

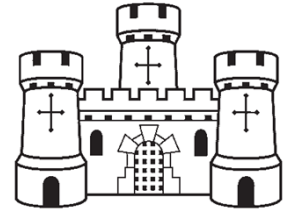
Public Document Pack

Date of meeting Tuesday, 7th October, 2025

Time 7.00 pm

Venue Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL

Contact Geoff Durham



**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 - FORMER SITE OF THE ZANZIBAR, MARSH PARADE, NEWCASTLE. DURATA DEVELOPMENTS LTD. 25/00349/FUL

(Pages 11 - 26)

This item includes a supplementary report.

5 APPLICATION FOR MAJOR DEVELOPMENT - LAND AT MOSS LANE, MADELEY. KEEPMOAT HOMES. 24/00619/FUL

This item has been withdrawn from this agenda and will be discussed at a future meeting.

6 APPLICATION FOR MINOR DEVELOPMENT - WILLOUGHBRIDGE LODGE FARM, WILLOUGHBRIDGE. MR PAUL PARTON - PARTON POULETS LTD. 25/00318/FUL

(Pages 27 - 50)

This item includes a supplementary report.

7 APPLICATION FOR MAJOR DEVELOPMENT - PLOT A, CHATTERLEY PARK, PEACOCK HAY ROAD, TALKE. HARWORTH ESTATES INVESTMENTS LTD. 25/00530/REM

(Pages 51 - 60)

This item includes a supplementary report.

- 8 **APPLICATION FOR MAJOR DEVELOPMENT - PLOT B, CHATTERLEY PARK, PEACOCK HAY ROAD, TALKE. HARWORTH ESTATES INVESTMENTS LTD. 25/00531/REM** **(Pages 61 - 70)**

This item includes a supplementary report.

- 9 **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF LAMPHOUSE WAY, WOLSTANTON. MR MARK ELLIS - MARKDEN HOMES. 25/00552/FUL** **(Pages 71 - 78)**

- 10 **APPLICATION FOR MINOR DEVELOPMENT - SLATERS STONE ROAD HILL CHORLTON. MR AND MRS SLATER. 25/00185/FUL** **(Pages 79 - 94)**

- 11 **5 BOGGS COTTAGE, KEELE. 14/00036/207C3** **(Pages 95 - 96)**

12 **URGENT BUSINESS**

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

13 **DISCLOSURE OF EXEMPT INFORMATION**

To resolve that the public be excluded from the meeting during consideration of the following item(s) because it is likely that there will be a disclosure of exempt information as defined in paragraphs 1,2 and 3 in Part 1 of Schedule 12A of the Local Government Act 1972.

Members: Councillors Northcott (Chair), Crisp (Vice-Chair), Beeston, Burnett-Faulkner, Fear, Holland, Hutchison, Brown, Gorton, G Williams, J Williams and Dean

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 :- Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 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: | Berrisford | S Tagg (Leader) |
| | Heesom | Dymond |
| | Johnson | Edgington-Plunkett |
| | S Jones | Fox-Hewitt |
| | Sweeney | Grocott |
| | J Tagg | D Jones |

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

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

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Agenda Item 3

Planning Committee - 09/09/25

PLANNING COMMITTEE

Tuesday, 9th September, 2025
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Paul Northcott (Chair)

| | | | |
|--------------|---------|------------------|--------|
| Councillors: | Beeston | Hutchison | Gorton |
| | Crisp | Burnett-Faulkner | Brown |
| | Holland | J Williams | |
| | Dean | G Williams | |

Apologies: Councillor(s) Fear

Substitutes: Councillor Stephen Sweeney (In place of Councillor Andrew Fear)

| | | |
|-----------|-----------------|-----------------------------|
| Officers: | Craig Jordan | Service Director - Planning |
| | Rachel Killeen | Development Management |
| | | Manager |
| | Charles Winnett | Senior Planning Officer |
| | Tom Cannon | Senior Planning Officer |

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 12 August, 2025 be agreed as a correct record.

3. **APPLICATION FOR MAJOR DEVELOPMENT - LAND AT MOSS LANE, MADELEY. KEEPMOAT HOMES. 24/00619/FUL**

The Chair proposed deferral of this application, following sight of the supplementary report. This was seconded by Councillor John Williams.

Resolved: That, given the concerns raised by the LLFA, the application be deferred to enable the applicant to provide an updated drainage strategy to seek to address the concerns of the Flood Authority.

[Watch the debate here](#)

4. APPLICATION FOR MAJOR DEVELOPMENT - FORMER SITE OF THE ZANZIBAR, MARSH PARADE, NEWCASTLE. DURATA DEVELOPMENTS LTD. 25/00349/FUL

Amended recommendation proposed by Councillor Holland and seconded by Councillor Burnett-Faulkner

Following a long discussion on this item and Members requesting additional information, it was proposed to defer the item to a future meeting.

Resolved: That the application be deferred to enable Environmental Health to further consider information relating to noise, and the Highway Authority to provide further information on parking provision and impact on cycleways.

[Watch the debate here](#)

5. APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT FAIRGREEN ROAD, BALDWIN'S GATE. HENCIE HOMES LTD. 24/00833/OUT

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

- (i) Standard time limits for submission of reserved matters and commencement of development
- (ii) Approved plans
- (iii) Contaminated land
- (iv) Construction Environmental Management Plan
- (v) Habitat and maintenance plan
- (vi) Surface water drainage scheme
- (vii) Works to be completed in accordance with recommendations of Ecological Appraisal
- (viii) Works to be completed in accordance with recommendations of Hydrological Report
- (ix) Works to be completed in accordance with recommendations of Botanical Report
- (x) Programme of archaeological mitigation

[Watch the debate here](#)

6. APPLICATION FOR MINOR DEVELOPMENT - NEWCASTLE-UNDER-LYME BOROUGH COUNCIL DEPOT, KNUTTON LANE. NEWCASTLE BOROUGH COUNCIL. 25/00120/DEEM3

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

- (i) Time Limit
- (ii) Approved plans
- (iii) Materials
- (iv) Landscaping scheme
- (v) Biodiversity Net Gain

[Watch the debate here](#)

7. **APPLICATION FOR MINOR DEVELOPMENT - CAR PARK, MEADOWS ROAD, KIDSGROVE. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 25/00345/DEEM3**

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

- (i) Time limit condition
- (ii) Standard time limit for commencement of development
- (iii) Approved plans
- (iv) Material samples
- (v) Provision of cycle parking facilities
- (vi) Submission and approval of a Demolition and Construction Environmental Management Plan
- (vii) Details of external lighting to be submitted
- (viii) Details of any external plant/equipment to be submitted
- (ix) Works to be completed in accordance with parking details
- (x) Operating/delivery hours
- (xi) Contaminated Land
- (xii) Foul and surface water drainage
- (xiii) Any external lighting
- (xiv) Habitat management plan
- (xv) Biodiversity gain plan

[Watch the debate here](#)

8. **APPLICATION FOR MINOR DEVELOPMENT - LAND NORTH OF MUCKLESTONE WOOD LANE, LOGGERHEADS. MR CHRIS BUTTERS. 25/00505/OUT**

Amended recommendation proposed by Councillor John Williams and seconded by Councillor Brown.

Members discussed the item at length raising concerns on highways safety grounds and the impact on the character of the area.

Resolved: That the application be refused for the following reasons:

- (i) Adverse impact on the character of the northern side of Mucklestone Wood Lane.
- (ii) Impact on highway safety due to lack of street lights and pavements around the proposed access point.

[Watch the debate here](#)

9. **APPLICATION FOR MINOR DEVELOPMENT - 35 CLAYTON ROAD, NEWCASTLE UNDER LYME. ROBERT GASKELL. 25/00485/FUL**

Amended recommendation proposed by Councillor Gill Williams and seconded by Councillor Holland.

Members raised concerns about the safety and utility of the access to the properties.

Resolved: That the application be refused on the grounds of impact on highway safety due to an intensification in the use of the existing shared access with Brookfields House.

[Watch the debate here](#)

10. **APPLICATION FOR OTHER DEVELOPMENT - LAND WEST OF HAZELEY PADDOCKS, KEELE ROAD, KEELE. S. GIBSON / G. BENSON-LEES. 25/00574/PIP**

Amended recommendation proposed by Councillor Gill Williams and seconded by Councillor Brown.

Members felt that this was inappropriate development on Green Belt land.

Resolved: That the application be refused for the following reason:

- (i) The land is not 'grey belt' and therefore the development would be inappropriate development in the Green Belt.

[Watch the debate here](#)

11. **APPLICATION FOR OTHER DEVELOPMENT - LAND EAST OF HAZELEY PADDOCKS, KEELE ROAD, KEELE. S. GIBSON / G. BENSON-LEES. 25/00575/PIP**

Amended recommendation proposed by Councillor Gill Williams and seconded by Councillor Brown

Members felt that this was inappropriate development on Green Belt land.

Resolved: That the application be refused for the following reason:

- (i) The land is not 'grey belt' and therefore the development would be inappropriate development in the Green Belt.

[Watch the debate here](#)

12. **LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2**

Resolved: (i) That the information be received
(ii) That an update report be brought to this committee in two months' time

[Watch the debate here](#)

13. **URGENT BUSINESS**

There was no Urgent Business.

14. **DISCLOSURE OF EXEMPT INFORMATION**

There were no confidential items.

**Councillor Paul Northcott
Chair**

Meeting concluded at 10.32 pm

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FORMER SITE OF THE ZANZIBAR, MARSH PARADE, NEWCASTLE
DURATA DEVELOPMENTS LTD

25/00349/FUL

The application seeks full planning permission for the erection of 63 apartments falling within use class C3, hard and soft landscaping works and provision of access and parking provision at the former Zanzibar nightclub site.

The application site, of approximately 0.29 hectares in extent, falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map. In addition, it is within the Live-Work Office Quarter as defined in the Newcastle Town Centre Supplementary Planning Document.

The application was deferred at the last Committee to enable Environmental Health to further consider information relating to noise, and the Highway Authority to provide further information on parking provision and impact on cycleways.

The statutory 13-week determination period for this application expired on the 5 August but an extension of time has been agreed to the 9 October 2025.

RECOMMENDATION

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

1. Standard time limit for commencement of development
2. Approved plans
3. Materials
4. Boundary treatments
5. Landscaping scheme
6. Cycle parking
7. Access arrangements
8. Construction Environmental Management Plan
9. Noise mitigation
10. Contaminated land
11. Soil Importation
12. Lighting
13. Construction hours
14. Biodiversity Management Plan
15. Affordable Housing
16. Compliance with submitted drainage strategy
17. Additional drainage details

Reason for recommendations

The redevelopment and regeneration of this vacant brownfield site within a sustainable urban location, accords with local and national planning policy. There would be no adverse impact on the setting of any listed buildings, and the scale and design of the development would enhance the appearance of the area. It has been demonstrated that the proposed development would not have any adverse impact on highway safety or residential amenity and subject to a number of conditions, the development represents a sustainable form of development and should be supported.

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

The LPA has requested further information throughout the application process, and the applicant has subsequently provided amended and additional information. The application is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks full planning permission for the erection of 63 apartments (within Use Class C3) with associated hard and soft landscaping works and the provision of access and parking provision at the former Zanzibar nightclub site.

The application site, of approximately 0.29 square metres in extent, falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map. In addition, it is within the Live-Work Office Quarter as defined in the Newcastle Town Centre Supplementary Planning Document.

The proposed apartments are intended to be 100% affordable rent.

The application was deferred at the last Committee to enable Environmental Health to further consider information relating to noise, and the Highway Authority to provide further information on parking provision and impact on cycleways.

The application raises the following key issues:

1. The principle of the development of this site for residential purposes,
2. Impact on the character of the Conservation Area and the setting of nearby listed buildings,
3. The design of the development and its impact on the surrounding area,
4. The impact of the development on highway safety,
5. Residential amenity,
6. Biodiversity Net Gain,
7. Flood Risk and sustainable drainage,
8. Planning obligations and viability,
9. Conclusions

Is the principle of the development of this site for residential purposes acceptable?

Paragraph 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. The site is located within the Urban Area of Newcastle.

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

Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The Core Strategy goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution, and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

The SPD places the application site within the Live – Work Office Quarter which is a mixed area which has been defined in recognition of its shared potential for significant redevelopment. Additional residential development is therefore appropriate in this location but the SPD notes that design will need to reflect the importance of the area and this is an important gateway.

The Newcastle Town Centre SPD states that encouraging mixed-use development increases the diversity of uses within a locality. As a result, such development would enhance the vitality and viability of the Town Centre by encouraging its use by a greater range of people for different purposes, possibly at different times of the day and night. This helps to strengthen the social fabric and economic viability

of the Town Centre. It also has positive implications in terms of sustainable development as it encourages proximity of uses, reducing the need to travel.

This is a previously developed site in a highly sustainable location within the Town Centre which has good access to shops and services and to regular bus services to destinations around the borough and beyond. It is considered that the site provides a highly sustainable location for additional residential development that would accord with the Town Centre SPD.

Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area?

The site is not located in a Conservation Area, however, the Conservation Area of Stubbs Walk is located approximately 50m to the south. There are no listed buildings within the site, but there are three Grade II listed properties located to the south of the site along Marsh Parade.

In considering development affecting Listed Buildings, special regard will be given to the desirability of preserving the building, its setting or any features of special architectural or historic interest (Section 66, Planning [Listed Buildings and Conservation Areas] Act 1990).

Local and national planning policies seek to protect and enhance the character and appearance of Conservation Areas and development that is contrary to those aims will be resisted. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas in the exercise of planning functions.

The NPPF 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.

Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, 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.

Saved NLP Policy B9 states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

Saved Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a listed building.

A Heritage Statement that accompanies the application concludes that the proposed development will cause no harm to the setting and thereby significance of the nearby listed buildings or the character of nearby Conservation Area.

You Officers agree with the findings of the Heritage Statement and to conclude, it is not considered that there would be any adverse impact on the setting of any listed buildings or on the character of the Conservation Area.

The design of the residential development and its impact on the surrounding area

Paragraph 131 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 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the

surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

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 R3 states that new housing must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it, exploiting existing site characteristics, such as mature trees, existing buildings or long views and incorporating them into the proposal. In addition, Policy R14 states that developments must provide an appropriate balance of variety and consistency.

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.

The surrounding area is comprised of a variety of different property styles, which include traditional two storey terraced dwellings, a contemporary three storey apartment building and the prominent 5 storey building known as Brunswick Court which lies to the northwest of the application site. However, the majority of nearby buildings follow a traditional appearance and are constructed of red brick and render. Brunswick Court and the three-storey apartment building on Marsh Parade both feature flats roofs, although most nearby properties feature traditional dual pitched roof arrangements.

A recent planning application has been approved for the creation of 5 commercial units adjacent to the western boundary of the site facing North Street (Ref. 25/00324/FUL).

The proposed development has been presented to a Design Review Panel (DRP) at an early stage in the process, as encouraged by the NPPF, and the advice of the design panel has influenced the final design of the scheme as demonstrated in the submitted Design and Access Statement.

The proposal would comprise of two large, detached apartment buildings that would form a loose L shape formation close to the boundaries of the site. The first building would face directly onto Hassell Street. It would measure 44m x 14m in plan and would have a rectangular footprint, the height to the staggered ridge would be 13m at its highest point. The appearance of the building would be largely contemporary, with a strong fenestration facing onto Hassell Street and sections of brickwork broken up by metal mesh screening which adds interest to the scheme. The ground floor section of the building would feature red brick with projecting bond to complement the other materials to be used.

The second building would face onto Marsh Parade. Its footprint would measure approximately 14m x 35m in plan and the building would feature a 'W' shaped roof formation which would have a ridge height of 15m. The building would provide an interesting feature at this prominent gateway to the Town Centre while responding well to the existing site levels and the frontages of Hassell Street and Marsh Parade. The appearance of the building would be contemporary, with the ground level being proposed as buff brick with the higher levels constructed of black metal cladding and metal mesh. The palette of materials reflects the history of the town and the industrial heritage of the wider area whilst providing examples of high-quality contemporary detailing. The design of the proposal also follows a similar design style to the recently approved schemes at the Ryecroft site within the town centre, which will help tie the development into the wider regeneration works taking place throughout the town.

Landscaped areas are proposed at the north and east of the Marsh Parade apartment block, with the northern section comprising a small communal garden area for future occupants. The placement of these landscaped areas will also enable the recently uncovered Butterworth Ltd mural to be retained and showcased along the A52 highway. A small landscape strip is also proposed along Hassell Street and to the rear of the site along the parking areas, which will help to break up the urban form of the development.

It is considered that the development would be of high quality with the proposed apartment buildings creating active frontages along what is currently an unused and unsightly brownfield site. Overall, it is considered that the scale and design of the development would be appropriate and with the implementation of an appropriate landscaping scheme, there would be no adverse impact on the character and appearance of the surrounding area.

The impact on highway safety

The NPPF, at paragraph 116, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Saved Policy T16 of the Newcastle-under-Lyme Local Plan (NLP) states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

The Local Plan maximum parking standards for residential developments are 1 space per one bedroom dwelling (plus one space per three dwellings for visitors) and two spaces for a two or three bedroomed dwelling. On this basis, the maximum level of parking for the proposal would be 94 off-street car parking spaces. 13 spaces are proposed.

The application is accompanied by a Transport Statement (TS) which considers the transport impacts associated with the proposed development. The TS notes that the trip generation for the proposed development is anticipated to be a total of 10 trips in and out of the site in peak AM hours and 12 trips in the PM peak hours which is not considered to be a significant level of traffic. It also notes that survey data from the 2021 census shows that car ownership for this area is 16 to 21%. On that basis 13 spaces would be required, which is the amount currently proposed within the scheme. 64 cycle spaces would also be provided within the application site.

The Highway Authority (HA) agrees with the findings of the Transport Statement and has no objections to the proposal subject to conditions. They have provided further comments highlighting that the site is in a sustainable location within a Town Centre location where facilities and public transport are within walking distances. They refer to the fact that the flats will be marketed as having limiting parking which will be a condition of sale, and they note that the local highway network is restricted via residential parking permits and time restrictions. They also highlight that there are existing public car parks nearby which can be used by future occupants.

In deferring the application at the September Committee, Members queried whether in providing comments on an application, the HA considers the cumulative impact of other development in the Town Centre, particularly where those developments include limited on-site parking. The response provided is that the HA doesn't automatically require a developer to carry out any car parking accumulation studies within any traffic assessments or statements. Such a requirement would be on a case-by-case basis, particularly if a proposal directly removed a public car parking facility. They emphasise that when a development is proposed in a highly sustainable area, the attraction for prospective residents can be not needing to own a private vehicle due to the proximity of local amenities, connectivity, and alternative transport links. Overall car ownership for developments such as this is expected to be lower and not to significantly impact on any limited on-street facilities. Building in sustainable locations accords with the guidance found within the NPPF seeking to reduce the reliance on private car use.

A very recent appeal decision has been received (Referenced APP/P3420/W/25/3366960) for 55 student flats on Liverpool Road, Newcastle. The application was refused on the grounds of lack of car parking and in allowing the appeal, the Inspector gave significant weight to the fact that the town centre is a sustainable location for development and that applications should not be resisted on highways ground unless there is substantive evidence to demonstrate that the impacts of a proposal would be severe.

Members also queried whether the development would affect the proposed cycle route along Hassell Street. The route would not affect the roads directly adjacent to the site but rather is sited adjacent to Hassell Street car park. All of the existing parking on the southern side of Hassell Street would be retained.

A designated bin storage area would be included within the scheme. The exact details of this bin store area in respect of its boundary treatments still need to be submitted in support of the proposal, but this can be addressed through an appropriately worded condition.

Therefore, in the absence of any objections from the Highway Authority and given the highly sustainable location of the site, subject to conditions, the proposal is considered to comply with the relevant policies of the development plan as well as the aims and objectives of the NPPF.

Residential amenity

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 191 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.

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

Paragraph 200 of the NPPF states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

A large number of objections have been received from users of the nearby music venue known as 'The Rigger' which is located on the corner of Hassell Street and Marsh Parade. As recognised in paragraph 200 of the NPPF, new development should not threaten existing businesses or place unreasonable restrictions on them, and it is recognised that noise from 'The Rigger' venue has the potential to impact future occupants of the site.

A detailed Noise Impact Assessment has been provided in support of the application which concludes that subject to mitigation details, the future occupants of the site would be safeguarded from high noise levels.

At the last meeting of the Planning Committee, representatives of 'The Rigger' asserted that stricter noise mitigation methods should be applied to the site, in a similar way to how other Local Authorities such as Manchester City Council have approached proposals which may require more careful noise mitigation.

Section 3.7 of the submitted Noise Impact Assessment (NIA) states that the methodology required by the Council's Environmental Health Team was not considered robust enough to safeguard residents from noise impact and the proposal was therefore assessed against the DEFRA guidance which aligns with the assessment criteria used by Manchester City Council, which assesses noise across all frequencies.

Objectors to the proposal also made reference to another application in Brighton which saw a residential development refused on the basis that the nearby music venue known as the 'Alphabet' would have resulted in an adverse impact on the amenity of future occupants. However it is important to note that the Alphabet Night Club lies within Brighton city centre and has a capacity for 500 people with a license agreement which allows it to be open until 5am. In contrast, the Rigger is licensed to be open until 2am on Fridays and Saturdays, 5pm to 10pm on Wednesdays, 5pm to 8pm on Thursdays and is not open on Sundays to Tuesdays. The Rigger has a maximum capacity of 200 people. In addition to the above, part of the reason for refusal of that case was on the basis that the NIA did not consider worse case scenarios in respect of noise levels. However, the assessment for this current application has taken into consideration worse case scenarios for noise levels and a direct comparison cannot therefore be made between the two sites.

The mitigation proposed for the development has been designed to take account of all types of noise generated by The Rigger. With respect to future residents not being able to open their windows, there are numerous appeal decisions across the country which recommend using non-opening windows to mitigate the impact of noise and where Inspectors have taken the view that the sealing of windows is not harmful provided appropriate ventilation is provided by mechanical means. In this case the mitigation proposed would only require windows to be closed at night in the event that noise levels were too high, however they can remain open during the daytime and on nights when the venue doesn't operate at later hours. In any event, there is mechanical ventilation included in the scheme.

It is also important to note that there are other residential units close to the site, including the block of flats known as Marsh Box on Marsh Parade which was approved under application 17/00179/FUL and is in closer proximity to the music venue than the proposed development. The Marsh Box has been completed and occupied for several years without the Council receiving complaints from occupants on noise grounds.

Further clarity has also been sought on the response of the Environmental Health Team, who have confirmed that they consider the assessment set out within the NIA to be acceptable, and note that the mitigation methods are enough to provide protection from any noise from The Rigger. They have noted that the suggested 47dbL – 63 hertz and 41dbL at 125 hertz noise levels as recommended by the objector to the scheme at the last committee is not consistent with British standards and are therefore not necessary in this case.

Officers note this further response and for the avoidance of doubt would require that a condition is added to any decision notice requiring that the full and precise details of the attenuation measures specified in the Noise Assessment are submitted to the LPA for approval in writing prior to the commencement of development. Therefore, whilst the concerns of users of The Rigger are noted, in the absence of any technical information to demonstrate that the proposal would result in an adverse impact on future occupants of the site, it is not considered that a refusal on the grounds of amenity impacts could be sustained.

With respect to space standards, the proposed units would be of an appropriate size in terms of floor space and would exceed the minimum size of requirements per unit as required by national standards. All bedrooms would also have an acceptable level of daylight and the primary rooms would benefit from an acceptable outlook onto Hassell Street and Marsh Parade.

Whilst the proposal would only benefit from a small area of private outdoor amenity area, there are a number of parks and green spaces around close to the site which future occupiers could access.

With regards to privacy, the Space Around Dwellings SPG notes that where principal windows face a highway, then the standard 21m separation distance should not be applied. In this case the principal windows of the Hassell Street apartment block would be separated from existing dwellings by a distance of 12.35m, which is slightly more than the typical 10m separation distance found on nearby streets. Officers note that if the proposal were to increase this separation distance by setting the building further back from the highway, this would result in a development which would not sit comfortably with the urban grain of the area.

It's acknowledged that the introduction of a new residential development onto this site would impact the outlook from existing properties, however it must be noted that an older permission for residential development has been granted on the site under application referenced 05/00902/OUT, which would have resulted in a similar impact to residents at the application currently put before the committee. Both the previous permission and this current application were assessed against the same guidance set out within the Space around dwellings SPG.

Subject to noise mitigation and the conditions suggested by the Council's Environmental Health Division which relate to land contamination, construction management and air quality, the development is considered to be in accordance with the NPPF with respect to residential amenity.

Biodiversity Net Gain

Paragraphs 180 & 185 of the NPPF set 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.

Biodiversity Net Gain (BNG) is “an approach to development that leaves biodiversity in a better state than before”. When applying biodiversity net gain principles, developers are encouraged to bring forward schemes that provide an overall increase in natural habitat and ecological features. The aim of BNG is to minimise losses of biodiversity and help to restore ecological networks. Sites must demonstrate a minimum of a 10% Biodiversity Net Gain as calculated using a Biodiversity Metric and a Biodiversity Gain Plan, with habitat used for net gain to be secured for a minimum of 30 years.

An on-site baseline biodiversity value has been provided within the submitted Biodiversity Net Gain Assessment and the applicant has then made a post-development biodiversity value calculation. To achieve the 10% BNG requirement, new habitat creation and landscaping would be included on site which would result in a 28.27% gain in biodiversity habitats for the site.

The results of the assessment demonstrate that more than a 10% gain in biodiversity units when compared with the current baseline can be achieved.

Food Risk and sustainable drainage

Paragraph 182 of the NPPF states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity

The application is accompanied by a Drainage Strategy which has been reviewed by the Lead Local Flood Authority. Whilst objections were initially raised, following the submission of additional information the LLFA have confirmed that they no longer object to the proposal subject to a number of conditions.

Subject to any conditions required by the LLFA, the development is considered to be in accordance with local and national planning policy.

Planning obligations and financial viability

Section 122 of the Community Infrastructure Levy Regulations states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The Council's Landscape Development Section has requested a financial contribution of £190,801 towards off-site Public Open Space which would be used on the nearby Brampton Park and Public Realm within the Town Centre.

Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £31,380 which is to be targeted towards supporting the future development/adaptation/expansion of premises within Newcastle under Lyme.

These are considered to meet the tests identified in the NPPF and are compliant with Section 122 of the CIL Regulations.

The applicant has submitted a Viability Assessment which seeks to demonstrate that the above financial contributions would render the scheme unviable. The viability case has been considered by independent and suitably qualified valuers, and it is accepted that the scheme cannot meet the requisite planning obligations.

Conclusions

The proposal would provide various social and economic benefits, most notably the provision of 63 new residential units in a sustainable location within the urban area, which will increase the housing mix and make a contribution to boosting housing supply in the Borough. It has also been demonstrated that the design and appearance of the scheme would be of an appropriate quality and would not harm the visual amenity of the area and there would be no adverse impact on amenity/highway safety, subject to conditions. Onsite planting and biodiversity enhancements have been proposed, and other environmental objectives will be secured. Therefore, the three overarching objectives of sustainable development will be achieved.

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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
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 IM1: Provision of essential supporting infrastructure and community facilities
Policy T16: Development - General Parking Requirements

Other material considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (March 2014, as updated)

Supplementary Planning Guidance/Documents

Developer contributions SPD (September 2007)

Affordable Housing SPD (2009)

Newcastle-under-Lyme Open Space Strategy – adopted March 2017

Space Around Dwellings SPG (SAD) (July 2004)

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

Newcastle Town Centre Supplementary Planning Document (adopted 2009)

Relevant Planning History

04/01309/OUT - 101 residential flats with 137 on-site parking spaces – Refused

05/00902/OUT - Residential flats, commercial accommodation, gym/fitness suite and on-site parking – Approved

15/00710/COU – Change of use to antiques dealer's centre with ancillary restaurant use - Approved

20/00810/DEM - Application for prior notification of proposed demolition of the former Zanzibar nightclub building – Approved

25/00262/FUL - Planning application for enabling and remediation works to prepare the site for redevelopment – Approved

25/00324/FUL - Full (detailed) application for the erection of 5 commercial enterprise units within Use Class E, hard and soft landscaping works and provision of access and parking – Approved

Views of Consultees

Following on for a request for further information, the Council's **Environmental Health Division** consider the assessment set out within the noise impact assessment to be acceptable and note that the mitigation methods are enough to provide protection from any noise from The Rigger. They have noted that on the suggested on the suggested 47dbL – 63 hertz and 41dbL at 125 hertz noise levels as recommended by the objector to the scheme at the last committee that this is not consistent with British standards and are therefore not necessary in this case. Conditions relating to land contamination, construction management, noise levels, soil importation and hours of construction are recommended.

The **Highway Authority** raises no objections to the proposal subject to conditions relating to the creation of the new access onto Hassell Street, the provision of parking spaces, cycle storage and the submission of a Construction Environmental Management Plan.

The **Landscape Development Section** have requested a financial contribution of £190,801 that should be secured through a S106 agreement.

The **School Organisation Team** have confirmed that they do not wish to seek a financial contribution.

Staffordshire and Stoke-on-Trent Integrated Care Board have requested a financial contribution of £31,380 that should be secured through a S106 agreement.

The **County Minerals Officer** has no comments on the proposal.

Following the submission of additional information the **Historic Environment Records Officer** confirms that they raise no objections to the proposal.

Staffordshire Flood Team raise no objections, subject to conditions.

Staffordshire Police have provided guidance on a number of security matters.

The **Conservation Advisory Working Party** note that the southern section of the proposal which faces onto Hassell Street is uninspiring in design terms and that the proposal fails to recognise the traditional building styles found nearby. Concerns were also raised regarding the limited parking and the lack of ambition for the building facing onto Marsh Parade.

No comments have been received from **Staffordshire Wildlife Trust** or the **Waste Services Team**.

Representations

63 objection letters have been received which raise the following concerns:

- Noise complaints could be received from future occupants due to the proximity of 'The Rigger' Music venue, which in turn would threaten the viability of the venue
- Parking issues
- Loss of privacy

Applicant/agent's submission

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

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00349/FUL>

Background Papers

Planning File
Development Plan

Date report prepared

25 September 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
7th October 2025

Agenda Item 4

Application Ref. 25/00349/FUL

Former site of the Zanzibar, Marsh Parade, Newcastle

Since the publication of the main agenda report, additional comments have been received from the **Environmental Health Team (EH)**.

The EH team note that the consultant has made an appropriate assessment of entertainment noise from The Rigger which recommends noise mitigation measures designed so as to not to exceed NR15 within the development upon facades which may be affected by entertainment noise from the Rigger. This is consistent with the approach applied to the Marsh Box and given that no complaints have been received from the residents of the Marsh Box, it can be concluded that this approach was successful.

As such, no objections are raised to the proposal subject to conditions regarding compliance with the Noise Impact Assessment, maximum noise levels, details of mechanical ventilation systems and non-opening windows.

Officer's comments

Officers consider that the proposed conditions add clarity to the safeguarding measures to be used for future occupants of the site and are considered to be reasonable and appropriate in all other respects.

Subject to the conditions recommend by the EH team, Officers maintain their view that the proposal would be acceptable in terms of amenity and would not result in any risk to the music venue known as 'The Rigger'.

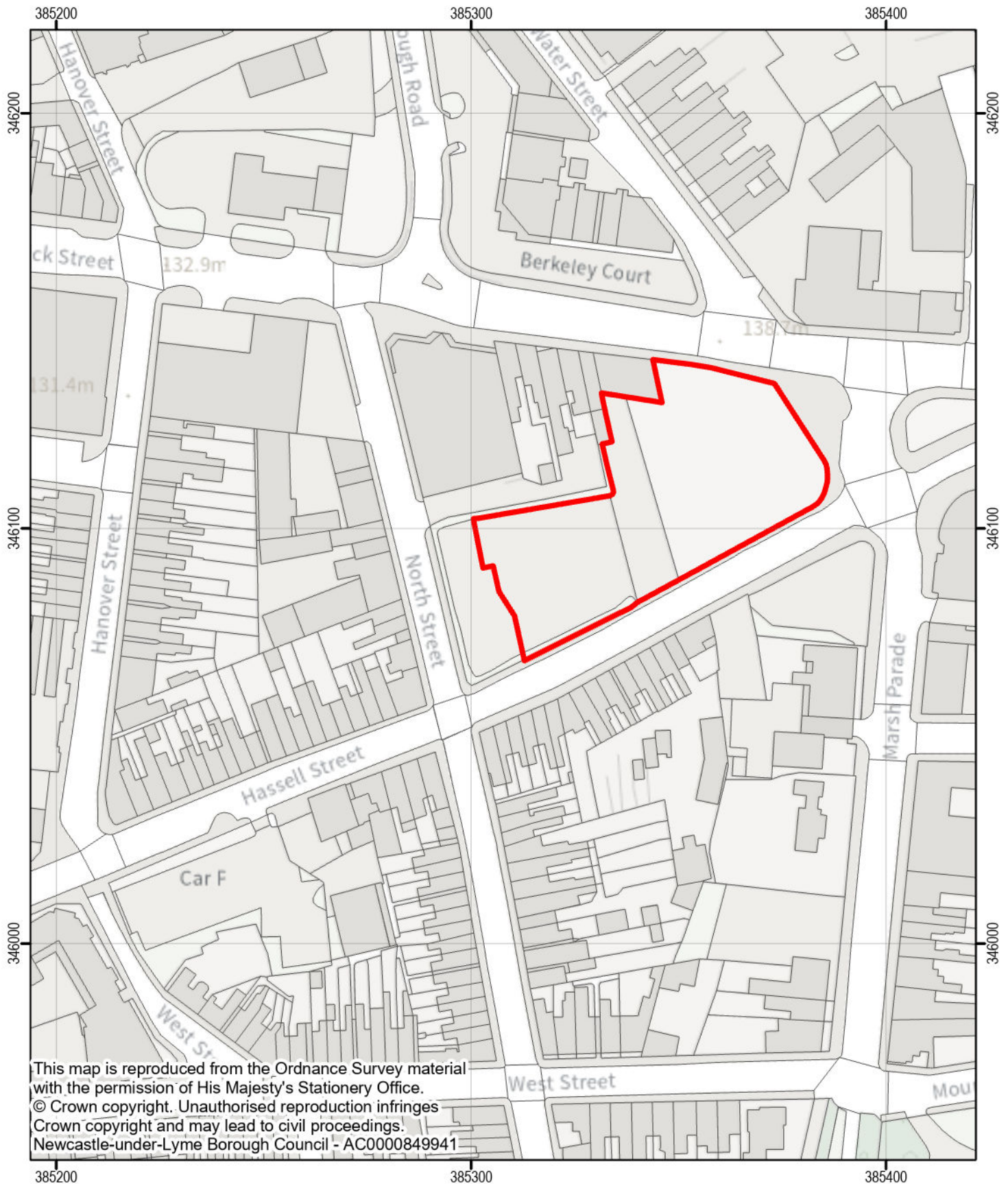
Amended Recommendation

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

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Materials**
- 4. Boundary treatments**
- 5. Landscaping scheme**
- 6. Cycle parking**
- 7. Access arrangements**
- 8. Construction Environmental Management Plan**
- 9. Noise mitigation**
- 10. Limitation on maximum noise levels**
- 11. Details of mechanical ventilation system to be submitted**
- 12. Windows located on façade type 1 and façade type 2 to be sealed and not be openable**
- 13. Contaminated land**
- 14. Soil Importation**
- 15. Lighting**
- 16. Construction hours**
- 17. Biodiversity Management Plan**
- 18. Affordable Housing**
- 19. Compliance with submitted drainage strategy**
- 20. Additional drainage details**

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23/00349/FUL
Former Site Of The Zanzibar
Marsh Parade
Newcastle



Newcastle Borough Council

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WILLOUGHBRIDGE LODGE FARM, WILLOUGHBRIDGE
MR PAUL PARTON - PARTON POULETS LTD

25/00318/FUL

This application seeks permission for the erection of 2 No. poultry houses and associated infrastructure at Willoughbridge Lodge Farm, Willoughbridge Lane.

The site lies in the open countryside in an Area of Landscape Maintenance as identified in the Newcastle-Under-Lyme Local Plan. The farmhouse, Willoughbridge Lodge, is a Grade II* listed building and a Scheduled Ancient Monument Moated site, four pond bays and an associated enclosure at Willoughbridge Park lie to the west of the application site.

The proposed poultry units would be located on lower ground to the east of the main farm complex, with a new access track linking the development to the existing farm track. The associated infrastructure would include control rooms, 4 No. feed bins, feed weighing room, concrete apron, dirty water tank, water tank, plant room, gate house, backup generator and attenuation pond. Overall, the development provides 5643 sq. m of new agricultural floor space and will provide accommodation for 70,000 broiler chickens.

The 13-week period for the determination of this application expired on 6th August 2025. An extension of time has been agreed to 10th October 2025.

RECOMMENDATION

Permit, subject to conditions relating to the following matters: -

- 1. Standard time limit**
- 2. Approved plans and supporting documents**
- 3. Provision and hard surfacing of parking and turning areas**
- 4. Materials**
- 5. Boundary treatments**
- 6. Construction Environmental Management Plan (Pre-commencement)**
- 7. Noise mitigation measures/attenuation scheme**
- 8. Ground contamination report/any unexpected contamination**
- 9. Details of external lighting**
- 10. Bat and bird boxes**
- 11. RAMMs**
- 12. Development to be carried out in accordance with the approved Flood Risk and Drainage Impact Assessment and drainage strategy drawings**
- 13. Detailed drainage design (Pre-commencement)**
- 14. Details of dirty water to be exported to an appropriate licensed treatment facility (Pre-commencement)**
- 15. Development operated in accordance with approved Manure Management Strategy**
- 16. Tree and hedgerow protection measures for retained trees/hedgerows**
- 17. Arboricultural method statement**
- 18. Verification noise assessment report**
- 19. Details of noise generating plant including mechanical ventilation or refrigeration/air conditioning, refuse compacting**
- 20. Noise and odour control**
- 21. Biodiversity Gain Plan**
- 22. Habitat Management Monitoring Plan (HMMP)**
- 23. Landscape and Ecological Management Plan**

Reason for Recommendation

The principle of development is acceptable and Officers are satisfied that the proposal would not adversely impact on the setting of the listed Willoughbridge Lodge or the Scheduled Monument. It has been demonstrated through the various supporting information/documents that the environmental impact of the development would be acceptable, the visual effects on the landscape would be limited

and there would be no impact on highway safety. It has also been demonstrated that the proposal would not increase flood risk on the site or surrounding land, and that appropriate mitigation measures have been put in place to ensure that wastewater and manure does discharge into nearby watercourses. Subject to mitigation measures, the development would not adversely impact on ecology, with on-site enhancements to be provided, securing the necessary 10% increase in BNG.

Overall, the proposed development is considered to be a sustainable form of development that complies with the provisions 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

Additional information and amended plans have been sought and provided and the scheme is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework (NPPF).

Key Issues

This application seeks permission for the erection of 2 No. poultry houses and associated infrastructure at Willoughbridge Lodge Farm. The farm is currently operated as a dairy and arable farming business by the applicant who runs Partons Poulet's Ltd based in Norton in Hales, Market Drayton. It lies in the open countryside and is situated off Willoughbridge Lane, a narrow country lane to the south-west of the hamlet of Willoughbridge and north/north-east of Mucklestone/Loggerheads. The main farm complex which is accessed off a long concrete access road, comprises of both traditional and modern agricultural buildings and a farmhouse (Willoughbridge Lodge) which is a grade II* listed building. There are also several other residential dwellings which are situated off the main access road which are owned/occupied separately from the farm.

A Scheduled Monument Moated site, four pond bays and an associated enclosure at Willoughbridge Park lie to the west of the application site. Willoughbridge Lodge Farm is also partly located in a Mineral Safeguarding Area (MSA) for Sand and Gravel and adjacent to the safeguarding zone for Trentham / Lordsley Quarry and in an area of Landscape Maintenance as identified in the Newcastle-Under-Lyme Local Plan.

The application site extends to 2.42ha and is currently cultivated grade 3 agricultural land i.e. land of moderate to good quality. An application for an Environmental Permit (EP) was submitted separately to the Environment Agency (EA) in February 2025 which will assess, amongst other things, emissions to water, air and land, including to groundwater and odour, noise and vibration monitoring.

The proposed poultry units would be located on lower ground to the east of the main farm complex, with a new access track linking the development to the existing farm track. The associated infrastructure would include control rooms, 4 No. feed bins, feed weighing room, concrete apron, dirty water tank, water tank, plant room, gate house, backup generator and attenuation pond.

In detail, the process operating from the site would involve the rearing of broiler chickens from day old chicks through to finished table weight. The site would operate on a 48-day cycle, with chicks delivered to the site as day olds on day 1 of the rearing cycle and reared within the buildings for around 38 days. The first batch of birds would then be removed from the site at around day 30 of the flock (thinning), and the balance removed at the end of the flock on day 38. Following the removal of the birds, the site would be empty for 10 days for cleaning and preparation for the next batch of chicks. The site would operate with 7.5 flocks of birds per annum. Overall, the development provides 5643 sq. m of new agricultural floor space and would provide accommodation of 70,000 broiler chickens.

Interested parties have suggested that an appropriate Assessment is required to assess impact on River Tern. However, as the River Tern is not a Special Area of Conservation (SAC), an Appropriate Assessment which forms part of a Habitat Regulations Assessment (HRA) is only required where the site is within the impact zone of a SAC. The Habitat Regulations do not apply to this development as it is not within the impact zone of any SAC site.

Taking account of the above background, the key planning matters in the determination of the application are:

- Principle of development,
- Whether the proposal would preserve or enhance the setting of the grade II* listed Willoughbridge Lodge and adjacent scheduled ancient monument,
- Impact of the environmental effects of the development on the amenity of the area and nearby residents in terms of noise, smell, air pollution, ammonia, nitrogen deposition and dust,
- Impact on landscape character,
- Highway safety and parking implications,
- Flood risk and drainage, including the impact of wastewater/manure disposal on nearby watercourses,
- Ecology and biodiversity net gain,
- Other issues raised by interested parties,
- Conclusion/Planning balance

Principle of development

The application would involve the development of an existing agricultural field to provide 2 poultry houses and associated infrastructure. Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 88 of the NPPF confirms that amongst other things, planning policies should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; the development and diversification of agricultural and other land-based rural businesses. Paragraph 89 advises that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

The proposal would involve the expansion of the existing farming operations at Willoughbridge Lodge Farm and would therefore support economic growth and productivity of an existing rural business. Thus, the proposal would accord with the objectives of paragraphs 85, 88 and 89 of the NPPF and the principle of development is therefore acceptable. The environmental, highways and landscape impacts are discussed in detail below and weighed into the 'planning balance' at the end of the report.

Setting of the grade II listed Willoughbridge Lodge and scheduled ancient monument

The application site is situated in the vicinity of two designated heritage assets: Willoughbridge Lodge, a grade II* listed building of sixteenth century origin, and a Scheduled Monument (SM) ('Moated site, four pond bays and an associated enclosure at Willoughbridge Park').

Willoughbridge Lodge which lies around 300m north of the proposed poultry unit, was originally constructed in the mid-sixteenth century as a hunting lodge. It has been much altered over the successive centuries, with extensions and additions dating up to the mid-nineteenth century. The earliest part is a square, three stage tower flanked by gabled wings. The list description notes that from here are 'Magnificent views across the Cheshire Plain' referring to views from the main, north elevation looking to the north and northwest rather than the south (i.e. away from the siting of the proposed poultry unit). Nevertheless, the site lies within the setting of Willoughbridge Lodge and should be assessed on this basis.

The proposed poultry unit would lie approximately 50m to the southwest of the SM at its nearest point. This part of the monument relates to a series of in-filled ponds and retaining banks. The stream / watercourse on the eastern boundary of the application site flows alongside and through these in-

filled ponds and past the moated site in the north. The moated site itself lies just over 400m to the north of the proposed sheds.

As well as setting, the ponds hold significance as evidence of a complex medieval water management system and land-uses associated to the moated site and are important for their potential to contain preserved palaeoenvironmental remains within their waterlogged deposits.

The landscape which surrounds the moated site forms part of the setting of the SM and includes the application site, which could have been part of its the agricultural hinterland. This landscape retains an open, rural and agricultural character which, where experienced in combination with the SM, helps to provide historic context and enhances understanding and appreciation. This is considered to be a positive element of the monument's setting which contributes to significance. Not all parts of the monument's setting will contribute the same amount of significance or be as sensitive to change. For example, intrusion and visual impacts in views from and towards the moated site itself would have a higher sensitivity than from within or alongside the ponds, where the historic character, context and legibility of the landscape would be the more important factors.

Listed buildings and their settings are protected in law by the 1990 Planning (Listed Buildings and Conservation Areas) Act (the Act), Sections 16(2) and 66(1), the latter of which states: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Scheduled Monuments are protected in law by the Ancient Monuments and Archaeological Areas Act of 1979. Scheduled Monument Consent (SMC) is required for any intrusive or invasive works to a scheduled monument. Applications in the setting of a Scheduled Monument such as the current scheme do not require SMC. The NPPF treats scheduled monuments as assets of the highest significance.

Paragraph 212 of the NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and 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.

Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. If the development will lead to 'substantial harm' to the significance of a designated heritage asset, paragraph 214 of the NPPF indicates that the development should be refused consent by the local planning authority, unless the proposal can meet a number of specific conditions. If the development leads to 'less than substantial harm' to the significance of a designated heritage asset, paragraph 208 indicates that this harm still needs to be assessed against the public benefit of the scheme and whether or not the viability of the site is being optimised.

The proposed bird houses are the most visually prominent aspect of the proposals due to their large footprint and height. However, they are located in a depression in the landscape at a considerably lower elevation than the listed Willoughbridge Lodge. Despite this, and the three hedged boundaries that lie between, they will be visible from the vicinity of Willoughbridge Lodge, though not from the garden which is screened by a dense 4m high evergreen hedge. They will not however be visible in any of the designed/valued long-distance views from the house and none of the house windows face in this direction apart from a small minor window on the first floor of the eastern elevation.

The poultry unit will represent a change in the farmland setting that contributes to the significance of Willoughbridge Lodge in a generalised way. However, the change is very small, representing only a small fraction of the land around the house and is not readily visible from the house itself or its garden. The proposed poultry units remain a recognisably agricultural feature. They are broadly comparable in size and appearance with the modern sheds that dominate the immediate setting of Willoughbridge Lodge, which are the main part of the farmstead to its immediate south. This lessens

their impact in a rural landscape where there are other similar examples and are readily recognisable as such.

In summary and as confirmed by the Conservation Officer, whilst the proposed development will result in a change to the setting of Willoughbridge Lodge, it would not be a change that will harm its significance or the ability to appreciate that significance.

Turning to the impact on the setting of the SM, Historic England (HE) have confirmed that the introduction of these large buildings and associated infrastructure within close proximity to the ponds would impact and change our experience of this part of the scheduled monument's setting. This would erode into some of the positive historic open character around the site, although the buildings would retain an agricultural context.

There is a potential for some wider visual intrusions, which would be exacerbated by the separation between the chicken sheds and the rest of the farm complex. There would also be a juxtaposition - in plan form at least - between the alignment of the sheds and the pattern of the surrounding fields and historic boundaries.

The application is supported by a Heritage Statement (HS) which has examined the impacts on the scheduled monument. HE broadly agree with its views on the relative sensitivities of the monument and the lower impact of this scheme. Additional information has also been provided by the applicant detailing the proposal's interactions with and changes to the watercourse on the eastern boundary of the site, and the potential for these to impact the condition or preservation within the SM further downstream (Moated site, four pond bays and an associated enclosure at Willoughbridge Park- List Entry Number:1011052). Further details have also been submitted regarding the impact on the watercourse, nature of the proposed attenuation pond and proposed drainage strategy. This confirms that no alterations are proposed to the watercourse itself beyond routine land management activities. This is limited to mowing and the removal of any blockages to ensure the continued functionality of the channel and are not expected to alter the condition or flow dynamics of the watercourse.

The proposed attenuation pond will manage only clean surface water and is designed to discharge into the watercourse at the established Greenfield runoff rate. As a result, there will be no increase in the volume or rate of surface water entering the watercourse compared to existing conditions. The proposed development will also not affect the condition of the watercourse or the preservation of the scheduled area downstream. As such, HE is satisfied that the risk of indirect impacts upon the SM would be low.

In conclusion, whilst there is potential for the proposals to result in some harm to the significance of the scheduled monument through the impacts upon its setting, HE confirms that the level of harm would however be at the lower end of the less than substantial category, and they therefore raise no objections to the proposal. As required by paragraph 208 of the NPPF, given that the development would lead to 'less than substantial harm' to the significance of a designated heritage asset, in this case the SM, this harm still needs to be weighed against the public benefit of the scheme.

HE has queried whether it would be possible to re-position the building further away from the SM to ensure that there would be no impact on its setting. However, the proposed buildings have been carefully sited in the corner of an existing arable field in order to minimise its impact on the surrounding landscape and retain the efficient agricultural use of the remainder of the field. Relocating the development further into the field would compromise the functionality of the land for farming, effectively sterilising a large central portion of it and creating significant operational difficulties. This would reduce the productivity of the land and undermine its established use, which has been an important consideration in the design and siting of the proposal. Furthermore, the current position has been selected to balance a number of competing constraints, including landscape impact, access, and proximity to the SM. Thus, the current location represents the most appropriate and balanced solution given the constraints of the site.

The applicant has provided an additional statement setting out the public benefits associated with the scheme. Firstly, it sets out how the proposal would contribute to national food security by supporting the UK's self-sufficiency in poultry meat production at a time when the sector is undergoing major structural change due to the adoption of the Better Chicken Commitment (BCC) by most UK

supermarkets. The BCC mandates a 20% lower stocking density, meaning additional poultry housing is required to maintain current output levels while adhering to higher welfare standards. This development ensures continued UK production, thereby reducing the need for imports, shortening supply chains, and lowering food miles. Moderate positive weight should be attached to such benefits.

In terms of economic and employment benefits, the construction phase will generate contracts for a wide range of local and regional trades and suppliers and once operational, the development will create a permanent full-time role on site. Indirect economic benefits will also arise from ongoing contracts with hatcheries, feed mills, bedding providers, and haulage contractors. Again, moderate weight should be attached to these economic benefits.

In terms of environmental and welfare advancements, despite concerns having been raised by interested parties, the proposed unit will be compliant with higher animal welfare standards under the BCC. Efficient management of resources and emissions through a carefully designed drainage system (detailed below) will minimise environmental impact and ensure alignment with modern, sustainable agricultural practices.

In conclusion, the proposal would preserve the setting and significance of the grade II* listed Willoughbridge Lodge. The level of harm to the setting of the SM would be at the lower end of the less than substantial category and it is therefore considered that the public benefits set out above would on balance outweigh this harm.

Impact on amenity/environmental effects

The NPPF states at paragraph 135 that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Paragraph 198 of the NPPF confirms that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development.

A significant number of representations have been received from interested parties raising concerns about the impact of the development on the amenity of the area and its potential environmental effects. Particular areas of concern relate to the air quality impact, odour control, ammonia emissions, manure management, noise and dust emissions, and potential attraction for vermin/flyes. As part of the original submission and to address the afore mentioned concerns, the applicant has submitted an Ammonia Impact Assessment (AIA), Noise Impact Assessment (NIA) and Updated Acoustic Note (AN), Odour Impact Assessment (OIA), Manure Management Strategy (MMS) and Pest Control Management Plan (PCMP).

The submitted AIA sets out how ammonia emission rates from the proposed poultry rearing houses have been assessed and quantified based upon EA standard ammonia emission factors. The modelling predicts that at all the wildlife sites considered, the process contribution to ammonia concentration and nitrogen deposition rate would be below the relevant EA lower threshold percentage of the relevant Critical Level or Critical Load and process contributions would be below 1% of the relevant Critical Level or Critical Load at all Site of Special Scientific Interest (SSSIs). Therefore, the requirement for a cumulative assessment in terms of ammonia impacts does not apply to this application. Thus, ammonia emissions would not cause environmental harm or adversely impact on amenity or to the Dorothy Clive Garden.

Turning to the noise and dust impacts of the development, the NIA and AN detail how a noise survey was conducted to determine representative background noise levels at the nearest dwellings to the proposed poultry units. The noise emissions from the ventilation fans, HGV movements and stock deliveries generated by the proposed development have been assessed and it has been demonstrated that the individual and aggregate noise impact of the assessed noise sources will not be greater than low during day and evening periods.

On the basis that the occupiers of the nearest dwellings will be expected to be indoors during the night period, the noise ingress via an open window has been reviewed. The resultant ambient noise ingress levels are significantly below the existing background noise levels and the suggested noise ingress limit (5dB below the noise ingress limits given in BS8233). The maximum noise ingress level generated by transport operations on the concrete apron also does not exceed PROPG's L_{Amax,F} 45dB threshold (value that should not be exceeded more than 10 times during the night) with regard to sleep disturbance. It is therefore concluded that during the night both the ventilation fans and concrete apron transport activities will result in a very low noise impact. On the basis that the development will not result in an adverse noise impact at the nearest dwellings, it is concluded that on noise grounds it is acceptable, subject to the conditions recommended by Environmental Health (EHO) regarding precise details of the noise generating plant being submitted for approval combined with a verification report.

The submitted AN confirms that the closest dwellings are fully acoustically shielded from the proposed poultry units by local topography. Commercial vehicles for the poultry development will use the existing farm access road, which passes in front of the dwellings. As highlighted in the NIA, the commercial vehicles using the access road are within context of the existing farm operations i.e., there will be no change in the nature, type or character of vehicle noise affecting the dwellings as a result of the development, although there will be a slight increase in the total number of vehicle movements associated with the development. As with the impact on highway safety, it is not considered that these additional movements will have a significant impact on residential amenity, particularly as most of these movements will take place infrequently at the start and end of the poultry cycle for a short period of time.

The modelling contained in the OIA calculates that odour exposure levels in the surrounding area from the proposed unit would not exceed the EA benchmark for moderately offensive odours, which is a maximum annual 98th percentile hourly mean concentration of 3.0 ouE/m³ at any of the nearby sensitive residential receptors. No objections have been received from the EA or the EHO regarding odour emissions from the facility, subject to conditions.

The MMS details how poultry manure generated at Willoughbridge Lodge Farm will be managed. This will involve removing all manure off-site and directing it to a purpose-built anaerobic digestion facility and fertiliser factory. This will ensure that there is no on-site or land-based spreading, risk of nutrient run-off or groundwater contamination and that the development complies with the necessary legal and environmental requirements. A condition is recommended, requiring that the unit is operated in accordance with the approved MMS at all times. A detailed assessment of the management of manure to ensure that it does not pollute nearby watercourses is undertaken in the flooding and drainage section of this report.

Interested parties have also raised concerns that the development would attract vermin and flies. A PCMP has been submitted which details the measures which would be put in place to manage manure/waste and monitor the birds, to ensure that any fatalities are swiftly removed from the buildings. The mitigation measures contained in the PCMP should ensure that the proposal does not cause any undue nuisance in terms of pests.

Overall, it is considered that the development would not raise any adverse implications for residential amenity and, subject to conditions, the environmental impacts of proposed unit would be acceptable and accord with the principles of the NPPF.

Landscape character

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, will function well and add to the overall quality of the area; 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. It also seeks to ensure that proposals create places that are safe, inclusive and accessible.

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

Policies LNPP1 and LNPP2 of the Loggerheads Neighbourhood Plan (LNP) require that new development must demonstrate high standards of design which reinforce local character. Buildings, streets, spaces and landscaping to create attractive, safe and well-functioning environments, with a sense of place. It also sets out how new development should complement the surrounding context, provide active frontage and retain important trees. In addition, development proposals should create a strong green infrastructure buffer on the interface between urban and rural to buffer surrounding landscape from development.

RE5 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) 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.

The site occupies a broadly triangular field to the east of the main farmstead of Willoughbridge Lodge Farm. The existing farm complex features a number of relatively extensive agricultural buildings and is situated within a locally elevated position, with the application site occupying lower ground within a small valley that falls to the north. Higher ground is located to the east, west, and south of the proposed site. Overhead electricity lines cross the field of the site from east to west.

The eastern boundary of the field is marked by a narrow watercourse that flows northwards to eventually join the River Tern. The majority of the watercourse adjacent to the site is lined by mature and mostly deciduous trees, including areas of woodland to the north and south. The surrounding land principally comprises agricultural land, with a mix of both pasture and arable uses. There are a number of public rights of way in the locality (Loggerheads 8 to the north, Loggerheads 7 to the east and Loggerheads 44 to the north-west).

The Newcastle-under-Lyme Landscape & Settlement Character Assessment Study (2022) sets out detailed descriptions and evaluations of seven broad and generic Landscape Character Types (LCTs). These LCTs are subdivided into Landscape Character Areas (LCAs) which are unique, individual, geographical areas that share common characteristics. The development would impact on the Loggerheads and Maer Sandstone Hills and Farmlands LCA, and the Knighton Ancient Sandstone Farmlands LCA. The key characteristics of these LCA include, rolling/undulating landscapes, blocks of woodland/trees, together with arable and pastoral farmland. The development also has the potential to impact on the Principal Settled Farmlands within the Shropshire Landscape Character Assessment which is characterised by mixed farming land and the varied pattern of sub-regular, hedged fields.

The application has been accompanied by a Landscape and Visual Appraisal (LVA) which identifies a number of visual receptors which could be affected by the proposed development. This includes public rights of way, residential properties and roads within the vicinity of the site. It also assesses the landscape and visual effects of the development. In this respect, the LVA concludes that in terms of its landscape effects, the proposal would have a negligible effect on vegetation on the site and its boundaries and a slight adverse impact on the landform of the site and its environs.

In terms of the landscape character areas referred to above, the LVA contends that the scheme would have a negative/slight adverse impact on these areas. Turning to the visual effects, the LVA sets out that the scheme would have a negligible/slight adverse impact on the listed public rights of way and

nearby residents and a negligible effect on road users. As such, the overall conclusion of the LVA is that proposed development is considered acceptable in terms of its likely landscape and visual effects.

Having reviewed the submitted information, responses from interested parties and visited the site, your officers concur with the conclusions contained within the LVA. The landscape impact and visual effects of the proposal is reduced due to the siting of the buildings on lower ground, with the undulating topography and intervening landscape features/buildings (i.e. tree planting and farm buildings) combined with the distance to the identified visual receptors. Moreover, whilst it is acknowledged that the facility would introduce a substantial building within what is currently an undeveloped field, such structures are not an uncommon occurrence in a rural landscape. The poultry unit would also lie adjacent to the main farm complex at Willoughbridge Lodge Farm and would therefore be viewed alongside these structures which are of a similar scale and height to the proposed development and occupy higher ground. As such, they are more imposing within the surrounding landscape than the proposed poultry unit.

Interested parties have also raised concerns about the potential visual impact from the Dorothy Clive Garden which lies approximately 1,500 metres north-east of the application site and has not been included as a visual receptor in the LVA. Whilst the concerns are noted, given the substantial separate distance between the Dorothy Clive Garden and the proposed buildings, combined with their position on lower ground, it is not considered that the development would impact on the visual amenity of users of the gardens. For these reasons, officers are satisfied that it is not necessary to include the Dorothy Clive Garden as a visual receptor in the LVA.

Overall, officers are satisfied that the landscape and visual effects of the development would be limited, and the proposal would accord with the afore mentioned policies in the NPPF and the development plan in this respect.

Highway Safety/parking

CSS Policy SP3 addresses the need to secure more choice of, and create better access to, sustainable modes of transport whilst discouraging less sustainable modes. CSP1 expects new development to be accessible to all users and to be safe, uncluttered, varied, and attractive.

NP Policy DC3 expects the form and layout of development to provide ease of movement for pedestrians and cyclists, cater for a people with a range of mobility requirements and avoid severe adverse impacts on the capacity of the highway network

NPPF Paragraph 114 notes that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 advises 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.

Willoughbridge Lodge Farm is located approximately 2km north-east of Mucklestone and 3km north of Loggerheads. The farm is currently an active dairy unit, and the application seeks to diversify the existing agricultural activities. The location of the proposed development is approximately 130m to the east of the existing farm complex and would be served via a new internal route across the farm. Access to the public highway network would be through this established farm access which is

constructed in concrete and extends around 0.6km as it descends toward Willoughbridge Lane towards the farm. This access road is also shared with several residential properties which do not form part of the farm holding. Traffic travelling to and from the proposed development would use Willoughbridge Lane to the north-east of the Farm access, which extends approximately 1.5km to its crossroads junction with the A51 and Aston Lane.

The proposed site access is as existing and at a width of more than 16 metres is of sufficient dimensions to accommodate 2 HGVs to enter and exit the site simultaneously. The Highway Authority is satisfied that the existing visibility splays in both directions are acceptable and provide safe and suitable access for vehicles, including HGVs associated with the proposed poultry when emerging onto Willoughbridge Lane. The engineered nature of the existing access would also ensure that vehicles entering the site would not adversely impact on the free flow of traffic on this part of Willoughbridge Lane. As such, it is considered that the proposed access arrangements are acceptable and would accord with the requirements of paragraph 114 of the NPPF, that safe and suitable access to the site can be achieved for all users.

The application has been accompanied by a Transport Statement (TS) which assesses the impact of the development on the surrounding highway network from the increased number of HGV movements associated with the proposed poultry unit. As part of the TS, traffic surveys were undertaken at two locations on Willoughbridge Lane (at and to the south-west of the site access), to assess existing vehicular movements in the locality. These demonstrate that existing traffic movements were up to 138 movements in a 24-hour period.

The TS confirms that following a review of the baseline (existing) and proposed development traffic movements, cumulative flows would remain at a low level even during peak hours; falling well within the capacity of the access and local road network, which accommodates the same type and size of vehicles safely (i.e. farm vehicles/HGVs). This is reflected in the empirical traffic survey and collision data.

The proposed development would attract a peak of 7, 2-way HGV movements (total 14 movements) on day 38 of the 45 day cycle of the poultry unit operations (maximum output in terms of vehicles), which could result in a cumulative total of 25 vehicle movements in the peak hour period, should they coincide with the busiest hour recorded during the week of the traffic surveys. Such an increase in vehicle movements is not considered by the Highway Authority to cause a significant cumulative impact on the adjacent highway network which has sufficient capacity to safely accommodate these additional HGV movements.

Thus, overall, the proposal would not result in an unacceptable impact on highway safety or cause a severe residual cumulative impact on the road network. It would therefore accord with paragraph 115 of the NPPF which clearly identifies 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.

This proposal provides 3 parking spaces within the site curtilage. This would provide sufficient parking provision for the 1 member of staff who would be directly employed at the poultry unit and visitors/contractors attending the site for routine maintenance/management purposes. A concrete apron would also be provided, allowing articulated vehicles to service the development with sufficient room to enter and exit the site in a forward gear. Thus, the proposed parking and turning facilities associated with the development are considered to be acceptable.

Flood Risk, drainage and impact on nearby watercourses from wastewater/manure disposal

NPPF Paragraph 167 outlines that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 196 of the NPPF states that planning decisions should ensure that sites are suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities.

The application site slopes towards the north and the east and lies in Flood Zone 1, land with a low risk of flooding. As the proposed agricultural buildings are classified as being “Less Vulnerable” development, such uses are permitted in Flood Zone 1. To the north of the proposed development is a small pond which can be found approximately 500m away. Further north and located approximately 740m from the site, is the River Tern with Willoughbridge Lane crossing the river at this point. There is a small watercourse to the east of the site boundary which is the proposed method of discharge for surface water and approximately 600m east of the development boundary is Willoughbridge Park and Lordsley Quarry. Within the park and quarry area, there are a number of small ponds and lakes.

The application has been accompanied by a Flood Risk and Drainage Impact Assessment (FRDIA) which has considered potential sources of flooding to the site, including groundwater, fluvial, surface water, existing sewers, water mains and other artificial sources and found that the site is adequately distanced from any forms of flooding. The sustainable drainage system that has been designed will mitigate against any flood risk from additional surface water flows created by the impermeable areas. Finished floor levels will be raised by 150mm above average ground levels which would give an FFL of 130.062m AOD.

The LLFA initially requested that additional information be provided to establish if the nearby watercourse is in a suitable condition to discharge water into. Further details have been submitted, confirming that a survey of the watercourse has been undertaken and a viable point of connection is available. It has also been confirmed that the basin location lies outside an area of flood risk for surface water, with the LLFA satisfied that the detailed design of the swale, basin and headwall can be secured via condition. An additional condition is recommended by the LLFA, requiring that the development is carried out in accordance with the Staffordshire SuDS Handbook; the approved FRDIA and drainage strategy/design drawings and associated mitigation measures.

Surface water will discharge via a sealed drainage network through filter strips and filter drains for pollution remediation, and into an appropriately sized attenuation lagoon, before discharging via gravity and restricted by hydrobrake into the adjacent watercourse. Any dirty water from the poultry unit is to be captured within drainage channels and fed through dirty water tanks, where it will be stored and removed appropriately, with divertor valves being used to allow for clean surface water to be discharged through the network. These measures should ensure that any wastewater does not pollute the adjacent water courses and address concerns from interested parties in this regard.

Dirty water from the poultry operation is indicated to be transferred to a wastewater treatment facility and will not be stored or spread on site. The specific treatment plant for the dirty water is currently unknown as it requires the applicant to follow commercial decisions on pricing etc. However, a condition can be imposed, requiring the dirty water to be exported to an appropriate licensed treatment facility.

Turning to manure management, a Manure Management Plan has been submitted which confirms that manure from the site will be transferred to the anaerobic digestion facility at Manby which is planned to align with that facility becoming operational in September 2026 and is considered acceptable by the EA.

Without prejudice to the outcome of the live environmental permit application which will be assessed separately by the EA, it is likely that, if granted, the EA will require the operation to have a contingency plan in place for the disposal of waste should the third-party operations be unable to accept waste at any time. The applicant has confirmed that there are numerous facilities that are

licensed to take the manure from the plant, such as litter burning power stations. Although the applicant's primary contract is with Manby, these alternative facilities would purchase the manure if Manby cannot take the waste product, therefore offering a contingency plan for the disposal of manure.

In addition, officers are mindful of the recent High Court judgment – *R (Caffyn) v Shropshire Council* [2025] EWHC 1497. This judgement requires that the determining authority (i.e. NBC) are satisfied on the assessment of cumulative impacts of intensive agricultural developments in the local catchment area, including how the disposal of 'waste' from the operation, including any indirect environmental/downstream effects of any spreading or associated treatment facilities such as Anaerobic digestion plants are managed. As previously set out, the applicant has a contact with Manby BGE Ltd to take the manure from the site to their bio refinery. The issues raised in *Caffyn v Shropshire Council* were specifically concerned with liquid digestate spreading from AD plants. The Manby facility eliminates any liquid digestate from the process, as the product will be dried and pelleted, bagged and sold as fertiliser product. As such, the issue in *Caffyn v Shropshire Council* does not arise in this case. Thus, there would be no cumulative impact with other chicken farms in the wider area in terms of the pollution of nearby watercourses and rivers.

Subject to conditions, appropriate measures would be put in place to ensure that surface and wastewater associated with the development would be effectively managed and thereby not create any additional risk of flooding or pollute the nearby watercourse. As such, the development would accord with the NPPF in this respect.

Ecology and Biodiversity Net Gain

The application is accompanied by an Ecological Impact Statement (EIS) which sets out that there will be no significant (direct) loss of potential bat foraging or commuting habitat; however, the illumination of the stream corridor to the north-east and (to a lesser degree) the field boundary hedgerow to the north-west could result in the disturbance or deterioration of foraging and/or commuting habitats. It would be difficult to quantify the significance of the impact of lighting and its effect on bats since the species and status of any populations potentially present nearby is unknown. Therefore, it must be assumed (on balance) that a significant adverse effect (at the site level) is possible. However, with mitigation measures in place (appropriate lighting measures) there should be no significant residual adverse effect on bats that may roost in the local area. The provision of bat boxes mounted on mature trees within the same land ownership boundary could have a beneficial effect on local bat populations. These details can be secured by condition.

The EIS confirms that the proposal would not have any significant impacts on breeding birds, with the creation of a large area of modified grassland (to satisfy BNG requirements) providing a significant foraging resource for scrubland and farmland nesting bird species. There is also scope for installing a range of bird boxes on trees and shrubs within the same land ownership boundary. The impact of all these measures would have a significant beneficial effect on local bird populations including skylarks.

In terms of the potential impact on great crested newts, the site falls within a red impact zone, an area where there is highly suitable habitat and a high likelihood of great crested newt presence. There are over 20 ponds within 500m of the development proposal, although the site is poor quality terrestrial habitat. The submitted EIS rules out the presence of great crested newts, although no surveys were undertaken to assess this impact. However, the applicant has provided an additional statement setting out Reasonable Avoidance Mitigation Measures (RAMMs) to ensure that the proposal does not impact on great crested newts if their presence is identified. In addition, if it is confirmed that a great crested newt has been encountered, then there is a legal requirement for the works to cease, and Natural England (NE) may need to be notified. In this eventuality the site would be quickly registered under the District Level Licensing Scheme (DLLS). Naturespace raises no objections to the proposal on this basis.

A Biodiversity Metric (BM) has been undertaken to evaluate the ecological impact of the proposed development. The baseline biodiversity value of the site, prior to development, is calculated at 4.4 habitat units and 0.00 hedgerow units. Following the completion of the proposed development, the on-site biodiversity value is projected to increase to 4.9 habitat units which will take the form of modified grassland and an attenuation pool, with the latter situated to the rear of the main buildings and shown

on the updated BNG maps. This would provide the necessary 10% increase in BNG. A Biodiversity Gain Plan shall be submitted prior to commencement, together with a habitat management plan (HMP), matters which can be secured via condition/mandatory BNG condition. A landscape and ecological management plan should also be submitted prior to first occupation of the unit to ensure that the onsite biodiversity enhancements are correctly established and maintained for the necessary 30 years.

Staffordshire Wildlife Trust originally raised concerns that the site boundary on the location plan differs from the BNG maps, that a Biodiversity Net Gains Scheme mentioned in the supporting documents had not been provided, further clarity on the MoRPh survey at the site, the cumulative effect of the ammonia produced by the new chicken houses, clarity should be given on the waste water disposal from the treatment plan and drainage and the habitat maps should only include habitats within the redline boundary to avoid confusion. The amended BNG plans clearly outline in red the area of on-site BNG enhancements within the wider application site, addressing this issue.

The site plan has been amended to ensure the redline boundary of the site is not within 10m of the stream to the north-east and not therefore require a river condition MoRPh survey. In addition, as set out above in the amenity/environmental impact and flooding/draining sections of this report, additional information has been submitted regarding the cumulative effect of ammonia and the disposal of wastewater from the proposed unit, addressing the above concerns.

Other matters

As the application site is partly located in a Mineral Safeguarding Area (MSA) for Sand and Gravel and adjacent to the safeguarding zone for Trentham / Lordsley Quarry, the Waste Planning Authority (WPA) have requested that additional clarification is provided to determine if the site would sterilise important underlying minerals; or affect management of land within the quarry in terms of drainage.

In terms of mineral sterilisation risk, the proposed development is of a scale and permanence that would not preclude future access to underlying minerals across the wider area. Additionally, there is no known active mineral extraction within or immediately adjacent to the site, and no evidence to suggest the proposal would lead to the sterilisation of economically viable mineral resources. The current operational area of Lordsley Quarry lies approximately 500 metres to the east of the proposed site. Given this separation, it is considered there to be no foreseeable operational conflict or encroachment to Lordsley Quarry. It has also been confirmed by the applicant that the development will not impact on drainage from Lordsley Quarry. A sustainable drainage system (SuDS) has been incorporated into the design of the poultry unit, with surface water discharge limited to greenfield runoff rates. The discharge point is an existing watercourse located along the eastern boundary of the application site, entirely separate from any drainage infrastructure associated with the quarry. Given the above, the proposed development will neither sterilise significant mineral resources nor interfere with the operation or drainage management of Lordsley Quarry.

A number of other issues have been raised by interested parties which have not been covered in the main body of the report. Firstly, the potential impact on nearby property values which is not a material planning consideration which can be given any weight in the assessment of this case. It has also been suggested that the proposal would have no benefit to the local economy, as it would only generate one full-time job. Whilst it is acknowledged that the number of jobs associated with the operation of the unit would be limited, there would be potential employment opportunities involved in the construction of the buildings and the supply chain which would benefit the local economy. It has also indicated that no public consultation has taken place with the local community, contrary to the Aarhus Convention, which emphasises the public's right to participate early and effectively in environmental decision-making. Given the scale of the proposed development, the applicant considered that it was not necessary to carry out consultation with the local community, although pre-application enquires were made with both the local planning and highway authorities before the application was submitted.

Various welfare concerns and wider implications of large-scale commercial farming have also been raised by interested parties including, the chickens being kept in an inhuman way, the impact on animals in nearby fields, amount of water and greenhouse gases used/emitted, deforestation associated with chicken feed production and health issues linked to consumption of chicken. The

proposed facility will be operated to industry welfare standards concerning both animal welfare and large-scale commercial farming.

Conclusion/Planning Balance

As the proposal would involve the expansion of the existing farming operations at Willoughbridge Lodge Farm and support the economic growth and productivity of an existing rural business, the proposal would accord with the objectives of paragraphs 85, 88 and 89 of the NPPF. As such, the principle of development is considered acceptable. It has also been demonstrated through the various supporting information/documents and accepted by the EA and the EHO that the proposal would not adversely impact on the amenity of the area and, subject to conditions, the environmental impact of the development would be acceptable.

Officers are satisfied that the landscape and visual effects of the proposal would be limited, and that the proposal would not adversely impact on the setting of the listed Willoughbridge Lodge. Although the proposal would cause 'less than substantial harm' to the setting of the Scheduled Monument, this harm would be at the lower end of the less-than-substantial category, and it is therefore considered that the public benefits associated with the development (contribution to national food security and economic benefits) would outweigh this harm.

The highway authority is satisfied that, having reviewed the submitted documents and TS, that safe and suitable access would be provided for the development, and the vehicle movements associated with the proposed unit can be safely accommodated on the surrounding highway network without causing a server impact on highway safety. It has also been demonstrated to the satisfaction of the LLFA and EA that the proposal would not increase flood risk on the site or surrounding land, and that appropriate mitigation measures have been put in place to ensure that wastewater and manure does discharge into nearby watercourses.

Subject to the mitigation measures contained in the EIS and RAMMS, the development would not adversely impact on ecology, with on-site enhancements to be provided, securing the necessary 10% increase in BNG.

Overall, applying the test in paragraph 11 of the NPPF and in the absence of any identified harm which is not outweighed by other considerations (i.e. the public benefits outweigh the less than substantial harm to the SAM), planning permission is recommended, subject to conditions.

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 development 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 CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

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

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 N14: Protection of Landscape Features of Major Importance to Flora and Fauna
Policy N17: Landscape Character – General Considerations
Policy N19: Areas of Landscape Maintenance
Policy T16: Development – General Parking Requirements
Policy B2: Scheduled Ancient Monuments
Policy B5: Control of Development Affecting the Setting of a Listed Building

[Loggerheads Neighbourhood Development Plan](#)

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

Other Material Considerations include:

[National Planning Policy Framework \(2024\)](#)

[Planning Practice Guidance \(2019 as updated\)](#)

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

Relevant Planning History

None relevant

Views of Consultees

The **County Council Mineral and Waste Planning Authority** has requested that more information is provided to determine if the site would sterilise important underlying minerals; or affect management of land within the quarry in terms of drainage, given that the site is partly located in a Mineral Safeguarding Area (MSA) for Sand and Gravel and adjacent to the safeguarding zone for Trentham / Lordsley Quarry.

No response has been provided to the additional information provided by the applicant to address the above concerns.

The **Staffordshire County Council Historic Environment Team (HET)** confirm that the proposed scheme lies to the immediate west of the Scheduled Monument of Moated site, four pond bays and an associated enclosure at Willoughbridge Park. The Grade II* listed Willoughbridge Lodge also lies to the immediate west of the proposed site. The Heritage Statement submitted in support of the application concludes that the scheme will be visible from the scheduled monument, and likely partially visible from the Grade II listed structure.

Due to the relatively low below-ground impact of the scheme, the HET raise no archaeological concerns regarding the development in this instance, are happy to defer to the Conservation Officer with regards to the potential impact of the proposals on the nearby designated heritage assets. It is also recommended that Historic England are consulted with regards to the potential impact of the scheme of these designated heritage assets.

The **Conservation Officer** agrees with the conclusions of the heritage statement that significance of the asset and its setting will not be affected or the ability to appreciate that significance. No objections are therefore raised in this regard. The impact on the SAM will need to be assessed by the county archaeologist and Historic England.

Historic England confirm that the proposals will result in some harm to the significance of the scheduled monument through the impacts upon its setting. The level of harm would however be at the lower end of the less-than-substantial category. The application would therefore need to be assessed in line with Chapter 16 of the NPPF. They confirm that the additional information provided by the applicant highlights how the potential for indirect physical impacts on the scheduled monument as a result of interactions with and changes to the watercourse on the eastern boundary of the site would be managed. They are satisfied that the risk of indirect impacts upon the scheduled monument would be low.

Staffordshire Wildlife Trust provide a holding objection to the application, until clarification is provided on the following:

- The redline boundary of the site location plan should be the same as the BNG maps.
- Provide the Biodiversity Net Gains Scheme mentioned in the EclA
- Further clarity required on the need for a MoRPh survey at the site.
- The cumulative effect of the ammonia produced by the new chicken houses should be checked.
- Clarity given on the waste water disposal from the treatment plan and drainage.
- Habitat maps should only include habitats within the redline boundary to avoid confusion, this includes trees provided as net gain.

No updated comments have been received further to receipt of this information.

The Environment Agency welcomes the additional information confirming that the proposed transfer of manure from the site to the anaerobic digestion facility at Manby is planned to align with that facility becoming operational in September 2026.

Dirty water from the poultry operation is indicated to be transferred to a wastewater treatment facility and will not be stored or spread on site. No details are provided of the destination facility or the anticipated volume of waste. Without prejudice to the outcome of the live environmental permit application, it is likely that, if granted, the EA will require the operation to have a contingency plan in place for the disposal of waste should the third-party operations be unable to accept waste at any time. Details of this need to be provided. Consideration also needs to be given by the LPA to the recent High Court judgment – *R (Caffyn) v Shropshire Council* [2025] EWHC 1497 and in particular, that the Council is satisfied on the assessment of cumulative impacts of intensive agricultural developments in the local catchment area. Including how the disposal of 'waste' from the operation, including any indirect environmental/downstream effects of any spreading or associated treatment facilities such as Anaerobic digestion plants are managed.

The **Lead Local Flood Authority** raise no objections, subject to conditions requiring the development to be carried out in accordance with the submitted Flood Risk and Drainage Assessment and Drainage Strategy, together with the detailed design of the conveyance swale and attenuation basin.

The **Environmental Health Division** raises no objections, subject to conditions controlling noise and odour.

Natural England have no comments to make on the application.

Naturespace confirm that the findings of the ecological report are considered reasonable, though without actual surveys of extant ponds their presence cannot be ruled out completely. Hence as the application site lies within a red impact zone as per the modelled district licence impact map, it is recommended that a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs) is provided.

The applicant has now provided details of the RAMMS which are agreed.

The **Highway Authority** has confirmed that the proposed access, parking and visibility splays are acceptable, and that they agree with the findings of the Transport Statement that the vehicle movements associated with the development would not adversely impact on highway safety. As such, they raise no objections, subject to a condition requiring the car parking, access, servicing and circulation areas as shown on the approved plans to be constructed in a bound surface and implemented before the buildings are brought into use.

The **Landscape Development Section** raise no objections, subject to the development being carried out in accordance with the proposed tree protection measures.

Loggerheads Parish Council have raised the following concerns:

- Highway and traffic issues – the surrounding road infrastructure is not suitable to accommodate the HGV movements associated with the development;
- An Environmental Impact Assessment (EIA) must be undertaken to assess the potential environmental effects of the development.
- Concerns over air quality, odour control and potential ammonia emissions from the poultry houses and the impact on nearby residential properties;
- Noise and dust associated with the development;
- How will manure be managed, without effective measures, there is a risk of environmental pollution and public health concerns.
- The risk of contamination to local watercourses is a critical concern. The proposed development could create receptor pathways that increase the likelihood of pollutants entering nearby water bodies. This poses a threat to local ecosystems and water quality, which must be fully addressed.
- The proposed manure disposal system and treatment plant, including the bio-disk, appear to lack the capacity to handle the volume of waste expected from the poultry houses, contrary to the NPPF requirement to ensure sustainable waste management. A detailed evaluation of the waste disposal plan is necessary to guarantee its effectiveness and compliance with environmental standards.

Maer & Aston Parish Council raises the following concerns:

- Impact of waste affecting the River Tern,
- Effects of noise, odour
- The visual impact of the development
- Impact from traffic associated with the scheme on the narrow rural lane/surrounding road network.

No comments have been received from **Shropshire Council Northern Area Planning Team** as the neighbouring planning authority on the application. The deadline for their comments was the 6 June 2025.

Representations

937 representations have been received, 717 of which are in standard petition letters. The following concerns/objections have been received:

- The land outlined in blue on the submitted plans indicating land within the applicant's ownership is incorrect.
- An Environmental Impact Assessment should have been submitted with this application
- No assessment made of cumulative impacts with other nearby chicken farms

- An appropriate assessment should have been submitted to assess the impact on the River Tern
- No details have been provided setting out how waste water and manure will be disposed of so that they do not pollute nearby watercourses
- Potential water contamination from runoff through to the nearby historical site (scheduled monument)
- No assessment of upstream and downstream greenhouse gases & contribution to climate change
- An Ammonia and Nitrogen Deposition Assessment has not been provided;
- The odours, ammonia and dust pollution may lead to illness and discomfort for residents and enjoyment of the nearby Dorathy Clive Garden which is a crucial cultural, environmental and non-designated heritage asset to the community which attracts visitors to the area.
- Ammonia deposition will have a detrimental effect upon the plant displays at Dorathy Clive Garden and the significant and historic Rhododendron collection within Elds Wood
- Air pollution concerns
- Increase in vermin/flies
- Potential impact on ecology and nearby habitat sites
- Loss of valuable agricultural land
- Highway safety concerns regarding the impact of HGV movements associated with the development on the surrounding road network which consists of rural lanes
- Welfare impacts, proposal would keep birds in a cruel and inhumane manner and increase threat from bird flu/spread diseases
- Facility insufficient as reliant of feed to feed the birds which is an unsustainable and inefficient method
- No assessment of how much water will be used.
- No assessment of deforestation linked to chicken feed production.
- Already over-concentration of this type of facility in the Shropshire/Staffordshire area and the proposal is not therefore necessary to increase food security
- Potential impact on welfare/health of horses kept on nearby land
- The water pollution from excess fertiliser/manure from factory farms is holding up housebuilding just as much if not more than the sewage crisis: this is bad for the economy.
- Antibiotic overuse fuels antibiotic resistance, a growing public health crisis causing over 2000 deaths a year in the UK (UK Health Security Agency)
- Consumption of chicken above 300g/week is also associated with an increased risk of all-cause mortality from gastrointestinal cancers.
- Farming jobs have been absolutely devastated by intensification. As intensification has increased, agricultural employment has gone down. We import a lot of fruit and veg in the UK; the horticultural sector has been severely underfunded.
- Impact on property values of nearby houses
- No benefit to the local economy as only 1 new job created
- This and the surrounding area are designated Nitrate Vulnerable Zone.
- Size and scale of the development is out of character with the surrounding rural area
- The application is speciesist, oppressive, immoral and seeks to exploit people of other species who have absolutely no legal protection against oppressive systems such as this.
- Oppose this application as a vegan
- The proposal is contrary to the NPPF and its social, economic and environmental aims, CSS Policies CSP1 & CSP3, Saved Local Plan 2011 Policies N2, N17, & N19 and LNP Policies LNPP2 & LNPP4, due to the size and scale of the development, adverse impact on the open countryside, loss of BMVAL, impact on vistas from Dorothy Clive Garden and introduce unacceptable air, water, and noise pollution.
- Proposal fails to provide 10% biodiversity net gain
- Harm to nearby heritage assets, including listed buildings and the nearby scheduled monument
- The many nearby protected habitat sites (SSSIs / SACs) must be protected from over abstraction of water (Harris v EA), as well as air pollution, under the Habitats Regulations and the Bern Convention.
- An appropriate assessment has not been undertaken under the habitat regulations

- There has been no assessment of the full greenhouse gas (GHG) emissions associated with the development, as required by the Supreme Court's ruling in *Finch v Surrey County Council* [2024] UKSC 20. This includes emissions from animal feed production (upstream), meat processing, transportation, retail distribution, and food waste (downstream). The applicant must provide a comprehensive estimate of these emissions, especially in light of the UK's legally binding Net Zero commitments. A transition to a plant-based food system is essential for meeting our climate targets, and industrial poultry operations are incompatible with this goal.
- No public consultation has taken place with the local community which contradicts the Aarhus Convention, which emphasises the public's right to participate early and effectively in environmental decision-making.
- Industrial scale of the development inappropriate for this countryside location
- Adverse impact on ecology, including skylarks
- Consideration should be given to a similar recent permission in Shropshire which was quashed on the basis that the Council had failed lawfully to assess the effects of the planned spreading of digestate on third party land.

One letter of support received, raising the following comments:

- The proposal would invest large sums in the efficient modern production of high welfare Chicken for the UK consumers to enjoy.
- Sadly, the majority of those opposing this and other similar applications across the county of Shropshire do not live in the county. They are recycling arguments prepared and rehearsed as part of a co-ordinated national campaign to deny additional supply of UK produced Chicken to British consumers. They are unaware that this policy ultimately forces consumer to purchase supplies from other countries that is produced to different and lower standards. The demand for Chicken is growing and this is a way to boost jobs and the local economy. In these times with concerns over food miles this scheme is an excellent way of boosting local productivity and reducing food miles.

Applicant's/Agent's submission

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/25/00318/FUL>

Background papers

Planning files referred to
 Planning Documents referred to

Date report prepared

24th September 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
7th October 2025

Agenda Item 6

Application Ref. 25.00318/FUL

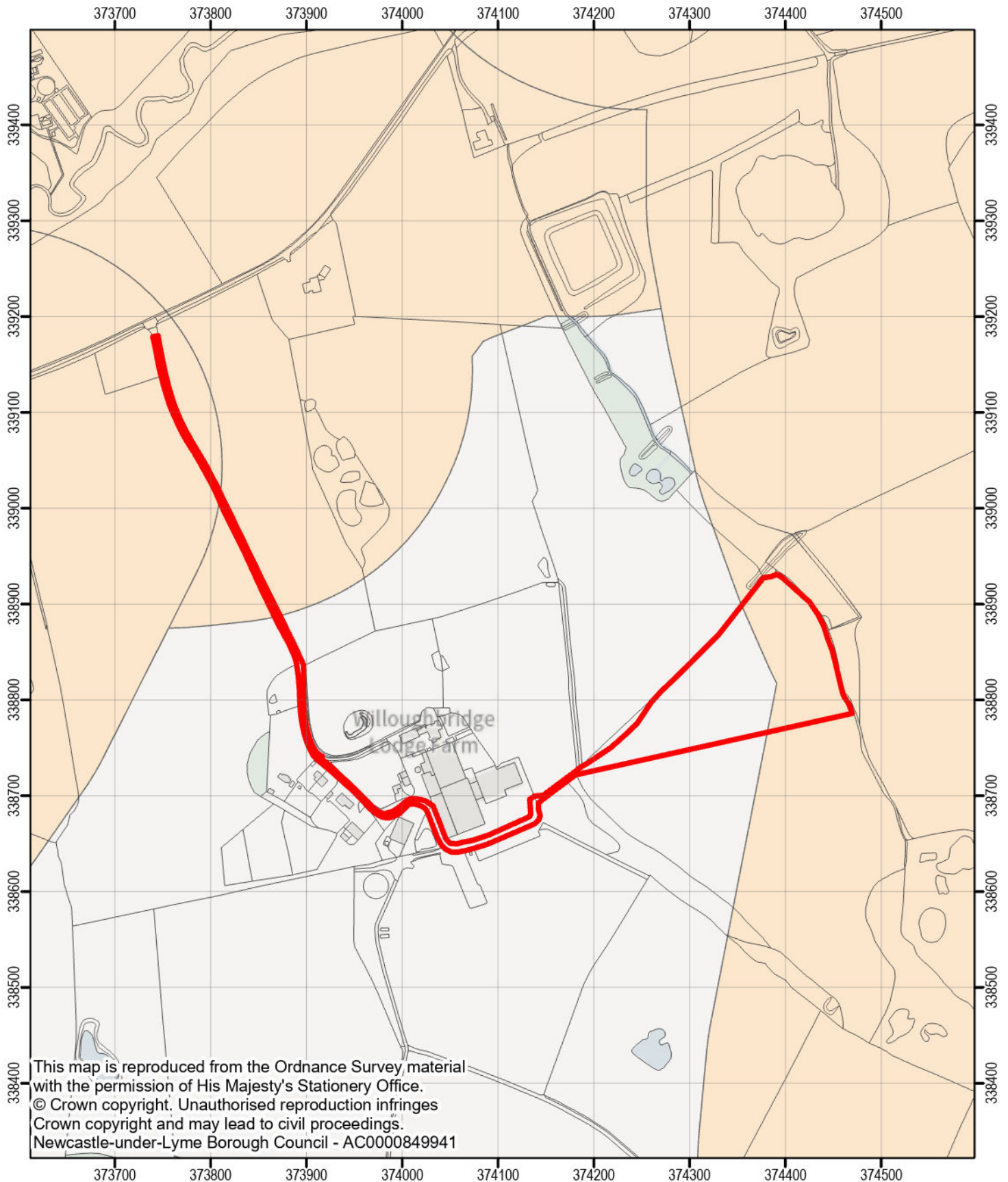
Willoughbridge Lodge Farm, Willoughbridge

A further 2 letters of objection have been received raising the same concerns that are set out in the main agenda report.

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

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25/00318/FUL
Willoughbridge Lodge Farm
Willoughbridge Lane
Willoughbridge
TF9 4JL



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Newcastle Borough Council



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PLOT A, CHATTERLEY PARK, PEACOCK HAY ROAD, TALKE
HARWORTH ESTATES INVESTMENTS LTD

25/00530/REM

This application is for the approval of reserved matters (appearance, landscaping, layout, scale and access) for plot A building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL.

The application site forms part of the wider Chatterley Valley development site which has a long-standing employment allocation and has previously been subject to planning permission for its redevelopment.

Plots A extends to approximately 9.68ha.

The 13-week period for the determination of this application expires on the 15th October 2025.

RECOMMENDATION

Permit 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. No external storage**
- 8. Provision of car parking, access, servicing and circulation areas**
- 9. Provision of secure, covered and safe cycle parking facilities**

Reason for Recommendation

The proposed development represents a good quality design and there would be no significant harm to the visual amenity of the area, including views from the wider landscape. All technical issues have been addressed within this application or are covered by conditions of the hybrid planning application. 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 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

This application is for the approval of reserved matters (appearance, landscaping, layout, scale and access) for plot A building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL.

Plot A extends to approximately 9.68ha and forms part of the wider Chatterley Valley development site which has a long-standing employment allocation and has previously been subject to planning permission for its redevelopment. Therefore, the principle of employment development has been established on the site.

While it is noted that Network Rail has requested that a Basic Asset Protection Agreement (BAPA) be put in place restricting development until approvals are gained from them, given the separation distance between the proposal and the rail line and the fact that the principle of the development has already been approved, the requirement of a BAPA is not considered reasonable at this stage.

The key issues for consideration are now limited to: -

- The design and landscaping of the scheme and the impact on the form and character of the area
- Access, parking and highway safety matters

The design and landscaping of the scheme and the impact on the form and character of the area

Paragraph 131 of the National Planning Policy Framework states that good design is a key aspect of development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core 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.

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 proposed building would be located on Plot A which is the southeastern most part of the development site at the end of the spine road. The site would be served by a single point of access with the car parking and servicing areas would be to the southeast of the building.

The building proposed on plot A would be the largest unit within the employment site, it would have a total floor space of 48,167 m² over two floors and the building would measure 300m x 150m in plan with a ridge height of 40 metres. The unit would have 510 parking spaces in total which would include 110 electric vehicle charging bays, 25 accessible parking spaces, and 13 motorcycle parking spaces. The proposal would also include 117 cycle spaces.

The application is supported by a Design and Access Statement (DAS) and a detailed Landscape and Visual Appraisal along with site sections and hard and soft landscaping details. The appearance of the building would be comparable to other modern large commercial buildings, and whilst the design is still based on functional requirements, the use of colour banding and the relatively simple design for buildings of this nature, would ensure that the proposal is seen in context with the wider development site. The DAS notes that the choice of materials is consistent with modern industrial developments and are resilient options, ensuring that they will support the buildings for the lifetime of the development.

With respect to the choice of colour, it is considered that the use of greys and blues would create interest and rhythm by breaking up the elevations horizontally which would ensure the avoidance of any blank façades. As the middle and upper horizontal bands are lighter shades of greys with a blue hue, this would create less contrast between the building and its surroundings from eye level, helping the building to sit more subtly in the surroundings. The colour choice will match that approved for other units within the wider site. The applicant has provided information to demonstrate why a blue/grey colour pallet is considered preferable to green shades and refers to a number of other cases where green painted schemes have failed to integrate well into surrounding landscapes. Officers agree with the colour choice, especially given that it would follow the acceptable colour scheme for the wider site.

It is acknowledged that the building is significantly larger than other units within the wider site, however the plot's significant size was intended for a larger unit and the size of the unit will allow for a wider array of commercial/industrial activities to be used within it, adding a greater degree of flexibility for future employment opportunities.

The majority of the existing hedgerows and trees are to be retained within the proposed scheme and would be protected throughout the construction process.

A landscaping scheme has been submitted to soften the appearance of the proposed building, particularly on the southern and western boundaries. The new landscaping would consist of native planting with a mix of hedgerows, mixed scrub and tree planting. There is less opportunity for soft landscaping on the northeastern boundaries due to the position of other plots and highways within the wider site layout. However, the topography of the land ensures that the building would be sunken into the landscape.

It is important to note that more substantial landscaping would also be added around the perimeter of the wider Chatterley Valley site as required by the original outline permission.

Subject to conditions which would ensure the provision of the approved landscaping scheme, along with the details set out within the application regarding facing materials, boundary treatments and hard surfaces, 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.

Access, parking and highway safety matters

The principle of the wider access works via Peacock Hay Road have been accepted in consideration of the outline application for the wider site. Details of the internal access roads, parking and turning arrangements are now submitted for approval.

The proposed access point would be located at the northwestern corner of the application site, off the main spine road, connecting to the wider roads and footways to support movement to the proposed buildings for pedestrians and cyclists. The hybrid application also secured the submission and approval of a travel plan prior to the occupation of any of the buildings.

Comments are awaited from the Highway Authority however it is considered reasonable to apply a condition requiring that the access, parking, servicing and turning areas be provided in accordance with the approved plans prior to the first use of the building.

Subject to the above condition, the proposed development is considered acceptable, and it has been demonstrated that suitable access, parking, servicing and turning areas can be achieved. On this basis the proposed development is in accordance with policies of the development plan and the aims and objectives 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 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 E2: Chatterley Valley
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 N17: Landscape Character – General Considerations

Other Material Considerations include:

National Planning Policy Framework (July 2024)

Planning Practice Guidance (2024 as updated)

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

Relevant Planning History

In 2019 a hybrid planning permission, 18/00736/OUT, was granted for the following: -

- A. full planning permission for earthworks associated with the creation of development plateaus, access roads and associated works; and
- B. outline planning permission for development of buildings falling within Use Classes B1b (research and development), B1c (light industry), B2 (general industrial and B8 (storage and distribution), and ancillary A3 (Restaurants and cafes) and A5 (hot food takeaways) uses. All matters of detail are reserved for subsequent approval.

19/00846/OUT – Removal of condition B23, relating to pedestrian and cycleway enhancements, of planning permission 18/00736/OUT and variation of condition A1 relating to timescales for completion of earthworks; variation of conditions A8, B1 and B10 with regards to reference to Green Infrastructure Strategy; variation of condition B3 regarding requirements for the reserved matters application/s; and variation of reason for condition B25 relating to permitted use classes on the plots – Approved

21/00595/FUL - Removal and variation of a number of conditions of 19/00846/OUT – Approved

21/00570/FUL - For full planning permission for the formation of development platforms, provision of access road and accompanying infrastructure and ecological enhancements - Approved

21/00595/NMA - Non-material amendment relating to the Electric Vehicle Charging Infrastructure as required by condition B18 of planning permission 21/00595/FUL – Approved

25/00316/REM - Application for approval of reserved matters (appearance, landscaping, layout, scale and access) for plots D2 and D3 for building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL – Approved

25/00317/REM - Application for approval of reserved matters (access, appearance, landscaping, layout and scale) for Plot C, for two buildings (units C1 and C2) in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL – Approved

25/00531/REM - Reserved matters application for access, appearance, landscaping, layout and scale on Plot B, for a building (Unit B) in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element of hybrid planning application re: 21/000595/FUL – Pending consideration

Views of Consultees

National Highways raise no objections to the proposal.

Staffordshire County Council Public Rights of Way Team note that public footpath no.2 runs through the site but note that an application to divert the footpath has been approved in principle by the County Council.

Active Travel England have provided standing advice.

The Coal Authority raise no objections subject to the remedial works being implemented on site prior to construction work.

The **Archaeology Team** has no objections to the proposal.

The **Environment Agency** request that an informative relating to contamination and pollution be added to any decision notice.

Network Rail have requested that a Basic Asset Protection Agreement (BAPA) to be put in place restricting development until approvals are gained from NR.

Staffordshire Police have provided guidance on a number of security matters.

Lead Local Flood Authority request that additional information is submitted in support of the application.

No comments have been received from the **County Minerals Officer**, the **Highway Authority**, **Environmental Health Team**, **Landscape Development Section**, **Naturespace**, **Stoke on Trent City Council** or the **Waste services Team**.

Representations

None received.

Applicant's/Agent's submission

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/25/00530/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

23rd September 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
7th October 2025

Agenda Item 7

Application Ref. 25/00530/REM

Plot A, Chatterley Park, Peacock Hay Road, Talke

Since the publication of the main agenda report, the comments of the **Lead Local Flood Authority (LLFA)** have been received stating that additional information is required with regards to surface water drainage.

The **Highway Authority** have confirmed that they raise no objections to the proposal.

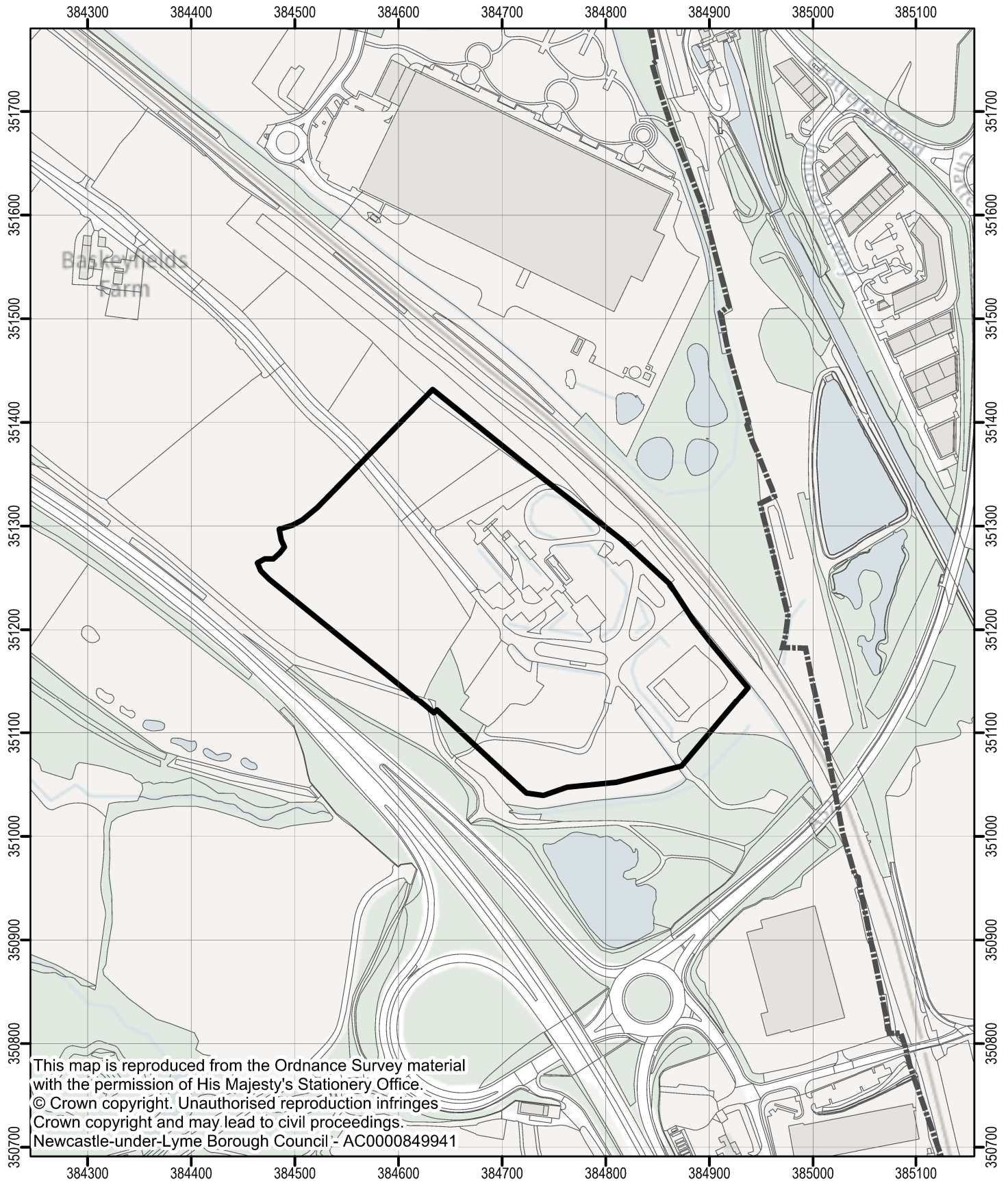
Officer's comments

Details of surface water drainage are secured by conditions set out in the original outline permission for the site. These conditions would still need to be discharged for each plot and therefore no additional conditions are necessary at this stage.

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

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25/00530/REM
Plot A Chatterley Park
Land Off Peacock Hay Road
Stoke-On-Trent
ST7 1UN



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Newcastle Borough Council



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PLOT B, CHATTERLEY PARK, PEACOCK HAY ROAD, TALKE
HARWORTH ESTATES INVESTMENTS LTD

25/00531/REM

This application is for the approval of reserved matters (appearance, landscaping, layout, scale and access) for plot B building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL.

The application site forms part of the wider Chatterley Valley development site which has a long-standing employment allocation and has previously been subject to planning permission for its redevelopment.

Plots B extends to approximately 5.46ha.

The 13-week period for the determination of this application expires on the 15th October 2025.

RECOMMENDATION

Permit 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. No external storage**
- 8. Provision of car parking, access, servicing and circulation areas**
- 9. Provision of secure, covered and safe cycle parking facilities**
- 10. Development to be completed in accordance with Coal Mining Assessment**

Reason for Recommendation

The proposed development represents a good quality design and there would be no significant harm to the visual amenity of the area, including views from the wider landscape. All technical issues have been addressed within this application or are covered by conditions of the hybrid planning application. 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 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

This application is for the approval of reserved matters (appearance, landscaping, layout, scale and access) for plot B building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL.

Plot B extends to approximately 5.46ha and forms part of the wider Chatterley Valley development site which has a long-standing employment allocation and has previously been subject to planning permission for its redevelopment. Therefore, the principle of employment development has been established on the site.

While it is noted that Network Rail has requested that a Basic Asset Protection Agreement (BAPA) be put in place restricting development until approvals are gained from them, given the separation distance

between the proposal and the rail line and the fact that the principle of the development has already been approved, the requirement of a BAPA is not considered reasonable at this stage.

The key issues for consideration are now limited to: -

- The design and landscaping of the scheme and the impact on the form and character of the area
- Access, parking and highway safety matters

The design and landscaping of the scheme and the impact on the form and character of the area

Paragraph 131 of the National Planning Policy Framework states that good design is a key aspect of development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core 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.

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 proposed building would be located on Plot B which is located within a central part of the development site, to the northeast of the future spine road. The site would be served by a single point of access and the car parking and servicing areas would be to the southwest and northwest of the building.

The building proposed on plot B is the second largest unit within the wider site. It would have a total floor space of 24,157 m² over two floors and the building would measure approximately 115m x 200m in plan with a ridge height of 40 metres. The unit would have a total of 253 parking spaces which would include 51 electric vehicle charging bays, 12 accessible parking spaces, and 8 motorcycle parking spaces. The proposal would also include 67 cycle spaces.

The application is supported by a Design and Access Statement (DAS) and a detailed Landscape and Visual Appraisal along with site sections and hard and soft landscaping details. The appearance of the building would be comparable to other modern large commercial buildings, and whilst the design is still largely based on functional requirements, the use of colour banding and the relatively simple design for buildings of this nature, would ensure that the proposal is seen in context with the wider development site. The DAS notes that the choice of materials is consistent with modern industrial developments and are resilient options, ensuring that they will support the buildings for the lifetime of the development.

With respect to the choice of colour, it is considered that the use of greys and blues would create interest and rhythm by breaking up the elevations horizontally which would ensure the avoidance of any blank façades. As the middle and upper horizontal bands are lighter shades of greys with a blue hue, this would create less contrast between the building and its surroundings from eye level, helping the building to sit more subtly in the surroundings. The colour choice will match that approved for other units within the wider site. The applicant has provided information to demonstrate why a blue/grey colour pallet is considered preferable to green shades and refers to a number of other cases where green painted schemes have failed to integrate well into surrounding landscapes. Officers agree with the colour choice, especially given that it would follow the acceptable colour scheme for the wider site.

It is acknowledged that the building is large, however the plot's significant size was intended for a larger unit and the size of the unit will allow for a wider array of commercial/industrial activities to be used within it, adding a greater degree of flexibility for future employment opportunities.

A small single storey gatehouse measuring 4.3m x 7.5m in plan is included within the proposal which is to be situated at the front of the building at the access point leading onto the spine road. Given the modest scale of this building and the fact that it would be seen in context with the wider site, there are no objections to this part of the proposal from a visual perspective.

The majority of the existing hedgerows and trees are to be retained within the proposed scheme and would be protected throughout the construction process.

A landscaping scheme has been submitted to soften the appearance of the proposed building, particularly on the northwestern boundary. The new landscaping would consist of native planting with a mix of hedgerows, mixed scrub and tree planting. There is less opportunity for soft landscaping on the southwestern, eastern and northeastern boundaries due to the position of other plots and highways within the wider site layout. However, the topography of the land ensures that the buildings would be sunken into the landscape.

It is important to note that more substantial landscaping would also be added around the perimeter of the wider Chatterley Valley site as required by the original outline permission.

Subject to conditions which would ensure the provision of the approved landscaping scheme, along with the details set out within the application regarding facing materials, boundary treatments and hard surfaces, 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.

Access, parking and highway safety matters

The principle of the wider access works via Peacock Hay Road have been accepted in consideration of the outline application for the wider site. Details of the internal access roads, parking and turning arrangements are now submitted for approval.

The proposed access point would be located at the northwestern corner of the application site, off the main spine road, connecting to the wider roads and footways to support movement to the proposed buildings for pedestrians and cyclists. The hybrid application also secured the submission and approval of a travel plan prior to the occupation of any of the buildings.

Comments are awaited from the Highway Authority, however it is considered reasonable to apply a condition requiring that the access, parking, servicing and turning areas be provided in accordance with the approved plans prior to the first use of the building.

Subject to the above condition, the proposed development is considered acceptable, and it has been demonstrated that suitable access, parking, servicing and turning areas can be achieved. On this basis the proposed development is in accordance with policies of the development plan and the aims and objectives 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

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- 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 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 E2: Chatterley Valley
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 N17: Landscape Character – General Considerations

Other Material Considerations include:

National Planning Policy Framework (July 2024)

Planning Practice Guidance (2024 as updated)

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

Relevant Planning History

In 2019 a hybrid planning permission, 18/00736/OUT, was granted for the following: -

- A. full planning permission for earthworks associated with the creation of development plateaus, access roads and associated works; and
- B. outline planning permission for development of buildings falling within Use Classes B1b (research and development), B1c (light industry), B2 (general industrial and B8 (storage and distribution), and ancillary A3 (Restaurants and cafes) and A5 (hot food takeaways) uses. All matters of detail are reserved for subsequent approval.

19/00846/OUT – Removal of condition B23, relating to pedestrian and cycleway enhancements, of planning permission 18/00736/OUT and variation of condition A1 relating to timescales for completion of earthworks; variation of conditions A8, B1 and B10 with regards to reference to Green Infrastructure Strategy; variation of condition B3 regarding requirements for the reserved matters application/s; and variation of reason for condition B25 relating to permitted use classes on the plots - Approved

21/00595/FUL - Removal and variation of a number of conditions of 19/00846/OUT - Approved

21/00570/FUL - Full planning permission for the formation of development platforms, provision of access road and accompanying infrastructure and ecological enhancements - Approved

21/00595/NMA - Non-material amendment relating to the Electric Vehicle Charging Infrastructure as required by condition B18 of planning permission 21/00595/FUL - Approved

25/00316/REM - Application for approval of reserved matters (appearance, landscaping, layout, scale and access) for plots D2 and D3 for building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL – Approved

25/00317/REM - Application for approval of reserved matters (access, appearance, landscaping, layout and scale) for Plot C, for two buildings (units C1 and C2) in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element 19/00846/OUT of hybrid planning application 21/00595/FUL – Approved

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25/00530/REM - Reserved Matters Application for appearance, landscaping, layout, scale and access of plot A for building in Use Classes E(g)(ii), E(g)(iii); and/or B2 and/or B8 pursuant to outline element of hybrid planning application ref: 21/00595/FUL – Pending consideration

Views of Consultees

National Highways raise no objections to the proposal.

Active Travel England have provided standing advice.

The Public Rights of Way Team note that public footpath no.2 runs through the site but note that an application to divert the footpath has been approved in principle by the County Council.

Network Rail have requested that a Basic Asset Protection Agreement (BAPA) to be put in place restricting development until approvals are gained from NR.

The Coal Authority raises no objections to the proposal.

The **Archaeology Team** has no objections to the proposal.

The **Environment Agency** request that an informative relating to contamination and pollution be added to any decision notice.

Lead Local Flood Authority request that additional information is submitted in support of the application.

The Minerals and Waste Officer has no comment to the proposal.

Staffordshire Police have provided guidance on a number of security matters.

No comments have been received from the **Highway Authority, Environmental Health Team, Landscape Development Section, Naturespace, Stoke on Trent City Council** or the **Waste services Team**.

Representations

None received.

Applicant's/Agent's submission

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/25/00531/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

23rd September 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
7th October 2025

Agenda Item 8

Application Ref. 25/00531/REM

Plot B, Chatterley Park, Peacock Hay Road, Talke

Since the publication of the main agenda report, the comments of the **Lead Local Flood Authority (LLFA)** have been received.

The LLFA note that they raise no objections to the proposal subject to conditions relating to the works being completed in accordance with the submitted drainage strategy and the Local Planning Authority being notified of the contact details for the party or parties responsible for management of the maintenance plan.

Officer's comments

Officers note the above response and consider the conditions to be appropriate and reasonable in all other regards

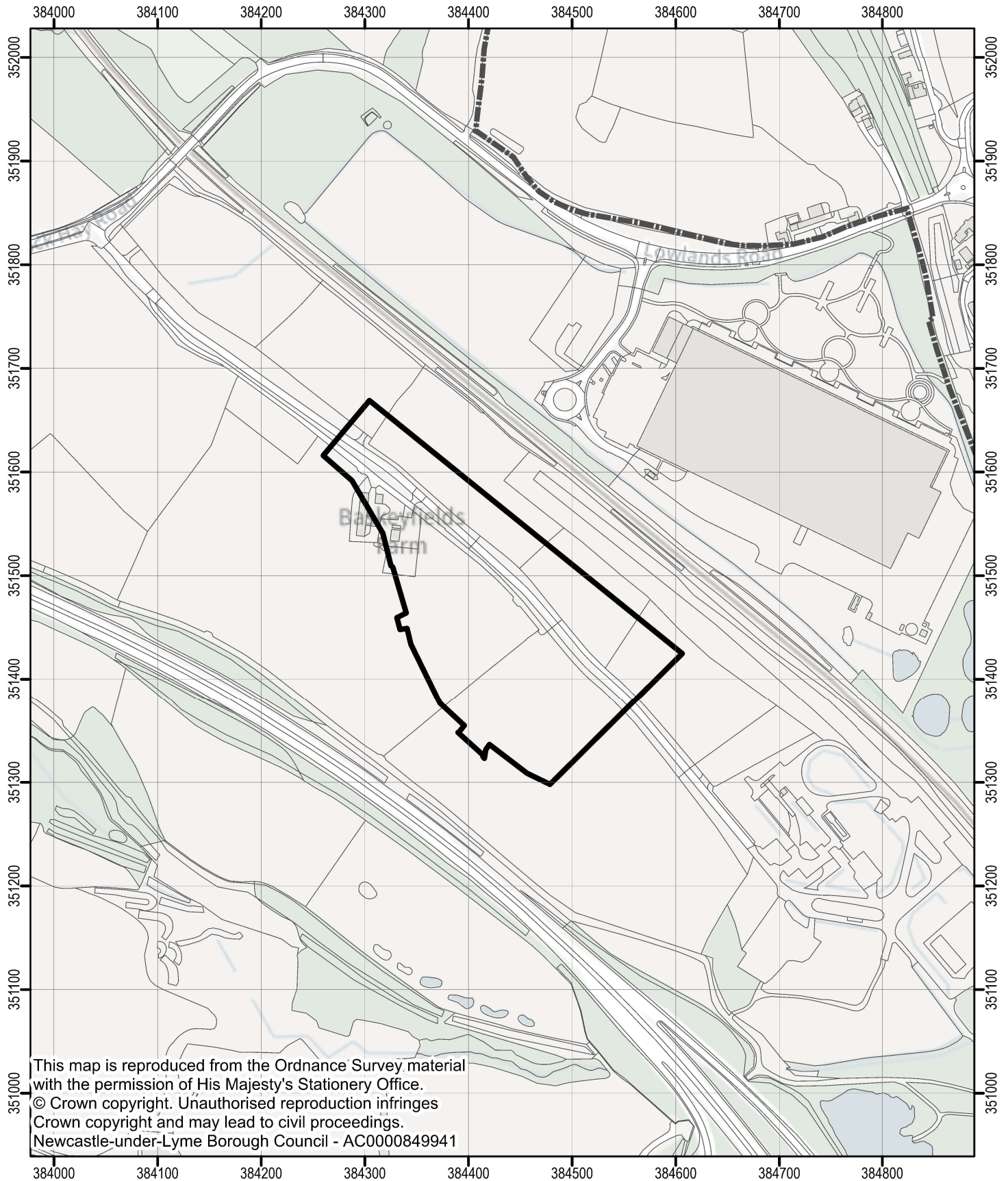
Amended Recommendation

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

- 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. No external storage**
- 8. Provision of car parking, access, servicing and circulation areas**
- 9. Provision of secure, covered and safe cycle parking facilities**
- 10. Development to be completed in accordance with Coal Mining Assessment**
- 11. Development to be completed in accordance with the submitted drainage strategy**
- 12. LPA to be notified of future party or parties responsible for management of the maintenance plan**

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25/00531/REM
Plot B Chatterley Park
Land Off Peacock Hay Road
Stoke-On-Trent
ST7 1UN



Newcastle Borough Council



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Page 69

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LAND OFF LAMPHOUSE WAY, WOLSTANTON
MR MARK ELLIS – MARKDEN HOMES

25/00552/FUL

The application seeks to vary condition 2 of planning permission 22/00796/FUL (re-profiling of the existing site levels with the creation of development plateaus and associated drainage works and the development of 43 residential dwellings), to allow for changes to the site layout.

The application site, of approximately 1.39 hectares in extent, falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

The statutory determination period for this application expires on the 22nd of October.

RECOMMENDATION

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

- 1. Time limit**
- 2. Approved plans**
- 3. All other conditions that remain relevant to the original permission**

Reason for recommendations

The proposed development is considered to be a sustainable form of development that complies with the provisions 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 this application

The proposed development is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application seeks to vary condition 2 of planning permission 22/00796/FUL (re-profiling of the existing site levels with the creation of development plateaus and associated drainage works and the development of 43 residential dwellings), to allow for the repositioning of plots 30 – 43.

The application site, of approximately 1.39 hectares in extent, falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

A previous application (reference 25/00131/FUL) to amend the layout was refused earlier this year due to Members' concerns that the use of unadopted highways would be discriminatory against any future occupants of the site with disabilities who may not be physically able to put out their refuse bins for collection. The applicant seeks to address this concern by providing an amended highway layout.

An application such as this can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

In deciding an application under section 73 the local planning authority must only consider the condition/s that are the subject of the application, it is not a complete re-consideration of the application.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been

discharged. As a section 73 application cannot be used to vary the time limit for implementation, this particular condition must remain unchanged from the original permission.

The proposal would not result in any additional impact on trees beyond the original scheme, and therefore the key issues in the determination of this application are:

- Impact on the character and appearance of the area
- Impact on residential amenity
- Highway safety and bin storage

Impact on the character and appearance of the area

Paragraph 131 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 135 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.

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 R3 states that new housing must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it, exploiting existing site characteristics, such as mature trees, existing buildings or long views and incorporating them into the proposal. In addition, Policy R14 states that developments must provide an appropriate balance of variety and consistency.

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.

The proposal would result in an altered layout to plots 30 – 43 which form the northern part of the site. The revised layout would be formed around a new T-shaped section of highway, as opposed to the more linear layout approved under the original permission. The number of detached, semi-detached and terraced properties would remain as originally approved, albeit with a different layout. Landscaping would be used to help to soften the overall visual impact of the proposal.

As with the original scheme, the existing trees located along the northern and eastern boundaries of the site and the new planting along the western edge will ensure the development has a strong defined boundary which would help to improve the spatial and visual relationship between the site and nearby existing properties. With regard to impacts on the wider landscape, the trees located to the north and east of the site along the A500 and close to the highway of Vale View would act as a visual buffer between the development and the more open landscape towards Stoke on Trent.

Overall, it is considered that the revised scheme is acceptable in terms of appearance and would comply with policies of the development plan, national policy and the urban design guidance.

Impact on residential amenity

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It further sets out at paragraph 185 that decisions should 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.

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.

There are existing residential properties to the south, west and north which share a boundary with the application site. Whilst the overall layout of the site would be altered as a result of this proposal, the layout and position of houses is still in accordance with the requirements set out in the Space Around Dwellings SPG. No objections have been received from local residents.

Whilst it is recognised that the new road layout would be a private road rather than an adopted highway, a detailed refuse plan has been submitted which demonstrates that the bin drag distances would comply with current building regulations guidance. In this respect the revised bin collection and storage details are considered to be acceptable.

On the basis of the above it is not considered that a refusal on amenity grounds could be sustained.

Highway safety and bin storage

Paragraph 110 of the NPPF states it should be ensured that safe and suitable access to the site can be achieved for all users; that appropriate opportunities to promote sustainable transport modes can be taken up; and, that significant impacts on the transport network or on highway safety can be mitigated.

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 on the road network would be severe.

In response to the previous reason for refusal, the applicant has revised the highways layout so that a greater proportion of the scheme would utilise adopted highways, allowing a bin lorry to collect more bins from directly to the front of dwellings. In the previous application, of the 13 plots, only 6 houses were proposed adjacent to an adopted highway, with the others requiring bins to be stored up to 27m away. In this revised scheme, 8 dwellings would be situated directly adjacent to an adopted highway and the remaining 5 would be within 14m of an adopted highway.

The Highway Authority has raised no objections to the scheme.

The revised bin collection details are considered to be acceptable.

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 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 Framework (2024)

Planning Practice Guidance (March 2024, 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

25/00131/FUL - vary condition 2 of planning permission 22/00796/FUL (re-profiling of the existing site levels with the creation of development plateaus and associated drainage works and the development of 43 residential dwellings), to allow for changes to the site layout – refused.

22/00796/FUL - Full planning application for proposed earthworks associated with the re-profiling of the existing site levels with the creation of development plateaus and associated drainage works and the development of 43 residential dwellings, comprising three and four bed 2 storey and 2.5 storey dwelling houses with ancillary parking and associated new road access – permitted

19/00301/OUT - (A) Full planning application for earthworks associated with the re-profiling of the existing site levels with the creation of development plateaus and associated drainage works; and (B) Outline planning application for the development of 64 residential (Class 3a) dwellings and flats, comprising two, three and four bed 2 storey dwelling houses and one and two bed apartments in two 3 storey blocks with ancillary parking and associated new access – permitted

A hybrid planning application was granted planning permission at appeal in 2001 on the adjacent land, reference 99/00918/FUL, for a new link road and residential development. A subsequent reserved matters application for the residential development (245 units) was permitted in 2002, reference 01/00943/REM. A series of other applications followed for the substitution of house types on certain plots

Views of Consultees

The **Highway Authority** has no objections to the proposal but note that details of surface water drainage will need to be submitted.

The **Lead Local Flood Authority** note that details of surface water drainage will need to be submitted.

National Highways has no objections to the proposal.

Staffordshire County Council as the **Education Authority** has no objections to the proposal.

Staffordshire Police has provided guidance on a number of security matters

No comments have been received from the **Environmental Health Division**, the **Waste Services Team**, **Severn Trent Water**, the **Environment Agency**, **Staffordshire Wildlife Trust**, the **Landscape Development Section** or the **Housing Strategy Team**.

Representations

One objection has been received from a local resident who raises concerns relating to the use of the site as a rat run and the increase of dust and mess from large construction vehicles.

Applicant/agent's submission

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

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00552/FUL>

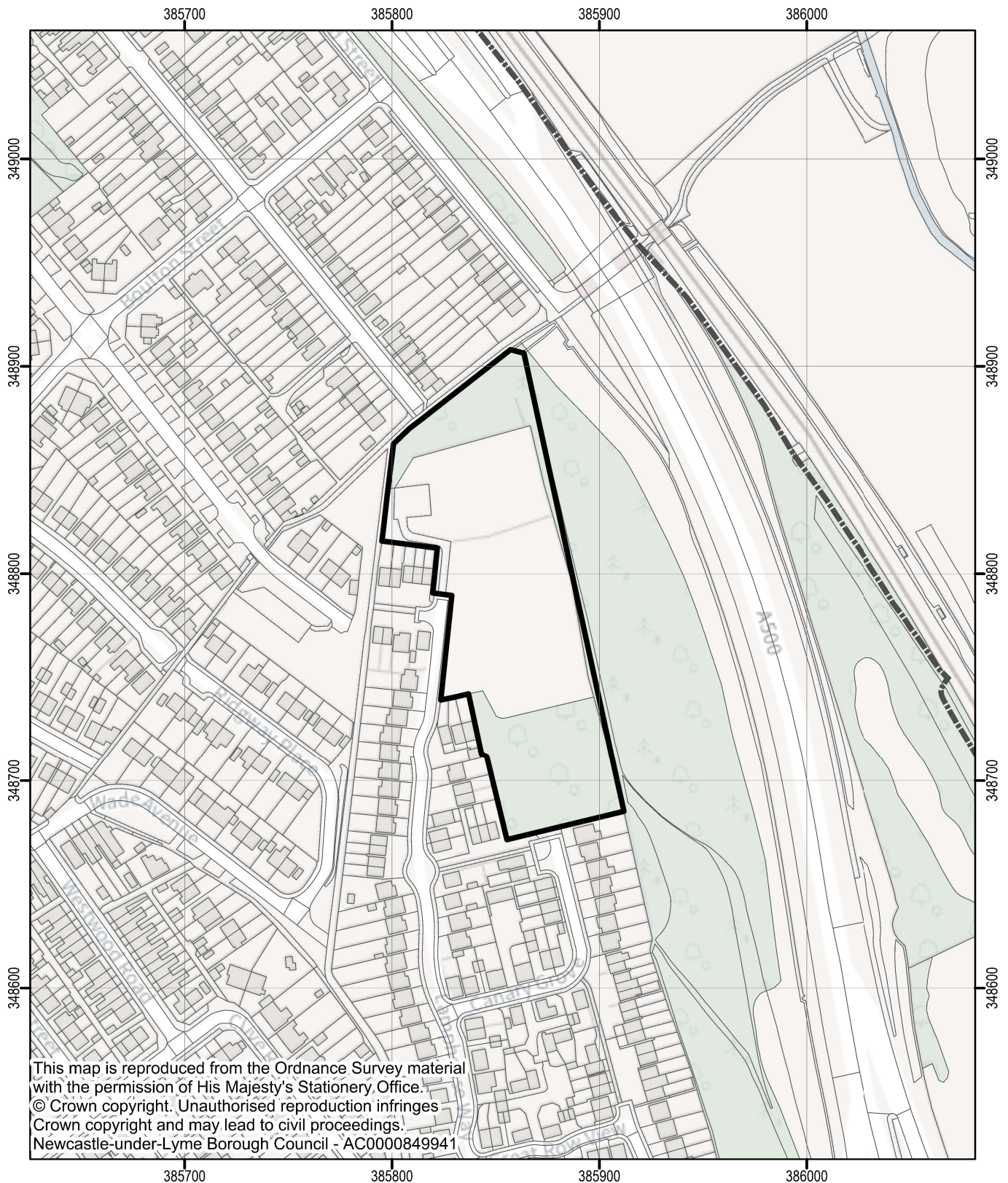
Background Papers

Planning File
Development Plan

Date report prepared

25 September 2025

25/00552/FUL
Land East Of Lamphouse Way
Wolstanton
Newcastle Under Lyme
Staffordshire



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Newcastle-under-Lyme Borough Council - AC0000849941

Newcastle Borough Council

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LSLATERS STONE ROAD HILL CHORLTON
MR AND MRS SLATER

25/00185/FUL

The application seeks full planning permission for the demolition of the existing fire damaged shopping village building at Slaters, Stone Road, Chorlton, and the construction of six detached dwellings with associated garages.

The site currently comprises the existing fire damaged building which fronts onto Stone Road, its associated car park including overspill parking area, and an enclosed field. It lies within the open countryside and an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map.

The 8-week period for the determination of this application expired on 7th May 2025 but an extension of time has been agreed to 10th October 2025.

RECOMMENDATION

Permit, subject to conditions relating to the following matters: -

- 1. Standard time limit**
- 2. Approved plans and supporting documents**
- 3. Construction Environmental Management Plan**
- 4. Dust mitigation measures**
- 5. Ground contamination report**
- 6. Tree and hedgerow protection measures for retained trees**
- 7. Materials and boundary treatments in accordance with submitted details/schedule**
- 8. Highway related conditions**
- 9. Sustainable drainage systems for the disposal of surface water and foul drainage details**
- 10. Development to be carried out in accordance with the recommendations and mitigation measures in the Preliminary Ecological Appraisal**
- 11. Landscape and Ecological Management Plan**
- 12. Standard biodiversity gain condition**

Reason for Recommendation

While the proposal would not provide a varied mix of housing types as referred to in the Neighbourhood Plan, the residential development of the site would make a contribution to the Council's housing supply which must be attributed substantial weight.

It is considered therefore that the adverse impacts do not significantly and demonstrably outweigh the benefits of the proposal and accordingly, planning permission should be granted provided appropriate conditions are imposed, as recommended.

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

Additional information has been sought and provided, and the scheme is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

The application is for full planning permission for the demolition of the existing fire damaged shopping village building at Slaters, Stone Road, Chorlton, and the construction of six detached dwellings with associated garages which would be accessed off a new internal access road.

The site currently comprises the existing fire damaged building which fronts onto Stone Road, its associated car park including overspill parking area, and an enclosed field, part of which has an extant planning permission for the erection of a detached dwelling under application Ref: 05/00371/FUL. Given the damage to the existing building, it is no longer viable to re-introduce the former shopping village use, hence the submission of this application.

The land lies within the open countryside and an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map.

Amended plans/additional information have been received throughout the application process, reducing the scale of the scheme/spread of the development across the site, and providing revised highways, ecology and drainage details, to address concerns raised by officers and statutory consultees.

Taking account of the above background, the key planning matters in the determination of the application are:

- Principle of proposed residential development
- Character and appearance of the development and potential impacts on the wider landscape
- Housing mix
- Highway Safety and parking implications
- Trees and hedgerows
- Ecology and Biodiversity
- Residential amenity
- Flood Risk and Drainage
- Planning Balance

Principle of the proposed residential development

Policy SP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The CSS goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

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.

Policy HG1 of the Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan (NP) states that new housing development will be supported in sustainable locations which include:

- within the village envelope of Baldwin's Gate;
- as a replacement dwelling, or limited infill housing or within a built frontage of existing dwellings; or
- in isolated locations in the countryside only where the circumstances set out in paragraph 79 of the NPPF apply.

To be in a sustainable location, the NP confirms that development must:

1. Be supported by adequate infrastructure, or provide any necessary infrastructure improvements as part of the development;
2. Not involve the loss of best and most versatile agricultural land;
3. Avoid encroaching onto or impacting on sensitive landscapes and habitats;
4. Not involve the loss of any important community facility.

Paragraph 11 of the 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; or 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. (Para 11(d))

The Council cannot currently demonstrate an up to date housing supply.

Paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 67-68).

The NP was made more than five years ago and does not contain policies and allocations to meet its identified housing requirement. As a result, it does not comply with the relevant measures outlined within Paragraph 14 and so it cannot be concluded that the adverse impact of allowing development that conflicts with the neighbourhood plan is, in itself, likely to significantly and demonstrably outweigh the benefits.

CSS Policies SP1 and ASP6, and Local Plan Policy H1 are concerned with meeting housing requirements, and Inspectors in a number of previous appeal decisions, have found that these policies do not reflect an up to date assessment of housing needs, and as such are out of date in respect of detailed housing requirements by virtue of the evidence base upon which they are based.

In *Paul Newman New Homes Ltd v SSHCLG & Aylesbury Vale DC* [2019] EWHC 2367 (Admin) the judgement looks at how decision makers should assess whether “the policies which are most important for determining the application are out-of-date”. It states that the first step is to identify the “basket of policies from the development plan which constitute those most important for determining the application”. The second task is to “decide whether that basket, viewed overall, is out of date”.

The basket of policies can be out of date for reasons set out in the NPPF to do with housing supply and delivery, but also if (as a matter of planning judgement) the basket of policies has been overtaken by things that have happened since the plan was adopted, either on the ground or through a change in national policy, or for some other reason.

The basket of policies from the development plan most important for determining this application are considered to be LP Policy H1, CSS Policies SP1 and ASP6 and Policy HG1 of the NP. As stated above, it has been accepted that the LP and CSS policies are out of date. The NP was prepared based upon the requirements of the now out of date position set out within Policies H1 and ASP6. This change in the local planning context has a bearing on the weight to be applied to the NP policies and therefore it is considered reasonable to conclude that the ‘basket of policies’ overall, is out of date.

It is considered that the test in paragraph 11(d) has to be applied to this application given the lack of 5 year housing supply and lack of up-to-date policies in relation to the provision of housing. Therefore, the tilted balance outlined within Paragraph 11(d) of the framework is engaged and an assessment of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole is required.

In sustainability terms, it is acknowledged that the site is situated in the countryside, outside the village envelope of Baldwins Gate which lies around 1.2 miles to the north. Officers also recognise that although local facilities within Baldwins Gate would be within a reasonable cycling distance, given the rural nature of the site it is likely that occupants of the properties would more than likely be reliant on the use of the private motor car to access a number of higher-level services and facilities.

It is also acknowledged that both local and national planning policy seeks to provide new housing development within existing development boundaries where available. Whilst it is accepted that residential development on this site outside the settlement boundary would be contrary to this preferred approach, the brownfield classification lends significant weight in the planning balance. Further to the above, recent appeal decisions on nearby sites such as APP/P3420/W/24/3338220 (self-build dwelling at land adjacent Maerfield Gate Farm) and APP/P3420/W/19/3225154 (12 dwellings at Croft Farm, Stone Road) have demonstrated that Inspectors consider this site and those further to the south and southeast to be sustainable locations for new residential development. Given these appeal decisions, it is not considered that a refusal on sustainability grounds could be sustained. Moreover, outline planning permission has also recently been granted on land at Woodside (Ref:25/00080/OUT) for 4 dwellings which lies around 500m to the north of the current application site. This further demonstrates that this broad location is considered to be a sustainable location for new housing development.

To conclude, the above site would contribute to meeting the housing need for the borough over the emerging plan period in a sustainable and accessible location which would help to boost the supply of homes in the borough.

Whilst objections have been received from residents and Parish Councils on the basis that the proposal is not in compliance with policies of the emerging Local Plan, as the Inspector's Report following the examination of the ELP is not due until early 2026, only limited weight can be afforded to its policies.

The consideration of whether any adverse impacts exist that would outweigh the benefits of the proposed scheme shall be considered later in this report.

Character and appearance of the development and potential impacts on the wider landscape

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

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

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

Policy DC2 of the NP states that development will be supported, provided that it complements local landscape character in terms of urban and built form, spacing, enclosure and definition of streets and spaces; reflects local character in terms of its height, scale and massing; responds to and preserves views and landmarks visible from within sites and creates new green verges as part of the layout. On the edge of the countryside, development will be supported if it creates a transition between built area and open landscape, particularly in the built form, landscaping and boundary treatments.

RE5 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) 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.

R12 of that same document states that residential development should be designed to contribute towards improving the character and quality of the area. Proposals will be required to demonstrate the appropriateness of their approach in each case. Development in or on the edge of existing settlements should respond to the established urban or suburban character where this exists already and has a definite value. Where there is no established urban or suburban character, new development should demonstrate that it is creating a new urban character that is appropriate to the area. 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.

NLP Policy N17 expects development to be informed by and be sympathetic to landscape character and quality which should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected.

NLP Policy N19 seek to maintain the high quality and characteristic landscapes in Landscape Maintenance Areas as shown on the Proposals Map. Where development can be permitted, it will be expected to contribute to this aim. Within these areas it will be necessary to demonstrate that development will not erode the character or harm the quality of the landscape.

The application site comprises the former Slaters Shopping Village building and its associated car parking area, together with the adjacent field, part of which has an extant permission for the erection of a single dwelling. This field is separated from the surrounding countryside by boundary hedgerows and tree planting. The proposed internal access road and dwellings will be contained within the previously developed part of the site, with the existing field providing the rear garden for plot 6. As such, the proposed development would not encroach into the surrounding open countryside.

The proposed dwellings would be arranged around a new internal access road and be situated in large, landscaped plots with the properties generously spaced, thereby reducing the visual impact of the development. As the proposed units would be viewed alongside the existing complex of buildings at Slaters Country Inn, the development would not appear as an isolated cluster of dwellings within the countryside. Indeed, as the large portal framed building which currently fronts onto Stone Road would be removed and replaced with more modest buildings which more closely follow the form and scale of adjacent residential dwellings/barns, the scheme has the potential to enhance approaches into the site from the A51. By demolishing this existing building and providing a traditionally designed dwelling fronting onto Stone Road, the development would do just this, with the property on plot 1 complementing the design and form of the adjacent pair of traditional semi-detached cottages to the east and the converted brick barns to the west. This would include the introduction of cill/header detailing, chimneys and a simple pitched roof.

The remaining dwellings (Plots 2-6) would incorporate a mix of traditional detailing, including steep pitched roofs, bay windows, chimneys and porches, combined with more contemporary full height glazed sections. As the contemporary glazed elements are largely concentrated to the rear of properties, the main public views from the A51 and the access road within the site would be of the simple, traditional design of the units which is comparable to surrounding rural dwellings. As such, it is considered that subject to conditions regarding the approval of facing materials and boundary treatments, the design, form and layout of the development would respect its surroundings and maintain the quality and characteristics of the area of landscape maintenance. As such, the proposal would accord with Policy CSP1 of the CSS, Policy DC2 of the NP, guidance in the SPD and the NPPF.

A landscaping plan has been submitted, detailing additional tree planting along the internal access road and within plots. As this indicates that ornamental rather than native tree planting would be used, it is recommended that a landscaping condition is imposed requiring the submission of all new tree and hedgerow planting as part of the biodiversity gain plan. This is necessary as the scheme would involve the loss of some low-quality trees to facilitate the development.

Housing mix

Policy HG2 of the NP confirms that residential developments of 5 or more dwellings must include a balanced mix of dwelling types to meet requirements identified in the latest assessment of local housing needs. This includes dwellings suitable for those wishing to downsize, young families and first-time buyers and specialist accommodation suitable for the elderly, vulnerable or disabled persons. Proportions of different dwelling types and sizes must be based on evidence of local housing need, and this should be demonstrated as part of any planning application.

The proposed scheme comprises 1 no. 5 bed and, 5 no. 4 bed detached houses. It is acknowledged that the proposal would not therefore provide a mix of housing to meet a variety of housing needs. This counts against the scheme. However, if a mix of different dwellings was provided on the site (i.e. terraced, semi-detached dwellings, bungalows), this would increase the total number and density of properties on the site, giving the development a more suburban appearance and potentially detract from the character and appearance of the countryside.

Highway Safety

NPPF Paragraph 114 notes that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 advises 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.

Paragraph 116 states that applications for development should;

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

CSS Policy SP3 addresses the need to secure more choice of, and create better access to, sustainable modes of transport whilst discouraging less sustainable modes. CSP1 expects new development to be accessible to all users and to be safe, uncluttered, varied, and attractive.

NP Policy DC3 expects the form and layout of development to provide ease of movement for pedestrians and cyclists, cater for a people with a range of mobility requirements and avoid severe adverse impacts on the capacity of the highway network.

The site has been historically used as Slaters Shopping Village, which accommodated 15 independent businesses and a restaurant seating over 50 people, all operating six days a week. A significant proportion of the application site is also taken up by the car park associated with this use. Given the scale of the former use, it is not considered that a development of 6 residential dwellings would result in an intensification in the number of vehicle movements into and out of the site, subject to a safe and suitable access being provided off Stone Road. Indeed, the submitted Transport Statement (TS) sets out how the development would only generate a maximum of three, two-way vehicle trips in the AM and PM weekday peak hours which equates to one vehicle movement on the local highway network every 20 minutes. The level of traffic generation that would be associated with the proposals would not therefore have a material impact on safety or traffic delay on the surrounding road network.

The proposal would provide a new vehicular access at the eastern end of the site, adjacent to the existing access serving the neighbouring residential dwellings. An updated layout plan has been provided which details tactile paving at the vehicle crossing on the A51 and appropriate visibility splays on either side of the site access. Sufficient manoeuvring space is also shown within the plots/turning head at the end of the internal access road, to ensure that vehicles can park and turn before exiting the site in a forward gear. This would appear to address the Highway Authority's concerns in respect of potential driver/pedestrian conflict and ensuring that safe and suitable access to the site is provided. The updated comments of the Highway Authority will be reported in a supplementary report.

In terms of on-site parking, each unit would have at least 3 parking spaces which would accord with the Council's parking guidelines for 4 and 5 bedroom dwellings.

The internal access road would be constructed to adoptable standards, meaning that refuse/emergency services vehicles can access the site to empty bins/in emergency situations.

Concerns have been raised by interested parties concerning the potential loss of existing parking facilities on the site. However, the existing parking areas served the fire damaged business which is to be replaced by the new housing. The site is not part of Slaters Country Inn or the bowling club adjacent to the site. The applicant has confirmed that the Country Inn benefits from a minimum of 105 dedicated parking spaces, along with additional overflow parking within their land holding.

Overall, it is considered that a safe and suitable access to the site for all users would be achieved and that any impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety would be mitigated to an acceptable degree.

For the reasons outlined above, the proposals are considered to accord with development plan policy and the guidance set out within the NPPF.

Trees and Hedgerows

CSS Policy CSP4 seeks to protect, maintain and enhance the quality and quantity of the area's natural assets.

The application has been accompanied by an Arboricultural Impact Assessment (AIA) which confirms that, to facilitate the development, 5 trees (T13-T17) will need to be removed. As all of these trees are low quality category C trees the Landscape Officer does not raise any objections to their removal. Replacement tree planting to off-set this impact can be secured as part of the proposed landscaping scheme, which can be secured via condition. A Tree Protection Plan (TPP) has also been submitted which details how all retained trees will be protected during the demolition/construction phase. A condition is also recommended, ensuring that the TPP is in place prior to work commencing.

Ecology and Biodiversity

Paragraph 180 of the NPPF states that planning policies and decision should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 186 of the Framework states that when determining planning applications, LPAs should apply the following principles;

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

CSS Policy CSP4 seeks to protect, maintain and enhance the quality and quantity of the area's natural assets including enhancing the areas natural habitats and biodiversity to achieve the outcomes and targets set out within the UK and Staffordshire Biodiversity Action Plans and Staffordshire Geodiversity Action Plan. Development should avoid and/or mitigate adverse impacts, and wherever possible, enhance the area's natural assets, landscape character, waterways, green corridors and priority species and habitats.

NP Policy NE1 sets out how development must, where appropriate, preserve or enhance the rural character of the area. This includes consideration of impacts on wildlife habitats, ecology and biodiversity. Development should provide biodiversity net gain. Features of particular sensitivity include veteran trees, and mature hedgerows

The application is accompanied by an updated Preliminary Ecological Appraisal (PEA) and Bat Survey Report (BSR) following initial comments from Staffordshire Wildlife Trust (SWT), requesting that updated bat and grassland surveys were undertaken within the site. The PEA concludes that subject to a number of recommendations, there would be no adverse impact on any habitats or protected species.

A Biodiversity Net Gain Report (BNGR) and Biodiversity Metric (BM) have been provided to evaluate the ecological impact of the proposed development. The baseline biodiversity value of the site, prior to development, is calculated at 2.38 habitat units and 0.00 hedgerow units. Following the completion of the proposed development, the on-site biodiversity value is projected to reduce to 1.99 habitat units despite the suggested on-site enhancements i.e. tree planting, mixed scrub, bat/bird boxes gaps for hedgehogs in fences. This would result in a net loss of 0.38 habitat units, which equates to a 16.4% reduction in habitat units.

Notwithstanding the modest on-site biodiversity enhancements which are proposed within the PEA, the development would result in a significant net loss of BNG. To ensure that the scheme delivers the required 10% net gain in biodiversity, the applicant has confirmed that the offsetting biodiversity units will be secured through the Environmental Bank. As this is a post-determination matter which will be resolved through submission of the Biodiversity Gain Plan prior to commencement, this, together with a habitat management plan (HMP) for the on-site enhancements can be secured via condition. A landscape and ecological management plan should also be submitted prior to first occupation to ensure that the onsite biodiversity enhancements listed in the BNGR and PEA are correctly established and maintained for the necessary 30- years.

Residential Amenity

Paragraph 180 of the NPPF advises that, planning policies and decisions should contribute to and enhance the natural and local environment by "...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans

Paragraph 191 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 192 states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

Local residents and the Parish Councils have raised concerns regarding potential noise and disturbance, together with the overlooking of neighbouring properties which lie to the east of the site. Whilst vehicles would access the development along its eastern boundary adjacent to an existing dwelling, given the modest size of the development, it is not considered that the type and number of vehicle movements associated with the residential use and occupation of the dwellings would cause undue noise or disturbance to the occupiers of these properties. Moreover, this area has historically been used as a car park for the former commercial use on the site prior to it being damaged by fire. As such, the proposal would not result in a net increase in the level of noise and disturbance from vehicles when compared with the former/last use of the site.

Turning to the potential impact on the privacy of existing dwellings to the east, given the separation distances involved and position of the main habitable room windows in the proposed dwellings, it is not considered that the development would overlook neighbouring properties.

In relation to the living environment for prospective occupiers of the dwellings, the separation distances between the units would ensure that there is no undue overlooking between the properties, and appropriately sized gardens have been provided for these large family dwellings.

In terms of bin collection arrangements, the internal access road would be constructed to adoptable standards, meaning that refuse vehicles can access the site and manoeuvre within the turning area provided. As such, direct access for bin collection would be provided.

Overall, therefore, it is not considered that the proposal would result in any adverse impacts on residential amenity.

Flood Risk and Drainage

NPPF Paragraph 173 outlines that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in

areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

The site lies within flood zone 1, land with a low flood risk, although it is acknowledged that residents have raised concerns regarding flooding/drainage issues on the site. The applicant has confirmed that surface water will be disposed of via soakaways, which is the preferred method of surface water disposal as set out in the drainage hierarchy. As the extent of hardsurfacing on site would be reduced, given that much of the site comprises a large commercial building and its associated car park, it is likely that the level of surface water will be reduced. However, to ensure that the soakaways are sufficient, a condition should be imposed requiring full details of both surface and foul drainage arrangements to be submitted for approval before development commences.

Planning Balance

As stated above, it is considered that the test in paragraph 11(d) of the NPPF has to be applied and an assessment of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole, is required.

The provision of 6 dwellings would make a contribution towards the Borough's housing supply, particularly in the context of a development plan that is not up to date in terms of housing need and where a suitable supply of housing cannot be demonstrated. This benefit therefore must be attributed substantial weight. There would also be economic benefits associated with the construction of the development and the impact from occupiers of the new development utilising local services, facilities and businesses in the area.

In terms of the harms of the development, the proposal would not provide a varied mix of housing types as referred to in the NP. However, given the modest scale of the proposed development, this would be difficult to achieve on this restricted site. If a mix of terraced and semi-detached properties were included in the proposal, this would significantly increase the density of the development, giving it a more suburban character. As such, only moderate weight can be attached to this policy conflict. weight in the planning balance.

Overall, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, and planning permission is therefore recommended, subject to conditions.

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 development 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 |
| 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 C4: | Open Space in New Housing Areas. |
| Policy N3: | Development and Nature Conservation – Protection and Enhancement Measures. |
| Policy N4: | Development and Nature Conservation – Use of Local Species. |
| Policy N8: | Protection of Key Habitats. |
| Policy N12: | Development and the Protection of Trees. |
| Policy N13: | Felling and Pruning of Trees. |
| Policy N14: | Protection of Landscape Features of Major Importance to Flora and Fauna. |
| Policy N17: | Landscape Character - General Considerations. |
| Policy N19: | Areas of Landscape Maintenance |
| Policy IM1: | Provision of Essential Supporting Infrastructure and Community Facilities. |
| Policy T16: | Development General Parking Requirements |

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

| | |
|-------------|------------------------------|
| Policy NE1: | Natural Environment |
| Policy NE2: | Sustainable Drainage |
| Policy DC1: | Local Heritage |
| Policy DC2: | Sustainable Design |
| Policy DC3: | Public Realm and Car Parking |
| Policy DC4: | Connectivity and Spaces |
| Policy DC5: | Impact of Lighting |
| Policy DC6: | Housing Standards |
| Policy DC7: | Renewable Energy |
| Policy HG1: | New Housing |
| Policy HG2: | Housing Mix |

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (as updated)

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

Relevant Planning History

14/00875/OUT Residential development of up to 8 dwellings – Refused, Appeal dismissed

05/00371/FUL Detached Dwelling - Approved

Views of Consultees

The **Environmental Health Division** raises no objections subject to conditions relating to land contamination, a Construction Environmental Management Plan and dust mitigation measures.

The **Landscape Development Section** raises no objections, subject to all tree works being carried out in accordance with the submitted Arboricultural Impact Assessment, Method Statement, and Tree Protection document and that a landscaping scheme is provided that allows for replacement tree planting to mitigate the proposed losses.

The **Highway Authority** has requested that additional information is provided, showing the required visibility splays and tactile paving at the site access. They also raise concerns that the site is not in a sustainable location and result in an increase in vehicular movements which could result in potential conflict between vehicles/pedestrians on Stone Road.

NatureSpace confirm that this application is unlikely to have any impact upon great crested newts and/or their habitats but advises that an informative note is added to any decision advising the applicant of the legal requirements, given that there is one small pond within 500m of the site.

Staffordshire Wildlife Trust raises a holding objection, subject to the receipt of updated bat and grassland surveys, updated BNG report and metric, and evidence that the mitigation framework has been followed.

Chapel Hill and Chorlton Parish Council raises the following concerns, specifically in relation to the potential conflict with the Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan (NP) and the Emerging Local Plan (ELP):

- Contrary to Policy HG1 of NP as outside Baldwins Gate and lacks adequate infrastructure and in unsustainable location;
- Contrary to Policy DC2 of NP as design, scale and massing of development out of character with its surroundings and represents over development;
- No on-site affordable housing is proposed, contrary to Policy HOU1 of the ELP ;
- Adversely impact on the living conditions of neighbouring properties, contrary to Policy HOU11 of the ELP ;
- The proposal would be detrimental to the rural economy as it would result in the loss of an existing business, contrary to Policies PSD2 and RUR1 of the ELP;
- Does not meet the tests for development in open countryside, contrary to Policy PSD4 of the MLP
- There has been no effort to market the existing premises for alternative use as required under Policy EMP2 of the ELP.

Maer & Aston Parish Council object on the following grounds:

- The NP is not out of date and is a material consideration;
- The site is outside the settlement of Baldwins Gate and no need for additional housing in the locality;
- No mention of affordable housing or provision for the elderly and disabled;
- Loss of existing car parking for Slaters Country Inn;

- Concerns that insufficient parking provision is provided and vehicles will be forced to park on the A51;
- Consideration should be given to Policy RUR1 of the ELP regarding the rural economy;

Whitmore Parish Council object on the following basis:

- The proposal would result in the loss of an active Business activity which provided an aspect of Rural employment, contrary to Policy EMP2 of the ELP.
- No effort has been made to market the existing business for alternative business use;
- Site in an unsustainable location, with potential future residents reliant on the private car to access facilities/services on a daily basis.

No comments have been received from **United Utilities, Waste Services** or the **Staffordshire Badger Conservation Group**.

Representations

2 letters of objection have been received. A summary of the comments made is as follows:

- Extra housing not needed in the area, particularly large houses, given recent planning approvals;
- Questions how extra cars will be accommodated;
- Loss of parking for Slaters/bowling club;
- Overlooking of neighbouring properties;
- Noise and disturbance from use of access road;
- Highway safety concerns from additional vehicle movements;
- Development would be out of character with surrounding properties.

Applicant's/Agent's submission

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/25/00185/FUL>

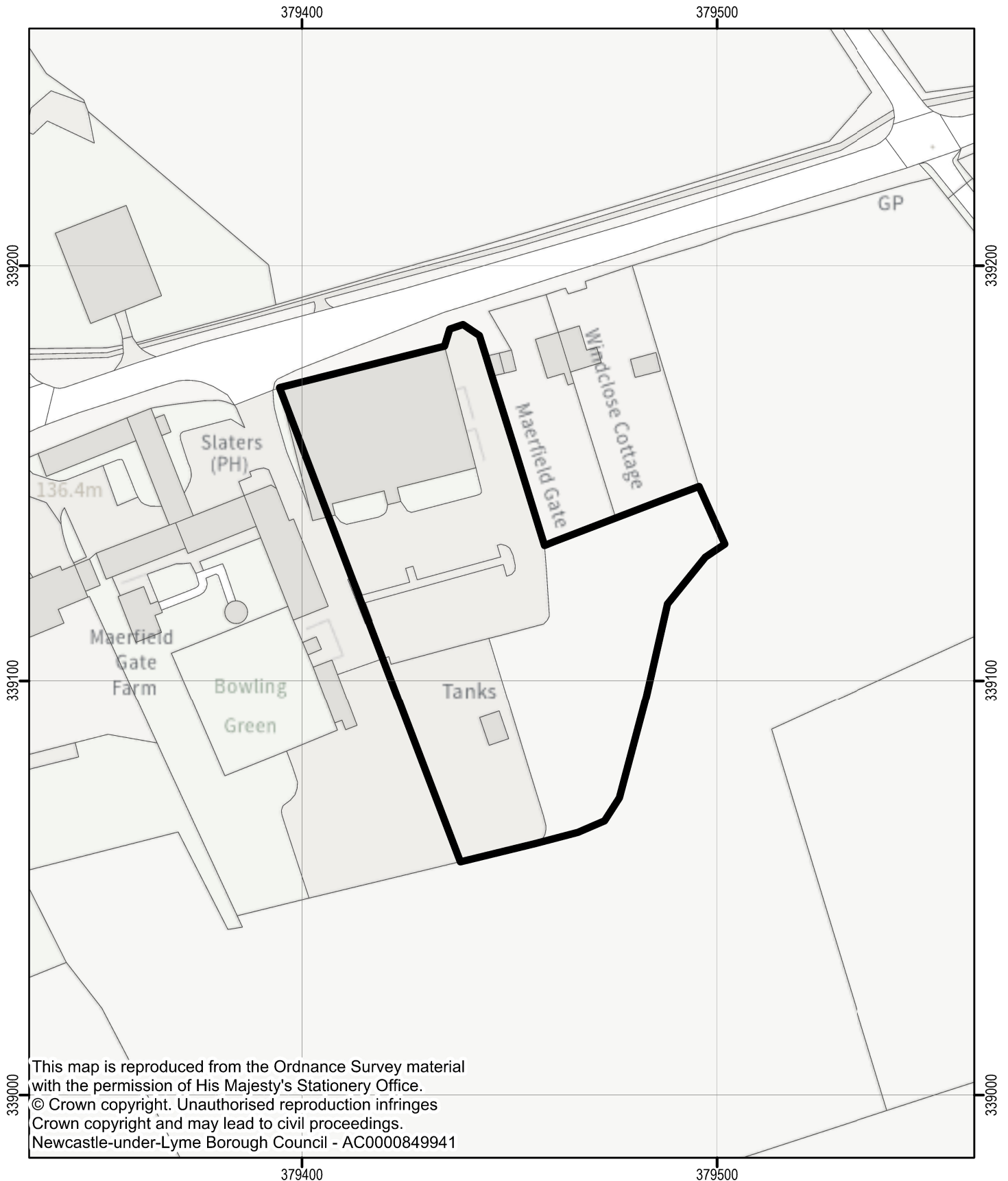
Background papers

Planning files referred to
 Planning Documents referred to

Date report prepared

25 September 2025

25/00185/FUL
Slaters
Stone Road
Hill Chorlton
ST5 5ED



Newcastle Borough Council

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5 BOGGS COTTAGE, KEELE, reference 14/00036/207C3

The purpose of this report is to provide Members with an update, in accordance with the resolution of Planning Committee at its meeting of 3rd January 2019 (since repeated), of the progress in relation to the taking of enforcement action against a breach of planning control at this location.

RECOMMENDATION

That the information be received.

As previously reported, the Planning Inspectorate has allowed the appeal and the enforcement notice has been quashed. Therefore, planning permission has been granted for the use of a mobile home on the land as a dwelling, subject to a number of conditions that now need to be complied with.

Conditions 3 & 4 of the appeal decision required information to be submitted to the Local Planning Authority for approval within three months of the date of the decision i.e. by the 20th March 2023. This information relates to drainage details, provisions for facilities for water and sewerage, provision of parking spaces (Condition 3) and details of a scheme to restore the land to its condition before the development took place (Condition 4).

Details to discharge conditions 3 and 4 were subsequently submitted in accordance with the agreed timeline. Whilst approval was given to Condition 4 site restoration, the drainage details were refused following consultation advice received from Severn Trent Water. Your officers are considering appropriate enforcement action in respect of the breach of that condition.

A copy of the appeal decision can be viewed via the following link; <https://www.newcastle-staffs.gov.uk/BoggsCottage>

Recently, the existing mobile home on the site has been demolished and the site cleared. Dialogue continues with the owner of 5 Boggs Cottages regarding occupation of the site and other potential works/development. Officers have met with the owner and emphasised that the occupation of a new mobile home would require full compliance with the conditions attached to the appeal decision i.e. drainage matters to be addressed to the satisfaction of the Council.

Date report prepared – 29 September 2025

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