

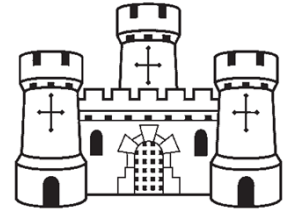
Public Document Pack

Date of meeting Tuesday, 21st July, 2026

Time 7.00 pm

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

Contact Geoff Durham



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Planning Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive Declarations of Interest from Members on items included on the agenda.
- 3 MINUTES OF PREVIOUS MEETING(S)** (Pages 3 - 6)
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR MAJOR DEVELOPMENT - BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE. MR CHRIS O'HANLON, BELLWAY HOMES LIMITED. 26/00447/FUL** (Pages 7 - 14)
- 5 APPLICATION FOR MAJOR DEVELOPMENT - BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE. MR CHRIS O'HANLON, BELLWAY HOMES LIMITED. 25/00931/FUL** (Pages 15 - 22)
- 6 APPLICATION FOR MAJOR DEVELOPMENT - BALDWINS GATE FARM, NEWCASTLE ROAD, BALDWINS GATE, NEWCASTLE. ST5 5ES. MR CHRIS O'HANLON. BELLWAY HOMES LTD. 26/00052/FUL** (Pages 23 - 34)
- 7 APPLICATION FOR MINOR DEVELOPMENT - BRADWELL CREMATORIUM, CHATTERLEY CLOSE, BRADWELL. NEWCASTLE BOROUGH COUNCIL. 26/00422/DEEM3** (Pages 35 - 44)
- 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 Saxton (Chair), Downs (Vice-Chair), Bailey, Evans, Fear, Holland, Hutchison, D Jones, Kasperowicz, Sparks, Tift and Turnock

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:	Beeston	Heesom
	Bettley-Smith	Swain
	Casey-Hulme	

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

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

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

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

PLANNING COMMITTEE

Tuesday, 23rd June, 2026
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Christopher Saxton (Chair)

Councillors:	Evans	Hutchison	Tift
	Fear	Kasperowicz	
	Holland	Sparks	

Apologies: Councillor(s) Downs, Bailey and D Jones

Officers:	Geoff Durham	Civic & Member Support Officer
	Rachel Killeen	Interim Head of Service - Planning
	Debbie Hulme	Principal Planning Officer

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 28 April, 2026 be agreed as a correct record.

3. **APPLICATION FOR MAJOR DEVELOPMENT - WESTON MERES FARM, MAER. MR RICHARD ATHERTON. 25/00759/FUL**

Resolved: (A) That the Head of Planning be given delegated authority to determine the application subject to any comments that are received from Staffordshire Wildlife Trust and Naturespace not raising any significant objections that cannot be overcome through the imposition of conditions, and

(B) Subject to the applicant entering into a Section 106 Obligation by the 1st September 2026 to secure the prevention of the implementation of planning permission 25/00075/FUL and to secure the significant on-site Biodiversity Net Gain,

the application be permitted, subject to the undermentioned conditions:

- (i) Time limit
- (ii) Approved plans

- (iii) Materials
- (iv) Odour Management Plan
- (v) Construction hours
- (vi) Ecology Mitigation Measures
- (vii) External Lighting

[Watch the debate here](#)

4. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE UNDER LYME COLLEGE, KNOTTON LANE. NEWCASTLE AND STAFFORD COLLEGES GROUP. 26/00083/FUL

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

- (i) Standard time limit for commencement of development
- (ii) Approved plans
- (iii) Materials
- (iv) Landscaping Scheme
- (v) Construction Environmental Management Plan
- (vi) Reporting of Unexpected Contamination
- (vii) Lighting
- (viii) Hours of Construction
- (ix) Car Park Management Plan
- (x) Compliance with recommendations of the Preliminary Ecological Appraisal
- (xi) Drainage Strategy/Layout Compliance
- (xii) Additional investigations for culverted watercourse
- (xiii) Drawings/investigation works for point of connection
- (xiv) Playing Pitch Management

[Watch the debate here](#)

5. APPLICATION FOR OTHER DEVELOPMENT - 25 - 27 WELL STREET AND 82 GARDEN STREET, NEWCASTLE. MARSHALL SAY. 26/00051/COU

Councillor Casey-Hulme spoke on this application

Amended recommendation proposed by Councillor Fear and seconded by the Chair.

After a lengthy debate, Members requested that the application be deferred in order to obtain the appropriate information in order to determine the application.

Resolved: That the application be deferred in order to obtain further information, including information on the number of HMOs of any size on Well Street/Garden St, the definition of 'frontage' and a definition of the emerging local plan policy HOU7.

[Watch the debate here](#)

6. PLANNING COMMITTEE SITE VISIT DATES FOR 2026-27

Resolved: That the site visit dates for 2026/27 be agreed.

7. URGENT BUSINESS

There was no Urgent Business.

8. DISCLOSURE OF EXEMPT INFORMATION

There were no confidential items.

**Councillor Christopher Saxton
Chair**

Meeting concluded at 8.16 pm

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BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE
MR CHRIS O'HANLON, BELLWAY HOMES LIMITED

26/00447/FUL

Full planning permission is sought for the variation of condition 17 of planning permission 26/00068/FUL for the construction of up to 200 dwellings set within a community parkland at Baldwin's Gate Farm. The application seeks to amend the amount of open space to be provided on site.

The site lies within the open countryside on the Local Plan Policies Map.

The 13-week period for the determination of this application expires on 17th September 2026.

RECOMMENDATION

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

- 1. Variation of condition 17 to amend the amount of open space to be provided from a minimum of 5.08ha to a minimum of 3.90ha**
- 2. Any other conditions which are still relevant to the original decision**

Reason for Recommendation

The proposed variation would have no significant adverse impact on the amount and type of open space provision on site or on the character and appearance of the area and there are no other relevant material considerations.

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

The proposal is 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 variation of condition 17 of planning permission 26/00068/FUL for the construction of up to 200 dwellings set within a community parkland at Baldwin's Gate Farm. The application seeks to amend the amount of open space to be provided on site.

The site lies within the open countryside on the Local Plan Policies Map.

Condition 17 currently states as follows:

A minimum of 5.08ha of green open space shall be provided on site.

The applicant wishes to amend the required amount of open space to 3.9ha.

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

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

The main issues in the determination of the application are whether an appropriate amount and type of open space facilities would remain on the site and whether the impact on the character and appearance of the area would be acceptable.

The reason for the request to vary the condition is that the developer is seeking consent to develop an additional 18 dwellings on the site on part of the approved open space. That application, Ref. 26/00052/FUL, is also for consideration on the agenda for this meeting.

Policy SE6 of the Local Plan states that the provision of open space will be sought on a site-by-site basis, taking account of the location, type, and scale of the development. It states that for major developments, provision of open space should be to a standard of at least 4ha per 1,000 population.

Neighbourhood Plan Policy HG3 expects new residential development to provide for accessible, high quality, local play, sports and recreational facilities.

For this development of 200 houses, the policy requirement is for the provision of a minimum of 0.8ha of open space. Even with the loss of part of the approved open space, the provision would be significantly in excess of that amount and would continue to include allotments, a community orchard, amenity/play space and buffer planting. It is considered therefore that the amount and type of open space facilities would remain acceptable.

In allowing the appeal for the development of this site, the Inspector stated that given the effect of adjacent development and the extent of open space and landscaping proposed, the extent of harm to the character and appearance of the area would be moderate. He made particular reference to the landscaped areas and open spaces to the north of the site stating that although significant open space would be provided through the central areas of the scheme, this would be interpreted as being open space as part of a housing scheme rather than as an area of undeveloped farmland. He went on to state that the open space would nonetheless break up the residential development and would allow some views deeper into the site.

The significant area of green space at the northern boundary of the site referred to by the Inspector, would remain as would much of the green infrastructure link through the site, the play area, orchard planting and the allotments. The area to be lost is central within the wider site and therefore, its loss would have negligible impact upon the high quality of the scheme or on the character or quality of either the village or the wider landscape. The scale of the development would continue to be broken up by the open space and views into the site would be maintained.

Overall, it is not considered that the proposed reduction in open space would have a significant adverse impact on either the amount and type of open space provision on site or on the character and appearance of the area.

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 Local Plan 2020-2040

Policy PSD7: Design
Policy SE6: Open Space, Sports and Leisure Provision
Policy SE10: Landscape

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

Policy HG3: Local Play, Sports and Recreational Facilities
Policy NE1: Natural Environment
Policy DC2: Sustainable Design
Policy DC4: Connectivity and Spaces

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2014 as updated)

Relevant Planning History

21/01041/OUT - Construction of up to 200 dwellings set within a community parkland – Refused but allowed at appeal

24/00270/DEM - Demolition of buildings identified as pink as shown within the demolition layout – Approved

24/00313/REM - Erection of 200 dwellings, with associated car parking, public open space, attenuation basins, landscaping and associated works pursuant to outline permission 21/01041/OUT – Approved

25/00661/FUL - Variation of condition 6 of planning permission 21/01041/OUT for the construction of up to 200 dwellings set within a community parkland at Baldwin's Gate Farm, to amend the trigger for the provision of off-site highways works – Approved

26/00068/FUL - Application to vary condition 3 of planning permission 25/00661/FUL to amend the trigger for the provision of offsite highways works – Approved

25/00931/FUL - Variation of conditions 2, 3, and 13 of planning permission 24/00313/REM to seek approval for amendments to revised planning proposals (condition 2), materials (condition 3), and the planting, seeding and turfing as shown on revised drawings (condition 13) – Pending consideration

26/0052/FUL - Application for the erection of 18 dwellings, with associated gardens and car parking on part of the site previously shown as Public Open Space within the reserved matters consent 24/00313/REM for 200 dwellings with associated car parking, Public Open Space, attenuation basins, landscaping and associated works approved on 17 October 2024 – Pending consideration

Views of Consultees

No comments have yet been received from the **Landscape Development Section** or **Whitmore, Maer & Aston** or **Chapel & Hill Chorlton Parish Councils**. Any comments received by 15th July will be reported to Members in a supplementary report.

Representations

One letter of representation has been received objecting on the following grounds:

- The approved level of open space formed part of the overall planning balance
- The community is being asked to accept a denser development whilst receiving less public open space
- It is entirely inappropriate to reduce the very green infrastructure that was intended to mitigate impacts
- Unless there has been a material change in planning policy or demonstrable evidence that the original requirement was unnecessary, there is no justification for reducing a condition that was imposed to protect the interests of both existing and future residents

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/26/00447/FUL>

Background papers

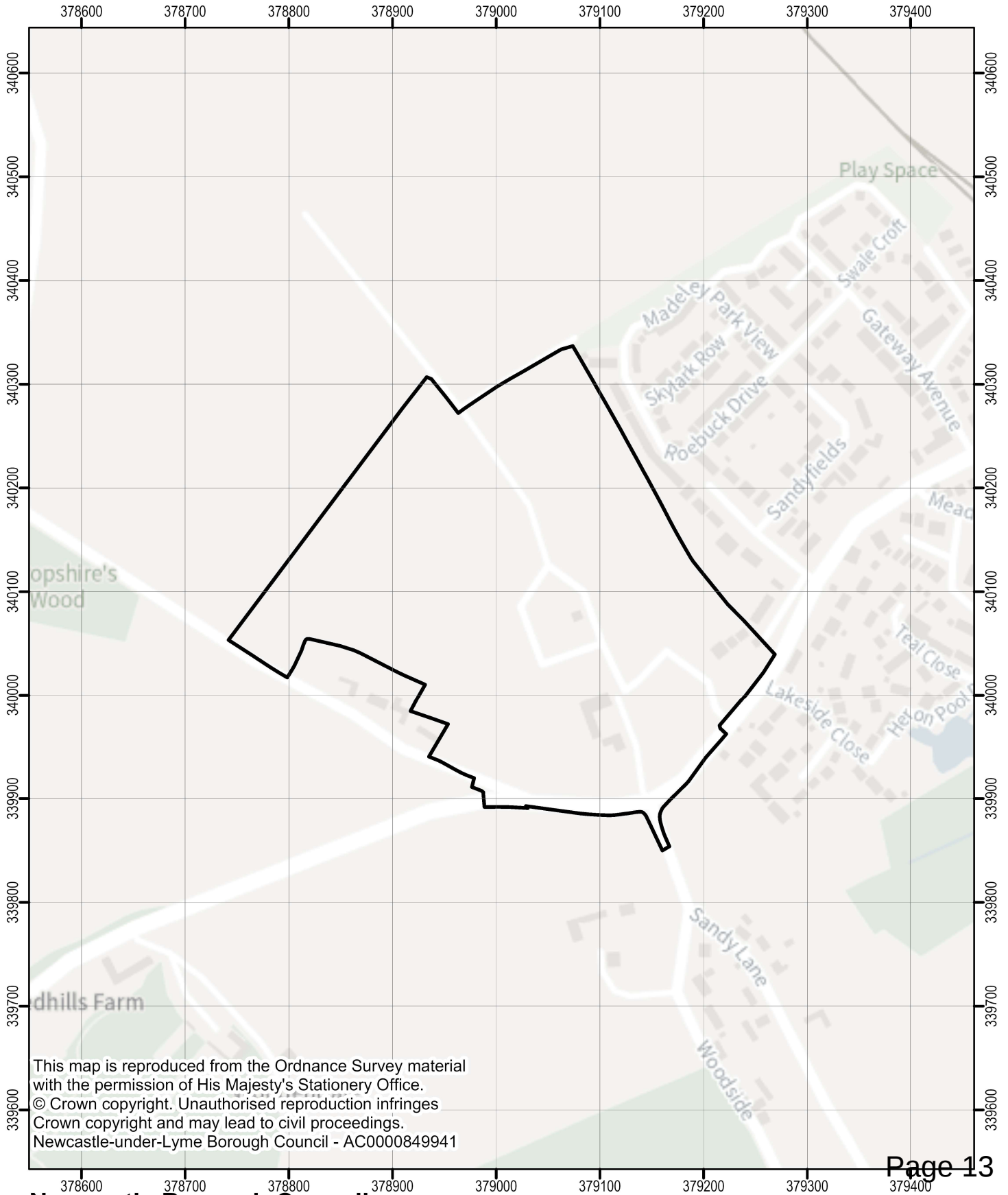
Planning files referred to
Planning Documents referred to

Date report prepared

10 July 2026

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26/00447/FUL
Baldwins Gate Farm
Newcastle Road
Baldwins Gate
Newcastle Under Lyme
Staffordshire
ST5 5ES



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BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE
MR CHRIS O'HANLON, BELLWAY HOMES LIMITED

25/00931/FUL

Full planning permission is sought for the variation of conditions 2, 3, and 13 of planning permission 24/00313/REM which granted the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 200 dwellings at this site. The reserved matters consent followed the granting at appeal of outline planning permission (Ref. 21/01041/OUT).

The site lies within the open countryside on the Local Plan Policies Map.

The 13-week period for the determination of this application expires on 12th March 2026 but an extension of time has been agreed to 24th July 2026.

RECOMMENDATION

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

- 1. Variation of conditions 2, 3 and 13 to refer to the revised plans**
- 2. Any other conditions which are still relevant to the original decision**

Reason for Recommendation

The proposed variations would have no adverse impact on the design and layout of the site, or on highway safety or residential amenity, and the proposed landscaping and open space within the site would continue to be acceptable. There are no other relevant material considerations.

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

The proposal is 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 variation of conditions 2, 3, and 13 of planning permission 24/00313/REM which granted the approval of reserved matters relating to internal access arrangements, layout, scale, appearance and landscaping in respect of a residential development of 200 dwellings at this site. The reserved matters consent followed the granting at appeal of outline planning permission (Ref. 21/01041/OUT).

Condition 2 lists the approved plans, condition 3 refers to the approved materials and condition 13 includes reference to the approved landscaping plans.

The submitted location plan indicates an area within the northern part of the site edged in blue (outside of the application site but within the ownership of the applicant). That part of the site is being considered under a separate application, Ref. 26/00052/FUL, also on this agenda, for the erection of 18 dwellings. This application relates to the remainder of the site and proposes some minor changes to layout and house types to enable the development of the 18 additional properties.

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

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

The total number of units would remain the same, as would the affordable housing provision, and a reasonable mix of 2, 3, 4 and 5-bed dwellings would remain. The house types and materials proposed across the site would be unchanged, but the materials plan is to be amended to reflect the minor changes in layout.

The proposed changes would not raise any adverse implications for residential amenity, and parking and access remains acceptable.

The principal change comprises the removal of part of the Public Open Space (POS), to allow for the development of the additional dwellings.

Policy SE6 of the Local Plan states that the provision of open space will be sought on a site-by-site basis, taking account of the location, type, and scale of the development. It states that for major developments, provision of open space should be to a standard of at least 4ha per 1,000 population.

Neighbourhood Plan Policy HG3 expects new residential development to provide for accessible, high quality, local play, sports and recreational facilities.

For this development of 200 houses, the policy requirement is for the provision of a minimum of 0.8ha of open space. Even with the loss of part of the approved open space, the provision would be significantly in excess of that amount at 3.9ha, and would continue to include allotments, a community orchard, amenity/play space and buffer planting. It is considered therefore that the amount and type of open space facilities would remain acceptable.

Overall, therefore, the proposed changes to the scheme are considered acceptable and in accordance with policies of the Development Plan and the aims and objectives of the NPPF.

Reducing Inequalities

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

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

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

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

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

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

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 Local Plan 2020-2040

Policy PSD6: Health and Wellbeing
Policy PSD7: Design
Policy IN2: Transport and accessibility
Policy IN3: Access and Parking
Policy SE8: Biodiversity and Geodiversity
Policy SE10: Landscape
Policy SE11: Trees, hedgerows and woodland
Policy SE12: Amenity

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

Policy HG3: Local Play, Sports and Recreational Facilities
Policy NE1: Natural Environment
Policy DC2: Sustainable Design
Policy DC3: Public Realm and Car Parking
Policy DC4: Connectivity and Spaces
Policy DC6: Housing Standards

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2014 as updated)

Relevant Planning History

21/01041/OUT Construction of up to 200 dwellings set within a community parkland – Refused but allowed at appeal

24/00270/DEM - Demolition of buildings identified as pink as shown within the demolition layout – Approved

24/00313/REM - Erection of 200 dwellings, with associated car parking, public open space, attenuation basins, landscaping and associated works pursuant to outline permission 21/01041/OUT – Approved

25/00661/FUL - Variation of condition 6 of planning permission 21/01041/OUT for the construction of up to 200 dwellings set within a community parkland at Baldwin's Gate Farm, to amend the trigger for the provision of off-site highways works – Approved

26/00068/FUL - Application to vary condition 3 of planning permission 25/00661/FUL to amend the trigger for the provision of offsite highways works – Approved

26/00052/FUL - Application for the erection of 18 dwellings, with associated gardens and car parking on part of the site previously shown as Public Open Space within the reserved matters consent 24/00313/REM for 200 dwellings with associated car parking, Public Open Space, attenuation basins, landscaping and associated works approved on 17 October 2024 – Pending consideration

26/00447/FUL - Variation of condition 17 of planning permission 26/00068/FUL to amend the reference to the amount of green open space being provided on site from a minimum of 5.08ha of green open space to a minimum of 3.90ha of green open space – Pending consideration

Views of Consultees

The **Landscape Development Section** has no objections to the proposal subject to confirmation of the amount of open space that is being provided on site and that this excluding any suds areas is sufficient to meet the needs of the development and the proposed replan area.

Whitmore Parish Council makes no comments on the application.

Representations

None received.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00931/FUL>

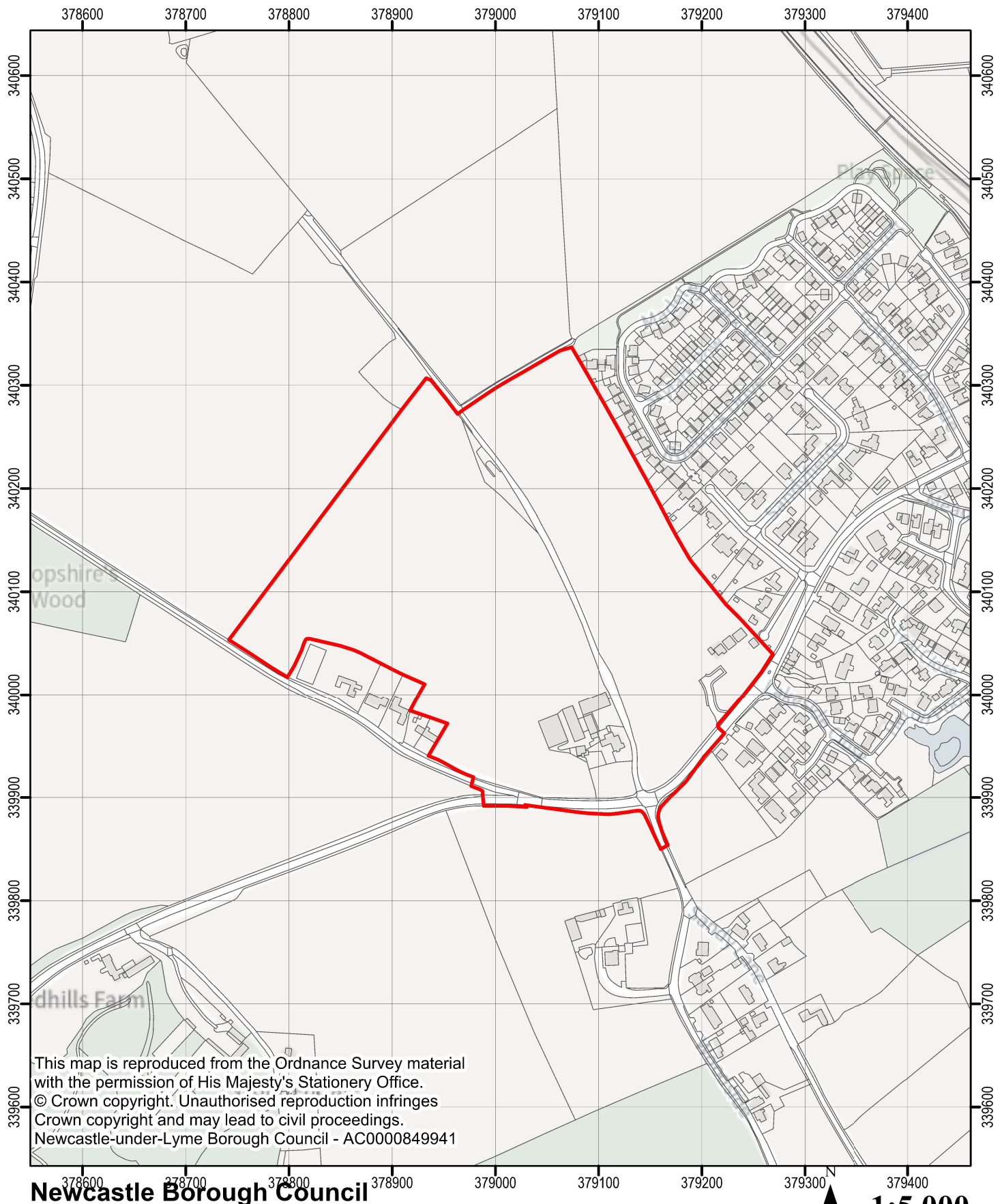
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

10 July 2026

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BALDWIN'S GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE
MR CHRIS O'HANLON, BELLWAY HOMES LIMITED

26/00052/FUL

Full planning permission is sought for the erection of 18 dwellings on land previously shown as Public Open Space within a development for 200 dwellings at this site granted under application 24/00313/REM. The reserved matters consent followed the granting at appeal of outline planning permission (Ref. 21/01041/OUT).

The site lies within the open countryside on the Local Plan Policies Map.

The 13-week period for the determination of this application expires on 23rd April 2026 but an extension of time has been agreed to 24th July.

RECOMMENDATION

Subject to the applicant entering into a Section 106 Agreement by the 1st September 2026 to secure on-site affordable housing provision and an appropriate financial contribution towards education provision as required by Staffs County Council,

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

- Time limit
- Approved plans
- Facing materials
- Boundary treatments
- Hard surfacing materials
- Revised details of visibility splays
- Bin collection points
- Surfacing, lighting and demarcation of parking areas
- Provision of cycle storage
- Landscaping scheme
- Construction Environmental Management Plan
- Noise levels
- Contamination
- Importation of soils.
- Provision of drainage details

Reason for Recommendation

The development would be within the village envelope, and the wider site has been accepted as in a sustainable location. The design and layout of the proposal is considered acceptable and in accordance with the aims and objectives of the National Planning Policy Framework. There would be no material adverse impact upon highway safety or residential amenity as a consequence of the internal layout and the proposed landscaping and open space within the wider site is considered acceptable. There are no other material considerations which would justify a refusal of this application.

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

The proposal is 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 erection of 18 dwellings on land previously shown as Public Open Space within a development for 200 dwellings on the wider site granted under application

24/00313/REM. The reserved matters consent followed the granting at appeal of outline planning permission (Ref. 21/01041/OUT).

An application to vary a condition of the original outline consent which stipulated the amount of open space to be provided across the wider site (Ref. 26/00447/FUL) is considered elsewhere on this agenda in addition to an application for minor changes to layout and house types to enable the development of additional dwellings (Ref. 25/00931/FUL).

The application site comprises an area to the north of the wider site that was previously allocated as Public Open Space.

The key planning matters in the determination of the application are:

- Principle of development,
- Character and appearance of the development,
- Residential amenity,
- Highway safety and parking implications,
- Landscaping and open space,
- Flood risk and drainage,
- Affordable housing

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Borough Council's Local Plan 2020-2040 was formally adopted on 08 July 2026. The Plan forms part of the statutory Development Plan for the Borough and its policies carry full weight in the determination of planning applications in the Borough.

Following the adoption of the Borough Local Plan, the Council is able to demonstrate a five-year supply of deliverable housing sites and therefore, the adopted housing policies are considered up to date for the purposes of decision taking. The presumption in favour of sustainable development does not apply, and the application falls to be assessed in accordance with the policies of the adopted Development Plan and any other wider material considerations.

Policy PSD1 of the Local Plan states that the Council will encourage the efficient use of land through windfall development, where the development: -

- a. Considers the landscape / townscape character of the existing surroundings when determining the character and density of development;
- b. Supports the creation of high quality: beautiful and sustainable buildings and places;
- c. Is physically well-related to existing settlements, infrastructure and sustainable transport modes; and
- d. Is effectively served by existing infrastructure or the infrastructure needs of the development are effectively addressed by the scheme. Where new infrastructure is required the delivery of development should be co-ordinated (including the use of phasing) to coincide with new infrastructure provision.

Policy HG1 of the Neighbourhood Plan states that new housing development will be supported in sustainable locations. These are:

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

To be in a sustainable location, development must:

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

Given that the wider site is allocated in the Local Plan for 200 homes (as local plan reference LW74), this site now sits within the village envelope of Baldwin's Gate. The development would not encroach into the open countryside and would not involve the loss of best and most versatile agricultural land. It is physically well-related to the existing settlement and has been accepted as in a sustainable location. The design of the dwellings and the impact on the landscape character will be considered below but subject to no objections being raised, the principle of the development is considered to be acceptable.

Character and appearance of the development

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

Paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, will function well and add to the overall quality of the area; be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy PSD7 (Design) of the Local Plan states that, amongst other points, developments should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness and sense of place in terms of:

- a) Height, scale, form and grouping;
- b) Choice of materials;
- c) External design features
- d) Massing of development
- e) Green infrastructure; and
- f) Relationship to neighbouring properties, street scene, and the wider neighbourhood

Policy NE1 of the CHCMAW Neighbourhood Plan states that new development will be supported that complements the landscape setting and character of the area, preserves or enhances and does not cause significant harm or degradation to the intrinsic rural character and ecological and environmental features of the area. Policy DC2 details a number of criteria that new development should meet if it is to be supported. This includes, amongst other things, that the development reflects local character, maintains and enhances the character and appearance of the landscape and responds sensitively to local topography.

The dwellings would all be 2 storey in height and would be constructed from brick and tile. The layout, scale and design of the dwellings would complement those approved under the current reserved matters layout and the scheme would sit comfortably within both the local area and the scheme currently under construction.

The layout and density of the proposed scheme and the proposed house types reflect local character and it is considered that the proposal would be acceptable in terms of its design and impact on the form and character of the area.

Impact on residential amenity

Criterion f) within Paragraph 135 of the National Planning Policy Framework states that development should create places that are safe, with a high standard of amenity for existing and future users.

Policy SE12 of the Local Plan states at criterion 1 that “development proposals should demonstrate they will not result in unacceptable harm to the amenities of existing or future residents, businesses, or sensitive uses in the vicinity. Development that would have an unacceptable adverse impact on existing amenity will not be permitted. This includes the consideration of:

- Preventing unacceptable overlooking and loss of privacy.
- Avoiding unacceptable loss of sunlight and daylight.
- Mitigating the overbearing and dominating effect of new buildings. Minimising environmental disturbance or pollution.
- Addressing traffic generation, access, and parking.
- Protecting existing trees and landscaping that contribute to amenity value, and ensuring appropriate replacement or enhancement where necessary

Separation distances between dwellings and proposed garden sizes comply with relevant guidelines as per the original consent for the wider site.

The Environmental Health Division has no objections subject to conditions.

Therefore, the proposed development is not considered to raise any issues of impact on residential amenity.

Impact on highway safety

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

Policy IN2 of the Local Plan states that “new development should make appropriate provision for access by sustainable modes of transport to protect the integrity of the highway network. All development should meet a number of criteria which includes to not cause unacceptable highway safety problems in relation to local traffic circulation and existing parking and servicing arrangements (1e) and not cause severe residual impacts on the road network, either individually direct and / or cumulatively (1f).

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

Sufficient off-street parking has been demonstrated for the dwellings proposed. Parking would be provided to the side or front of dwellings, with some having garages.

The Highway Authority raises no objections subject to conditions and on this basis, the proposal is considered acceptable in terms of impact on highway safety.

Open space

Policy SE6 of the Local Plan states that the provision of open space will be sought on a site-by-site basis, taking account of the location, type, and scale of the development. It states that for major developments, provision of open space should be to a standard of at least 4ha per 1,000 population.

Neighbourhood Plan Policy HG3 expects new residential development to provide for accessible, high quality, local play, sports and recreational facilities.

This development would sit within the wider approved scheme giving a total of 218 dwellings. The policy requirement for the wider site is for the provision of a minimum of 0.87ha of open space. The provision would be significantly in excess of that amount and it is considered that the amount and type of open space facilities would be acceptable.

Flood Risk and Drainage

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

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

The outline application for the wider site was accompanied by a Flood Risk and Drainage Assessment which concluded that with appropriate mitigation, the development of the site would not create any flood risk issues for the wider area. The site lies in Flood Zone 1 which is land/property with the lowest risk of flooding.

Staffordshire County Council as the Lead Local Flood Authority, raises no objections to this application subject to a condition requiring the submission and approval of updated private drainage drawings for the additional housing area. Subject to such a condition, it is not considered that the proposed development would create any additional risk of flooding.

Affordable Housing

Policy HOU1 of the Local Plan states that on-site affordable housing provision will be required on sites of 10 dwellings or more, at a level of 30% of all units on greenfield sites, which equates to a provision of 5 units for this development.

The applicant has confirmed that such provision is acceptable and the units are shown on the proposed plan. The affordable housing provision should be secured through a Section 106 Agreement.

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 Local Plan 2020-2040

Policy PSD1:	Overall Development Strategy
Policy PSD2:	Settlement Hierarchy
Policy PSD3:	Distribution of Development
Policy PSD7:	Design
Policy HOU1:	Affordable Housing
Policy HOU2:	Housing Mix and Density
Policy HOU10:	Extensions, Alterations and Relationships between Dwellings
Policy IN3:	Access and Parking
Policy SE6:	Open Space, Sports and Leisure Provision
Policy SE10:	Landscape
Policy SE12:	Amenity

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

Policy HG2:	Housing Mix
Policy HG3:	Local Play, Sports and Recreational Facilities
Policy NE1:	Natural Environment
Policy DC2:	Sustainable Design
Policy DC3:	Public Realm and Car Parking
Policy DC4:	Connectivity and Spaces
Policy DC6:	Housing Standards

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2014 as updated)

Relevant Planning History

21/01041/OUT Construction of up to 200 dwellings set within a community parkland – Refused but allowed at appeal

24/00270/DEM - Demolition of buildings identified as pink as shown within the demolition layout – Approved

24/00313/REM - Erection of 200 dwellings, with associated car parking, public open space, attenuation basins, landscaping and associated works pursuant to outline permission 21/01041/OUT – Approved

25/00661/FUL - Variation of condition 6 of planning permission 21/01041/OUT for the construction of up to 200 dwellings set within a community parkland at Baldwin's Gate Farm, to amend the trigger for the provision of off-site highways works – Approved

26/00068/FUL - Application to vary condition 3 of planning permission 25/00661/FUL to amend the trigger for the provision of offsite highways works – Approved

25/00931/FUL - Variation of conditions 2, 3, and 13 of planning permission 24/00313/REM to seek approval for amendments to revised planning proposals (condition 2), materials (condition 3), and the planting, seeding and turfing as shown on revised drawings (condition 13) – Pending consideration

26/00447/FUL - Variation of condition 17 of planning permission 26/00068/FUL to amend the reference to the amount of green open space being provided on site from a minimum of 5.08ha of green open space to a minimum of 3.90ha of green open space – Pending consideration

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding submission of revised details of visibility splays, boundary treatments and bin collection points, the surfacing, lighting and demarcation of the parking areas and provision of cycle storage.

The **Landscape Development Section** has no objections to the proposal subject to confirmation of the amount of open space that is being provided on site and that this excluding any suds areas is sufficient to meet the needs of the development and the proposed replan area.

The **Environmental Health Division** has no objections subject to conditions regarding a Construction Environmental Management Plan, noise levels, contamination and importation of soils.

The **Lead Local Flood Authority** has no objections subject to approval of application 25/00931/FUL, and subject to a condition requiring the submission and approval of updated private drainage drawings for the additional housing area.

Staffordshire County Council's Historic Environment Team has no objections on the basis that the site has previously been suitably archaeologically evaluated and therefore, no further archaeological works are required.

Staffordshire County Council as the Minerals and Waste Planning Authority makes no comment on the application.

Staffordshire Police Early Intervention & Prevention Unit objects due to the proposed boundary treatments for the semi-detached and terraced properties, stating that it is important that a high level of physical security is incorporated. Security recommendations are made.

Whitmore Parish Council states that while the Parish Council continues to object to the addition of further dwellings given the increased pressure they will place on local infrastructure, including traffic volumes, GP capacity, and school places, they recognise that this is unlikely to carry significant weight given the parameters established by the appeal. This situation highlights a wider concern: the current planning framework often leaves local residents, parish councils, and even adopted Neighbourhood Plans at a disadvantage when set against appeal decisions and national policy. The community's needs and long-term vision for the area risk being overshadowed by a process that affords limited opportunity for meaningful local influence.

Maer & Aston Parish Council is appalled that this application has been submitted using open/green space for further housing development. This is the third amendment in the last few months to the scheme passed by the Planning Inspectorate, and it is considered that these piecemeal applications together have a massive impact on what was previously a small village. Current sales on the site are low which demonstrates that these houses are not needed or wanted. The application is not sustainable and is putting further strain on resources. The application should be refused on grounds that it is unsustainable and further destroys the rural aspect of the village.

Representations

6 representations have been received. Objections are raised on the following grounds:

- The developer has misled the LPA and the local community
- Open space that was the only redeeming factor in the original application, is being lost
- Houses are not selling due to lack of requirement as the housing target for the area is already exceeded
- Additional houses are unsustainable for the village and the area adding more cars, pressure on the doctor's surgery, schools and sewage system
- Cumulative erosion of rural character
- Conflict with key planning policy principles

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/26/00052/FUL>

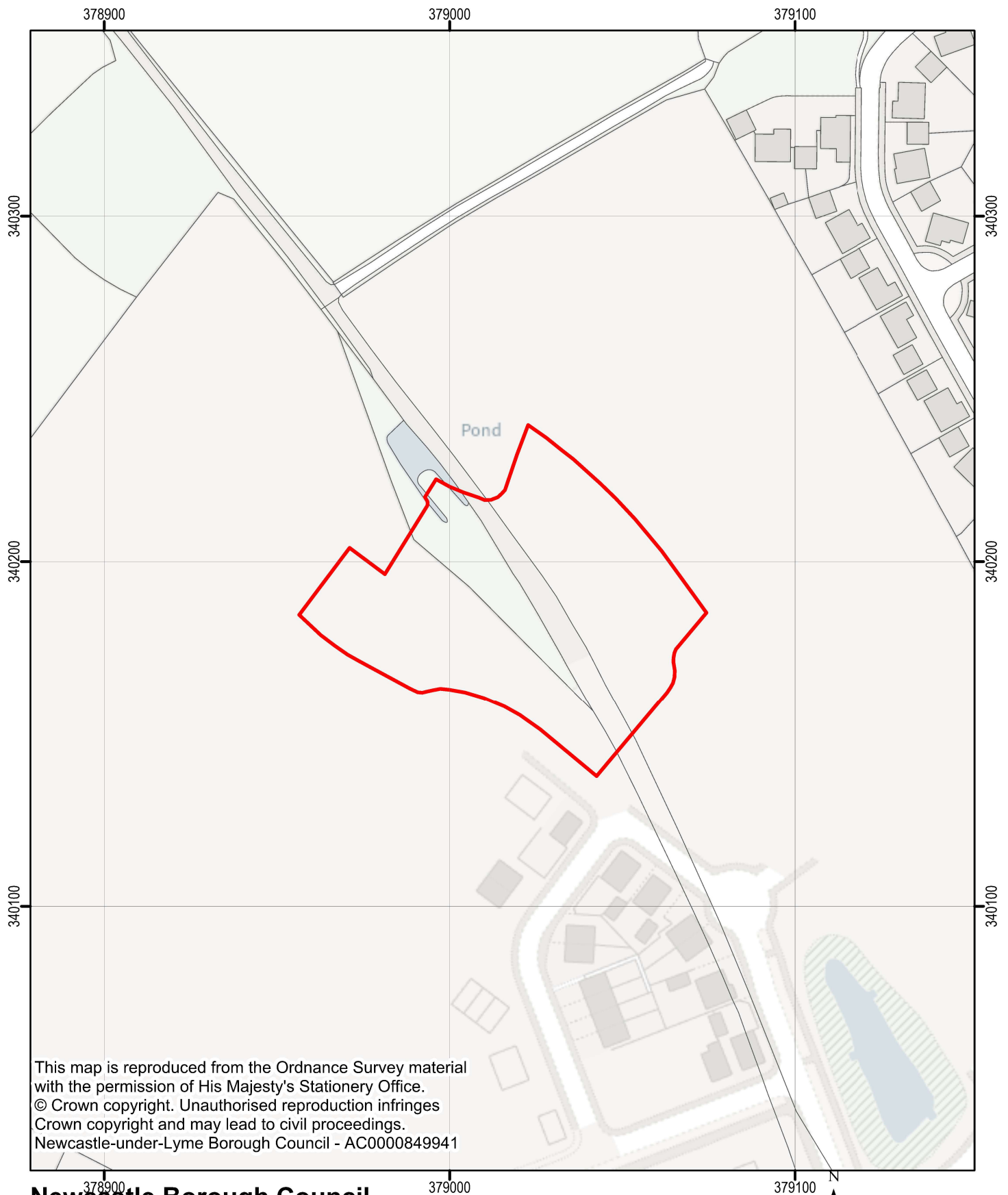
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

14 July 2026

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BRADWELL CREMATORIUM, CHATTERLEY CLOSE
NEWCASTLE BOROUGH COUNCIL

26/00422/DEEM3

The application seeks full planning permission for the construction of a new pet crematorium within the grounds of Bradwell Crematorium off Chatterley Close, Bradwell.

The application site is located within the urban area as defined on the Local Plan Policies Map.

The statutory 8-week period for the determination of the application expires on the 5th August 2026.

RECOMMENDATION

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

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. For use for domestic pets only**
- 4. Materials**
- 5. Landscaping scheme**
- 6. Lighting**
- 7. Hours of construction**
- 8. Compliance with recommendations of the Preliminary Ecological Appraisal**
- 9. Tree protection**
- 10. No dig/hand dig construction within Root Protection Areas**

Reason for Recommendation

The provision of a new business and service within the urban area is considered to represent a suitable and sustainable development type. The development would not result in any adverse implications in relation to other material planning considerations and so, subject to conditions, the development represents a sustainable development and should be supported.

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

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

KEY ISSUES

The application seeks full planning permission for the construction of a new pet crematorium within the grounds of Bradwell Crematorium off Chatterley Close, Bradwell.

The key issues to consider in the determination of this application are:

- Is the principle of the development acceptable?
- Would the proposed development have any adverse impact on the character and appearance of the area?
- Residential amenity
- Impact on wildlife and Biodiversity Net Gain and
- Highway safety.

Is the principle of development acceptable?

The application site comprises an area of land within the boundary of Bradwell Crematorium which would be host to a new single storey building operating as a domestic pet crematorium. The site is located within the defined urban area of the Borough.

The application would see the introduction of a new business and service within the Borough for the cremation of domestic pets. Given the sustainable location of the site, the development would add to the vitality of services available within the wider area.

The creation of a new business and the introduction of a new service within a highly sustainable area of the borough is considered to be acceptable in principle and subject to other material considerations, should be supported.

Character and appearance of the landscape

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

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

Policy PSD7 (Design) of the Local Plan states that, amongst other points that developments should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness and sense of place in terms of:

- a) Height, scale, form and grouping;
- b) Choice of materials;
- c) External design features
- d) Massing of development
- e) Green infrastructure; and
- f) Relationship to neighbouring properties, street scene, and the wider neighbourhood

The application site is located towards the south western edge of the existing Bradwell Crematorium site.

The development comprises the construction of a single storey unit to house a pet cremation service which would have an L-shaped footprint and the maximum dimensions 8.5m width X 6.1m depth X 3m height. It would be constructed utilising two shipping containers which would then be adapted to house internally an office, farewell room and a containerised incinerator. The structure would have a flat roof and is proposed to be clad in timber cladding. A stack linked to the incinerator would extend just over 2m beyond the roof. Whilst this would be quite prominent given the flat roof design of the building, its overall scale and siting would ensure that there would be no wider impacts on the appearance of the area.

The building itself would be sited to the southwest of the main Bradwell Crematorium building and so would not be readily visible when approaching the site along the main access road. The building would only become apparent when approaching the car park.

Whilst the development would introduce a new structure that contrasts in its overall style and appearance to the existing buildings on site, given its modest scale and selection of natural wood cladding, it is not considered that the development would appear as a negative addition to the wider site. The building would also be set amongst a backdrop of established trees and hedgerows which would further assist in softening its appearance within the site.

A new 1.8m wide pathway would also be constructed from the southern edge of the existing car park which would meander towards the proposed building and would have a tarmac finish. Given its relatively modest proportions and setting amongst existing vegetation it is not considered that this would appear a harmful addition and would mirror the appearance of existing pathways within the site.

A condition should be attached to any permission granted to secure full and precise details of the cladding.

Subject to this condition, the design and appearance of the development is considered to be acceptable and would accord with the relevant policies of the development plan and the aims and objectives of the NPPF.

Residential Amenity

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

Policy SE12 of the Local Plan states at criterion 1 that “development proposals should demonstrate they will not result in unacceptable harm to the amenities of existing or future residents, businesses, or sensitive uses in the vicinity. Development that would have an unacceptable adverse impact on existing amenity will not be permitted. This includes the consideration of:

- Preventing unacceptable overlooking and loss of privacy.
- Avoiding unacceptable loss of sunlight and daylight.
- Mitigating the overbearing and dominating effect of new buildings. Minimising environmental disturbance or pollution.
- Addressing traffic generation, access, and parking.
- Protecting existing trees and landscaping that contribute to amenity value, and ensuring appropriate replacement or enhancement where necessary

The development is sited a significant distance from any residential properties, the nearest being 183m to the south to the rear boundaries of properties along Hillport Avenue. Given these distances, it is not considered that the proposal would have any adverse impacts on residential amenity.

The application details that the incineration would be utilised through the PET200 pet cremation machine which can process up to 7 pets a day. The incinerator would feature a stack height of 3.6m which would assist in containing smoke, particulates and odour and therefore there would be no harm to the amenity, health or well-being of neighbouring residents.

The Environmental Health Division have considered the proposal and have raised no objections. There are a number of considerations, beyond that of planning control, for the permits and licences associated with cremation process to control pollution and any assessment of this would be beyond the control of planning.

Comments from the Environment Agency notes that this is a ‘low capacity’ incinerator.

Opening hours would follow those of the existing site, 9-4pm, Monday through Friday except bank holidays, on an appointment only basis. The service will rely on customers dropping their pets off and collection of cremation remains several days later.

A condition should be attached to any permission granted to control the hours of construction as well as the development being for domestic pets only, as per the information provided.

Therefore, subject to the above, the development would not result in any adverse impacts on residential amenity and so accords with the development plan and NPPF.

Highway Safety

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

Policy IN2 of the Local Plan states that “new development should make appropriate provision for access by sustainable modes of transport to protect the integrity of the highway network. All development should meet a number of criteria which includes Not cause unacceptable highway safety problems in relation to local traffic circulation and existing parking and servicing arrangements (1e) and not cause severe residual impacts on the road network, either individually direct and / or cumulatively (1f).

Policy IN3 of the Local Plan states that appropriate levels of parking provision should be made in accordance with the standards contained within the local plan Appendices. A departure from these standards may be justified on a case by case basis.

The application site already benefits from an existing car park that serves the main Bradwell Crematorium which has 82 regular spaces and 3 accessible bays. It is proposed that visitors to the new development would share the use of this car park, which is considered to be sufficiently sized to serve both the existing and proposed uses.

The Highway Authority have raised no objections to the proposal, noting that the facilities appear small and this, alongside the use of an appointment only service, would ensure that there would not result in any adverse highway safety issues.

Therefore in light of the above, the proposed development is considered to be acceptable on highway safety grounds.

Biodiversity Net Gain, Ecology and Biodiversity

Paragraphs 180 & 185 of the NPPF set out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If development cannot avoid significant harm to biodiversity by adequate mitigation then planning permission should be refused.

Policy SE7 (Biodiversity Net Gain) of the Local Plan states that development proposals, unless exempt, will be permitted provided that they are designed to deliver at least a 10% measurable net gain of biodiversity habitat. It also details at criterion 3, that BNG should be delivered in accordance with the biodiversity net gain hierarchy set out in national policy and that it should be primarily deliverable on site.

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

The application is accompanied by a completed BNG metric and associated report. This demonstrates that as a result of the proposed development there would be a net loss of 1.78% (equating to -0.03 habitat units). It is therefore proposed to plant 20 trees within the red line boundary and a 20m section of hedgerow adjacent to the existing car park. This will result in an on-site net change of 1.7% area habitat units and 23.11% hedgerow units, therefore satisfying the statutory 10% net gain through on site additions. These will be secured through the mandatory Biodiversity Net Gain condition.

Policy SE8 (Biodiversity and Geodiversity) details that all development should ensure the conservation, enhancement and restoration of biodiversity and geodiversity, avoiding any significant adverse impacts on condition, and where relevant recovery, of all types of nature conservation sites, habitats, species and components of ecological networks or geological interests.

Turning to ecology, the application is supported by a Preliminary Ecological Appraisal (PEA). The PEA has concluded that the development would have a negligible impact on protected species during the construction and operational phase of the development, including amphibians, bats, birds, hedgehogs, and reptiles and so no further survey work is recommended. It does identify a low risk to bats during the operational phase of the development due to a small increase in artificial lighting which could impact local foraging and commuting bats.

The PEA goes on to recommend that any lighting should be sensitively controlled and installed, which can be suitably controlled by a condition. It also goes on to recommend a series of site enhancements including the installation of bat boxes, bat friendly planting and bird boxes. All of these measures can be secured by a condition.

Therefore in light of the above, the proposed development would not result in an adverse impact to protected species and so would accord with the relevant policies of the development plan as well as the aims and objectives of the NPPF.

The Impact on Trees

Policy SE11 of the Local Plan (Trees, Hedgerows and Woodland) states that development proposals should prioritise the retention and protection of existing trees, hedgerows, and woodlands. To ensure the long-term retention of these natural features, proposals should be supported by Arboricultural Impact Assessments (for proposals impacting significant trees) and / or Hedgerow Surveys (where applicable).

The application is accompanied by an Arboricultural Report which identifies that a total of 13 trees and 2 hedges were included within the survey. To achieve the proposed development, no trees are required for removal and the footprint of the proposed building, including the pedestrian footpath, are sited beyond the Root Protection Areas (RPAs) of all trees. The report identifies that some of the trees may have to undertake some minor crown pruning to ensure that appropriate clearance is maintained over the footpath and from the proposed building.

A tree protection plan outlines the position for protective fencing adjacent to the car park and application site to ensure that the construction process does not encroach into or damage the RPAs of retained trees.

The Landscape Officer has raised no objection but has queried the siting of the proposed path and if this could be amended in addition to the classification of retained trees. The application is accompanied by a Tree Protection Plan and this does show that areas of the path would intrude into the RPA of retained trees, but only marginally and so, as recommended by the Landscape Officer, it is considered suitable on this occasion to attach a condition ensuring that any works within the RPAs shall be no dig/hang dig construction.

In light of the above Officers are satisfied that the existing trees on site can be suitably retained and protected. A condition should be attached to any permission granted to secure the installation of the protective fencing prior to the commencement of works. A landscaping scheme can also be conditioned to ensure that full and precise details of the species, and planting arrangements for the new trees and hedgerows are secured and compatible with the site environment.

Reducing Inequalities

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

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

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

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

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

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

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

APPENDIX

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

Newcastle Under Lyme Local Plan 2020-2040

Policy PSD1: Overall Development Strategy
Policy PSD2: Settlement Hierarchy
Policy PSD7: Design
Policy IN3: Access and Parking
Policy SE7: Biodiversity Net Gain
Policy SE8: Biodiversity and Geodiversity
Policy SE11: Trees, Hedgerows and Woodland
Policy SE12: Amenity

Other material considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (PPG) (as updated)

Relevant Planning History

Whilst there are applications for the wider site, there are none specifically relevant for this part of the site.

Views of Consultees

Highway Authority raise no objections

Cadent Gas raise no objection.

The **Environment Agency** state that the development falls beyond their consultation checklist and so have no comments to make.

The **Environmental Health Division** raise no objections.

The **Landscape Development Section** have queried the siting of the proposed path but raise no objections subject to conditions relating to no dig/hand dig construction and tree protection measures.

Naturespace are satisfied with the findings of the Preliminary Ecological Appraisal and are satisfied that if this development were to go ahead it would be unlikely to have an impact on great crested newts or their habitats

Representations

None received.

Applicant/agent's submission

The submitted documents and plans are available for inspection on the Council's website via the following link:

[26/00422/DEEM3 | Proposed pet crematorium | Bradwell Crematorium Chatterley Close Bradwell Newcastle Under Lyme Staffordshire ST5 8LE](#)

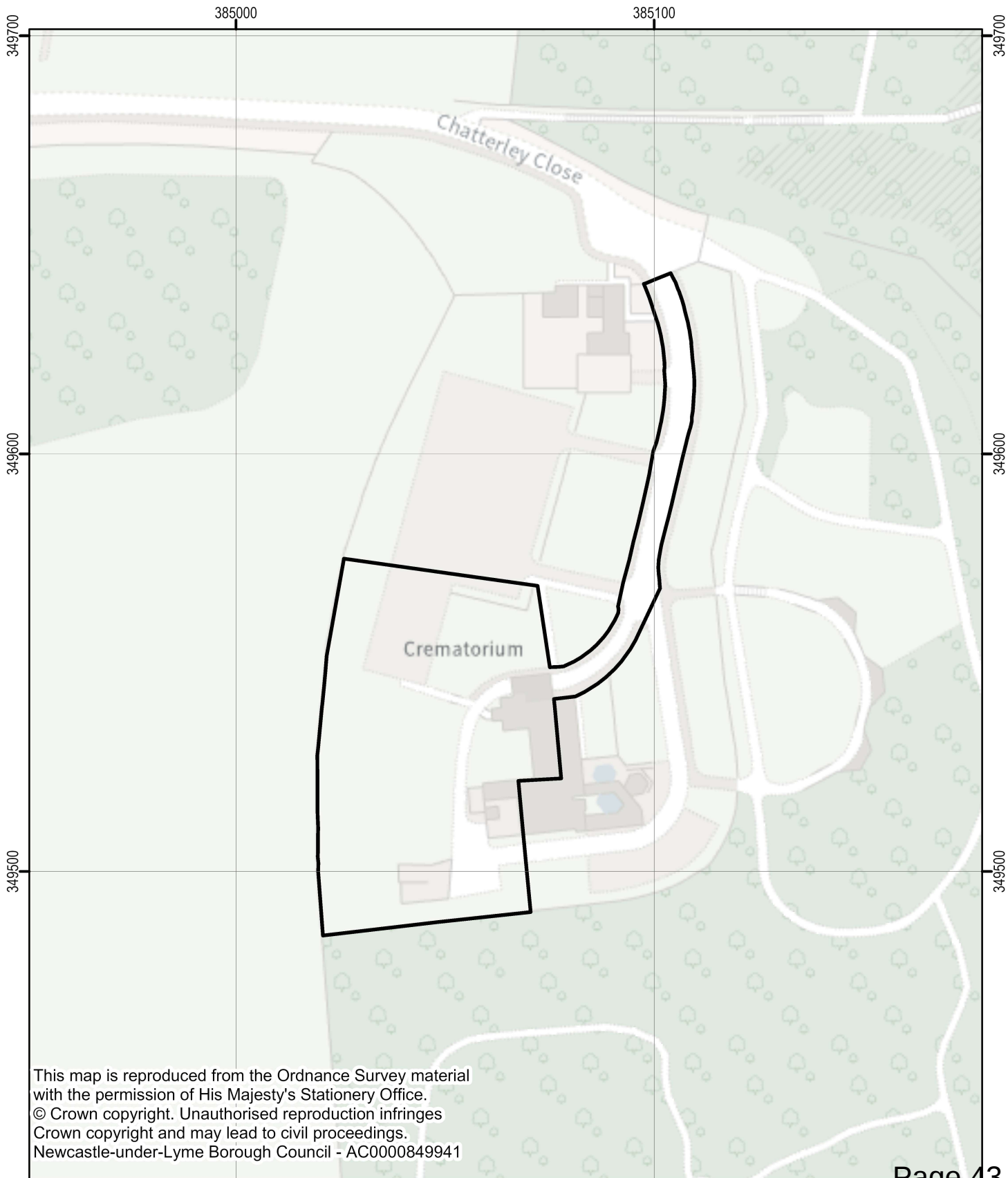
Background Papers

Planning File
Development Plan

Date report prepared

9th July 2026

26/00422/DEEM3
Bradwell Crematorium
Chatterley Close
Bradwell
Newcastle Under Lyme
Staffordshire
ST5 8LE



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