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Date of meeting **Tuesday, 3rd February, 2026**

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 3 - 6)**

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

4 APPLICATION FOR MINOR DEVELOPMENT - LAND REAR OF 57 HIGH STREET, ALSAGERS BANK. MR MOHAMMED SALEEM. 25/00851/PIP **(Pages 7 - 18)**

This item includes a supplementary report.

5 APPLICATION FOR MINOR DEVELOPMENT - LAND OFF WERETON ROAD, AUDLEY. MR STEPHEN ADAMS. 25/00883/PIP **(Pages 19 - 30)**

This item includes a supplementary report.

6 LAND AT DODDLESPOOL, BETLEY. 17/00186/207C2 **(Pages 31 - 32)**

7 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.

8 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B(4) 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.

NOTE: IF THE FIRE ALARM SOUNDS, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

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

PLANNING COMMITTEE

Wednesday, 14th January, 2026
Time of Commencement: 7.00 pm

View the agenda here

Watch the meeting here

Present:	Councillor Paul Northcott (Chair)		
Councillors:	Crisp	Fear	G Williams
	Beeston	Hutchison	J Williams
	Burnett-Faulkner	Brown	Dean
Apologies:	Councillor(s) Holland and Gorton		
Substitutes:	Councillor Stephen Sweeney (In place of Councillor Mark Holland) Councillor David Grocott (In place of Councillor Richard Gorton)		
Officers:	Geoff Durham	Civic & Member Support Officer	
	Craig Jordan	Service Director - Planning	
	Rachel Killeen	Development Management Manager	
	Charles Winnett	Senior Planning Officer	
Also in attendance:	Simon Hawe	County Highways	

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

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

Resolved: That subject to the following amendment, the minutes of the meeting held on 4 November, 2025 be agreed as a correct record.

Item 3, in the sentence in italic font, Councillor Jacqueline Bown be amended to Councillor Jacqueline Brown.

3. **APPLICATION FOR MAJOR DEVELOPMENT - BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE. MR CHRIS O'HANLON, BELLWAY HOMES LIMITED. 25/00661/FUL**

This item was discussed at length, following which a proposal was made to refuse the application. The vote for refusal was 5 for and 6 against and therefore the original recommendation was carried.

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

(i) Variation of condition 6 to amend the trigger for the provision of off-site highways works
(ii) Any other conditions which are still relevant to the original decision

Watch the debate here

4. **APPLICATION FOR MAJOR DEVELOPMENT - VEHICLE STORAGE LAND, LINLEY ROAD, TALKE. NEIL LAWSON, ARNOLD CLARK AUTOMOBILES. 25/00799/FUL**

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

(i) Variation of condition 2 to refer to revised plans
(ii) Any other conditions which are still relevant to the original decision

Watch the debate here

5. **APPLICATION FOR MINOR DEVELOPMENT - FARCROFT, MANOR ROAD, BALDWIN'S GATE. MR G ADAMS. 25/00751/OUT**

Following a lengthy debate, the item was passed as per the recommendation.

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

(i) All details save for access to be submitted under a reserved matters application
(ii) Time limit
(iii) Approved plans
(iv) Limit on construction hours
(v) Unexpected contamination
(vi) Works to be completed in accordance with ecological appraisal
(vii) Limit to self-build properties
(viii) District License Scheme for newts

Watch the debate here

6. **APPLICATION FOR MINOR DEVELOPMENT - 15, 17, 19, 29, 31, 35 AND 37, NEWCASTLE UNDER LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 25/00805/DEEM3**

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

(i) Time limit
(ii) Approved plans
(iii) Materials

Watch the debate here

7. **APPLICATION FOR MINOR DEVELOPMENT - LAND REAR OF 57 HIGH STREET, ALSAGERS BANK. MR MOHAMMED SALEEM. 25/00851/PIP**

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

Resolved: That the application be deferred to enable officers to seek legal advice regarding the Audley Neighbourhood Plan's legal hierarchy.

Watch the debate here

8. **5 BOGGS COTTAGE, KEELE. 14/00036/207C3**

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

Watch the debate here

9. **URGENT BUSINESS**

There was no Urgent Business.

10. **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 7 in Part 1 of Schedule 12A of the Local Government Act, 1972

Councillor Paul Northcott
Chair

Meeting concluded at 9.40 pm

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LAND REAR OF 57 HIGH STREET, ALSAGERS BANK
MR MOHAMMED SALEEM **25/00851/PIP**

The application seeks permission in principle for the erection of 5-9 dwellings on a parcel of land to the rear of 57 High Street, Alsagers Bank.

The site is located within the open countryside and within an area of Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

The application was deferred at the previous meeting of the Planning Committee to enable officers to seek a legal position in respect of the weight to be given to the Audley Neighbourhood Plan in the determination of the application.

The 5-week period for the planning application expired on the 12th December 2025 but an extension of time has been agreed until 6th February 2026.

RECOMMENDATION

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

1. **Technical Details Consent required from the LPA**
2. **Technical Details Consent submitted within 3 years of this permission**
3. **Approved Plans**
4. **Consent restricted to no less than 5 and no more than 9 dwellings**

Reason for Recommendation

It is considered that the location, type and amount of development proposed is acceptable in principle and these are the only matters which can be assessed in applications for permission in principle. If permission is granted, then an application referred to as a 'technical details consent' would need to be submitted which would consider site specific details.

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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The application seeks permission in principle for the erection of 5-9 dwellings on a parcel of land to the rear of 57 High Street, Alsagers Bank. The site is located within the open countryside and within an area of Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

The Newcastle-under-Lyme Borough Council Final Draft Local Plan (Regulation 19 version) and its supporting documents were submitted for public examination on the 20 December 2024. Following the examination hearings, the Council consulted on several main modifications to the emerging Local Plan in late 2025. Responses received to the consultation on the modifications proposed have now been shared with the Inspector and the Council awaits further information on next steps on the examination process.

Policies, alongside the schedule of Main Modifications, in the emerging Local Plan are a material consideration in decision taking on planning applications. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 49 of the National Planning Policy Framework, as follows:-

"49. Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); an
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".

As the Local Plan is at an advanced stage with a focused consultation on Main Modifications from the examination process then moderate to significant weight can be attributed to individual policies dependent on the extent of changes to the Local Plan. These policies and their weight shall be addressed in turn, in the relevant sections of this report.

With regard to applications for permission in principle, only the matter of the location of the development and the principle of development can be considered by the Local Planning Authority. If permission if granted then a second application referred to as a 'technical details consent' would need to be submitted which address site specific details such as highways, amenity, ground conditions, biodiversity, visual impact, arboriculture, etc. In addition, applications for permission in principle are exempt from providing a biodiversity net gain assessment, with such assessments to be submitted at technical details consent stage.

Whilst a number of objections to the proposal have been received which raise concerns relating to issues such as highway safety and the impact on wildlife, these are physical constraints of the site which fall beyond the scope of this report. Therefore, the only matters in the consideration of the application are as follows;

- Is the site a sustainable location for housing development?
- Is the development an appropriate form of development within the Green Belt?

Is the principle of development acceptable?

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise."

Paragraph 12 of the NPPF states that "Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

The application site comprises greenfield agricultural land that is located beyond, but adjacent to, the defined village envelope for Alsagers Bank.

Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

Policy SP3 of the CSS seeks to maximise the accessibility of new residential development by walking, cycling and public transport.

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.

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As referred to above, the Council's Draft Local Plan has now reached the main modifications stage of the examination process. The policies from the emerging plan most relevant in determining this application are considered to be Policies PSD1, PSD2, PSD3 and PSD4.

Policy PSD1 (Overall Development Strategy) sets out the overall development strategy for the Borough, including housing targets. Within the policy it details at point 4 that the council will encourage efficient use of land through windfall development there the development, amongst other points *"is physically well-related to existing settlement, infrastructure and sustainable transport modes".* This criterion is not subject to any modifications and so can be afforded significant weight.

Policy PDS2 (Settlement Hierachy) establishes the settlement hierarchy within the Borough. The application site would be classified as *"Other settlement and rural areas"*. Again this policy is not subject to any modifications and so carries significant weight. Policy PSD3 details *that "other settlements and rural areas of the settlement hierarchy will be expected to accommodate development in line with the policy approach set out within the local plan but is not a focus of growth for this policy."* Whilst there are modifications set out within PSD3, this criterion has not been modified and so can be afforded significant weight.

Policy PSD4 (Development Boundaries and the Open Countryside) sets that settlement boundaries are defined on the Policies Map and that open countryside is land outside of these defined settlement boundaries. It is noted that this application site would fall within the open countryside. The policy goes on to detail at criterion 3 types of development that would be supported (a-k). Criterion i is the only one subject to modification in terms of reference to Rural Exception sites, which does not apply to this application. The other types of development as listed within the policy include essential rural workers dwellings; agricultural/operational need; development associated with the conservation and enhancement of a heritage asset; proposals for self-build and custom dwellings and exceptional circumstances for isolated homes. These elements of the proposal which this application would be assessed against can be afforded significant weight.

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))

It has been accepted in previous planning appeals that the housing policies contained in the adopted Core Spatial Strategy and saved policies from the Newcastle-under-Lyme Local Plan 2003 are out of date. The emerging Local Plan includes policies relevant to the consideration of housing but the emerging status of the Plan, alongside the Council not being able to demonstrate a five year supply of deliverable homes, has an impact on the weight that can be attributed to the aforementioned policies

In the absence of a required housing land supply, the tilted balance outlined within Paragraph 11(d) of the framework is considered to be engaged. Therefore an assessment of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the polices of the Framework taken as a whole is required.

On the 1st October 2025, the Audley Neighbourhood Plan was made and therefore forms part of the adopted Development Plan. Policy ANP1 of the ANP states that residential development will be supported in location within settlement boundaries or infill development within Scot Hay or other gaps in built frontages flanked on both sides by existing housing, providing it does not compromise inappropriate development or the green belt, amongst other things. Neighbourhood Plan Policy ANP9 (Natural Environment and Landscape), states at point 2 that Development should maintain the green landscape settings and separation of the following distinctive settlements: Alsagers Bank, Audley, Bignall End, Halmer End, Miles Green, Scot Hay, Wood Lane.

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).

Whilst the neighbourhood plan is less than five years old, it does not contain policies and allocations to meet its identified housing requirement. Therefore the neighbourhood plan 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.

Determination of this application was deferred at the previous meeting of the Planning Committee to enable Officers to seek a legal position in respect of the weight to be given to the Audley Neighbourhood Plan in the determination of the application. Advice has been sought and once received will be set out in a supplementary report.

The objections from Audley Parish Council in respect of the developments conflict with Policy ANP1 of the Neighbourhood Plan are noted, and it is accepted that the site does not fall within the identified settlement boundary. The consideration of whether the site represents a sustainable location shall be detailed later in this report.

In terms of sustainability, Alsagers Bank forms one of the villages of the Audley Parish and represents a sustainable rural location for new housing due to the services and facilities it contains such as a primary school and a bus service to Audley and Newcastle. It is acknowledged that both local and national planning policy seeks to provide new housing development within existing development boundaries on previously developed land where available. It is accepted that residential development on this site outside the settlement boundary would be contrary to this preferred approach and the requirements of Policy ANP1 of the NP. However it must be recognised that the site is directly adjacent to the recognised village envelope of Alsagers Bank and therefore a refusal on sustainability grounds would be difficult to sustain.

To conclude, this 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.

Is the development an acceptable form of development in the Green Belt?

Paragraph 143 of the NPPF indicates that the Green Belt serves five purposes, one of which is to assist in safeguarding the countryside from encroachment.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 of the NPPF states that other than in the case of a number of specified exceptions the construction of new buildings should be regarded as inappropriate in the Green Belt.

Paragraph 155 sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where:

(a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
(b) There is a demonstrable unmet need for the type of development proposed ;
(c) The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework; and

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(d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-15.

Policy PSD5 (Green Belt) within the Draft Local Plan states that development shall not be approved for inappropriate development except in very special circumstances, in accordance with the approach within the NPPF. Elements of this policy are subject to modifications, however in terms of new built development in the green belt, the policy aligns with the provisions of the framework and so for the purposes of this application can be afforded significant weight.

The applicant has submitted supporting information to seek to demonstrate that the proposal complies with criterion (a) above, which relates to the utilisation of 'Grey Belt' land and an assessment as to whether the proposal meets the above criteria is set out below.

'Grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

As per the definition above, Grey Belt can include previously developed land or any other land that does not contribute to purposes a), b) or d) of the five purposes of including land within the Green Belt listed at paragraph 143 of the Framework.

These three criteria are:

(a) to check the unrestricted sprawl of large built-up areas;
(b) to prevent neighbouring towns merging into one another;
(d) to preserve the setting and special character of historic towns.

The application site falls outside of any recognised settlement boundary in the 2011 Local Plan. National Guidance notes that villages should not be classed as 'large built up areas' and this definition should only be applied to towns or larger settlements. Furthermore, the application site is bounded by existing residential development to the west, and there are nearby highways further to the south and east which would limit additional development, ensuring that the proposal would not be at risk of creating 'unrestricted sprawl'. For these reasons, the proposal meets the definition of grey belt when assessed against the first of the criteria set out above.

In regard to criterion (b), there are no nearby towns within close proximity to the site which would be at risk of merging with the settlement. The nearest town of Newcastle under Lyme is over 2km to the east.

Regarding criterion (d), as Alsagers Bank is classed as a village and not a town, the proposal is in accordance with this requirement.

Consideration must still be given as to whether any of the restrictions set out in footnote 7 apply to the site, a list of these restrictions are set out below:

(a) habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest;
(b) Local Green Space;
(c) a National Landscape;
(d) a National Park (or within the Broads Authority) or defined as Heritage Coast;
(e) irreplaceable habitats;
(f) designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and
(g) areas at risk of flooding or coastal change.

The site does not fall within any of the criteria set out above.

To conclude, the site comprises Grey Belt land as it does not make a significant contribution to purposes a), b) and d) of paragraph 143 of the Framework, nor are there any policies listed at footnote 7 of the Framework that suggest that development of the application site should be refused or restricted. There

is a demonstrable need for the development given the absence of a 5 year housing land supply and the site is otherwise located in a sustainable location.

In light of these conclusions, the proposal comprises appropriate development in the Green Belt and the principle of development is 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 Development Plan relevant to this decision:

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (Adopted 2009)

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

Newcastle under Lyme Local Plan 2011

Policy T16:	Development – General Parking Requirements
Policy N17:	Landscape Character – General Considerations
Policy N21:	Areas of Landscape Restoration
Policy S3:	Development in the Green Belt

Audley Neighbourhood Plan

Policy ANP1:	Residential Development
Policy ANP9:	Natural Environment and Landscape

Other Material Considerations

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

Newcastle-under-Lyme Emerging Local Plan (2020-2040 at Main Modifications Stage)

Policy PSD1:	Overall Development Strategy
Policy PSD2:	Settlement Hierarchy
Policy PSD3:	Distribution of Development
Policy PSD4:	Development Boundaries and the Open Countryside
Policy PSD5:	Green Belt

Supplementary Planning Guidance

Space around Dwellings SPG (2004) - Supplementary Planning Guidance relating to the control of residential development

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

Planning History

20/00160/FUL - Residential development comprising of the erection of 2no. New Build Dwellings – permitted

23/00503/FUL - permission 20/00160/FUL to substitute the approved plans to reflect the details of the Plot 2 as constructed – permitted

24/00869/FUL - Application for variation of condition 1 of planning permission 23/00503/FUL for the resiting of plot 1 – permitted

Views of Consultees

Audley Parish Council object to the application accepted on the grounds that it conflicts with ARNP Policy ANP 1 in that it is outside of the settlement boundary, in the Green Belt and in addition that it will also harm the setting of the adjacent Church Fields LGS ref 87.

The Environmental Health Team raise no objections to the proposal subject to conditions relating to construction hours, the reporting of any unexpected contamination and details of any imported soil.

The **Coal Authority** note that any technical matters application will need to be supported by a Coal Mining Risk Assessment.

United Utilities request that a condition is added to any permission requiring that a surface water drainage scheme and a foul water drainage scheme are submitted to the LPA for approval.

The **Highways Authority** note that to consider any residential proposal fully, in line with NPPF guidance, the HA require any future planning submissions to include technical details of safe site access arrangement/s, to include the necessary visibility.

Representations

Thirty eight (38) letters of objection have been received which raise the following concerns:

- Absence of Housing need
- Conflicts with the policies set out in the Neighbourhood Plan, including policy ANP9
- Highway safety and increase of traffic
- Impact on Greenbelt
- Impact on infrastructure
- Impact on wildlife
- Coal mining legacy risk
- Swift bricks should be incorporated into any approved development
- Visual impact
- Drainage
- Loss of privacy
- Loss of house value

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/25/00851/PIP

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

22 January 2026

Classification: NULBC UNCLASSIFIED

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
3rd February 2026

Agenda Item 4 **Application Ref. 25/00851/PIP**

Land to the rear of 57 High Street, Alsagers Bank

Since the publication of the agenda report, a further letter of objection has been received from a local resident which raises the following matter in addition to those set out in the main report:

- The proposal should be refused in line with the objections raised by Audley Parish Council

Officer comments

The weight attributed to the policies of the Neighbourhood Plan and the concerns raised by the Parish Council have been assessed and considered in full within the main body of the officer's report.

Recommendation

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

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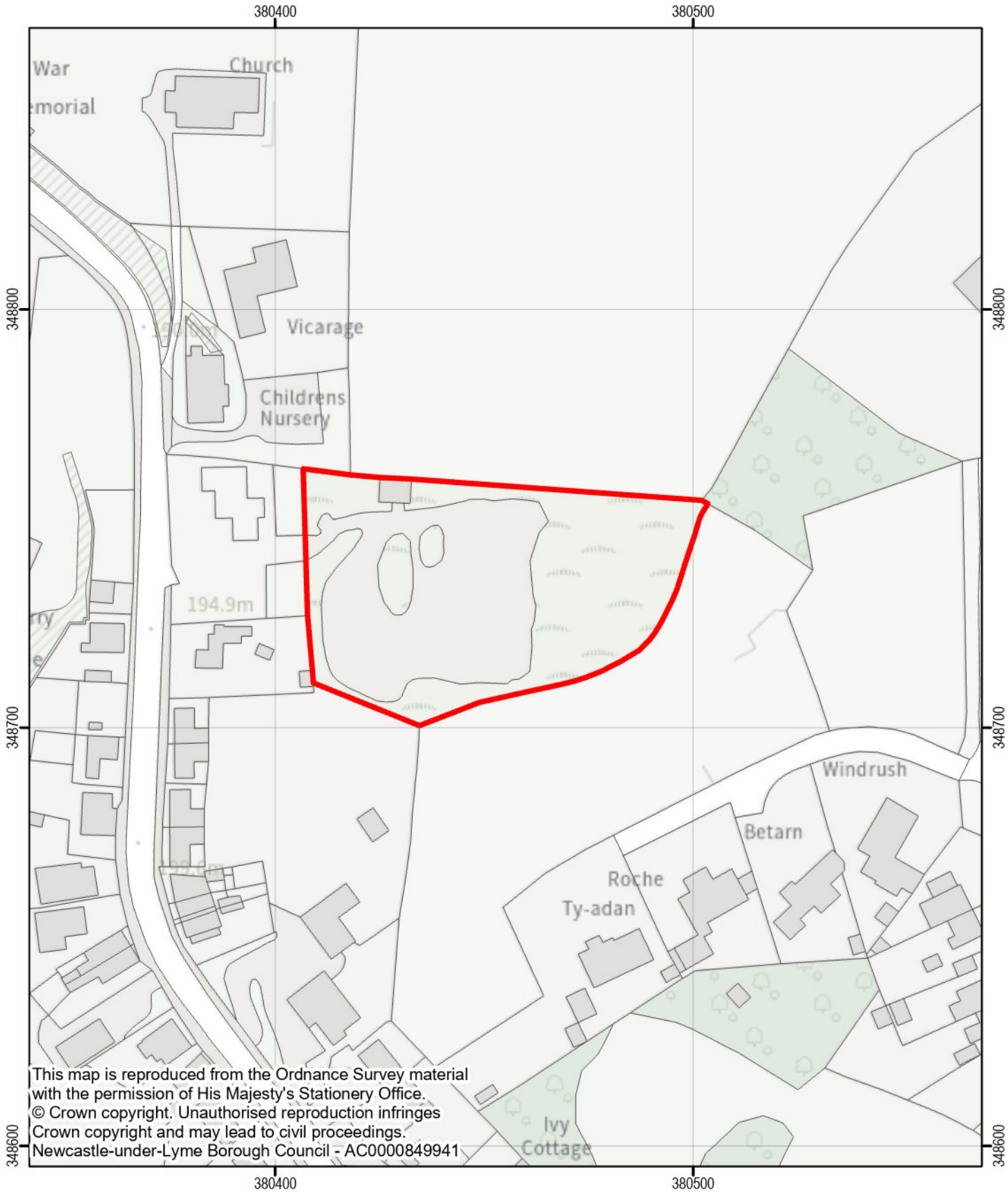
25/00851/PIP
Land Rear Of
57 High Street
Alsagers Bank



Newcastle Borough Council

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LAND OFF WERETON ROAD, AUDLEY
MR STEPHEN ADAMS **25/00883/PIP**

The application seeks permission in principle for the erection of 5-9 dwellings on a parcel of land to the south-west of Wereton Road, Audley.

The site is located within the Green Belt and an Area of Landscape Enhancement, as indicated on the Local Development Framework Proposals Map.

The 5-week period for the planning application expired on the 31st December 2025 but an extension of time has been agreed until 6th February 2026.

RECOMMENDATION

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

1. **Technical Details Consent required from the LPA**
2. **Technical Details Consent submitted within 3 years of this permission**
3. **Approved Plans**
4. **Consent restricted to no less than 5 and no more than 9 dwellings**

Reason for Recommendation

It is considered that the location, type and amount of development proposed is acceptable in principle and these are the only matters which can be assessed in applications for permission in principle. If permission is granted, then an application referred to as a 'technical details consent' would need to be submitted which would consider site specific details.

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

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The application seeks permission in principle for the erection of 5-9 dwellings on a parcel of land to the south-west of Wereton Road, Audley. The site is located within the Green Belt and an Area of Landscape Enhancement, as indicated on the Local Development Framework Proposals Map.

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Policies, alongside the schedule of Main Modifications, in the emerging Local Plan are a material consideration in decision taking on planning applications. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 49 of the National Planning Policy Framework, as follows:-

> *"49. Local planning authorities may give weight to relevant policies in emerging plans according to:*
>
> *a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); an*
c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

As the Local Plan is at an advanced stage with a focused consultation on Main Modifications from the examination process then moderate to significant weight can be attributed to individual policies dependent on the extent of changes to the Local Plan. These policies and their weight shall be addressed in turn, in the relevant sections of this report.

With regard to applications for permission in principle, only the matter of the location of the development and the principle of development can be considered by the Local Planning Authority. If permission is granted then a second application referred to as a 'technical details consent' would need to be submitted which would address site specific details such as highway safety, amenity, ground conditions, biodiversity, visual impact, arboriculture, etc. In addition, applications for permission in principle are exempt from providing a biodiversity net gain assessment, with such assessments to be submitted at technical details consent stage.

While a number of objections to the proposal have been received which raise concerns relating to issues such as highway safety, drainage, contamination, residential amenity and the impact on wildlife, these are matters which fall beyond the scope of this report. Therefore, the only matters in the consideration of the application are as follows;

- Is the principle of housing development acceptable in this location?
- Is the development appropriate within the Green Belt?

Is the principle of development acceptable?

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise."

Paragraph 12 of the NPPF states that "Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

The application site comprises greenfield agricultural land that is located beyond the defined village envelope of Audley.

Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

Policy SP3 of the CSS seeks to maximise the accessibility of new residential development by walking, cycling and public transport.

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.

As referred to above, the Council's Draft Local Plan has now reached the main modifications stage of the examination process. The policies from the emerging plan most relevant in determining this application are considered to be Policies PSD1, PSD2, PSD3 and PSD4.

Policy PSD1 (Overall Development Strategy) sets out the overall development strategy for the Borough, including housing targets. Within the policy it details at point 4 that the council will encourage efficient use of land through windfall development there the development, amongst other points *"is physically well-related to existing settlement, infrastructure and sustainable transport modes".* This criterion is not subject to any modifications and so can be afforded significant weight.

Policy PDS2 (Settlement Hierachy) establishes the settlement hierarchy within the Borough. The application site would be classified as *"Other settlement and rural areas"*. Again this policy is not subject to any modifications and so carries significant weight. Policy PSD3 details *that "other settlements and rural areas of the settlement hierarchy will be expected to accommodate development in line with the policy approach set out within the local plan but is not a focus of growth for this policy."* Whilst there are modifications set out within PSD3, this criterion has not been modified and so can be afforded significant weight.

Policy PSD4 (Development Boundaries and the Open Countryside) sets that settlement boundaries are defined on the Policies Map and that open countryside is land outside of these defined settlement boundaries. It is noted that this application site would fall within the open countryside. The policy goes on to detail at criterion 3 types of development that would be supported (a-k). Criterion i is the only one subject to modification in terms of reference to Rural Exception sites, which does not apply to this application. The other types of development as listed within the policy include essential rural workers dwellings; agricultural/operational need; development associated with the conservation and enhancement of a heritage asset; proposals for self-build and custom dwellings and exceptional circumstances for isolated homes. These elements of the proposal which this application would be assessed against can be afforded significant weight.

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))

It has been accepted in previous planning appeals that the housing policies contained in the adopted Core Spatial Strategy and saved policies from the Newcastle-under-Lyme Local Plan 2003 are out of date. The emerging Local Plan includes policies relevant to the consideration of housing but the emerging status of the Plan, alongside the Council not being able to demonstrate a five year supply of deliverable homes, has an impact on the weight that can be attributed to the aforementioned policies

In the absence of a required housing land supply, the tilted balance outlined within Paragraph 11(d) of the framework is considered to be engaged. Therefore an assessment of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the polices of the Framework taken as a whole is required.

On the 1st October 2025, the Audley Neighbourhood Plan was made and therefore forms part of the adopted Development Plan. Policy ANP1 states that residential development will be supported in locations within settlement boundaries or infill development within Scot Hay or other gaps in built frontages flanked on both sides by existing housing, providing it does not compromise inappropriate development or the green belt, amongst other things. Neighbourhood Plan Policy ANP9 (Natural Environment and Landscape), states at point 2 that Development should maintain the green landscape settings and separation of the following distinctive settlements: Alsagers Bank, Audley, Bignall End, Halmer End, Miles Green, Scot Hay, Wood Lane.

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).

Whilst the neighbourhood plan is less than five years old, it does not contain policies and allocations to meet its identified housing requirement. Therefore the neighbourhood plan 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.

Officers have sought a legal position in respect of the weight to be given to the Audley Neighbourhood Plan in the determination of applications. Advice has been sought and once received will be set out in a supplementary report.

In terms of sustainability, Audley represents a sustainable rural location for new housing due to the services and facilities it contains. It is acknowledged that both local and national planning policy seeks to provide new housing development within existing development boundaries on previously developed land where available. It is accepted that residential development on this site outside the settlement boundary would be contrary to this preferred approach and the requirements of Policy ANP1 of the NP. However it must be recognised that the site is close to the shops and services of Audley and therefore a refusal on sustainability grounds would be difficult to sustain.

To conclude, this site would contribute to meeting the housing need for the borough over the emerging plan period in a sustainable and accessible location.

Is the development acceptable in the Green Belt?

Paragraph 143 of the NPPF indicates that the Green Belt serves five purposes, one of which is to assist in safeguarding the countryside from encroachment.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 of the NPPF states that other than in the case of a number of specified exceptions the construction of new buildings should be regarded as inappropriate in the Green Belt.

Paragraph 155 sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where:

(a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
(b) There is a demonstrable unmet need for the type of development proposed ;
(c) The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework; and
(d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-15.

Policy PSD5 (Green Belt) within the Draft Local Plan states that development shall not be approved for inappropriate development except in very special circumstances, in accordance with the approach within the NPPF. Elements of this policy are subject to modifications, however in terms of new built development in the green belt, the policy aligns with the provisions of the framework and so for the purposes of this application can be afforded significant weight.

The applicant has submitted supporting information to seek to demonstrate that the proposal complies with criterion (a) above, which relates to the utilisation of 'Grey Belt' land and an assessment as to whether the proposal meets the above criteria is set out below.

'Grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

As per the definition above, Grey Belt can include previously developed land or any other land that does not contribute to purposes a), b) or d) of the five purposes of including land within the Green Belt listed at paragraph 143 of the Framework.

These three criteria are:

(a) to check the unrestricted sprawl of large built-up areas;
(b) to prevent neighbouring towns merging into one another;
(d) to preserve the setting and special character of historic towns.

The application site falls outside of any recognised settlement boundary in the 2011 Local Plan. National Guidance notes that villages should not be classed as 'large built up areas' and this definition should only be applied to towns or larger settlements. On this basis, the proposal meets the definition of grey belt when assessed against the first of the criteria set out above.

In regard to criterion (b), there are no nearby towns within close proximity to the site which would be at risk of merging with the settlement.

Audley is a village, not a historic town, and therefore the proposal accords with criterion (d).

Consideration must still be given as to whether any of the restrictions set out in footnote 7 apply to the site, a list of these restrictions are set out below:

(a) habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest;
(b) Local Green Space;
(c) a National Landscape;
(d) a National Park (or within the Broads Authority) or defined as Heritage Coast;
(e) irreplaceable habitats;
(f) designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and
(g) areas at risk of flooding or coastal change.

The site does not fall within any of the criteria set out above.

To conclude, the site comprises Grey Belt land as it does not make a significant contribution to purposes a), b) and d) of paragraph 143 of the Framework, nor are there any policies listed at footnote 7 of the Framework that suggest that development of the application site should be refused or restricted. There is a demonstrable need for the development given the absence of a 5 year housing land supply and the site is otherwise located in a sustainable location.

In light of these conclusions, the proposal comprises appropriate development in the Green Belt and the principle of development is 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 Development Plan relevant to this decision:

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (Adopted 2009)

Policy SP1:	Spatial Principles of Targeted Regeneration
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP6:	Rural Area Spatial Policy
Policy CSP3:	Sustainability and Climate Change

Newcastle under Lyme Local Plan 2011

Policy N17:	Landscape Character – General Considerations
Policy N20:	Area of Landscape Enhancement
Policy S3:	Development in the Green Belt

Audley Neighbourhood Plan

Policy ANP1:	Residential Development
Policy ANP9:	Natural Environment and Landscape

Other Material Considerations

National Planning Policy Framework (2025)
National Planning Practice Guidance

Newcastle-under-Lyme Emerging Local Plan (2020-2040 at Main Modifications Stage)

Policy PSD1:	Overall Development Strategy
Policy PSD2:	Settlement Hierarchy
Policy PSD3:	Distribution of Development
Policy PSD4:	Development Boundaries and the Open Countryside
Policy PSD5:	Green Belt

Planning History

None relevant.

Views of Consultees

The **Highway Authority** states that to consider any residential proposal fully, in line with NPPF guidance, they require any future planning submissions to include technical details of safe site access arrangement/s, to include the necessary visibility splays, parking and accessibility.

Audley Parish Council object to the application on the following grounds:

- The emerging Local Plan carries some weight, and a decision will pre-empt it.
- Conflict with the Audley Rural Neighbourhood Plan (ARNP), particularly ANP1.
- Would undermine the purposes of the remaining Green Belt as it could lead to further sprawl and encroach into the countryside, reducing openness.
- The site has been used as a meadow for grazing.
- Concerns regarding contamination and run-off into the nearby brook.
- There is a well used public footpath through the site.

The **Environmental Health Division** raise no objections to the proposal subject to conditions relating to construction hours and contaminated land.

The **Landscape Development Section** has no objections subject to a condition regarding tree protection.

United Utilities has no objections subject to conditions regarding a sustainable surface water drainage scheme and a foul water drainage scheme.

Staffs County Council as the **Public Rights of Way Authority** states that a public right of way Footpath No. 35 Audley crosses the site and it appears that it will be directly impacted by the proposed development. If the footpath is affected by the development a diversion will be needed. The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its obstruction (temporary or permanent).

Representations

Eighteen letters of objection have been received which raise the following concerns:

- Highway safety
- Drainage
- Impact on house value
- Unsuitable due to undulating nature of land
- Light/noise pollution
- Contamination of brook
- Impact on public footpath
- Loss of privacy
- Loss of Green Belt
- Loss of outlook
- Impact on wildlife
- Insufficient information
- Lack of evidence of housing need
- Impact of construction work
- Land covenant
- Impact on open character of countryside
- Impact on infrastructure
- Set a precedent

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/25/00883/PIP

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

23 January 2026

Classification: NULBC UNCLASSIFIED

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
3rd February 2026

Agenda Item 5 **Application Ref. 25/00883/PIP**

Land off Wereton Road, Audley

Since the publication of the agenda report, a further letter of objection has been received from a local resident which raises the following matter in addition to those set out in the main report:

- Procedural concern regarding unjustified extension of time

Officer comments

The extension to the time period for the determination of the application has been agreed between the applicant and the LPA to enable the application to be considered by the Planning Committee outside of the statutory determination period which ended on 31st December. It does not in any way prejudice interested parties.

Recommendation

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

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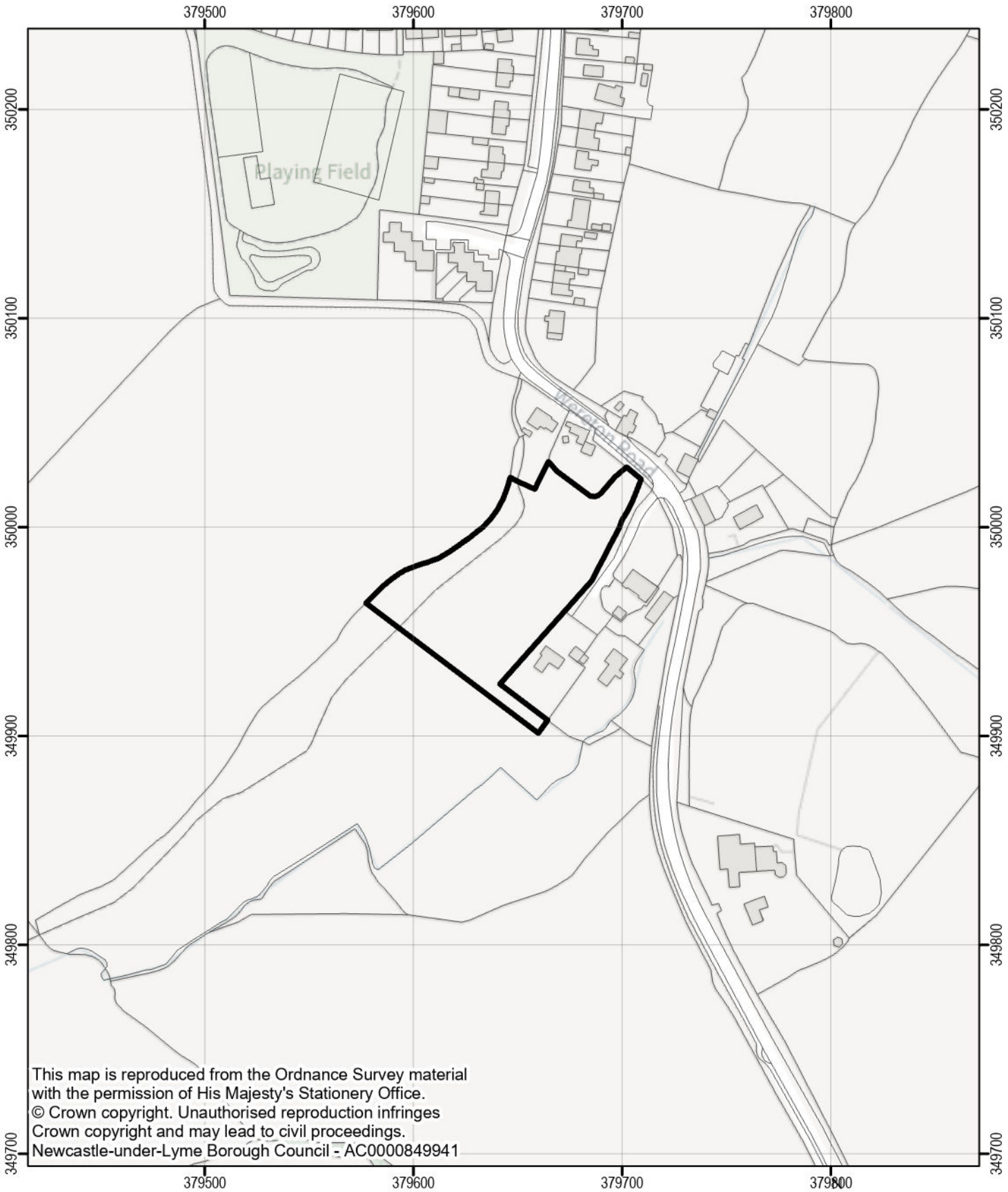
25/00883/PIP
Land Off Wereton Road
Audley



Newcastle Borough Council

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LAND AT DODDLESPOOL, BETLEY reference 17/00186/207C2

The purpose of this report is to provide Members with an update on the progress of the works being undertaken at this site following the planning application for the retention and completion of a partially constructed agricultural track, approved under planning permission 21/00286/FUL.

RECOMMENDATION

That the information be received.

Latest Information

As previously reported, works to the track are largely complete and the landowner now needs to carry out the approved landscaping works.

Your officers are progressing the appropriate enforcement action against the landowner to ensure that the landscaping works, as required by condition 4 of planning permission 21/00286/FUL, are carried out in accordance with the approved plans at the earliest opportunity.

Date Report Prepared – 22 January 2026

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