	Town	Application for the variation of condition 2 of 14/00477/FUL (Demolition of former Newcastle Baptist Church and erection of residential apartment development containing 14 no. 2 bed units and 8 no. 1 bed units, formation of new access and associated car parking) to allow for the enclosure of the open air corridors and subsequent changes to the elevations and car parking	24/12/20	24/12/23	22	Under construction	22	20	2					22
TC34	17/00722/FUL	2-4 Marsh ParadeNewcastle Under LymeStaffordshireST5 1BT	Town	Proposed demolition of existing buildings and the erection of a 4-storey apartment block with parking	22/12/17	01/05/21	27	Under construction	27	20	7					27
TK22	08/00014/FUL	Former Talke Social Club, Coalpit Hill, Talke	Talke & Butt Lane	Residential development	28/02/08	28/02/11	8	Under construction	5	5						5
SP24	18/00714/FUL	The Brighton Sneyd TerraceSilverdaleNewcastle Under LymeStaffordshireST5 6JT	Silverdale	Change of use and refurbishment of former care home (C2) into apartments (C3) for over 55s independent living. The detailed proposals are for 16 new one beds and 3 two bed apartments.	20/12/19	20/12/22	19	Under construction	19	19						19
TC41	19/00614/FUL	Ashfields Grange Sheltered Housing Scheme Hall Street Newcastle- Under-Lyme ST5 2RW	Town	Demolition of all existing buildings and the development of 89 supported living apartments (C3 use class), along with communal facilities, car parking, landscaping and amenity space	31/01/20	31/01/23	17	Under construction	17	17						17
								TOTAL	979	320	269	191	136	55		971

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Outline Planning Consent – evidence supports deliverable status (>10 Dwelling Capacity)

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
BW16	17/00515/DEEM4	Land To The North Of Bradwell HospitalTalke RoadBradwell	Bradwell	Development of up to 85 dwellings and associated access arrangements	11/05/18	11/05/21	85	Not started	85			30	30	25	85
LW31	17/00067/DEEM4	Land South Of Market Drayton Road, Market Drayton RoadLoggerheadsNe wcastle Under LymeTF9 4BT	Loggerheads	Outline Planning Application for residential development for up to 65 dwellings with associated open space and landscaping	24/08/18	24/08/21	65	Not started	65			30	30	5	65
MD10	17/00514/OUT	Land South OfHoneywall LaneNewcastle Under LymeStaffordshire	Madeley & Betley	Up to 35 dwellings including associated infrastructure	24/08/18	24/08/21	35	Not started	35			20	15		35
LW85	18/00507/OUT	Croft FarmStone RoadHill ChorltonNewcastle Under LymeStaffordshireST 5 5DR	Maer & Whitmore	Outline planning for the demolition of existing buildings, 1 replacement farmhouse, erection of 11 bungalows, access, parking and amenity space.	02/08/19	02/08/22	11	Not started	11			5	5	1	11
								TOTAL	196	0	0	85	80	31	196

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Small Sites with Full Planning Consent (<5 Dwelling Capacity)

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
AB32	16/00747/FUL	The Nurseries 35 Alsager Road Audley Stoke On Trent Staffordshire ST7 8JG	Audley	Development of three two bedroom bungalows and one two bedroom dorma bungalow	11/11/16	11/11/19	4	Under construction	1	1					1
BW18	20/01112/REM	GaragesHillport AvenueBradwellNewcastle Under LymeStaffordshire	Bradwell	Details of access, appearance, landscaping, layout and scale for the erection of 2 houses	17/03/21	17/03/23	2	Not started	2		2				2
CT17 partial	19/00176/FUL	Land Rear 1Cross StreetChestertonNewcastle Under LymeStaffordshire	Holditch & Chesterton	Demolition of existing garages and proposed development consisting of 2 No. bungalows and new accesses	17/05/19	17/05/22	2	Not started	2		2				2
LW36	19/00157/FUL	Land Adjacent To The Blockhouse (formerly The Sheet Anchor)Newcastle RoadWhitmoreNewcastle Under LymeStaffordshireST5 5BU	Maer & Whitmore	Residential development - 4no. 3 bedroom semi detached houses on plots 6 and 7	23/09/20	22/09/23	4	Under construction	4	4					4
LW40	19/00438/REM	Land At Selbourne Pinewood Road Ashley, Market Drayton Shropshire, TF9 4PW	Loggerheads	1 no. residential units	14/08/19	14/08/21	1	Under construction	1	1					1
LW6	19/00262/FUL	Moss Cottage FarmFairgreen RoadBaldwins GateStaffordshireST5 5BZ	Maer & Whitmore	Proposed detached bungalow	03/06/19	03/06/22	1	Not started	1		1				1
LW7	16/01098/DEM	1 Pasture Close Baldwins Gate Staffordshire ST5 5DQ	Maer & Whitmore	Application for prior notification of proposed demolition of two storey detached house	15/02/17	15/02/22	-1	Not started	-1		-1				-1
NA	16/00086/REM	Land Off Watering Close Newcastle Road Baldwins Gate Staffordshire ST5 5DA	Maer & Whitmore	4 residential dwellings	23/03/16	23/03/18	4	Under construction	4	4					4
NA	19/00971/FUL	1 James StreetWolstantonNewcastle Under LymeStaffordshireST5 0BX	Wolstanton	Erection of one terraced house	27/02/20	27/02/23	1	Not started	1		1				1
NA	19/01017/FUL	12 Stafford AvenueNewcastle Under LymeStaffordshireST5 3BW	Clayton	Demolition of existing bungalow and erection of two bungalows	30/01/20	30/01/23	1	Under construction	1	1					1
NA	19/00189/FUL	126 Milehouse LaneNewcastle Under LymeStaffordshireST5 9JY	Cross Heath	Removal of existing garage and erection of new build bungalow on land adjacent to 126 Milehouse Lane.	14/08/19	14/08/22	1	Under construction	1	1					1
NA	19/00267/FUL	135 High StreetAlsagers BankNewcastle Under LymeStoke- On-TrentStaffordshireST7 8BQ	Audley	Proposed detached dwelling (Amended plans received)	11/03/20	11/03/23	1	Not started	1		1				1

NA	19/00105/FUL	23 & 11 Bridge StreetNewcastle Under LymeStaffordshireST5 2RY	Town	Removal of stairwell at 23 Bridge Street linking the commercial ground floor area to the upper floor - (11 Bridge Street).Removal of rear addition at first floor forming stairwell and reinstating 11 Bridge Street (first and second floor) to residential use providing 2 bed accommodation.	18/04/19	18/04/22	1	Not started	1		1					1
NA	19/00149/FUL	24 Greenock CloseNewcastle Under LymeStaffordshireST5 2LG	Thistleberry	Two new build 3-bed detached dwellings.	26/04/19	26/04/22	2	Not started	2		2					2
NA	17/00988/FUL	26 Seabridge RoadNewcastle Under LymeStaffordshireST5 2HT	Westlands	Subdivision of Existing Dwelling to form 2 independent houses, excavation of front garden and installation of retaining walls to create access and parking area	11/03/19	11/03/22	1	Not started	1		1					1
NA	19/00059/PLD	31 Southlands AvenueWolstantonNewcastle Under LymeStaffordshireST5 8BZ	May Bank	The development proposed is the demolition of existing bungalow and erection of four town houses (option one).	22/03/19	NA	3	Under construction	3	3						3
NA	19/00008/FUL	32 High Street, Mow Cop	Newchapel & Mow Cop	Detached house and garage, associated access and parking	13/03/19	13/03/22	1	Not started	1		1					1
NA	19/00268/FUL	40 High StreetThe RookeryKidsgroveStaffordshireST7 4RL	Newchapel & Mow Cop	New detached dwelling - re submission of lapsed approval 16/00097/FUL	04/06/19	04/06/22	1	Not started	1		1					1
NA	15/00467/FUL	43 Heathcote Road, Bignall End	Audley	Erection of Detached Bungalow	05/08/15	05/08/18	1	Under construction	1	1						1
NA	18/00146/FUL	45 Stonebank RoadKidsgroveStoke-On-TrentStaffordshireST7 4HQ	Kidsgrove & Ravenscliffe	Construction of two storey dwelling (resubmission of 17/00531/FUL)	17/07/18	17/07/21	1	Not started	1		1					1
NA	14/00023/FUL	53 High Street, Knutton	Knutton	Demolish existing house and garage. Replace with two new two storey houses	20/03/14	20/03/17	1	Under construction	1	1						1
NA	18/00878/FUL	58 Abbots WayWestlandsNewcastle Under LymeStaffordshireST5 2HF	Westlands	Proposed detached house and double garage (resubmission of 17/00906/FUL)	28/02/19	28/02/22	1	Under construction	1	1						1
NA	18/00774/FUL	8 - 10 High StreetNewcastle Under LymeStaffordshireST5 1RA	Town	Alterations to building to form 4 no. C4 apartments and use of part of the ground floor for use classes A1, A2, A3, A4, A5 & D1	08/03/19	08/03/22	1	Under construction	1	1						1
NA	17/00483/FUL	8 Barford RoadNewcastle Under LymeStaffordshireST5 3LF	Westlands	Proposed demolition of existing bungalow and construction of three dormer bungalows	31/01/18	31/01/21	2	Under construction	1	1						1
NA	13/00698/FUL	95 Liverpool Road East, Kidsgrove	Kidsgrove & Ravenscliffe	Two additional apartments	19/11/13	19/11/16	2	Under construction	2	2						2
NA	16/00150/FUL	Adderley Green Farm Heighley Lane Knowle Bank Newcastle Under Lyme Staffordshire CW3 9BA	Audley	Detached farm managers dwelling	27/04/16	27/04/19	1	Under construction	1	1						1
NA	18/01012/FUL	Apedale HouseThe DriveNewcastle Under LymeStaffordshireST5 6BW	Audley	Proposed conversion of commercial premises to a four bedroom dwelling	01/03/19	01/03/22	1	Not started	1		1					1
NA	17/00581/FUL	Aston FarmAstonStaffordshireTF9 4JF	Maer & Whitmore	Erection of farmworker's dwelling and ancillary works	05/12/17	01/05/21	1	Under construction	1	1						1
NA	16/00099/FUL	Barn, Holly Lane, Harriseahead ST7 4LE	Newchapel & Mow Cop	Rebuilding and conversion of existing agricultural building to residential use	31/03/16	31/03/19	1	Under construction	1	1						1

NA	17/00371/PLD	Chesterton Lodge Care HomeLoomer RoadChestertonNewcastle Under LymeStaffordshireST5 7LB	Holditch & Chesterton	Application for a lawful development certificate for proposed use of 6-bedroom bungalow permitted under application 15/00921/FUL (if erected in full accordance with the terms of that permission) for occupation by up to six people living together as a single household and receiving care (e.g. supported housing schemes such as those for people with learning disabilities or mental health problems)	27/07/17	NA	1	Not started	1		1					1
NA	19/00537/FUL	Cornwall HouseSandy LaneNewcastle Under LymeStaffordshireST5 0LZ	May Bank	Proposed construction of 3 Detached dwellings on the old Cornwall House site Sandy Lane Newcastle under Lyme.	08/11/19	08/11/22	3	Not started	3		3					3
NA	19/00308/FUL	Crackley Gates FarmLeycett LaneSilverdaleNewcastle Under LymeStaffordshireST5 6AW	Audley	Erection of detached bungalow and demolition of existing B8 commercial building	19/07/19	19/07/22	1	Under construction	1	1						1
NA	18/00085/REM	Domvilles FarmBarthomley RoadAudleyNewcastle Under LymeStaffordshireST7 8HT	Audley	Application for the approval of the access, layout, scale, appearance, landscaping, materials and noise assessment as required by planning ref 17/00429/OUT for an agricultural workers dwelling	28/03/18	01/05/21	1	Under construction	1	1						1
NA	19/00110/FUL	FerndaleChester RoadAudleyStoke On TrentStaffordshireST7 8JD	Audley	Erection of a detached bungalow in the garden	23/04/19	23/04/22	1	Not started	1		1					1
NA	20/00079/REM	Fields FarmWharmadine LaneAshleyMarket DraytonShropshireTF9 4NF	Loggerheads	Outline application for an agricultural workers dwelling and a new farm drive for agricultural purposes only.	27/03/20	27/03/22	1	Not started	1		1					1
NA	18/00147/FUL	GaragesVernon AvenueAudleyStoke-On-TrentStaffordshire	Audley	Construction of three dwellings	28/03/19	28/03/22	3	Not started	3		3					3
NA	19/00531/FUL	Greenacres FarmDab GreenNewcastle Under LymeStaffordshireST5 5HL	Maer & Whitmore	Erection of Farmworkers Dwelling	27/09/19	27/09/22	1	Not started	1		1					1
NA	19/00930/FUL	H E ButtersNewcastle RoadBaldwins GateNewcastle Under LymeStaffordshireST5 5DA	Maer & Whitmore	Demolition of existing workshop and buildings and proposed residential development consisting of 1 No. detached 4 bed 2 storey dwelling and garage with additional accommodation above	13/02/20	13/02/23	1	Under construction	1	1						1
NA	19/00257/FUL	Land Adjacent 17 Church LaneMow CopStaffordshireST7 4LR	Newchapel & Mow Cop	Proposed dwelling in garden	01/10/19	01/10/22	1	Not started	1		1					1
NA	19/00561/FUL	Land Adjacent 32 High StreetMow CopStoke On TrentStaffordshireST7 3NZ	Newchapel & Mow Cop	Proposed detached house and garage and associated access and parking	05/09/19	05/09/22	1	Not started	1		1					1
NA	19/00229/FUL	Land Adjacent 42 Westlands AvenueNewcastle Under LymeStaffordshireST5 2PX	Thistleberry	Proposed new detached dwelling	07/06/19	07/06/22	1	Not started	1		1					1
NA	19/00406/REM	Land Adjacent 49 Vernon AvenueAudleyStoke-On-TrentStaffordshireST7 8EG	Audley	Outline application with some matters reserved for erection of a two storey dwelling	15/07/19	15/07/21	1	Not started	1		1					1
NA	15/00640/FUL	Land Adjacent 118 Apedale Road, Wood Lane, Stoke On Trent	Audley	Erection of 3 no. dwellings	07/10/15	07/10/18	3	Under construction	2	2						2
NA	18/00016/FUL	Land Adjacent 16St Giles RoadKnuttonNewcastle Under LymeStaffordshire	Knutton	Construction of 4 flats for affordable rent (resubmission of 17/00602/FUL)	28/03/19	28/03/22	4	Under construction	4	4						4
NA	13/00402/FUL	Land Adjacent 19 Grove Avenue, Kidsgrove	Talke & Butt Lane	1 no. Pair of new semi detached properties	18/12/13	18/12/16	2	Under construction	2	2						2

NA	18/00461/FUL	Land Adjacent 25Arthur StreetKnuttonNewcastle Under LymeStaffordshire	Knutton	Construction of two houses for affordable rent	28/03/19	28/03/22	2	Under construction	2	2						2
NA	13/00847/REM	Land Adjacent 261 Dimsdale Parade West, Wolstanton Newcastle	Bradwell	Erection of two detached dwellings	19/12/13	19/12/15	2	Under construction	1	1						1
NA	18/00465/FUL	Land Adjacent 45Moran RoadKnuttonNewcastle Under LymeStaffordshire	Knutton	Construction of two flats for affordable rent	24/05/19	24/05/22	2	Under construction	2	2						2
NA	19/00293/REM	Land Adjacent 54 Diglake StreetBignall EndStaffordshireST7 8PZ	Audley	Erection of a pair of semi-detached dwellings (All matters reserved)	02/07/19	02/07/21	2	Under construction	2	2						2
NA	18/00842/FUL	Land adjacent Cartref, former Old Coal Yard, Rye Hills, Bignall End	Audley	Proposed detached bungalow	03/01/19	03/01/22	1	Under construction	1	1						1
NA	18/00960/FUL	Land Adjacent Number 86Buckmaster AvenueNewcastle Under LymeStaffordshire	Clayton	Variation of condition 4 (external materials) of planning permission 18/00960/FUL - Construction of 4 dwellings Land Adjacent Number 86 Buckmaster Avenue Newcastle Under Lyme Staffordshire	14/02/19	14/02/22	4	Not started	4		4					4
NA	19/00480/FUL	Land Adjacent To 20 Lincoln RoadKidsgroveStoke-On-TrentStaffordshireST7 1HA	Kidsgrove & Ravenscliffe	Proposed removal of prefabricated garage, construction of new semi detached dwellings and vehicular accesses	14/08/19	14/08/22	2	Not started	2		2					2
NA	18/00829/FUL	Land Adjacent To 238 Whitehill RoadKidsgroveStoke-On-TrentStaffordshireST7 4DT	Kidsgrove & Ravenscliffe	Detached dwelling	28/02/19	28/02/22	1	Not started	1		1					1
NA	18/00828/FUL	Land Adjacent To 28 Newcastle Road Madeley	Madeley & Betley	Erection of detached dwelling and garage	19/12/18	19/12/21	1	Not started	1		1					1
NA	19/00081/FUL	Land Adjacent To 3Shraley Brook RoadHalmerendStoke-On-TrentStaffordshire	Audley	Renewal of planning permission 15/01155/FUL for 3 detached dwellings	01/04/19	01/04/22	3	Not started	3		3					3
NA	15/00926/FUL	Land Adjacent To No. 12 Goodwin Avenue, Newcastle	Cross Heath	Detached dwelling	16/12/15	16/12/18	1	Under construction	1	1						1
NA	15/00506/FUL	Land Adjacent To St Georges, Pinewood Road, Ashley	Loggerheads	Dormer bungalow	15/10/15	15/10/18	1	Under construction	1	1						1
NA	19/01014/FUL	Land Adjacent ToWhite OaksBignall HillNewcastle Under LymeStaffordshireST7 8LS	Audley	Proposed dwelling	19/02/20	19/02/23	1	Not started	1		1					1
NA	16/00395/PLD	Land Adjacent WoodburySnape Hall RoadBaldwins GateNewcastle Under LymeStaffordshireST5 5HS	Maer & Whitmore	Application for a lawful development certificate for proposed single dwelling	03/04/17	NA	1	Not started	1		1					1
NA	16/00677/FUL	Land Adjacent 1A Second Avenue Newcastle Under Lyme Staffordshire ST5 8NU	Bradwell	Construction of detached dwelling.	05/10/16	05/10/19	1	Under construction	1	1						1
NA	20/00025/FUL	Land Adjacent261 Dimsdale Parade WestNewcastle Under LymeStaffordshireST5 8HS	Bradwell	Variation to conditions 2 and 5 of planning permission 17/00717/FUL to amend the landscaping scheme and to include a dormer and to move a roof light from the rear bedroom 1 roof slope to the roof slope over the stairwell.	09/04/20	09/04/23	1	Not started	1		1					1
NA	18/00482/REM	Land At Wedgwood AvenueWhitfield AvenueNewcastle Under LymeStaffordshireST5 2JQ	Thistleberry	Reserved matters application for the access, appearance, scale, layout and landscaping for two detached houses and the re-provision of car parking spaces at Whitfield Community Centre	16/08/18	01/05/21	2	Under construction	2	2						2

NA	18/00441/FUL	Land Between 155 And 161 Knutton Lane Newcastle Under LymeST5 6HD	Knutton	Construction of two flats for affordable rent	28/03/19	28/03/22	2	Under construction	2	2						2
NA	17/00601/FUL	Land Between 94 And 100Moran Road KnuttonNewcastle Under LymeStaffordshire	Knutton	The construction of two self contained one bedroom flats	21/09/17	01/05/21	2	Under construction	2	2						2
NA	15/00637/PLD	Land Between No 89 And 93, Coalpit Hill, Talke	Talke & Butt Lane	Proposed detached dwelling	17/11/15	NA	1	Under construction	1	1						1
NA	20/00043/REM	Land North OfAmbleside Lodge Aston StaffordshireTF9 4JE	Maer & Whitmore	Outline application for an agricultural workers dwelling including all associated works	16/03/20	16/03/22	1	Not started	1		1					1
NA	19/00444/REM	Land North OfBar Hill Road Onneley Newcastle Under LymeStaffordshire	Madeley & Betley	Erection of 2 no. dwellings	25/07/19	25/07/21	2	Not started	2		2					2
NA	19/00180/REM	Land Off Doctors Bank Rear Of The Steps Church Road Ashley Market Drayton Shropshire TF9 4LG	Loggerheads	Construction of a Single Dwellinghouse on previous garden plot.	15/05/19	15/05/21	1	Not started	1		1					1
NA	19/00753/FUL	Land Off Hassell Street Newcastle Under LymeStaffordshireST5 1BB	Town	Re-submission of 16/00591/FUL - Proposed development of 2 dwellings to land off Hassell Street.	25/03/20	25/03/23	2	Not started	2		2					2
NA	19/00502/FUL	Land OffBirks Drive Ashley HeathMarket DraytonShropshire	Loggerheads	Construction of one and a half storey dormer style dwelling, garage and formation of new access and driveway	19/09/19	19/09/22	1	Not started	1		1					1
NA	19/00037/FUL	Land OffBoyles Hall Road Bignall EndStaffordshireST7 8QG	Audley	Erection of a detached dwelling including new site access	18/03/19	18/03/22	1	Not started	1		1					1
NA	12/00085/FUL	Land Rear Of 186 High Street, Off Podmore Lane, Halmerend	Audley	Erection of detached dwelling	18/04/12	18/04/15	1	Under construction	1	1						1
NA	18/00995/FUL	Land Rear Of 9Brittain Avenue ChestertonNewcastle Under LymeStaffordshire	Holditch & Chesterton	Residential development - 3 dwellings	13/03/19	12/03/22	3	Not started	3		3					3
NA	19/00512/FUL	Land South Of Appleton Cottage Coneygreave LaneWhitmoreNewcastle Under LymeStaffordshire	Maer & Whitmore	Proposed detached dwelling on land south of appleton cottage (re-submission of application 18/00294/FUL)	23/08/19	23/08/22	1	Under construction	1	1						1
NA	19/00066/FUL	Land To The Rear Of 20 Camillus Road KnuttonNewcastle Under Lyme	Knutton	Construction of 1 x 3 bedroom house and 2 x 2 bedroom bungalows for affordable rent	03/04/19	03/04/22	3	Not started	3		3					3
NA	16/00231/REM	Lee Croft, Pinetrees Lane, Ashley	Loggerheads	Erection of a single dwelling house	21/06/16	21/06/18	1	Under construction	1	1						1
NA	19/00410/FUL	LymewoodThe Green Newcastle Under LymeStaffordshireST5 4AA	Westbury Park & Northwood	Proposed conversion of detached garage and store to two bedroom detached dwelling including external alterations, parking provisions and installation of septic tank	19/07/19	19/07/22	1	Not started	1		1					1
NA	09/00685/EXTN	May Cottage, Brampton Road, May Bank, Newcastle	May Bank	Erection of two, four bedroom detached dwellings	11/01/13	11/01/16	2	Under construction	2	2						2
NA	19/00984/FUL	Plot 4 (Land East Of Appleton Cottage) Coneygreave LaneWhitmoreStaffordshireST5 5HX	Maer & Whitmore	Demolition of existing garage and erection of new 4 bedroom dwelling house	28/02/20	23/02/23	1	Not started	1		1					1

NA	15/00088/FUL	Spring Bank, New Road, Bignall End	Audley	Two detached dwellings (one of which proposed by 15/00088/FUL)	08/04/15	08/04/18	2	Under construction	1	1						1
NA	18/00259/FUL	T K Phillips WorkshopMoss LaneMadeleyCreweCheshireCW 3 9PR	Madeley & Betley	Erection of a pair of semi detached houses and a detached house	18/01/19	18/01/22	3	Under construction	3	3						3
NA	19/00002/FUL	Talke LibraryWedgwood RoadTalke PitsStoke-On-TrentStaffordshireST7 1SW	Talke & Butt Lane	Proposed 4No. new 3 bed dwellings	03/04/19	03/04/22	4	Not started	4		4					4
NA	19/00323/FUL	The CroftNewcastle RoadLoggerheadsMarket DraytonShropshireTF9 4PH	Loggerheads	Erection of a detached dwelling	24/06/19	24/06/22	1	Not started	1		1					1
NA	17/00798/FUL	The Offley Arms Poolside Madeley Crewe Cheshire CW3 9DX	Madeley & Betley	Erection of 3no. dwellings and conversion of outbuilding to form 1no. apartment	21/02/18	21/02/21	4	Under construction	4	4						4
NA	08/00046/REM	The Old Boars Head, 288 Heathcote Road, Halmerend	Audley	Erection of four dwellings	29/02/08	28/02/10	4	Under construction	4	4						4
NA	17/00573/FUL	Wall Farm House99 Nantwich RoadAudleyStoke On TrentStaffordshireST7 8DL	Audley	The building of a single residential unit on the footprint of a pig sty and existing storage barns	18/09/17	01/05/21	1	Under construction	1	1						1
NA	18/00912/FUL	Land OffLiverpool Road EastKidsgroveStoke-On-TrentStaffordshireST7 3AD	Kidsgrove & Ravenscliffe	Residential development for 4 dwellings	02/10/19	02/10/22	4	Not started	4		4					4
NA	19/00897/FUL	The BrackensLeycett LaneLeycettNewcastle Under LymeStaffordshireCW3 9LS	Madeley & Betley	A detached dwelling to replace an existing workshop and storage buildings	20/01/20	20/01/23	1	Under construction	1	1						1
NA	19/00920/FUL	99 London RoadNewcastle Under LymeStaffordshireST5 1ND	Town	Erection of New 5 Bed HMO adjoining to end of existing Terrace	09/04/20	09/04/23	1	Not started	1		1					1
NA	20/00160/FUL	Land Adjacent 61High StreetAlsagers BankNewcastle Under LymeStaffordshire	Audley	Residential development comprising of the erection of 2no. New Build Dwellings.	27/04/20	27/04/23	2	Under construction	2	2						2
NA	20/00110/REM	Home FarmBerrisford RoadPeatswoodMarket DraytonShropshireTF9 2PA	Loggerheads	Detail of access, appearance, landscaping, layout and scale for the erection of site managers dwelling	28/04/20	28/04/22	1	Not started	1		1					1
NA	17/00421/FUL	Land Adjacent 68Harriseahead LaneHarriseaheadStoke-On-TrentStaffordshire	Newchapel & Mow Cop	New dwelling	25/09/17	25/09/20	1	Under construction	1	1						1
NA	20/00089/FUL	Silver BirchBirks DriveAshley HeathMarket DraytonShropshireTF9 4PX	Loggerheads	Demolition of existing detached garage and erection of detached dormer dwelling	30/04/20	30/04/23	1	Under construction	1	1						1
NA	20/00112/FUL	8 Mow Cop RoadMow CopStoke On TrentStaffordshireST7 3NE	Newchapel & Mow Cop	Demolition of existing dwelling and the erection of 2no dwellings including new access driveways and parking	01/05/20	01/05/23	1	Not started	1		1					1
NA	20/00208/FUL	Dales Green Farm14 Dales Green RoadMow CopStoke-On-TrentStaffordshireST7 4RH	Newchapel & Mow Cop	Variation from Single Residential unit to two semi-detached houses	06/05/20	06/05/21	1	Under construction	1	1						1
NA	20/00220/FUL	Land Adjacent To14 TomfieldsWoodlaneStaffordshireS T7 8PJ	Audley	New dwelling (resubmission of 19/00632/FUL)	07/05/20	07/05/23	1	Under construction	1	1						1
NA	20/00167/FUL	Moss HouseMoss LaneMadeleyCreweCheshireCW 3 9ED	Madeley & Betley	Erection of a pair of semi-detached houses	13/05/20	13/05/23	2	Not started	2		2					2
NA	20/00324/REM	The GablesGravelly HillAshleyMarket DraytonShropshireTF9 4JU	Loggerheads	Reserved matters application for appearance, landscaping, layout and scale of proposed detached bungalow (approved p/a 18/00022/OUT)	24/06/20	24/06/22	1	Under construction	1	1						1

NA	20/00969/REM	The NookNewcastle RoadMadeleyCreweCheshireCW 3 9JU	Madeley & Betley	New dwelling in rear garden (Amended plans received 26.05.2020)	04/02/21	04/02/23	1	Not started	1		1					1
NA	20/00380/FUL	Checkley GrangeCheckley LaneWrinehillCreweCheshireCW 3 9DA	Madeley & Betley	Application for removal of condition 3 (boundary treatments and floor levels) of 18/00725/FUL (Proposed 3 bed detached new build dwelling)	02/07/20	05/03/21	1	Under construction	1	1						1
NA	20/00083/FUL	Green Bungalow & Acorns Bungalow Newcastle RoadLoggerheadsNewcastle Under LymeTF9 4PH	Loggerheads	Erection of 3 dwelling houses on site of existing 2no. Green and Acorn bungalows (Resubmission of 19/00063/FUL)	24/07/20	24/07/23	1	Not started	1		1					1
NA	20/00389/FUL	Full MoonLiverpool RoadNewcastle Under LymeStaffordshireST5 2AU	Town	Proposed change of use from an A4 drinking establishment to two apartments (class C4)	29/07/20	20/07/23	2	Not started	2		2					2
NA	20/00526/FUL	7 Almond PlaceChestertonNewcastle Under LymeStaffordshireST5 7DG	Crackley & Red Street	Proposed change of use from HMO to 2 no. self contained flats	13/08/20	13/08/23	1	Not started	1		1					1
NA	20/00520/FUL	Land Adjacent To Car Park Of Meynell Arms School LaneAshleyNewcastle Under LymeTF9 4LG	Loggerheads	Proposed residential development consisting of 2 No. detached cottages with new access	04/09/20	04/09/23	2	Under construction	2	2						2
NA	20/00879/FUL	31 RocksideMow CopKidsgroveStaffordshireST7 4PG	Newchapel & Mow Cop	Proposed Detached Dwelling	09/12/20	09/12/23	1	Not started	1		1					1
NA	20/00598/FUL	Land Adjacent 190 Old RoadBignall EndStoke On TrentStaffordshireST7 8QH	Audley	Proposed 3 bed dwelling (re-submission of 17/00711/FUL)	14/10/20	14/10/23	1	Under construction	1	1						1
NA	20/00456/FUL	GreenwaysStone RoadHill ChorltonNewcastle Under LymeStaffordshireST5 5DR	Maer & Whitmore	Single new build residential dwelling.	27/10/20	27/10/23	1	Not started	1		1					1
NA	20/00471/REM	Peggys Bank CottagePeggys BankNewcastle Under LymeStaffordshireST7 8RH	Audley	Reserved Matters application (access, appearance, landscaping, layout and scale) for Single infill house for self build development	30/10/20	30/10/22	1	Under construction	1	1						1
NA	20/00623/FUL	MullionCommon LaneBaldwins GateStaffordshireST5 5HF	Maer & Whitmore	Proposed new dwelling in the grounds of Mullion	28/01/21	28/01/24	1	Not started	1		1					1
NA	20/00837/FUL	141-143 London RoadChestertonNewcastle Under LymeStaffordshireST5 7JD	Holditch & Chesterton	Proposed demolition of existing outbuildings and erection of 3No Town houses	05/02/21	05/02/24	3	Not started	3		3					3
NA	20/00856/FUL	The Orchard Brampton LodgeBrampton RoadNewcastle Under LymeStaffordshireST5 0QW	May Bank	Proposed dwelling and detached garage for The Orchard	11/02/21	11/02/24	1	Not started	1		1					1
NA	20/01096/FUL	GaragesHodgkinson StreetChestertonNewcastle Under LymeStaffordshireST5 7HX	Holditch & Chesterton	Demolition of garages and construction of two bungalows for affordable rent	09/03/21	09/03/24	2	Not started	2		2					2
NA	21/00045/FUL	Field Adjacent 36AHigh StreetThe RookeryKidsgroveStaffordshireST7 4RL	Newchapel & Mow Cop	Construction of 1 no. dwelling	18/03/21	18/03/23	1	Not started	1		1					1
NA	20/01110/FUL	Forge FarmForge LaneNorton-in- HalesShropshireTF9 4QN	Loggerheads	Demolition of existing barns and replacement with one new dwelling.	25/03/21	25/03/24	1	Not started	1		1					1

NA	21/00020/FUL	Land Adjacent 4 Calvert GroveWolstantonNewcastle Under LymeStaffordshireST5 8QA	Bradwell	Erection of a detached dwelling	25/03/21	25/03/23	1	Not started	1		1				1
NA	19/00923/FUL	Balterley Garden CentreBalterley Green RoadBalterleyCreweCheshireCW2 5QF	Madeley & Betley	Demolition of existing structures on site and re-development for four residential units and associated works.	26/10/20	26/10/23	4	Not started	4		4				4
NA	20/00002/FUL	Cross WindsTomfieldsWoodlaneStafford shireST7 8PJ	Audley	Proposed residential development consisting of 2 No. detached dormer bungalows	01/09/20	01/09/23	2	Under construction	2	2					2
NA	19/00135/FUL	22 King StreetCross HeathNewcastle Under LymeStaffordshireST5 9HQ	Cross Heath	Erection of 2 x 3 bedroom semi-detached dwellinghouses within the existing rear garden of application site, incorporating the provision of 4 parking spaces, cycle spaces and refuse storage, new boundary treatment and landscaping	03/04/20	03/04/23	2	Not started	2		2				2
SP13 partial	19/01000/FUL	Former Builders YardPark RoadSilverdaleNewcastle Under LymeStaffordshireST5 6LL	Silverdale	Proposed detached dwelling, garage and vehicular access	06/04/20	06/04/23	1	Under construction	1	1					1
WL11	20/00363/FUL	Seabridge HallSeabridge LaneNewcastle Under LymeStaffordshireST5 3LS	Westlands	Demolition of existing garages and construction of a pair of semi-detached houses	05/08/20	05/08/23	2	Not started	2		2				2
TOTAL									185	88	97	0	0	0	185

Change of Use and Conversions

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
KL17	20/00506/FUL	The HawthornsKeeleNewcastle Under LymeStaffordshireST5 5FJ	Keele	Conversion of existing building to five apartments including alterations to and additional windows, and a two storey extension as detailed on the proposed plans.	18/09/20	18/09/23	5	Under construction	5	5					5
NA	18/01014/FUL 18/01015/LBC	1 King StreetNewcastle-Under-LymeStaffordshireST5 1EN	Town	Conversion of former restaurant to 12 room House in Multiple Occupation	03/04/19	03/04/22	1	Under construction	1	1					1
NA	15/00750/FUL	123 Liverpool Road, Cross Heath	Cross Heath	Change of use including first floor flat	30/10/15	30/10/18	1	Under construction	1	1					1
NA	19/00708/DEEM4	20 Sidmouth AvenueNewcastle Under LymeStaffordshireST5 0QN	May Bank	Change of use of existing building from office to residential including part demolition of the existing building with external alterations and erection of three new detached dwellings	09/12/19	09/12/22	4	Not started	4		4				4
NA	18/00653/COUNOT	3 Dales Green RoadRookery KidsgroveStoke-On-TrentStaffordshireST7 4RH	Newchapel & Mow Cop	Prior notification of change of use from agricultural buildings to two residential dwellings	01/10/18	NA	2	Under construction	2	2					2
NA	03/00800/FUL	39 Watlands View, Porthill	Wolstanton	Extension and change of use of former shop to 2 flats	08/10/03	06/10/08	2	Under construction	2	2					2
NA	16/00736/COUNOT	43A Liverpool Road Kidsgrove Stoke-On-Trent Staffordshire ST7 1EA	Kidsgrove & Ravenscliffe	Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (B1(a)) to a Dwellinghouse (Class C3)	21/10/16	NA	1	Not started	1		1				1
NA	19/00235/COU	46 Church StreetAudleyNewcastle Under LymeStaffordshireST7 8DE	Audley	Change of use of part of ground floor from Residential to Retail Use	28/05/19	28/05/22	-1	Not started	-1		-1				-1
NA	20/00080/FUL	5 Grosvenor RoadNewcastle Under LymeStaffordshireST5 1LW	Town	Proposed Basement Conversion to form additional flat and Refurbishment of existing three flats	30/03/23	30/03/23	1	Under construction	1	1					1
NA	19/00597/FUL	8 IronmarketNewcastle Under LymeStaffordshireST5 1RF	Town	Proposed conversion of first and second floors from use class A1 (shop) to C4 (house in multiple occupation)	25/09/19	25/09/22	1	Not started	1		1				1
NA	16/00822/COUNOT	Brieryhurst FarmThe Hollow Mow Cop Stoke On TrentStaffordshire ST7 3PX	Newchapel & Mow Cop	Prior notification of change of use of agricultural building to a dwellinghouse	22/11/16	NA	1	Not started	1		1				1
NA	17/00292/COUNOT	Brieryhurst FarmThe HollowMow CopStoke On TrentStaffordshireST7 3PX	Newchapel & Mow Cop	Prior notification of change of use of agricultural building to two dwellings	20/05/17	NA	2	Not started	2		2				2
NA	18/00948/FUL	Chapel BarnShraley Brook RoadHalmerendStoke-On-TrentStaffordshireST7 8AH	Audley	Conversion of the existing house to form two dwellings including the closure of the existing access, the creation of a new access, and the extension of the existing paved area to provide parking and turning space for the new dwelling.	27/02/19	27/02/22	1	Not started	1		1				1
NA	19/00968/FUL	Corner Of Mount Pleasant And Gainsborough Road23 Mount PleasantChestertonNewcastle Under LymeStaffordshireST5 7LQ	Holditch & Chesterton	Change of use of 8 bedroom house in multiple occupation to 6 No. 1 bedroom flats Including a new entrance porch, a number of minor alterations to openings and formation of an additional parking space.	27/02/20	27/02/23	5	Under construction	5	5					5
NA	18/00824/COUNOT	Dales Green Farm14 Dales Green RoadMow CopStoke-On-TrentStaffordshireST7 4RJ	Newchapel & Mow Cop	Prior notification for conversion of existing agricultural building to residential use	20/12/18	NA	1	Not started	1		1				1

NA	18/00752/COUNOT	Farm Building OffButthouse LaneChapel ChorltonStaffordshireST5 5JW	Maer & Whitmore	Prior notification of change of use from agricultural buildings to two residential dwellings	01/11/18	NA	2	Not started	2		2					2
NA	19/00159/FUL	Former Post Office Unit Automatic ExchangeWilbrahams WalkNewcastle Under LymeStaffordshire	Audley	Change of use from business premises to dwelling (Resubmission of 18/00685/FUL)	01/05/19	01/05/22	1	Not started	1		1					1
NA	19/00906/FUL	Harriseahead Methodist ChurchChapel LaneHarriseaheadStoke-On- TrentStaffordshire	Newchapel & Mow Cop	Change of use from a place of worship to residential, demolition of part of the existing church and the creation of two new dwellings (Resubmission of 19/00495/FUL)	29/01/20	29/01/23	2	Not started	2		2					2
NA	17/00070/FUL	Hey HouseManor RoadBaldwins GateStaffordshireCW3 9PS	Madeley & Betley	Conversion of former two-storey stable building and adjoining single-storey outbuildings into a single domestic dwelling	08/05/17	01/05/21	1	Under construction	1	1						1
NA	16/00962/COUNOT	Holloway Farm Aston Market Drayton Shropshire ST5 5EP	Maer & Whitmore	Prior notification for conversion of existing agricultural building to residential use	23/12/16	NA	1	Under construction	1	1						1
NA	18/00703/COUNOT	Hungerford House FarmHungerford LaneMadeleyCreweCheshireCW3 9PD	Madeley & Betley	Prior notification of change of use from agricultural buildings to 5 no. residential dwellings	12/11/18	NA	5	Not started	5		5					5
NA	04/01283/EXTN	Land Adjacent The Bradburys Winnington	Loggerheads	Change of use of redundant agricultural buildings to single residential unit	09/12/10	09/12/13	1	Under construction	1	1						1
NA	19/00895/FUL 19/00896/LBC	Manor House FarmPark LaneAshleyMarket DraytonShropshireTF9 4EH	Loggerheads	Conversion of existing barn into 3 no dwellings, one for residential dwelling use, two for holiday let use. The proposals involve the careful modification and restoration of a building in the curtilage of a listed building, Manor House Farm.	13/02/20	13/02/23	1	Not started	1		1					1
NA	13/00755/FUL	Moss House Farm, Eardley End Road, Bignall End	Audley	Change of use of former barn to two residential market housing units	27/04/14	27/08/17	2	Under construction	2	2						2
NA	19/00077/COUNOT	Offices27 Marsh ParadeNewcastle Under LymeStaffordshireST5 1BT	Town	Prior notification of a change of use of offices to dwellinghouse	28/03/19	NA	1	Not started	1		1					1
NA	19/00788/FUL	Ravens Court HouseRavenshallMain RoadBetleyCreweCheshireCW3 9BH	Madeley & Betley	Conversion and extension of existing triple garage to form dwelling	14/01/20	14/01/23	1	Not started	1		1					1
NA	19/00173/FUL	Silver Birch129 Church StreetSilverdaleNewcastle Under LymeStaffordshireST5 6JJ	Silverdale	Change of use with building works from Public House to 1 dwelling	07/05/19	07/05/22	1	Not started	1		1					1
NA	18/00430/COUNOT	The MillCongleton RoadButt LaneStoke On TrentStaffordshireST7 1NE	Talke & Butt Lane	Prior notification of a change of use of offices to 15 dwellings	02/08/18	NA	15	Not started	15		5	5	5			15
NA	16/00151/FUL	White House FarmDeans Lane Balterley Crewe Cheshire CW2 5QH	Madeley & Betley	Conversion of existing dairy into a single one bed dwelling	07/06/16	07/06/19	1	Under construction	1	1						1
NA	17/00374/FUL	Wrinehill Mill FarmMill LaneWrinehillCreweCheshireCW3 9DE	Madeley & Betley	The change of use of part of a stable block to create residential accommodation, and associated building works.	01/11/17	01/05/21	1	Under construction	1	1						1
NA	19/00487/COU	Wynnbank FarmWereton RoadAudleyStoke On TrentStaffordshireST7 8HE	Audley	Change of use of domestic storage building to dwelling	30/08/19	30/08/22	1	Not started	1		1					1
NA	20/00181/FUL	Renford House24 High StreetWolstantonNewcastle Under LymeStaffordshireST5 0HB	Wolstanton	Change of use from individual let offices into single dwelling	14/05/20	14/05/23	1	Under construction	1	1						1
NA	20/00264/COUNOT	Morston HouseThe MidwayNewcastle Under LymeStaffordshireST5 1QG	Town	Application for prior approval for change of use from offices (B1A) to residential (C3)	21/05/20	NA	84	Not started	84		30	30	24			84
NA	20/00225/FUL	10 Sidmouth AvenueNewcastle Under LymeStaffordshireST5 0QN	May Bank	Proposed conversion of existing building to form 3no apartments, construction of new detached dwelling and garage	12/06/20	12/06/23	3	Under construction	3	3						3

NA	20/00549/COUNOT	Winnington Forge FarmWilloughbridge LaneWilloughbridgeMarket DraytonShropshireTF9 4JN	Loggerheads	Prior Approval to Change the Use of an Agricultural Building to provide 1 no. Dwelling	07/09/20	NA	1	Not started	1		1				1
NA	20/00550/COUNOT	J P Distribution (Former Photopia)Hempstalls LaneNewcastle Under LymeStaffordshireST5 0SW	Cross Heath	Application for prior approval of proposed change of use to 29 no. apartments and associated car parking	08/09/20	NA	29	Under construction	29	20	9				29
NA	20/00545/COUNOT	Norton Forge FarmForge LaneNorton-in-HalesShropshireTF9 4AT	Loggerheads	Application for Prior Approval to Change the Use of 3 no. Agricultural Buildings to Provide 3 no. Dwellings (Class Q)	30/10/20	NA	3	Not started	3		3				3
NA	20/00858/COU 20/00859/LBC	10 King StreetNewcastle Under LymeStaffordshireST5 1EL	Town	Change of use from A2 (office) to C3 (residential)	02/12/20	02/12/23	3	Not started	3		3				3
NA	20/00643/FUL	Former Woodland SchoolHigh StreetLeycett LaneLeycettNewcastle Under LymeStaffordshireST5 6AW	Madeley & Betley	Conversion of former school to two residential properties	26/01/21	26/01/24	2	Not started	2		2				2
NA	20/01055/FUL	3 Grosvenor RoadNewcastle Under LymeStaffordshireST5 1LW	Town	Proposed Basement Conversion to form additional flat and Refurbishment of existing three flats	28/01/21	28/01/24	1	Not started	1		1				1
NA	20/01032/FUL	Lindop HouseNewcastle RoadMadeleyCreweCheshireCW3 9JP	Madeley & Betley	Proposed change of use to domestic dwelling	02/02/21	02/02/24	1	Not started	1		1				1
WL11	20/00004/FUL	Seabridge HallSeabridge LaneNewcastle Under LymeStaffordshireST5 3LS	Westlands	Conversion of existing apartment at first and second floor level to provide an additional apartment.	02/03/20	02/03/23	1	Not started	1		1				1
NA	20/00774/FUL	10 Willow CloseNewcastle Under LymeStaffordshireST5 7DL	Crackley & Red Street	Change of use from 3 bed dwelling (Use Class C3) to 2no 1 bed flats	11/11/20	11/11/23	1	Not started	1		1				1
NA	18/00467/FUL	121 - 123 High StreetWolstantonNewcastle Under LymeStaffordshireST5 0EP	Wolstanton	Proposed change of use of former Co Op Bank to form offices and 4no self contained flats over	27/03/19	27/03/22	4	Not started	4		4				4
								TOTAL	198	48	86	35	29	0	198

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Student Accommodation

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
KL28, KL29, KL30	18/00698/FUL	Sites Of Horwood, Lindsay And Barnes HallsKeele UniversityKeeleNewcastle Under LymeStaffordshireST5 5BW	Keele	Demolition of 732 student bed-spaces and the erection of 20 new buildings to provide 1,685 student bedrooms (1706 student bed-spaces) and social hubs at Horwood and Lindsay Halls and the provision of car parking at Barnes and Horwood Halls.	22/07/19	22/07/22	406 (953)	Not started	406		135	135	136		406
NA	20/00282/FUL	Morston HouseThe MidwayNewcastle Under LymeStaffordshireST5 1QG	Town	Conversion of Lower Ground and Upper Ground Floors for Student Residential Development of 31 No Studio Flats.	07/01/21	07/01/24	31	Not started	31		20	11			31
TC14	17/00252/FUL	Former Jubilee BathsNelson PlaceNewcastle Under LymeStaffordshireST5 1HG	Town	Demolition of former swimming baths and construction of 273 room student development with associated communal area and car parking, alternative to Planning Approval 15/00166/FUL	24/07/17	01/05/21	208 (273)	Under construction	208		208				208
TC26	20/01002/FUL	One London Road (Former Bristol Street Ford Site)Newcastle-Under-LymeST5 1LZ	Town	Variation of condition 7 of planning permission 16/01106/FUL to allow temporary occupancy of the approved student apartments by both students and non-students	24/02/21	01/05/21	499	Under construction	323	106	103	114			323
								TOTAL	968	106	466	260	136	0	968

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Older People’s Housing

SHLAA Ref:	Planning Application:	Address:	Ward:	Brief Description:	Decision Date:	Expiry Date:	Total New Dwellings Proposed (net):	Site status at 31/03/2021:	Remaining Site Capacity at 31/03/2021:	2021/22	2022/23	2023/24	2024/25	25/2026	Total
NA	19/00254/FUL	LangleySandy LaneNewcastle Under LymeStaffordshireST5 0LZ	May Bank	Change of use and proposed extensions and alterations to form 20-bed care home	23/05/19	23/05/22	11 (20)	Not started	11		5	5	1		11
NA	20/00923/FUL	Wilbraham House Residential HomeChurch StreetAudleyNewcastle Under LymeStaffordshireST7 8DE	Audley	Construction of seven beds at first floor, altered lounge and office and ground floor	03/02/21	03/02/24	4 (7)	Not started	4		4				4
WL2	18/00693/FUL	Orchard HouseClayton RoadNewcastle Under LymeStaffordshireST5 3AF	Westlands	Specialist accommodation for the elderly comprising of 75 Residential apartments with care, communal facilities, parking and associated private amenity space for persons aged 55 and over.	28/03/19	28/03/22	42 (75)	Under construction	42	20	20	2			42
TOTAL									57	20	29	7	1	0	57

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UPDATE ON BREACH OF PLANNING OBLIGATION ENTERED INTO IN ASSOCIATION WITH 11/00284/FUL FOR THE ERECTION OF TWENTY THREE HOUSES AT THE FORMER SITE OF SILVERDALE STATION AND GOOD SHED, STATION ROAD, SILVERDALE

The purpose of this report is to provide Members with an update, in accordance with the resolution of Planning Committee at its meeting of 1st February 2022, of the progress in relation to the pursuance of breaches of planning obligation secured through planning permission reference 11/00284/FUL for the erection of twenty three houses at the Former Site of Silverdale Station and Goods Shed, Station Road, Silverdale.

RECOMMENDATION

That the information be received.

It has previously been reported that there is a breach of the planning obligation entered into in association with planning permission 11/00284/FUL as the following financial contributions have not been paid on or before commencement of development as required:

- £66, 689 (index linked to public open space,
- £55, 155 (index linked) towards primary school places and
- £26,244 (index linked) towards the Newcastle-under-Lyme Urban Transport Development Strategy (NTADS)

As this case may proceed further, officers are mindful of the need for the Council to protect its position should the case proceed to Court. Accordingly, precise details of what action may be taken are not provided at this time. Officers will provide an update at the meeting with regard to how the Council's case has been advanced if appropriate.

Date report prepared: 18th March 2022

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**APPEAL BY MRS S MASSEY AGAINST THE DECISION OF THE COUNCIL TO REFUSE
OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A DETACHED DWELLING
AT LAND AT ROEBURNDALE, LEYCETT LANE, MADELEY HEATH**

<u>Application Number</u>	21/00484/OUT
<u>LPA's Decision</u>	Refused on 9th July 2021
<u>Appeal Decision</u>	Allowed
<u>Date of Decision</u>	31 January 2022

Appeal Decision

The Inspector identified the main issue as whether the development would be inappropriate development in the Green Belt. The conclusions of the Inspector are summarised as follows:

- The appeal site has a clear relationship with the immediate built-up stretch of Leycett Lane, and therefore there is no doubt that the site is part of a built-up frontage which is within the envelope of the village.
- The size of the appeal site and the gap within this built-up frontage is modest and the proposal is for a single dwelling whose layout respects that of the existing built form along this part of Leycett Lane. There is no reason why the proposal would not constitute limited development that complements the surrounding pattern of built form.
- The proposal therefore constitutes limited infilling in a village and thus would not be inappropriate development in the Green Belt.
- The proposed development would comply with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal should therefore be allowed.

The planning decision setting out the reasons for refusal and the Appeal Decision in full can be viewed via the following link

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00484/OUT>

Recommendation

That the appeal decision be noted.

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Classification: NULBC UNCLASSIFIED

APPEAL BY MR MYLES OAKES AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CREATION OF A FULL-LENGTH, DOUBLE ROOM TIMBER DORMER EXTENSION OVER THE EXISTING GARAGE AND ALTERATIONS AT 11 GREENOCK CLOSE, NEWCASTLE-UNDER-LYME

Application Number 21/00643/FUL

LPA's Decision Refused on 17th August 2021 under delegated authority

Appeal Decision Dismissed

Date of Decision 3rd February 2022

Appeal Decision

The Inspector identified the main issues to be the effect of the proposed development on the character and appearance of the dwelling and the street scene and whether the personal circumstances of the appellant would outweigh any harm in respect of the proposed development.

Character and appearance

The Inspector considered that due to its scale and box-like form, the proposed dormer extension would appear distinctly at odds with the simple form of the host dwelling and would not appear as part of the original dwelling. Nor would it appear as a seamless extension or be clearly subservient to the host dwelling. The Inspector also noted that a dormer of this scale with large, monotonous areas of cladding, in a highly visible corner location, would result in a dominant and incongruous feature in the street scene.

The Inspector concluded that the proposal would harm the character and appearance of the dwelling and its discordant appearance would harm the appearance of the street scene. Consequently, the proposal would be contrary to Policy H18 of the Newcastle-under-Lyme Local Plan 2011, Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, the guidance in the SPD and the design policies of the National Planning Policy Framework.

Personal circumstances

The Inspector recognised that the proposed extension would create a larger and more adaptable living area to meet the needs of the appellant, whose health conditions significantly affect their day-to-day life and are likely to continue in perpetuity. It was noted that if planning permission were to be refused, the appellant might continue to live in a property with very few facilities, which would not be good for their health and would result in harm to someone with a protected characteristic.

However it was concluded that there is very limited evidence of alternative schemes considered and their relative costs. The Inspector could therefore not be certain that the accommodation required cannot be achieved in another way which does not result in the same harm to the character and appearance of the dwelling or the streetscene.

For these reasons the appeal was dismissed

The planning decision setting out the reasons for refusal and the appeal decision in full can be viewed via the following link;

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00643/FUL>

Recommendation

That the appeal decision be noted.

APPEAL BY ALEKSANDRA TOSOVA AGAINST AN ENFORCEMENT NOTICE ISSUED BY THE COUNCIL FOR “WITHOUT PLANNING PERMISSION, THE CARRYING OUT OF OPERATIONAL DEVELOPMENT COMPRISING THE RECONSTRUCTION OF A BUILDING FOLLOWING PARTIAL DEMOLITION TO CREATE A NEW BUILDING”, AT MOSS HOUSE FARM, EARDLEY END ROAD, BIGNALL END

Enforcement Ref. 17/00062/207C2

Appeal Decision The appeal on ground (b) does not succeed but the appeal on ground (a) does succeed and planning permission for the development as described in the notice is granted

Date of Decision 31 January 2022

Appeal Decision

The appeal on ground (b)

The appellant argues that the alleged breach of planning control has not occurred as a matter of fact.

Having regard to the nature, scale and extent of the building operations that have taken place, the Inspector was satisfied that the works go beyond alterations and additions. All the evidence points to the likelihood that the building operations carried out have resulted in the reconstruction of a building following partial demolition to create a new building. The matters alleged have in fact occurred and ground (b) therefore fails.

The appeal on ground (a) and the deemed planning application (the DPA)

Planning permission is sought for carrying out of operational development comprising the reconstruction of a building following partial demolition to create a new building. The Inspector identified the main issues to be as follows:

- Whether the carrying out of operational development comprising the reconstruction of a building following partial demolition to create a new building amounts to inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies and
- the effect of the development on the openness of the Green Belt and purposes of including land within it
- Whether the harm by reason of inappropriateness, and any other harm would be clearly outweighed by other consideration. If so, would this amount to the very special circumstances required to justify the development.

Inappropriate development

The Inspector found that the appeal building cannot be in the same use as the previous building as that building no longer exists. Even if that were not the case, the interior of the appeal building is a shell and has never been occupied as a dwelling and the appeal building does not therefore have a current use for comparison purposes. The building does not fall within Paragraph 149 d) of the Framework as it is not a replacement building and it has no current use, and any previous use was lost by way of comparison as the original part of the barn no longer exists.

The appellant considers that the development falls within the exception contained in paragraph 149 c) namely the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. However, as the extent of the works go beyond extensions or alterations of a building and have resulted in a new building, this exception does not apply, and nor do any exceptions stated in the Framework. The development for which planning permission is sought constitutes inappropriate development in the Green Belt.

Effect on openness and purposes

The development replaces the longer arm of the original barn that formed a single L-shaped building of the same footprint and a similar height. There is a difference in the height of the development but this is slight, which has a very limited impact on openness both spatially and visually. Overall, the Inspector found the development to have limited harmful effect upon openness and the purposes of designating land inside the Green Belt given the site's location.

Other considerations

The steps required by the notice would, potentially, leave half of a barn standing, which does not achieve a useful purpose. Whilst some original features have been lost, the development, albeit incomplete, carrying out of operational development comprising the reconstruction of a building following partial demolition to create a new building is acceptable on planning terms.

The Inspector considered that demolishing part of a barn is likely to create significant visual harm to the landscape and permanently remove the longer arm of a historic barn. Substantial weight is attached to these considerations.

The loss of the appeal building will leave the appellant without their future home and no means to repay all the family and friends who have loaned them money over the years. Whilst the appellant has not been able to occupy any part of the barn as a family home, she has continued to rent elsewhere at additional long term expense. The Inspector attached significant weight to the personal circumstances of the appellant and the history of unfortunate events which have led to this appeal.

Green Belt Balance

Although the loss in openness is limited there is harm to openness. The identified Green Belt harms carry substantial weight.

On the other side of the scales, the Inspector attached very substantial weight to the reasons given to justify the partial demolition of the existing building and explanation justifying the carrying out of operational development comprising the reconstruction of a building following partial demolition to create a new building. The arguments about the design, overall size and scale of the building attract substantial weight in favour.

There is no evidence to cast doubt on the appellant's personal circumstances and the Inspector attached significant weight to the potential consequences should the enforcement notice be upheld. She found that the other considerations in this case, individually or cumulatively, clearly outweigh the harm identified. Looking at the case as a whole, she considered that very special circumstances exist which justify the development.

Formal decision

The appeal on ground (a) is allowed, the enforcement notice is quashed and planning permission is granted for the carrying out of operational development comprising the reconstruction of a building following partial demolition to create a new building.

Recommendation

That the appeal decision be noted.

Classification: NULBC UNCLASSIFIED

APPEAL BY SKYE PROPERTY GROUP LIMITED AGAINST THE DECISION OF THE COUNCIL TO REFUSE OUTLINE PLANNING PERMISSION FOR 11 OPEN MARKET DWELLINGS (INCLUDING 9 SELF-BUILD) AND 21 AFFORDABLE DWELLINGS (INCLUDING 13 SELF-BUILD BUNGALOWS AND 2 SELF-BUILD HOUSES) AT LAND TO THE NORTH OF THE A51, SOUTH OF CHORLTON MILL LANE AND WEST OF THE RAILWAY, STABLEFORD, NEWCASTLE-UNDER-LYME

Application Number 19/00961/OUT

LPA's Decision Refused on 13th November 2020

Appeal Decision Dismissed

Costs Decision Refused

Date of Decisions 23rd February 2022

Appeal Decision

The Inspector identified the main issues to be i) whether the site is a suitable location for the development proposed, having regard to its accessibility, the agricultural quality of the land and the character and appearance of the area, and ii) whether the proposal would make appropriate contributions towards the provision of affordable housing and education provision in the area.

Accessibility

The Inspector considered that the proposal would be likely to lead to reliance on use of the private motor vehicle, that the proposal would not provide safe, all-weather, all-season pedestrian routes to facilities and services, and that this arrangement could lead to pedestrian/vehicle conflict; an unacceptable impact on highway safety. It was therefore found that the site, its location and accessibility would not promote sustainable transport or represent sustainable development, contrary to the aims of the National Planning Policy Framework (the Framework).

Agricultural Land Quality

The proposal would result in the loss of best and most versatile agricultural land and would be contrary to both Policy HG1 of the NDP and the aims of the Framework.

Character and appearance

The character of the site is fundamentally and strongly rural, blending in to the wider rural, agricultural landscape when viewed from within and without its boundaries and in longer views. The railway line running alongside the eastern boundary of the site, whilst an obviously built intervention in the landscape, does not alter this character.

Given the established rural, agricultural and open character and appearance of the site and surrounding area, the Inspector found that development of this site at this scale for residential purposes would fundamentally harm the established character and appearance, by urbanising the site and reducing the overall rural, agricultural character of the area.

Conclusions on suitability of the location

The Inspector stated that the proposal could not be considered as a rural exception site and due to its poor accessibility, it would not enhance or maintain the vitality of rural communities through supporting services in a village nearby. The harm that the development of this rural, agricultural site would cause is in effect reinforced by the presumption in planning policy against development in rural areas, except for specific purposes and exceptions. It has already been established that the proposal does not qualify as any of these exceptions.

As it has been found that the proposal is significantly contrary to the development plan, and to the content of the Framework, the site is not a suitable location for the development proposed, having regard to its accessibility, the agricultural quality of the land and the character and appearance of the area.

Planning Balance

The Inspector found that the adverse impacts of granting planning permission for the appeal proposal, being its overall sustainability and accessibility, its effect on the supply of the best and most versatile agricultural land, and on the character and appearance of the area would significantly and demonstrably outweigh the benefits of delivery of housing at the proposed scale, including both affordable and self-build housing for which there is an established need. The presumption in favour of sustainable development would not therefore apply.

It was concluded that the proposal is significantly contrary to the development plan, and there are no material considerations, either arising from the application of tests in the Framework, or any others, which indicate a decision be taken other than in accordance with the development plan.

Costs Decision

The appellant states that the Council acted unreasonably throughout both the application and appeal process, taking a prejudicial and unreasonable approach to their proposal and offers of mitigation for various issues. The Inspector reached the following conclusions:

- It is not unreasonable for parties to disagree. It is not unreasonable for parties to draw different conclusions, nor is it unreasonable to disagree on the interpretation of and weight to be given to policies. These are matters of planning judgement. Given that, it was not unreasonable for the Council to refuse the planning application nor was it unreasonable for them to defend the appeal on the same basis, having set out why the matter was decided as it was in the first instance.
- The Inspector found that the Council has not demonstrated behaviour which could be considered unreasonable in the terms of the PPG, and which then resulted in unnecessary or wasted expense.

The planning decision setting out the reasons for refusal and the Appeal and Costs Decisions in full can be viewed via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/19/00961/OUT>

Recommendation

That the appeal and costs decisions be noted.

APPEAL BY MR D AND T CLEE, J WILSON AND M LEE AGAINST THE DECISION OF THE COUNCIL TO REFUSE FULL PLANNING PERMISSION FOR CHANGE OF USE OF LAND TO MIXED USE FOR THE STABLING/KEEPING OF HORSES AND AS A RESIDENTIAL CARAVAN SITE FOR 4 GYPSY FAMILIES, TOGETHER WITH THE ERECTION OF A STABLE BUILDING, ERECTION OF 4 AMENITY BUILDINGS AND LAYING OF HARDSTANDING AT LAND AT BLACKBROOK NURSERY, NEWCASTLE ROAD, BLACKBROOK

<u>Application Number</u>	20/00368/FUL
<u>LPA's Decision</u>	Refused on 20 August 2020
<u>Appeal Decision</u>	Allowed
<u>Date of Decision</u>	7 March 2022

The Inspector noted that the reasons for refusal of the Council included matters relating to the suitability of the existing access/visibility splays and whether the proposed development would have an adverse impact on the Public Water Supply. Additional information provided by the appellants to address such concerns were assessed and accepted by the Highway Authority and by Severn Trent Water, the responsible water undertaker, subject to conditions. In light of this expert advice the Council chose not to defend such reasons for refusal.

As interested parties were still concerned in respect of both matters the Inspector did address them in more detail in the decision letter, however based on the evidence provided did not consider that such matters justified refusal.

The Inspector identified the main issues as:

- The effect of the proposal on the character and appearance of the countryside;
- Whether the proposed location of the gypsy caravan site would represent a suitable location in respect of accessibility for pedestrians and offers a real choice to residents in respect of sustainable modes of transport; and
- Whether any identified harms would be outweighed by other considerations, including the general need for, and provision of sites, the availability of alternatives, and the personal circumstances of the appellants and their families, so as to justify the development.

Character and appearance

The Inspector considered that, notwithstanding that Gypsy sites along with stables are not uncommon in the countryside, the appeal proposal would not contribute to and enhance the natural and local environment, the intrinsic character and beauty of the countryside being unacceptably eroded. The terms of the relevant development plan policies would thereby be compromised, the character and quality of the landscape being unsatisfactorily undermined. The Inspector ascribed considerable weight to this policy conflict in the balance of the decision.

Sustainability of the location

It was accepted that the occupiers of the appeal site would rely upon private motor vehicles for their transport needs. The Inspector, however, considered that the travel distances to services are moderate and not different for those in the traveller community to those in the settled community. The Inspector considered, nonetheless, that there is a qualified tension with the terms of Policy CSP7 and ascribed limited weight to that conflict.

Other considerations

General need for and provision of sites

The Inspector indicated that the unmet need for Gypsy and Traveller sites in the Borough and the fact that the Borough Council cannot identify a five-year supply of deliverable land for the provision of new Gypsy sites weighed significantly in favour of the proposal.

Alternatives

A lack of alternative accommodation available was referenced. The Inspector heard from the appellants that should they have to leave the appeal site they have nowhere else to go other than parking on the roadside or pitching on other unauthorised land. This would interfere with the human rights of the appellants and their families as there is no other lawful home currently available to them. This weighed significantly in favour of the proposal.

Personal circumstances

The Inspector highlighted that the appellants consist of four families which include 10 children. One child has severe health issues and cannot walk or talk. Another of the families has a child whose health would be seriously compromised living in unsanitary conditions.

The Inspector considered in this case achieving a safe and secure home base in which all children can thrive, both in terms of their overall health and educational needs, is a primary consideration. Living on the appeal site, as opposed to a life on the road, would greatly improve the living conditions of the children and maintain access to education. This weighed heavily as a primary consideration in the balance of the decision.

Whether the proposal represents intentional unauthorised development

The Inspector, considering the circumstances described by the appellants, as well as a lack of readily available Gypsy sites within the Borough, afforded little weight to the intentional unauthorised development that has been carried out in the balance of this decision.

Planning balance and conclusion

Conflict with development plan policy and that of the National Planning Policy Framework has been identified in respect of the impact of the proposal on the character and appearance of the countryside location. In addition it has been concluded that the scheme does not offer a real choice to residents to access sustainable modes of transport. The Inspector considered that in combination the total amount of harm would be significant and would weigh against the proposal.

On the other side of the balance is the benefit that the proposal would contribute to meeting unmet need and towards achieving a five-year supply of deliverable land for the provision of new Gypsy sites; the lack of alternative to the appeal site to facilitate the appellants Gypsy way of life; and the provision of a settled base with access to domestic facilities in combination attract, in the Inspector's opinion, substantial weight in favour of the proposal to outweigh the identified harms. Consequently the Inspector concluded permission should be granted subject to conditions.

The Inspector gave consideration to whether a temporary permission would have been more appropriate in this case. However, there is uncertainty about where and when future sites may be allocated.

In this climate of uncertainty the Inspector indicated that these families require a long term settled base to allow them to care for their children, supporting one another with ready and immediate access to necessary health services and educational facilities, including specialist services. These specific circumstances tips the balance of this decision to that of a permanent planning permission. That permanence should be tempered by the imposition of a personal condition limiting occupancy to solely the appellants and their dependant families.

The planning decision setting out the reasons for refusal and the appeal decisions in full can be viewed via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/20/00368/FUL>

Recommendation

That the appeal decision be noted.

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Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund – St Peters Churchyard retaining wall, Maer (Ref: 21/22001/HBG)

RECOMMENDATION:

That the following grant be approved:-

- 1. £ 3,966 Historic Building Grant be given towards repairs and reinstatement of the historic churchyard wall.**

Purpose of report

To enable members to consider the application for financial assistance.

The application is for assistance to help pay for rebuilding and repairs to the graveyard retaining wall at St Peters Church, Maer. The church is located high above the narrow road with the high stone boundary wall holding back the embankment. This section was probably built when the road was created through the village and separated from the hall and the bridge and revetment walls were built either side of the church in the mid to late 19th century.

In February 2020 during storm Dennis, a 6 metre section of the high retaining wall collapsed into the road. The parochial church council (PCC) obtained 3 quotations from local contractors and contacted their insurers. The insurers instructed structural engineers to design an appropriate scheme of repair and reinstatement including a schedule of works and obtain competitive tenders. This information has been included as part of this application.



This structural engineers recommended reconstruction of 21 metres of wall. This included a section of wall in addition to the section which had collapsed, which was also deemed in poor condition and unsafe and required rebuilding. The insurers said that this was the responsibility of the church and would not be covered by the claim.

Three competitive quotations have been received and considered by the engineers. The total cost of this section for the PCC to cover is £19,831 including VAT. The total cost of the whole wall repair is £143,883.



The church contacted the council in 2020 to ask for financial assistance but at that point in time, due to covid-19, all money had been withdrawn from the fund. The fund was reinstated recently and whilst some of the works have begun on site and the scheme is not completely retrospective, it seems applicable and

appropriate that the Fund assists the church in the costs of the repair of the wall, now the Fund has been reinstated given it asked back in 2020 after the collapse. It has taken until now to deal with the insurance.

The church is a Grade II* Listed Building and is within Maer Conservation Area, and the work is eligible for 20% grant towards the cost of the works.

The church received a small grant of £992 in 2018 from the Historic Building Grant Fund, towards the cost of repairs to the tower and stonework.

The Conservation Advisory Working Party will consider the grant at its next meeting on 22 March 2022 and its views will be reported to the committee.

Financial Implications

Historic buildings and structures are entitled to apply for up to a maximum of £5,000 from the Conservation and Heritage Grant Fund. The intervention rate is 20% of the cost of the work for Listed Buildings. In this case 20% of the cost of the repair work to the wall to be covered by the PCC is £3,966 which brings to total amount of grant that the church will have received to £4,958 since 2018.

There is sufficient funding to meet this grant application with a little over £18,657 in the Fund; allowing for commitments. This will leave £14,691 available to offer subsequent heritage assets within the Borough.

Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund – Audleys Cross Farmhouse, Loggerheads (Ref: 21/22003/HBG)

RECOMMENDATION:

That the following grant be approved:-

- 1. £ 2,666 Historic Building Grant be given towards new timber windows on the front and rear of the farmhouse.**

Purpose of report

To enable members to consider the application for financial assistance.

The application is for assistance to help pay for new timber windows at the farmhouse on a like for like basis. The windows that are the subject of this grant application are two windows large bay windows to the front and two small windows in the rear upper floor.

Competitive quotations have been received and considered. The total cost of this is £22,600.35 including VAT.

The farmhouse is a Grade II Listed Building, and the work is eligible for 20% grant towards the cost of the works.

Despite the eligible work for the windows currently being £4,520, the farmhouse has already received a grant of £2,334 from the Historic Building Grant Fund towards the cost of replacement windows in 2014, so it is considered that the balance should be made up to the maximum £5,000 per property and that £2,666 be offered to the applicant as a contribution to the windows.

The Conservation Advisory Working Party will consider the grant at its next meeting on 22 March 2022 and its views will be reported to the committee.

Financial Implications

Historic buildings and structures are entitled to apply for up to a maximum of £5,000 from the Conservation and Heritage Grant Fund. The intervention rate is 20% of the cost of the work for Listed Buildings.

There is sufficient funding to meet this grant application with a little over £18,657 in the Fund; allowing for commitments but not including the grant for St Peters Churchyard wall which is also an item for this planning committee.

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Confirmation of Tree Preservation Order

LAND AT FORMER CLAYTON LODGE HOTEL, CLAYTON TREE PRESERVATION ORDER NO.217 (2021)

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

The Order protects a trees within the grounds of the former Clayton Lodge Hotel, Clayton Road, Clayton.

The Order was made to safeguard the longer term visual amenity that the trees provide following felling of trees on the site in preparation for developing the property for housing, leading to concern that trees of value could be lost.

The Order was made using delegated powers on 14th October 2021. Approval is sought for the Order to be confirmed with amendments.

The 6 month period for this Order expires on 14th April 2021

RECOMMENDATION

That Tree Preservation Order No 217 (2021), Land at Clayton Lodge Hotel, Clayton, be confirmed with amendments and that the owners of the site be informed accordingly.

Reasons for Recommendation

Your officers are of the opinion that the longer-term visual amenity of the trees is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the trees are generally healthy at present and of sufficient amenity value to merit the making of a Tree Preservation Order. They are considered to be appropriate species for the locality and provide public amenity value due to their form and visibility from public locations. The making of the Order will not prevent the owner from carrying out good management of the trees nor progressing plans to develop the site, and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction. The owner will be able to apply for permission to carry out maintenance work to the trees which is necessary to safely manage them.

Representations

Two representations have been received supporting the TPO.

Issues

The trees are situated in the grounds to the south of the former Clayton Lodge Hotel. They are individuals and groups of mainly deciduous trees, located throughout the plot. They are mostly mature and clearly visible from Clayton Road, Seabridge Lane, and Waveney Grove, as well as sightings from other locations.

The property is currently vacant and due to be developed. In early October 2021 your officers were informed that tree felling was taking place on the property and on visiting the site were told by the persons carrying out the work that it was proposed to remove only the small young trees that had grown over the previous car parking area to the rear of the site. These were of low value and it was not considered that the loss of these trees was inappropriate, however further tree clearance was subsequently carried out and damage caused to some mature trees. This led to concern that more damage could be caused and that additional trees could be felled to remove them as an obstacle to development.

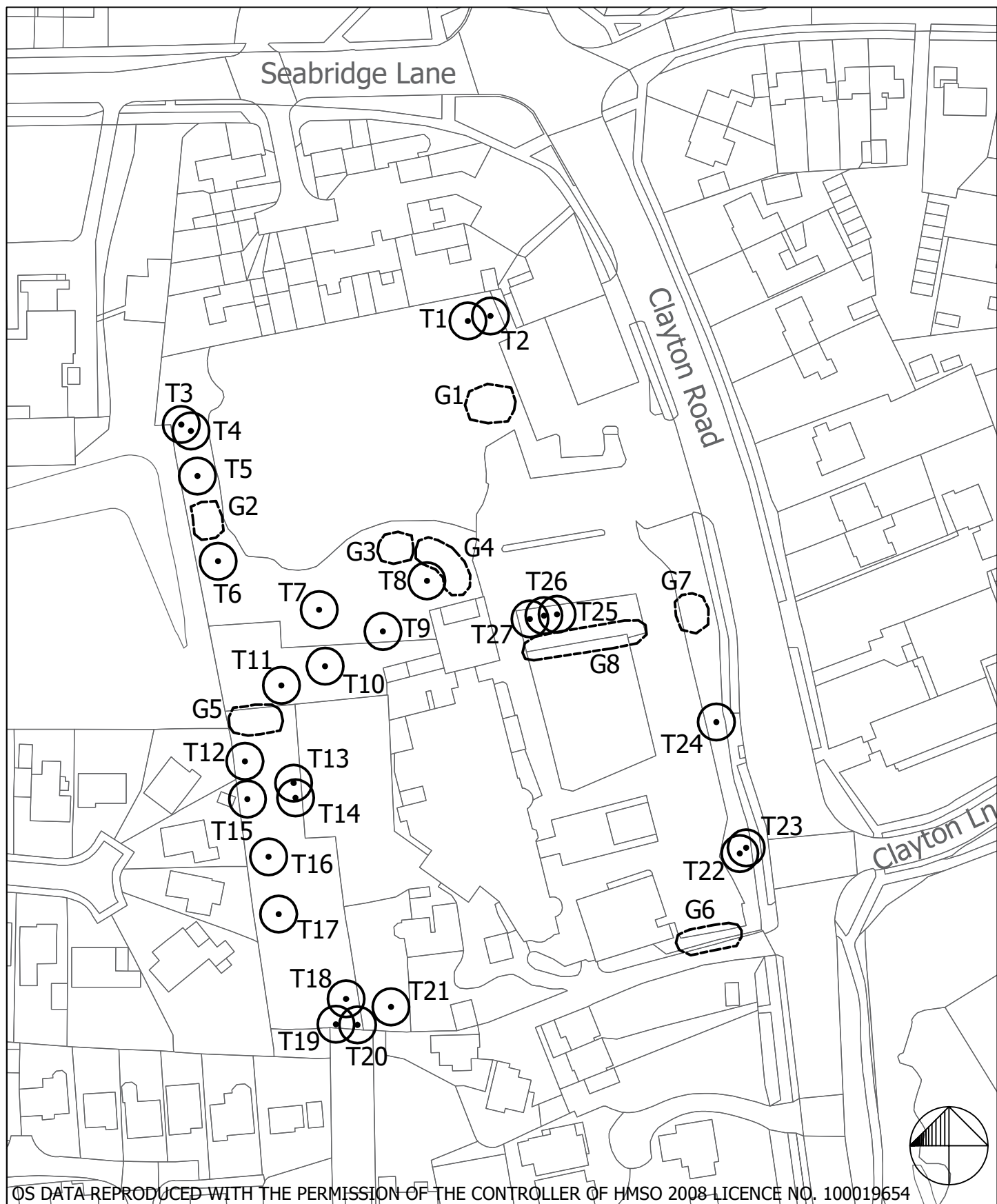
Your officers inspected the trees on the site and found a large number of them to be worthy of an Order. They are considered to be in reasonable health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. The Order was made and served on 14th October 2021 in order to protect the long term well-being of the trees. They are an important feature to the locality and provide a significant contribution to the area. Their loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

It is expected that a planning application will be made in the near future to develop the site for housing. Issues relating to tree removal and pruning will be considered as part of this process.

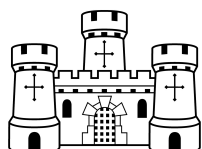
The current Order to be confirmed has been amended from the provisional Order. Due to the large number and distribution of the trees on the site and the time available for making the provisional Order, the trees were categorised in the form of an area covering the entire site so as to temporarily protect all of the trees. Since this was served a more detail survey has been carried out and the trees of poor quality and low amenity value have been omitted. The trees have now been categorised as individuals and groups and the TPO schedule and plan revised accordingly.

Date report prepared

16 March 2022



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**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

DAVE ADAMS,
EXECUTIVE DIRECTOR
-OPERATIONAL SERVICES
CASTLE HOUSE,
BARRACKS ROAD,
NEWCASTLE,
STAFFORDSHIRE. ST5 1BL

TITLE:

LAND AT FORMER CLAYTON LODGE HOTEL
CLAYTON ROAD

DESCRIPTION:

TREE PRESERVATION ORDER 217 (2021)

SCALE:
1:1250

DATE:
MARCH 2022

DRAWN BY
PS
Page 161

DRAWING NO.
NRA TPO 217/A

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