

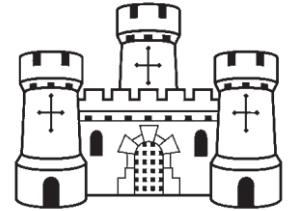
Public Document Pack

Date of meeting Tuesday, 29th April, 2025

Time 7.00 pm

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

Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Planning Committee

AGENDA

PART 1 – OPEN AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF PREVIOUS MEETING(S) (Pages 3 - 6)

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

4 APPLICATION FOR MAJOR DEVELOPMENT - FORMER MIDWAY CAR PARK, THE MIDWAY, NEWCASTLE. CAPITAL & CENTRIC. 24/00678/FUL (Pages 7 - 18)

5 APPLICATION FOR MAJOR DEVELOPMENT - LAND AT MERRIAL STREET, NEWCASTLE-UNDER-LYME. MCCARTHY STONE. 24/00792/FUL (Pages 19 - 30)

6 APPLICATION FOR MAJOR DEVELOPMENT - 5-7 YORK PLACE, NEWCASTLE-UNDER-LYME. CAPITAL & CENTRIC. 24/00795/FUL (Pages 31 - 44)

This item includes a supplementary report

7 APPLICATION FOR MAJOR DEVELOPMENT - FORMER CIVIC OFFICES, MERRIAL STREET, NEWCASTLE. CAPITAL & CENTRIC. 24/00840/FUL (Pages 45 - 60)

This item includes two supplementary reports

8 URGENT BUSINESS

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

9 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, Bryan, Fear, Holland, Hutchison, Brown, Gorton, J Williams and G Williams

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:	Sweeney	Whieldon
	S Tagg (Leader)	Fox-Hewitt
	Heesom	D Jones
	Johnson	Edginton-Plunkett
	J Tagg	Grocott
	S Jones	Dymond

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.

Agenda Item 3

Planning Committee - 22/04/25

PLANNING COMMITTEE

Tuesday, 22nd April, 2025
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Paul Northcott (Chair)

Councillors:	Crisp	Fear	Brown
	Beeston	Holland	J Williams
	Bryan	Hutchison	G Williams

Apologies: Councillor(s) Burnett-Faulkner and Gorton

Substitutes: Councillor Stephen Sweeney (In place of Councillor Gillian Burnett -Faulkner)
Councillor David Grocott (In place of Councillor Richard Gorton)

Officers:	Geoff Durham	Civic & Member Support Officer
	Craig Jordan	Service Director - Planning
	Charles Winnett	Senior Planning Officer
	Jacob Wood	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 25 March, 2025 be agreed as a correct record.

3. **APPLICATION FOR MINOR DEVELOPMENT - LAND AND GARAGES, BRIERYHURST ROAD, KIDSGROVE. MR SIMON JONES. 24/00915/FUL**

Revised recommendation proposed by the Chair, Councillor Northcott and seconded by Councillor Bryan

Resolved: That the application be deferred in order to obtain further details on the pergola; drainage; footpaths and access and any external lighting.

[Watch the debate here](#)

4. **APPLICATION FOR MINOR DEVELOPMENT - LAND REAR OF 5 MORNINGSIDE & 16 LAVEROCK GROVE, MADELEY. HEWITT&CARR ARCHITECTS. 24/00421/OUT**

Planning Committee - 22/04/25

Councillor Jill Whitmore spoke on this application

Revised recommendation proposed by Councillor Fear and seconded by Councillor John Williams

Resolved: That the application be deferred in order to obtain more information on the access including whether it would be adopted. In addition, details requested on the garages within the site area.

[Watch the debate here](#)

5. **APPLICATION FOR MINOR DEVELOPMENT - ROSE COTTAGE, WOODSIDE, HILL CHORLTON. MR L CLARKE, CCP DEVELOPMENTS (STONE) LIMITED. 25/00080/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) Limit on construction hours
- (iv) Habitat and maintenance plan
- (v) Unexpected contamination
- (vi) Surface water drainage scheme
- (vii) Works to be completed in accordance with ecological appraisal
- (vii) Access to be completed in accordance with the visibility splays details
- (viii) Works to be completed in accordance with the arboricultural assessment

[Watch the debate here](#)

6. **APPLICATION FOR MINOR DEVELOPMENT - 39-41 MERRIAL STREET, NEWCASTLE UNDER LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 25/00180/DEEM3**

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

- (i) Approved plans

[Watch the debate here](#)

7. **APPLICATION FOR MINOR DEVELOPMENT - 21 MERRIAL STREET, NEWCASTLE UNDER LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 25/00184/DEEM3**

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

- (i) Approved plans

[Watch the debate here](#)

8. APPLICATION FOR MINOR DEVELOPMENT - LAND AT HIGH STREET, KNOTTON. NEWCASTLE UNDER LYME BOROUGH COUNCIL. 25/00149/DEEM3

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

- (i) Variation of conditions 2, 7 and 9 to refer to the amended plans
- (ii) All other conditions from 23/00974/DEEM3 that remain relevant

[Watch the debate here](#)

9. 5 BOGGS COTTAGE, KEELE. 14/00036/207C3

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

[Watch the debate here](#)

10. URGENT BUSINESS

There was no Urgent Business.

11. DISCLOSURE OF EXEMPT INFORMATION

There was no confidential business.

**Councillor Paul Northcott
Chair**

Meeting concluded at 8.40 pm

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MIDWAY MULTISTOREY CAR PARK, THE MIDWAY, NEWCASTLE-UNDER-LYME
CAPITAL & CENTRIC

24/00678/FUL

Full planning permission is sought for the repurposing of the existing car park structure into new residential accommodation consisting of 111 apartments and associated communal facilities.

The site lies within the Newcastle Town Centre Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Town Centre Historic Core.

The 13-week period for the determination of this application expired on 22 January but an extension of time has been agreed to 2 May 2025.

RECOMMENDATION

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

1. Standard time limit for commencement of development
2. Approved plans
3. Off-site highway improvements to The Midway and Lower Street
4. Details of the internal access ramp
5. Cycle parking facilities
6. Details of servicing
7. Construction environmental management plan
8. Land contamination
9. Sustainable heating
10. Noise attenuation scheme
11. Lighting
12. Landscaping scheme
13. Detailed drainage design
14. Material samples
15. Construction hours

Reason for Recommendation

The redevelopment of this prominent town centre site is a sustainable form of development supported by the National Planning Policy Framework. The design, scale and appearance of the proposed development would protect and enhance, and as such would not harm, the character and appearance of the Conservation Area or the setting of the nearby Listed Buildings. The development would provide acceptable living conditions for its occupiers and it is not considered that there would be any adverse impact on highway safety.

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

Key Issues

Full planning permission is sought for the repurposing of the existing car park structure into new residential accommodation consisting of 111 apartments and associated communal facilities.

The site lies within the Newcastle Town Centre Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Town Centre Historic Core.

The key issues in the determination of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area?
- Would there be any adverse impact on the character and appearance of the area?
- Are acceptable residential amenity levels achieved for the occupiers?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- What, if any, planning obligations are necessary to make the development policy compliant?

Is the principle of the proposed development on the site acceptable?

Paragraph 90 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 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 many shops and services with regular bus services to destinations around the borough and beyond. It is considered that the site provides a 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 application site lies within the Newcastle Town Centre Conservation Area.

The LPA has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 to 'pay special attention' to the desirability of preserving or enhancing the character or appearance of the conservation area and to 'have special regard' to the desirability of preserving the special interest and setting of nearby listed buildings.

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.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010) states in HE4 that new development in a Conservation Area must preserve or enhance its character or appearance. It must: -

- a. Where redevelopment is proposed, assess the contribution made by the existing building to the character or appearance of the Conservation Area and ensure that the new development contributes equally or more.
- b. Strengthen either the variety or the consistency of a Conservation Area, depending upon which of these is characteristic of the area.
- c. The development must not adversely affect the setting or detract from the qualities and significance that contribute to its character and appearance.

The Town Centre SPD states that the Town Centre's historic character and identity, with its special distinctiveness as a market town, is an asset that needs to be conserved and enhanced. Development must be designed to respect, and where possible enhance, its surroundings and contribute positively to the character of the Town Centre, helping to improve its image and identity, having particular regard to the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials.

A Heritage Statement that accompanies the application concludes that there would be no harm to the significance of designated or non-designated heritage assets stating that the proposed development would repurpose and enhance the existing Midway car park, a building that is recognised as currently making a negative contribution to the Conservation Area, requiring further improvements.

The Council's Conservation Officer agrees, stating that the development would not cause any harm to the significance of any of the heritage assets within the town centre and is likely to make a positive contribution to the area.

The introduction of a residential use in this area should benefit the Town Centre, making it a more vibrant place, providing more activity and natural surveillance, and should help to "lift" the area.

On this basis the proposed development accords with the NPPF and the local planning policies and guidance set out above.

Would there be any adverse impact on the character and appearance of the area?

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.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The proposed scheme would comprise 78 no. 1-bedroom and 33 no. 2-bedroom apartments across five floors. Significant elements of the existing structure of the car park would be retained and repurposed and the footprint of the building would remain the same. Cuts to the existing slabs and central spine wall would create a central void and open up the existing interior to create new internal circulation spaces. A new roof structure would be added to the roof level to provide additional residential accommodation.

A main triple height entrance courtyard to the building would be located at level 02, in a centralised location providing level access from The Midway. This would utilise the existing vehicular entrance to the car park. From this main entrance, apartments would be accessed via open air walkways framing the new void space between the rows of accommodation. There would be additional access to the upper floors on level 00, utilising the existing vehicular access from Lower Street. The proposed development would remove the existing pedestrian link to the Roebuck Centre.

All accommodation would be provided with a recessed balcony or terrace providing significant elements of private amenity within the scheme. The main elements of plant equipment would be located on level 00 with access off Lower Street. This floor would also provide flexible community amenity spaces. Further amenity space would be proposed with a communal roof terrace at level 05. Car parking would be provided across level 00 and level 01a. Integral domestic and community waste and recycling stores would be incorporated at level 02 and accessed directly from The Midway.

The proposed materials would predominantly be a combination of the existing grey concrete structure with red, black, and charcoal toned cladding. The new roof structure would be expressed as a series of pitches with a vertical articulation. The gable ends to the pitches would be clad in red square profile metal. Columns of black perforated corrugated cladding would feature at regular intervals along the frontages to Lower Street and Midway (street). Windows would have charcoal toned frames and galvanised steel flat bar balustrades would line the private balconies. The materials palette is designed to celebrate the retained elements of the existing structure whilst providing a bold and clear language, tying the new build elements together.

Prior to submission of the application, the scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The Panel felt that the proposals are ambitious and much needed, and that the Town Centre would benefit from regeneration. The approach to materiality was understood and received positively. Recommendations were made for how the submission of additional information would be helpful and the applicant has provided information in response. Some amendments were recommended and although the applicant has considered those suggestions, some have been dismissed for reasons explained in the submission. One such recommendation was to explore the opportunity for communal spaces at the rooftop level and that has been taken on board with the provision of a communal roof terrace at level 05.

The proposed new façades are designed to be contemporary, yet contextual, and draw reference from the architectural features and tones of the area. It is considered that the articulation of the roof pitches would reflect elements of the fine urban grain of the town and add variety to a mixed roofscape, in contrast to the existing expansive area of flat roof.

In conclusion, it is considered that the scale and design of the development would be appropriate and with the implementation of an appropriate landscaping scheme to soften the building, there would be no adverse impact on the character and appearance of the surrounding area.

Are acceptable residential amenity levels achieved for the occupiers?

The area is mixed use in nature with commercial uses alongside residential apartments.

An Air Quality Assessment has been submitted which concludes that the impact of the proposed development on local air quality with regards to the current relevant air quality objectives would not be significant.

A Noise Impact Assessment that accompanies the application has considered in full the potential impact of local noise sources from road traffic and fixed plant as well as from new internal sources of noise from new mechanical plant associated with the development. A number of mitigation measures are recommended.

The Environmental Health Division (EHD) raises no objections subject to the imposition of conditions.

It is considered that the residents of all apartments would have an acceptable outlook and level of amenity, and some outside amenity space would be available in addition to a number of open spaces and parks within and around the town.

Overall, it is considered that the development would provide acceptable living conditions for its occupiers.

Is the proposal acceptable in terms of highway safety?

The NPPF, at paragraph 111, 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.

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

Saved Policy T17 of the Local Plan states that development in Newcastle Town Centre within the ring road will not be permitted to provide new private parking but will be required, where appropriate, to contribute to appropriate improvements to travel to the development. The policy identifies what such improvements may include.

A new vehicular access would be formed at the eastern end of the Midway site frontage. The vehicular accesses on Lower Street would be retained as existing and the western junction would continue to provide access to the substation and the eastern junction will continue to provide access to a very small parking area. A drop-off layby is proposed on the Midway frontage outside the main entrance.

The proposed development would include 49 car parking spaces, comprising 45 standard spaces and four accessible spaces. The majority of the spaces would be provided at level 01 with a small number at Level 00.

116 cycle spaces would also be incorporated across the development. Refuse collection and other servicing would be focused on the Midway with the bin store also on that frontage. Loading bay areas would be provided on the site frontage as part of a new landscaped area for use by refuse collection and other delivery vehicles. The site management team would move the bins to this area for collection.

A Transport Assessment that accompanies the application confirms that the site occupies an accessible, town centre location and concludes that the development would not generate a significant level of traffic or have an adverse impact on highway operation.

The Highway Authority (HA) has raised no objections to the application subject to conditions. Subject to the imposition of such conditions, it is accepted that the proposed development would not have any adverse impact on highway safety.

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

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 Highway Authority has requested a financial contribution of £6,000 towards travel plan monitoring.

The Landscape Development Section has requested a contribution towards public realm improvements and open space improvements in the nearby Brampton Park. No figure has been detailed but for other Town Centre schemes, the standard figure of £5,579 per unit has been reduced for the 1-bed properties on the basis that they would be unlikely to accommodate children. On this basis, £4,933 per 1-bed unit and £5,579 per 2-bed unit is sought. This equates to £568,881.

Finally, Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £76,320 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South Primary Care Networks.

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.

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 SP2:	Spatial Principles of Economic Development
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP5:	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP2:	Historic Environment
Policy CSP3:	Sustainability and Climate Change
Policy 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 T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy B5:	Control of Development Affecting the Setting of a Listed Building
Policy B9:	Prevention of Harm to Conservation Areas
Policy B10:	The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13:	Design and Development in Conservation Areas
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas
Policy C4:	Open Space in new housing areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2014 as updated)

Supplementary Planning Guidance/Documents

Developer contributions SPD (September 2007)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

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

Newcastle Town Centre SPD (2009)

Newcastle Town Centre Conservation Area Appraisal (August 2008)

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

Relevant Planning History

None

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding off-site highway improvements to The Midway and Lower Street, details of the internal access ramp, cycle parking facilities, a Construction Environmental Management Plan and servicing.

A Section 106 contribution of £6,000 is sought towards Travel Plan monitoring.

The **Conservation Officer** states that the building sits outside the key town centre streets and is just within the inner ring road and the Conservation Area. The Midway multi-storey car park is a brutalist 1960s structure which looks like a car park and sits within an area of other 1960s modern development. The buildings are large scale, all of some considerable height and massing against the ring road, which is also built at this time. Many buildings adjacent to this site have been modified or are new build and the historic tight grain of the street pattern has been lost in this part of the town centre.

While the conclusion of the heritage statement is that this part of town is not sensitive to change, it is considered that it is not as sensitive to change as the wider setting of heritage assets but should still be considered. Most town centres are made up of many building styles and materials and designs and layout. This is detailed in the statement. There is varied roofscape and townscape in Newcastle and the topography of the town is also varied and greatly affects the impact any development has in the town. Views are also sometimes limited.

As this building is essentially being retained, the horizontal emphasis will be retained. The Conservation Area Character Appraisal identifies negative features in this part of the town centre and the proposal looks to certainly make the building and area more pleasant and less threatening. The proposed materials are a good choice for this brutal building.

The softening and greening of the building with the landscaping scheme will be a positive change to the conservation area. The most significant change structurally is the addition of a new roof structure added to level 5 for some rooftop accommodation. The roof is a series of small pitched roofs with recessed balconies. It is considered that the roofs would be an interesting addition to the building. The development is unlikely to cause any harm to the significance of any of the heritage assets within the town centre and will more than likely make a positive contribution to the area.

The **Conservation Advisory Working Party** had no objections to the principle of repurposing the building. They thought the design was brave and celebrated the existing structure. They supported the colour of the red roof but overall thought that it was bold and should stay as a bright colour. The design of the landscaping would be transformative for the environment in a positive way, especially on the Midway elevation. Members wondered if the opportunity would be taken to add solar panels onto all roofs rather than just a few in the centre.

The **Environmental Health Division** has no objections subject to conditions regarding land contamination, sustainable heating, noise attenuation scheme, light trespass and submission of a Construction Environmental Management Plan.

The **Landscape Development Section** has no objections in principle subject to all works being carried out in accordance with BS 5837:2012. A Section 106 for Public Open Space would be required.

Staffordshire County Council as **Lead Local Flood Authority** has no objections subject to a condition requiring approval of the final detailed surface water drainage design.

Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) requires a sum of £76,320 towards supporting the future development/adaptation/expansion of premises within the Primary Care Networks in alignment with strategic estates planning, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Staffordshire County Council as **Education Authority** does not seek an education contribution from this development for primary or secondary school provision.

Staffordshire Police **Early Intervention & Prevention Unit** states that the principle of the proposed repurposing of the tired, unattractive and underutilised multi-storey car park is warmly welcomed. The applicant has responded positively to the previous queries raised and the addendum report includes some very positive comments in terms of design amendments and incorporated measures which seek to reduce criminal and anti-social opportunity and provide a safer living environment. A number of aspects retain potential vulnerabilities which might undermine security and personal safety and as such, the applicant should give further consideration to these, with a view to minimising vulnerabilities and risk as far as is possible.

Cadent has no objection.

The **Mining Remediation Authority** makes no comment on the application.

No comments have been received from **Housing Strategy, Newcastle South LAP** and the **Waste Management Section** and given that the period for comment has passed, it must be assumed that they have no comments to make.

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/24/00678/FUL>

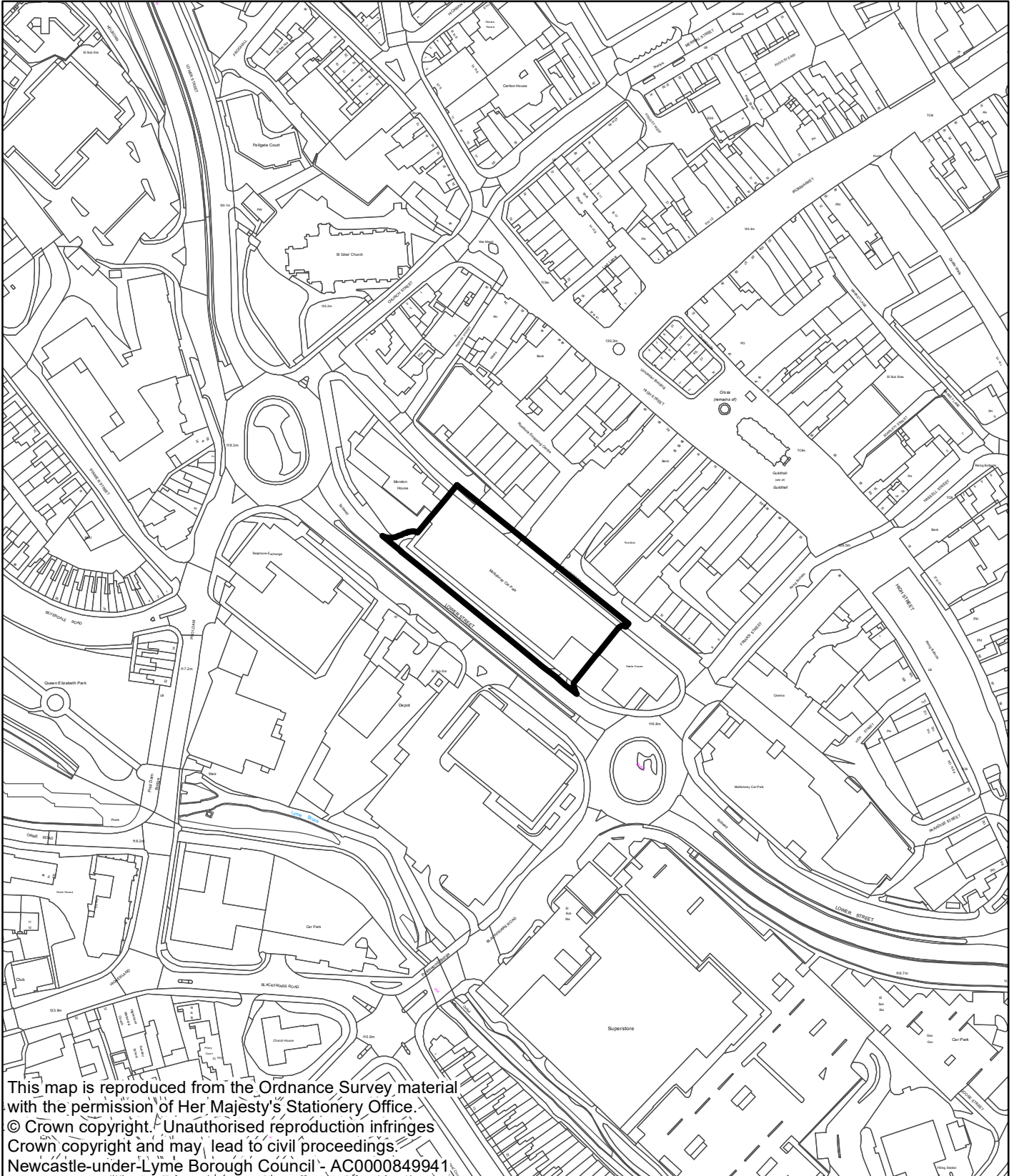
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025

**Midway Multistorey Car Park
The Midway
Newcastle
Staffordshire**



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LAND AT MERRIAL STREET, NEWCASTLE-UNDER-LYME
MCCARTHY STONE

24/00792/FUL

Full planning permission is sought for a development of 53 no. retirement apartments (Use Class C3), including a new vehicular access, car parking, landscaping and associated infrastructure. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The 13-week period for the determination of this application expired on 7 February but an extension of time has been agreed to 2 May 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. Off-site highway improvements**
- 4. Hard surfaces to be sustainably drained, surfaced in a bound material, lit and marked out**
- 5. Submission of a Traffic Management Plan**
- 6. Provision of cycle parking facilities**
- 7. Construction Environmental Management Plan**
- 8. Residential Travel Plan**
- 9. Installation of a Real Time Passenger Information screen**
- 10. Tree protection**
- 11. Landscaping scheme**
- 12. Detailed drainage design**
- 13. Material samples**
- 14. Boundary treatments**
- 15. Contaminated land**
- 16. Noise attenuation scheme**
- 17. Limit on external noise levels produced by fixed external plant**

Reason for Recommendation

The scheme would regenerate a previously developed site and contribute to the vitality and viability of the town centre. There would be no adverse impact on the setting of any listed buildings or on the character of the Conservation Area and the scale and design of the development would be appropriate. There would be no adverse impact on the local highway network in terms of safety and/or capacity and subject to appropriate conditions to ensure sustainable transport objectives, it is not considered that an objection could be sustained.

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

Amended/additional information has been sought and received and the proposal is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for a development of 53 no. retirement apartments for residents aged 60 and over, including a new vehicular access, car parking, landscaping and associated infrastructure. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The key issues in the determination of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area?
- Would there be any adverse impact on the character and appearance of the area?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- Are acceptable residential amenity levels achieved for the occupiers?
- Does the development provide an appropriate level of Biodiversity Net Gain?
- What, if any, planning obligations are necessary to make the development policy compliant?

Is the principle of the proposed development on the site acceptable?

Paragraph 90 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.

Paragraph 61 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

The SPD places the application site within the Northern Quarter which is a mixed zone which has been defined in recognition of its shared potential for significant redevelopment. Redevelopment opportunities could lead to a greater mix and intensity of uses. Additional residential development could be appropriate here, as well as leisure, offices and hotel development, so long as the main function of the Primary Shopping Area is maintained and enhanced.

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 urban area. The site is in easy walking distance of the shops and services of Newcastle Town Centre with regular bus services to destinations around the borough and beyond. It is considered that the site provides a 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, Newcastle Town Centre Conservation Area lies adjacent to the south-east. There are no listed buildings within the site, but there are a number nearby.

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.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010) states in HE4 that new development in a Conservation Area must preserve or enhance its character or appearance. It must: -

- a. Where redevelopment is proposed, assess the contribution made by the existing building to the character or appearance of the Conservation Area and ensure that the new development contributes equally or more.
- b. Strengthen either the variety or the consistency of a Conservation Area, depending upon which of these is characteristic of the area.
- c. The development must not adversely affect the setting or detract from the qualities and significance that contribute to its character and appearance.

A Heritage Statement that accompanies the application concludes that the proposed development will cause no harm to how the significance of the Conservation Area is understood and that there are no other designated or non-designated heritage assets which will be adversely affected by the development.

The Conservation Officer agrees with the findings of the Heritage Statement and raises no objections to the scheme.

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.

Would there be any adverse impact on the character and appearance of the area?

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.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The proposed 4-storey development would comprise 16 no. 2-bedroom and 37 no. 1-bedroom apartments, all of which would be self-contained with communal facilities including a shared residents' lounge, mobility scooter store, attached refuse store and communal garden.

The location of the new retirement living development has been dictated by the existing site constraints and the shape of the available plot. The building would be L-shaped with the longer elevations facing the wider Ryecroft site, whilst the shorter elevations would face Ryecroft and the rear elevations of buildings along Merrial Street.

The existing levels within the site have been reduced, allowing the height of the building to be consistent with the surrounding developments along Merrial Street. The building would be flat roofed, also to minimise its overall height.

The primary materials would comprise two different tones of red brick, with contrasting buff brickwork to add architectural interest to the facades and respond to the surrounding context. Window reveals would provide articulation and depth to the façades. The language would be simple but contemporary and clean.

A residents' garden is proposed with direct access from the communal lounge of the building. The landscape design, boundary treatment and planting of new trees along the site boundaries would help to soften the appearance of the development and associated parking.

Prior to submission of the application, the scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The Panel welcomed the proposal to provide affordable retirement living within the Town Centre, but they made several recommendations for how the scheme could be improved. Following receipt of the DRP comments, the applicant has made several amendments to the scheme to address the matters identified. In particular, the building has been reorientated to run parallel with the 'green spine' element of the wider masterplan to the north and a direct pedestrian link has been included from the northern elevation of the building to the 'green spine' which leads to Ryecroft. Amendments have also been made to the car parking to remove a former 'gap' fronting the Merrial Street boundary to ensure that this part of the site is purposefully used.

It is considered that the design and massing of the proposed building would be consistent with both existing development and that proposed on the remainder of the wider Ryecroft 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 to soften the building, there would be no adverse impact on the character and appearance of the surrounding area.

Is the proposal acceptable in terms of highway safety?

The NPPF, at paragraph 111, 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.

There are three existing vehicular access points to the site, which are located on Rye Bank, Merrial Street and Corporation Street. The development proposals would result in the vehicular accesses on Merrial Street and Corporation Street being stopped up, with a single point of access retained on Rye Bank which is accessed via a give-way junction with Ryecroft,

The proposed development would provide 22 spaces (including two accessible spaces) for residents.

The maximum parking standards in the Local Plan for C3 Sheltered Housing developments require a maximum of 1 space per 3 dwellings which equates to a maximum requirement of 18 car parking spaces for the proposed 53-units. A Transport Statement submitted with the application looks at other McCarthy Stone schemes in comparable locations and concludes that 22 car parking spaces would be suitable for the proposed development. It states that no overspill parking is anticipated to occur, with suitable on-site provision provided in balance with the expected demand and local standards.

Mobility scooter storage is proposed, with space for up to 7 buggies and this facility would also accommodate space for bicycles, if required.

The Transport Statement demonstrates that the traffic impact of the development on the local highway network would be negligible.

The Highway Authority (HA) has raised no objections to the application subject to conditions. Subject to the imposition of such conditions, it is accepted that the proposed development would not have any adverse impact on highway safety.

Are acceptable residential amenity levels achieved for the occupiers?

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.

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.

The application is supported by an Air Quality Assessment which raises no concerns and a Noise Assessment which recommends mitigation measures in the form of building façade constructions, minimum window performance and minimum sound level differences for the proposed mechanical ventilation system. These documents have been considered by the Environmental Health Division who have raised no objections to the application subject to conditions.

Acceptable separation distances are proposed between the proposed development and both existing dwellings and those proposed on the adjacent development site.

In conclusion, subject to the imposition of conditions, it is not considered that the proposed development would result in any significant adverse impact on the amenity of the occupiers of existing or proposed dwellings. The proposed development therefore accords with the Council's SPG and the guidance and requirements of the NPPF.

Does the development provide an appropriate level of Biodiversity Net Gain?

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This is a way of ensuring that

development has a measurable positive impact ('net gain') on biodiversity, compared to what was there. It requires developers to deliver a BNG of 10%.

The application is accompanied by a Biodiversity Statement and Metric Assessment (dated October 2024), which concludes that the proposal would deliver a net percentage change (including all on-site habitat retention, creation and enhancement) above the required 10%.

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

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 Highway Authority has requested a financial contribution of £3,000 towards travel plan monitoring.

The Landscape Development Section has requested a contribution towards public realm improvements and open space improvements in the nearby Brampton Park. No figure has been detailed but for other similar schemes, the standard figure of £5,579 per unit has been reduced to omit the element for play to reflect that the units will be for people aged 60 and over. On this basis, £4,933 per unit is sought which equates to £261,449.

Finally, Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £22,788 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South Primary Care Networks.

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.

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 CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP5: Open Space/Sport/Recreation
Policy CSP10: Planning Obligations

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

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H13: Supported Housing
Policy T16: Development – General Parking Requirements
Policy T17: Parking in Town and District Centres
Policy B14: Development in or Adjoining the Boundary of Conservation Areas
Policy C4: Open Space in New Housing Areas
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

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

[Planning Practice Guidance](#)

[Supplementary Planning Guidance/Documents](#)

[Developer contributions SPD \(September 2007\)](#)

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

[Newcastle Town Centre SPD \(2009\)](#)

[Newcastle-under-Lyme Open Space Strategy](#) – adopted March 2017

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

[Relevant Planning History](#)

06/01181/OUT	Demolition of existing buildings and erection of 6 non-food retail units (Class A1) with associated car parking, access and landscaping works – Approved
14/00657/FUL	Temporary Winter Wonderland consisting of an ice rink, bar, German market units and fair – Approved
17/00959/FUL	Temporary circus consisting of three big tops, box office/bar tent, café tent, company catering tent, toilets and showers and space for caravans and trailers – Approved
19/00470/DEEM3	Temporary ad-hoc use of cleared site of former supermarket for the holding of licenced events such as circuses, fairgrounds, ice rinks etc. – Approved

21/00908/DEM	Application for prior notification of proposed demolition of former offices and associated structures – Approved
23/00192/DEEM3	Erection of a Multi-Storey Car Park (MSCP) with associated access, servicing and landscape works – Approved
24/00017/DEEM3	Full planning application for the temporary transfer and storage of excavated materials from the multi-storey car park (MSCP) development site to the adjacent civic building demolition plot for a period of 2 years - Approved
24/00840/FUL	Residential development comprising 175 dwellings and associated landscaping – Pending consideration

Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding contaminated land, a noise attenuation scheme, limit on external noise levels produced by fixed external plant and a construction environmental management plan.

The **Highway Authority** has no objections subject to conditions regarding off-site highway improvements, hard surfaces to be sustainably drained, surfaced in a bound material, lit and marked out, submission of a Traffic Management Plan, provision of cycle parking facilities, a Construction Environmental Management Plan, a Residential Travel Plan and installation of a Real Time Passenger Information screen.

A Travel Plan monitoring fee of £3,000 is also required.

Staffordshire County Council as **Lead Local Flood Authority (LLFA)** has no objections subject to the approval of the final detailed surface water drainage design.

Staffordshire and Stoke-on-Trent Integrated Care Board have no objections subject to a financial contribution of £22,788 to support the future development/adaptation/expansion of premises within the Primary Care Networks, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

The **Conservation Officer** states that the site is outside the Conservation Area but close to its northern boundary and a key location to this gateway into the town. The application for the retirement living complex has come as a preapplication enquiry and some changes have been considered and made as a result of the design review panel. It is very clear that this has been design engineered to fit this specific model, but on balance it is considered that the massing and the materials are appropriate to the location and will generally reflect the rest of the development on Ryecroft, providing a joint gateway into the green urban walkway proposed by the masterplan. An aluminium window material would be preferred to make the openings more lightweight. The main concern is the boundary treatments for the site and how this will interface with the public walkways. There are no materials specified for the low fence.

The **Conservation Advisory Working Party** had a general consensus that the development would improve and enhance the area but that the design was uninspiring and that it was imperative that it integrated with the rest of the place and the linear park. The boundaries were a key part of this and there was some concern regarding the choice of boundary treatment and they should continue to work with the council and the adjacent developer. Concern was raised over insufficient parking especially for staff and carers.

The **Housing Strategy Section** notes that affordable housing would not be provided based on a viability appraisal. It is stated that it should be independently validated.

The **Landscape Development Section** has no objections subject to tree protection for the existing trees located on the edge of and outside of the development area, the provision of detailed information regarding the construction of any new paving in the vicinity of the trees and details of the design and landscaping of the proposed courtyard area and wider site.

The proposed development would also require a S106 contribution towards public realm improvements and the open space improvements in the nearby Brampton Park.

Cadent Gas has no objections.

Staffordshire County Council as the **Mineral and Waste Planning Authority** makes no comment.

NatureSpace makes no comment on the application.

Staffordshire Police **Early Intervention & Prevention Unit** considers that the configuration of apartments within the proposed development should allow a high level of natural surveillance out from the building in most directions. The provision of the external communal residents' terrace in the corner of L-shaped building should result in a relatively private space, which is well overlooked. A number of recommendations are made regarding security.

No comments have been received from **Staffordshire Wildlife Trust** or **United Utilities** and given that the period for comment has passed, it must be assumed that they have no comments to make.

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/24/00792/FUL>

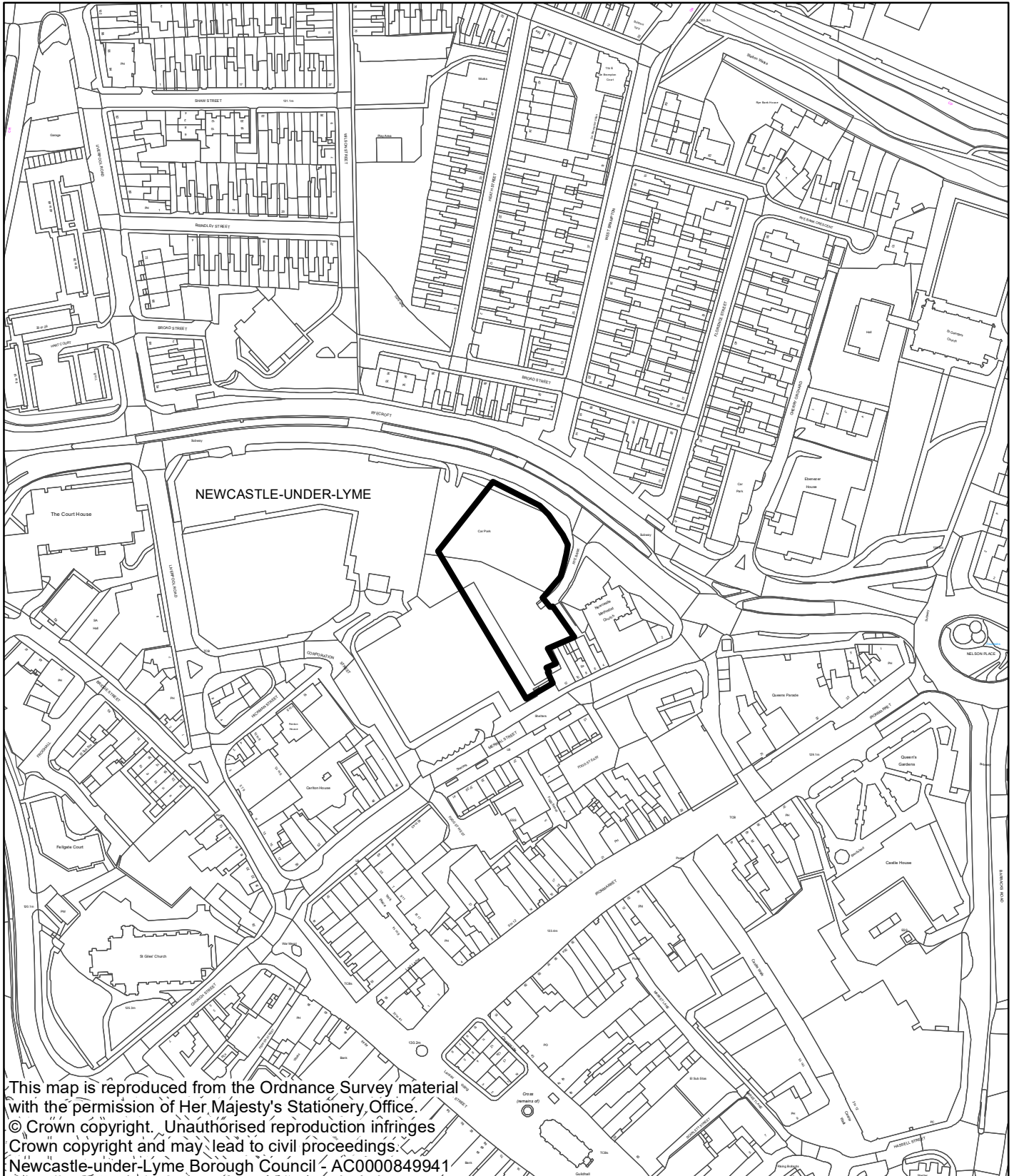
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025

**Land At Merrial Street
Newcastle Under Lyme
Staffordshire**



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5-7 YORK PLACE, NEWCASTLE-UNDER-LYME
CAPITAL & CENTRIC

24/00795/FUL

Full planning permission is sought for the re-purposing of the existing shopping centre into commercial units at the ground floor and 42 apartments on the upper floors.

The site lies within the Newcastle Town Centre Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Town Centre Historic Core.

The 13-week period for the determination of this application expired on 18 February but an extension of time has been agreed to 2 May 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. Street lighting**
- 4. Scheme of highway works adjacent to Fogg Street West**
- 5. Traffic management scheme**
- 6. Delivery and Servicing Management Plan**
- 7. Submission of a tree protection plan**
- 8. Construction Environmental Management Plan**
- 9. Details of sustainable heating**
- 10. Scheme for treatment of fumes and odours**
- 11. Remedial measures for contaminated land**
- 12. Construction noise specification**
- 13. Limit on external noise levels produced by fixed external plant**
- 14. Ventilation**
- 15. Internal noise specification for new commercial units**
- 16. Light trespass treatment**
- 17. Detailed drainage design**
- 18. Material samples**
- 19. Provision of security measures**
- 20. Waste collection arrangements**

Reason for Recommendation

The redevelopment of this prominent town centre site is a sustainable form of development supported by the National Planning Policy Framework. The design, scale and appearance of the proposed development would protect and enhance, and as such would not harm, the character and appearance of the Conservation Area or the setting of the nearby Listed Buildings. Subject to appropriate conditions, it is not considered that an objection could be sustained on highway safety or residential amenity grounds.

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

Amended plans and additional information has been sought and received and the proposal is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for the re-purposing of the existing shopping centre into commercial units at the ground floor and 42 apartments on the upper floors.

The site lies within the Newcastle Town Centre Conservation Area and the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Town Centre Historic Core.

In 2023, the Planning Committee resolved to permit a scheme for the demolition of the shopping centre and the construction of 2 no. mixed-use three and four storey buildings with upper floor offices and ground floor retail and food and beverage units and associated external landscaping (Ref. 22/01079/DEEM3). The Section 106 for that scheme was never progressed and the application was subsequently withdrawn. Consent was granted last year for the demolition of and other enabling works to the shopping centre to facilitate its conversion (24/00146/DEEM3). Those works are currently ongoing.

The key issues in the determination of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the design and massing of the proposal acceptable particularly in terms of its impact on the form and character of the Conservation Area?
- Are acceptable residential amenity levels achieved for the occupiers?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- What, if any, planning obligations are necessary to make the development policy compliant?

Is the principle of the proposed development on the site acceptable?

Paragraph 90 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 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.

The SPD places the application site within the Town Centre Historic Core where any development opportunities would be likely to be infilling and intensification, with special attention to conservation. It also states that retail activities must continue to predominate.

This is a previously developed site in a highly sustainable location within the Town Centre which has many shops and services with regular bus services to destinations around the borough and beyond. It

is considered that the site provides a sustainable location for additional residential development that would accord with the Town Centre SPD.

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

The application site lies within the Newcastle Town Centre Conservation Area and close to a number of listed buildings including the Grade II listed Old Bulls Head Pub and the Grade II* listed St Giles' Church.

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.

At paragraph 215 of the NPPF it states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010) states in HE4 that new development in a Conservation Area must preserve or enhance its character or appearance. It must: -

- a. Where redevelopment is proposed, assess the contribution made by the existing building to the character or appearance of the Conservation Area and ensure that the new development contributes equally or more.
- b. Strengthen either the variety or the consistency of a Conservation Area, depending upon which of these is characteristic of the area.
- c. The development must not adversely affect the setting or detract from the qualities and significance that contribute to its character and appearance.

The Town Centre SPD states that the Town Centre's historic character and identity, with its special distinctiveness as a market town, is an asset that needs to be conserved and enhanced. Development must be designed to respect, and where possible enhance, its surroundings and contribute positively to the character of the Town Centre, helping to improve its image and identity, having particular regard to the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials.

The site comprises York Place Shopping Centre which was built in the late 1960s and is three storeys in height with roof deck access for deliveries and parking. The shopping centre has frontages onto Merrial Street, High Street and Lad Lane with retail units accessed directly from the street. There is a pedestrian route (Astley Walk) through the shopping centre from Merrial Street to Ironmarket.

The principle of the partial but substantial demolition of much of the building was considered appropriate in the determination of application 24/00146/DEEM3 and that work is ongoing.

The core of the existing shopping centre is to be largely retained and repurposed, including the existing concrete frame and floors. Part of the rear access ramp leading to the delivery area is to be demolished to allow for an external connection between Merrial Street and Astley Walk, and the creation of a public square to the rear of York Place.

The proposed materials would consist of brown toned standing seam cladding for the frontages which draws reference from the colours and tones of the Conservation Area. Glazing is proposed to the ground floor for the commercial units. Dark grey window frames, dark grey cladding and flat bar balustrades would be used for architectural detailing. The articulation of new windows would be regular and consistent with the expression of the concrete frame. New Juliet balconies would correspond with the articulation of the new windows. The roofline would be pitched with dormer-style windows responding to the character and appearance of existing buildings on High Street and Merrial Street. The material palette seeks to celebrate the retained elements of the existing structure whilst providing a bold and clear language, tying the new build elements together.

A green public square would be located to the rear of the building, adjacent to Astley Walk. The siting of the external courtyard provides an opportunity to enhance the setting of the listed building, the Old Bull's Head Inn, through the introduction of soft landscaping.

The application is supported by a Heritage Statement and a Design and Access Statement (DAS) which set out the historic context of the site and the design philosophy and rationale for the proposed design. The Heritage Statement concludes that there will be no erosion of the significance of Newcastle Town Centre Conservation Area arising from the proposals, and there will be no erosion of the significance of the Old Bulls Head or other nearby listed buildings.

Prior to submission of the application, an earlier scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The DRP supported the scope and massing of the proposal but felt that the elevational treatment of that scheme did not reflect local character in either its composition or use of materials. It was also considered that the inner elevations were too fussy and the proposed materials alien to the context. The design approach has been re-considered in response to the feedback from the DRP, and it was acknowledged that 'celebrating' the corner was not the right response. Instead, the whole facade is one, with 'cut' faces being treated as a different material. The colour scheme has also been re-considered and although vertical cladding is still proposed at the rear, it is proposed to be dark to provide a simple background for the verdant landscaped courtyard.

The Conservation Officer comments that the scheme is bold and high quality and that the colour palette would be effective within the town and a good balance against the adjacent historic buildings.

It is considered that the proposed development would be appropriately sited, of suitable height, scale and mass, and would use tones of materials characteristic of the Conservation Area and consistent with nearby listed buildings. The grain of the Conservation Area and High Street would be respected with the use of the pitched roof and elevational articulation of windows and Juliet balconies. The appearance of the development, due to the active frontage at ground floor and the appropriate use of materials, would present a high-quality building that would be a significant improvement on the existing York Place and would enhance the site, streetscene and Conservation Area.

The proposed development would significantly improve upon the existing building that is currently deemed to be a negative aspect of the Conservation Area. As no harm to the Conservation Area has been identified it is not necessary to identify public benefits of the scheme to justify the granting of permission. Overall, it is considered that the proposed development accords with the NPPF and the local planning policies and guidance set out above.

Are acceptable residential amenity levels achieved for the occupiers?

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.

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.

An Air Quality Assessment has been submitted which concludes that air quality issues during both the construction and operational phases would not be significant.

The submitted Noise Impact Assessment identifies a number of mitigation measures to protect future occupiers.

The Environmental Health Division (EHD) raises no objections subject to the imposition of conditions.

It is considered that the residents of all apartments would have an acceptable outlook and level of amenity and some outside amenity space would be available in addition to a number of open spaces and parks within and around the town.

Overall, it is considered that the development would provide acceptable living conditions for its occupiers.

Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?

Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. Saved Policy T17 of the Local Plan states that development in Newcastle Town Centre within the ring road will not be permitted to provide new private parking but will be required, where appropriate, to contribute to appropriate improvements to travel to the development. The policy identifies what such improvements may include.

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 impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

No car parking is proposed within the site and servicing of the units would be undertaken through either Merrial Street or Ironmarket.

A Transport Statement that accompanies the application concludes as follows:

- The site occupies an accessible, town centre location which is served by existing pedestrian, cycling and public transport routes and infrastructure that will provide residents with opportunities for access by active and sustainable modes. Localised modifications are proposed to bounding footways and the vehicle access junctions will have uncontrolled crossings. A Travel Plan will be adopted at the site to promote and support sustainable trip making. Cycle parking is provided for residents and visitors.

- Servicing arrangements will be provided in line with those found acceptable when considering the 2022 planning application with servicing focused on Merrial Street, Fogg Street W and High Street. In line with the 2022 planning application, the applicant will fund modifications to the Traffic Regulation Order on the Merrial Street site frontage to allow the disabled bays to be used for loading and unloading between 6pm and 8am. Other loading/unloading associated with servicing of the site will either be accommodated within the existing loading/unloading controls on High Street or can use Fogg Street W where loading/unloading is also permitted.
- The lack of car parking is in line with the existing situation and the 2022 planning application arrangements at the site. It is forecast that the development will be associated with a low level of parking demand that can be accommodated in other town centre car parks.
- An impact assessment has been undertaken and this shows that the development will not generate a significantly different level of traffic when compared to the existing and 2022 planning application site uses, and therefore will not have an impact on highway operation.

The Highway Authority (HA) has raised no objections to the application subject to conditions. Subject to the imposition of those conditions, it is considered that there would be no adverse impact on highway safety and that the development would accord with the guidance of the NPPF.

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

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 Highway Authority has requested the following financial contributions:

- i. £186,643 towards improvement of pedestrian/cycle infrastructure within Merrial Street
- ii. £10,000 towards amendment of disabled parking bay Traffic Regulation Order
- iii. £6,000 towards travel plan monitoring

The Landscape Development Section has requested a contribution towards public realm improvements and open space improvements in the nearby Brampton Park. No figure has been detailed but for other Town Centre schemes, the standard figure of £5,579 per unit has been reduced for the 1-bed properties on the basis that they would be unlikely to accommodate children. On this basis, £4,933 per 1-bed unit and £5,579 per 2-bed unit is sought. This equates to £213,000.

Finally, Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £32,837 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South Primary Care Networks.

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.

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 SP2:	Spatial Principles of Economic Development
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP5:	Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP2:	Historic Environment
Policy CSP3:	Sustainability and Climate Change
Policy CSP10:	Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy B5:	Control of Development Affecting the Setting of a Listed Building
Policy B9:	Prevention of Harm to Conservation Areas
Policy B10:	The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13:	Design and Development in Conservation Areas
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2014 as updated)

Supplementary Planning Guidance/Documents

Developer contributions SPD (September 2007)

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

Newcastle Town Centre SPD (2009)

Newcastle Town Centre Conservation Area Appraisal (August 2008)

Relevant Planning History

24/00146/DEEM3	Demolition and other enabling works to existing York Place shopping centre to facilitate conversion to mixed use residential and retail proposal (subject to separate planning application) - Approved
22/01079/DEEM3	Demolition of existing shopping centre and construction of 2no. mixed-use three and four storey buildings with upper floor offices and ground floor retail and food and beverage units and associated external landscaping including removal and replacement of existing tree within a conservation area – Withdrawn

There have been various applications for advertisement consent for the shopping centre.

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding street lighting, scheme of works adjacent to Fogg Street West, traffic management scheme, Delivery and Servicing Management Plan and a Construction Environmental Management Plan.

Section 106 contributions of £186,643 towards the improvement of pedestrian/cycle infrastructure, £10,000 towards amendment of disabled parking bay TRO and £6,000 towards travel plan monitoring are required.

Active Travel England has no comment to make on the application.

The **Conservation Officer** states that retention of shops and commercial activity at ground floor is welcomed in this part of the town and the canopy will allow for al fresco activities. The massing and roof design is good. There are some concerns that the materials will date, rather than be timeless but it is bold and high quality and the colour palette will be effective within the town and will be a good balance against the adjacent historic properties. Details of the “park” or courtyard space are quite limited so it is not clear what this aspect will look like or be able to deliver. More detail is required if the spaces are to be as effective as the precedents within the proposal imply.

The **Conservation Advisory Working Party** felt that the scheme was successful within the streetscene of Red Lion Square and would be transformative. They hoped that the materials wouldn’t date and wanted to ensure that the basement music venue was part of the scheme as a key element to regenerating the town.

The **Environmental Health Division** has no objections subject to conditions regarding submission of a Construction Environmental Management Plan, sustainable heating, scheme for treatment of fumes and odours, remedial measures for contaminated land, construction noise specification, limit on external noise levels produced by fixed external plant, ventilation, music venue noise mitigation, internal noise specification for new commercial units and light trespass treatment.

Housing Strategy notes that the applicant is looking to submit a Financial Viability Appraisal as part of the application and states that it will need to be independently validated to ensure that the assumptions and judgements made are correct.

The **Landscape Development Section** has no objections subject to conditions regarding a tree protection plan and the detailed design of the proposed courtyard area. A S106 contribution is required towards public realm improvements and open space improvements in the nearby Brampton Park.

Staffordshire County Council as **Lead Local Flood Authority** has reviewed the Flood Risk Assessment and Drainage Strategy Report and requests confirmation of point of discharge, and information regarding a drainage solution if a basement level is to be included.

Any update received on this matter will be provided to Members in a supplementary report.

Staffordshire County Council as the **Education Authority** does not seek an education contribution from this development for primary or secondary school provision.

Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £32,837 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South PCNs (Primary Care Networks) in alignment with strategic estates planning, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Staffordshire Police **Crime Prevention Design Advisor** welcomes the positive regenerative benefits to the town that are likely to arise from redevelopment of the site broadly along the lines that are proposed. The removal of the upper service deck, which has historically been problematic in terms of anti-social behaviour etc and opening up a portion of the site with vastly improved natural surveillance that could result over the site, notably from the presence of residential units at the upper levels is welcomed.

A number of security recommendations are made.

No comments have been received from **United Utilities**, the **Council's Waste Team** or **Staffs Wildlife Trust**, and given that the period for comment has passed, it must be assumed that they have no comments to make.

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/24/00795/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
29 April 2025

Agenda Item 6

Application Ref. 24/00795/FUL

5-7 York Place, Newcastle

Further comments have been received from **Staffordshire and Stoke-on-Trent Integrated Care Board** advising that a revised financial contribution of £26,561 is required to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South PCNs (Primary Care Networks).

Staffordshire County Council as **Lead Local Flood Authority** has no objections to the proposal subject to a condition requiring the approval of the final detailed surface water drainage.

One **representation** has been received raising the following points:

- Poor architecture
- The park area is too secluded
- Unsatisfactory refuse areas for both the retail units and residential areas
- Insufficient cycle storage
- There should be at least 10% disabled residential units on the ground floor
- Not clear if the proposals comply with access regulations
- Servicing of music venue and retail units is unclear

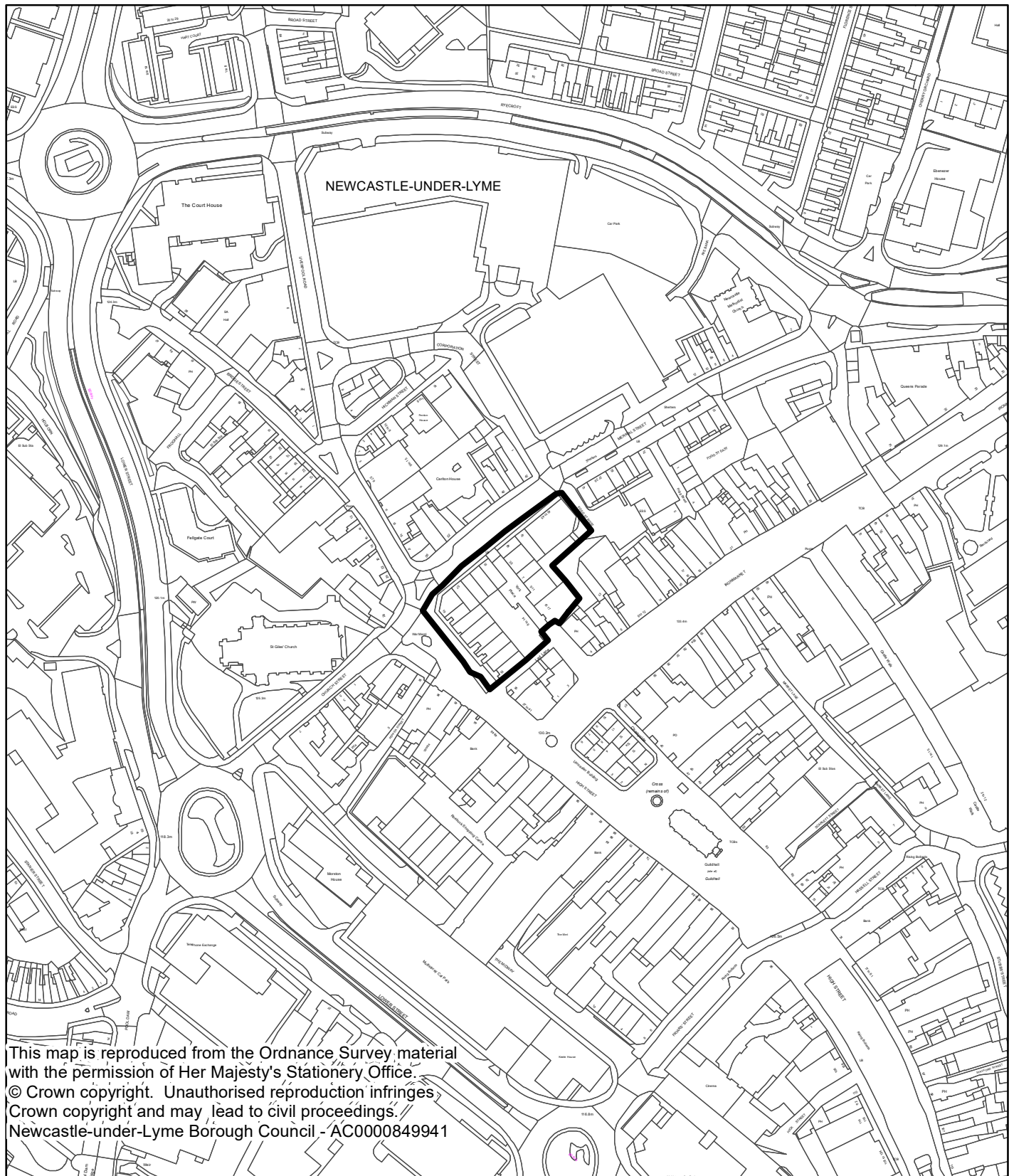
Officer comments

The issues raised regarding access are covered by Building Regulations legislation and the other issues are considered fully in the main agenda report.

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

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5 - 7 York Place
Newcastle Under Lyme
Staffordshire ST5 2AH



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**FORMER CIVIC OFFICES, MERRIAL STREET, NEWCASTLE-UNDER-LYME
CAPITAL & CENTRIC**

24/00840/FUL

Full planning permission is sought for residential development comprising 175 dwellings and associated landscaping. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The 13-week period for the determination of this application expired on 26 February but an extension of time has been agreed to 2 May 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. Off-site highway works**
- 4. Cycle parking**
- 5. Submission of a Traffic Management Plan**
- 6. Reinstatement of redundant vehicle access**
- 7. Servicing Management Plan**
- 8. Construction Environmental Management Plan**
- 9. Travel Plan**
- 10. Noise attenuation scheme**
- 11. Contaminated land**
- 12. Lighting**
- 13. Landscaping scheme**
- 14. Detailed drainage design**
- 15. Material samples**
- 16. Boundary treatments**
- 17. Construction hours**

Reason for Recommendation

The scheme would regenerate a previously developed site and contribute to the vitality and viability of the town centre. There would be no adverse impact on the setting of any listed buildings or on the character of the Conservation Area and the scale and design of the development would be appropriate. There would be no adverse impact on the local highway network in terms of safety and/or capacity and subject to appropriate conditions to ensure sustainable transport objectives, it is not considered that an objection could be sustained.

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

Amended/additional information has been sought and received and the proposal is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for residential development comprising 175 dwellings and associated landscaping. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The key issues in the determination of the application are:

- Is the principle of the proposed development on the site acceptable?
- Would there be any impact on the character and appearance of the Conservation Area?
- Would there be any adverse impact on the character and appearance of the area?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- Are acceptable residential amenity levels achieved for the occupiers?
- Does the development provide an appropriate level of Biodiversity Net Gain?
- What, if any, planning obligations are necessary to make the development policy compliant?

Is the principle of the proposed development on the site 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 Northern Quarter which is a mixed zone which has been defined in recognition of its shared potential for significant redevelopment. Redevelopment opportunities could lead to a greater mix and intensity of uses. Additional residential development could be appropriate here, as well as leisure, offices and hotel development, so long as the main function of the Primary Shopping Area is maintained and enhanced.

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 many shops and services with regular bus services to destinations around the borough and beyond. It is considered that the site provides a sustainable location for additional residential development that would accord with the Town Centre SPD.

Would there be any impact on the character and appearance of the Conservation Area?

The site is adjacent to the north-western boundary of Newcastle Town Centre Conservation Area. There are no listed buildings within the site, but there are a number nearby.

The LPA has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 to 'pay special attention' to the desirability of preserving or enhancing the character or appearance of

the conservation area and to 'have special regard' to the desirability of preserving the special interest and setting of nearby listed buildings.

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 199 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 there would be no harm to the significance of designated or non-designated heritage assets. It states that the proposed development would enable the re-use of the site and would revitalise this aspect of the setting of the Newcastle-under-Lyme Conservation Area. The proposed development is said to be of suitable height, scale and massing, utilising materials sensitive to Newcastle Town Centre Conservation Area and consistent with nearby listed and non-designated heritage assets.

The visibility of the proposed development from the CA would be confined to the courtyard buildings in views along Merrial Street. With the use of Staffordshire red brick to the Merrial Street frontage the development would be contemporary, yet contextual, and the materials palette would draw reference from the materials of the CA. Additionally, the articulation of the roof pitches and gable-ends of the proposed built form fronting Merrial Street would reflect elements of the fine urban grain of the town.

The re-use of the site is an opportunity to revitalise the immediate northern setting of the CA. The height, scale and materiality of the development would contribute to local distinctiveness and would preserve the character and appearance of Newcastle Town Centre Conservation Area and so its significance would be sustained.

The Conservation Officer agrees with the findings of the Heritage Statement stating that the proposal provides a positive opportunity for the town and the Conservation Area by providing an attractive setting for the heritage assets, allowing interesting views and creating a contemporary but respectful new design for Newcastle.

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.

Would there be any adverse impact on the character and appearance of the area?

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.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The proposed development would consist of four main development zones: 01) the northern parcel adjacent to the new multi-storey car park which would comprise three blocks of terraced houses; 02) & 03) a central link zone connecting the town centre with the wider residential area and comprising a collection of stacked apartments; and 04) a corner plot fronting onto Merrial Street and Corporation Street comprising a courtyard block arrangement. Accommodation across the site would include studios, 1 and 2 bed apartments and 3 and 4 bed houses.

The site is laid out to respond to the existing site levels, provide connectivity back into the town centre, respond to the frontages of Merrial Street and work alongside the new car park and the proposed McCarthy Stone development. Through the centre of the site, a landscaped green link is proposed, linking the northern neighbourhood across the A52 to Corporation Street and acting as the green heart to the scheme.

The new green spine would be lined either side by two four storey apartment buildings ensuring this key public route benefits from passive surveillance. These apartments would have a mixture of private and communal entrances fronting onto the public realm.

To the north would sit two and three storey terraced houses, located around shared gardens with areas of private defensible space. Areas of periphery parking are provided to the western edge of the application zone, freeing up the interior of the site for pedestrian movement and activity. Extensive landscaping would provide acoustic buffering to the nearby road.

To the south against Merrial Street, a new courtyard building is proposed at a higher site level than the rest of the proposal. The courtyard building would sit around a greened public courtyard providing an enclosed public green space, in contrast to the linear link. The blocks would have a prominent presence on Merrial Street and Corporation Street with a relationship back to the town centre and the neighbouring redevelopment at York Place.

The materials have been derived from the local vernacular and are a mixture of red and silver/grey brick, with metal highlights to buildings including square profiled cladding to the upper levels. The palette reflects the history of the town and the industrial heritage of the wider area whilst providing examples of high-quality contemporary detailing.

The landscape masterplan would be formed from 5 distinctive landscape characters, complementing each other and making a liveable and sustainable place for residents. The public open spaces in the scheme would provide the residents and the wider community with a place for social interaction and informal, safe children's play. The area would include ample trees and shrub planting, natural play features, integrated SUDs, swales and rain gardens all of which would increase biodiversity.

Prior to submission of the application, the scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The DRP welcomed the proposed masterplan and landscape-led approach and the robust vision to create 'homes in a park', a car-free development, a green axial spine route which will provide an attractive and active route for new and existing residents, and a new housing 'offer'/new way of living. They stated that the development will provide well considered, new and exciting urban living opportunities within Newcastle-under-Lyme which respond positively to the

site's setting and conservation area, with the potential to benefit the town and its residents (new and existing).

The Panel made recommendations regarding boundary treatments and development of the materials palette and regarding the provision of additional information. In response, boundary treatments have been developed to soften edges where possible, enhancing the feeling of a new parkland. Fencing strategies have been developed to provide high quality communal spaces with boundaries primarily being derived through planting and paving strategies, as appropriate. The site has been subdivided into three separate character zones which each promoting their own individual qualities, expressed through the building typology and landscape strategy. A detailed materials palette has been included with the application.

It is considered that the development would be of high quality with the proposed dwellings set within an extensively landscaped parkland. The different character areas would create a variety of verdant spaces with planting and boundary treatments helping to define areas with the provision of accessible routes throughout ensuring that the site is opened up for all. The proposals would provide a design solution that is both responsive to the heritage context as well as providing new links to the northern neighbourhoods across the A52. 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.

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.

Is the proposal acceptable in terms of highway safety?

The NPPF, at paragraph 111, 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.

The proposed site layout would be largely vehicle-free. Clearly defined pedestrian routes would be provided throughout the landscape layout which would provide access to the dwellings and a means of accessing the site via Corporation Street, Merrial Street and Ryecroft.

The development would provide 21 car parking spaces, including one disabled space. The houses would be provided with a parking space each (15 spaces) and the apartments would be provided with 6 spaces on site.

The application states that the location of the site is such that a high proportion of residents would live without owning a car. The submitted Transport Assessment asserts that car ownership data shows that 65% of households in flats live without owning a car and 35% of households have a car. It is stated that any additional parking demand associated with the apartments would be accommodated in the Castle Multi Storey Car Park (MSCP). The parking arrangements at the site would be marketed upfront so all residents are aware of the options available to them. Residents would be expected, as required, to organise their own parking arrangements in the MSCP.

Roads and paths within the newly proposed landscape have been designed to allow for the access and egress of fire tender vehicles across the site. Pathways have been designed to accommodate the necessary tender widths and weights.

Temporary stopping activity for deliveries and servicing is proposed via provision of a new loading bay (20m) on Corporation Street. The existing length of on-street parking comprising seven short stay spaces would be reconfigured to suit the introduction of the dropped kerb access to the green spine, the reinstatement of a footway at the redundant southern access point and to provide the loading bay for service activity associated with the development. The proposed arrangement would require modification of the existing Traffic Regulation Order which would be undertaken at the developer's expense, to provide the 20m loading bay and four short stay parking bays.

A Travel Plan would be adopted at the site to promote and support sustainable trip making. 175 cycle parking spaces would be provided for residents and visitors.

The Highway Authority (HA) has no objections to the proposal subject to the imposition of conditions. Subject to the imposition of such conditions, it is accepted that the proposed development would not have any adverse impact on highway safety.

Are acceptable residential amenity levels achieved for the occupiers?

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.

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.

The application is supported by an Air Quality Assessment which raises no concerns and a Noise Assessment which recommends mitigation measures. These documents have been considered by the Environmental Health Division who have raised no objections to the application subject to conditions.

Acceptable separation distances are proposed between the proposed development and both existing dwellings and those proposed on the adjacent development site.

Whilst there is ambition for extensive shared public space on the site, well defined private areas and shared private areas are also proposed for residents only to enjoy safely. Semi-private shared resident spaces have been created to encourage a sense of ownership among residents.

In conclusion, subject to the imposition of conditions, it is not considered that the proposed development would result in any significant adverse impact on the amenity of the occupiers of existing or proposed dwellings. The proposed development therefore accords with the Council's SPG and the guidance and requirements of the NPPF.

Does the development provide an appropriate level of Biodiversity Net Gain?

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This is a way of ensuring that development has a measurable positive impact ('net gain') on biodiversity, compared to what was there. It requires developers to deliver a BNG of 10%.

The application is accompanied by a BNG Technical Note which concludes that the proposal would deliver a net percentage change significantly above the required 10%.

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

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 Highway Authority has requested financial contributions of £186,643.00 towards improvement of pedestrian/cycle infrastructure, £10,000 towards amendment of the TRO on Corporation Street and £6,000 towards travel plan monitoring.

Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £98,399 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South Primary Care Networks.

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.

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 CSP2:	Historic Environment
Policy CSP3:	Sustainability and Climate Change
Policy CSP5:	Open Space/Sport/Recreation
Policy CSP6:	Affordable Housing
Policy CSP10:	Planning Obligations

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

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy B14:	Development in or Adjoining the Boundary of Conservation Areas
Policy C4:	Open Space in new housing areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

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

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

[Supplementary Planning Guidance/Documents](#)

[Developer contributions SPD](#) (September 2007)

[Affordable Housing SPD](#) (2009)

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

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

[Newcastle Town Centre SPD](#) (2009)

[Newcastle-under-Lyme Open Space Strategy](#) – adopted March 2017

Relevant Planning History

06/01181/OUT	Demolition of existing buildings and erection of 6 non-food retail units (Class A1) with associated car parking, access and landscaping works – Approved
14/00657/FUL	Temporary Winter Wonderland consisting of an ice rink, bar, German market units and fair – Approved
17/00959/FUL	Temporary circus consisting of three big tops, box office/bar tent, café tent, company catering tent, toilets and showers and space for caravans and trailers – Approved
19/00470/DEEM3	Temporary ad-hoc use of cleared site of former supermarket for the holding of licenced events such as circuses, fairgrounds, ice rinks etc. – Approved

21/00908/DEM	Application for prior notification of proposed demolition of former offices and associated structures – Approved
23/00192/DEEM3	Erection of a Multi-Storey Car Park (MSCP) with associated access, servicing and landscape works – Approved
24/00017/DEEM3	Full planning application for the temporary transfer and storage of excavated materials from the multi-storey car park (MSCP) development site to the adjacent civic building demolition plot for a period of 2 years - Approved
24/00792/FUL	Development of 53 no. retirement apartments (Use Class C3), including new vehicular access, car parking, landscaping and associated infrastructure – Pending consideration

Views of Consultees

Active Travel England recommend the use of their Standing Advice.

Staffordshire County Council as the **Mineral and Waste Planning Authority** makes no comment.

NatureSpace states that the development would be unlikely to have an impact on great crested newts or their habitats and therefore has no comments to make.

The **Environmental Health Division** has no objections subject to conditions regarding a construction environmental management plan, noise attenuation scheme, contaminated land and boilers.

The **Highway Authority** (HA) has no objections subject to conditions regarding off-site highway works, cycle parking, submission of a Traffic Management Plan, redundant vehicle access to be reinstated, a Construction Environmental Management Plan and Servicing Management Plan.

Section 106 contributions are required as follows:

- £186,643.00 towards improvement of pedestrian/ Cycle Infrastructure within Merrial Street between the site frontage and A34 Ryecroft
- £10,000 towards amendment of TRO on Corporation Street
- £6,000 towards Travel Plan monitoring

Staffordshire County Council as **Lead Local Flood Authority (LLFA)** has no objections subject to a condition requiring details of the final surface water drainage design.

The **Conservation Officer** states that whilst not within the Conservation Area (CA) boundary, the site is close to the north and north-west boundaries and is now an open area of demolished buildings and a surface car park which does not contribute towards its character. The topography of the town plays an important part in views within the town centre, in certain instances allowing for extensive views out but also enclosing areas so views can be limited.

The consideration of the context and the material palette is acceptable. The success will be with the relationship that each element has with each area and the landscaping and crucially the boundary treatments and how this affects the interaction within the area and movement through it. The proposal re-establishes frontages and activity on the site and the most visible from the CA will be on the Merrial Street frontage. These will have Staffordshire red brick which will help with assimilation into the town. The brick detailing and banding adds interest to the buildings creating attractive views through to the landscaped garden. The smaller grey bricks will give an original feel which is quite European. The profiled metal cladding for the central building may be a step is too far for some and so consideration could be given to the grey brick taken up higher perhaps to balcony level.

The scale of the new development is broadly acceptable and has the potential to compliment well the adjacent buildings both within and close to the CA. This proposal provides a positive opportunity for the town and the CA to help better reveal the significance of the heritage assets by providing an

attractive setting, allowing interesting views and creating contemporary but respectful new design for Newcastle. The site forms part of a master plan which brings together the other elements on the site, such as the new multi-storey car park, and other residential areas. The building design is complimented by a high-quality green environment which is colourful and interesting.

The **Conservation Advisory Working Party** agreed that the new buildings directly adjacent to Merrial Street were the strongest parts of the scheme. The heavy use of Staffordshire blue brick was questioned, as this brick type was traditionally not used to cover the entirety of buildings, and more red brick should be incorporated into the scheme.

Concerns were raised about the design of the largest centrally positioned building which was considered to have a 'workhouse' like design with a roof that didn't reflect the local vernacular, as well as with respect to the lack of parking spaces and the reliance on the new Rycroft car park building, which may not be suitable for all users. As a minimum the site should provide pick up points for residents.

Overall, the Working Party considered that the proposal required further thought and only around a third of the scheme was of an acceptable design standard.

The **Landscape Development Section** has no objections in principle subject to agreeing the detailed landscaping scheme and SUDS layout.

Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) requires a sum of £98,399 towards supporting the future development/adaptation/expansion of premises within the Primary Care Networks in alignment with strategic estates planning, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Staffordshire County Council as **Education Authority** does not seek an education contribution from this development for primary or secondary school provision.

Staffordshire Police **Crime Prevention Design Advisor** welcome the positive regenerative benefits to the town that are likely to arise from redevelopment of the site broadly along the lines that are proposed. There is a clear indication at this stage that security and safety will be suitably considered and hopefully fully imbedded within the proposals and the finished redevelopment. There are plenty of positives potentially which are translated into the layout proposals in the main, but much will depend upon the attention to detail.

No comments have been received from **Waste Services, Housing Strategy, Cadent, United Utilities, Staffs Wildlife Trust** or **Newcastle South Local Area Partnership** and given that the period for comment has passed, it must be assumed that they have no comments to make.

Representations

None

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/24/00840/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
29 April 2025

Agenda Item 7

Application Ref. 24/00840/FUL

Former Civic Offices, Newcastle

Further comments have been received from **Staffordshire and Stoke-on-Trent Integrated Care Board** advising that a revised financial contribution of £96,755 is required to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South PCNs (Primary Care Networks).

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

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SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
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Notwithstanding the conclusions set out in the agenda report regarding the applicant's viability case and the inability of the scheme to meet the requisite planning obligations, the applicant has agreed to pay the £10,000 requested by the Highway Authority towards the amendment of the Traffic Regulation Order on Corporation Street.

The recommendation is therefore amended as follows:

(A) Subject to the applicant entering into a Section 106 obligation by 6 June 2025 to secure a financial contribution of £10,000 towards the amendment of the Traffic Regulation Order on Corporation Street,

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

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Off-site highway works**
- 4. Cycle parking**
- 5. Submission of a Traffic Management Plan**
- 6. Reinstatement of redundant vehicle access**
- 7. Servicing Management Plan**
- 8. Construction Environmental Management Plan**
- 9. Travel Plan**
- 10. Noise attenuation scheme**
- 11. Contaminated land**
- 12. Lighting**
- 13. Landscaping scheme**
- 14. Detailed drainage design**
- 15. Material samples**
- 16. Boundary treatments**
- 17. Construction hours**

(B) Should the Section 106 obligation referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured, the development would fail to be acceptable in planning terms; or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

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