



PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE BY NO LATER THAN 6.45PM.

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL** on **Wednesday, 8th July, 2026** upon conclusion of the **Special Council meeting.**

B U S I N E S S

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items contained within this agenda.
- 3 MINUTES OF A PREVIOUS MEETING** **(Pages 5 - 12)**
To consider the Minutes of the previous meeting(s)
- 4 MAYOR'S ANNOUNCEMENTS**
- 5 AMENDMENTS TO THE COUNCIL'S CONSTITUTION** **(Pages 13 - 18)**
- 6 BOROUGH LOCAL PLAN** **(Pages 19 - 204)**
- 7 STATEMENT OF THE LEADER OF THE COUNCIL** **(Pages 205 - 210)**
To receive a statement by the Leader of the Council on the activities and decisions of Cabinet and items included on the Forward Plan.
- 8 REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES** **(To Follow)**
Chairs are requested to submit written reports to the Democratic Services Manager by **(TWO DAYS BEFORE MEETING)**
 - a) Finance, Assets and Performance Scrutiny Committee
 - b) Economy and Place Scrutiny Committee
 - c) Health, Wellbeing and Environment Scrutiny Committee
- 9 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES** **(To Follow)**

Chairs are requested to submit written reports to the Democratic Services Manager by (two days before meeting).

- a) Audit and Standards Committee
- b) Planning Committee
- c) Licensing and Public Protection Committee

10 MOTIONS OF MEMBERS

(Pages 211 - 218)

Four Motions have been received:

- Climate Emergency Declaration
- Save Our Borough Campaign
- Protection of Council-Owned Green Spaces
- Withdrawal from Local Government Association membership

11 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

(To Follow)

12 RECEIPT OF PETITIONS

To receive from Members any petitions which they wish to present to the Council.

13 URGENT BUSINESS

To consider any communications which pursuant to Section B4, Rule 9 of the constitution are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.

14 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the following report(s) as it is likely that there will be disclosure of exempt information as defined in paragraphs contained within Part 1 of Schedule 12A (as amended) of the Local Government Act 1972.

Yours faithfully



Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs.

Fire exits are to be found at the side of the room leading into Queens Gardens.

On exiting the building Members, Officers and the Public must assemble at the statue of Queen Victoria. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Mobile Phones

Please switch off all mobile phones before entering the Council Chamber.

3. Notice of Motion

A Notice of Motion other than those listed in Procedure Rule 14 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section B5, Rule 4 of the Constitution of the Council.

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

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Public Document Pack Agenda Item 3

Council - 20/05/26

COUNCIL

Wednesday, 20th May, 2026
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Mayor.Councillor Christopher Bailey (Chair)

| | | | |
|--------------|---------------|-------------|-------------|
| Councillors: | Beeston | Walton | Renshaw |
| | Bettley-Smith | Ashworth | Rogerson |
| | Casey-Hulme | Barber | SainReiners |
| | Fear | Clarke | Saxton |
| | Heesom | Downs | Sedgley |
| | Holland | Duffy | Shaw |
| | Hutchison | Fisher | Simpson |
| | D Jones | Gullis | Sparks |
| | Parker | Harrison | Stevenson |
| | J Tagg | Harrison | Swain |
| | S Tagg | Jellyman | Tift |
| | Turnock | Kasperowicz | Wood |
| | Whieldon | Lefroy | Westcott |
| | Whitmore | Machin | |

Apologies: Councillor(s) Chamberlain and Evans

| | | |
|-----------|-----------------|---|
| Officers: | Gordon Mole | Chief Executive |
| | Anthony Harold | Service Director - Legal & Governance / Monitoring Officer |
| | Nesta Barker | Service Director - Regulatory Services |
| | Andrew Bird | Service Director - Sustainable Environment |
| | Joanne Halliday | Service Director - Commercial Delivery |
| | Roger Tait | Service Director - Neighbourhood Delivery |
| | Geoff Durham | Civic & Member Support Officer |
| | Craig Turner | Service Director - Finance / S151 Officer |

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. MINUTES OF A PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 11th February 2026 be agreed as a correct record.

3. ELECTION OF MAYOR 2026/27

Two nominations were received: Councillor Christopher Bailey and Councillor Joan Whieldon.

Councillor Bailey was proposed by Councillor Jonathan Gullis and seconded by Councillor Graham Shaw. Councillor Gullis stated that Councillor Bailey had served his country bravely in the armed forces, had shown great inspiration throughout his working life and at the age of sixty, gaining a degree. It would be an honour to see him as Mayor of the Borough.

Councillor Whieldon was proposed by Councillor Simon Tagg and seconded by Councillor Holland. Councillor Tagg stated that as Deputy Mayor for the past year, Councillor Whieldon had supported the Mayor – attending functions on his behalf, representing the Borough with dedication and enthusiasm, assisted by her Deputy Mayoress, Councillor Susan Beeston. Councillor Whieldon was thanked for the work that she had done over the past year.

The Chief Executive moved the nominations to a vote. There were:

- 25 (twenty-five) votes in favour of Councillor Bailey
- 15 (fifteen) votes in favour of Councillor Whieldon
- 2 (two) abstentions

Resolved: That Councillor Christopher Bailey be appointed as Mayor for the 2026-27 Municipal Year.

After being robed and invested with the chain of office, the Mayor Elect returned to the meeting room preceded by the Mace Bearers and accompanied by the Chief Executive.

The Mayor took the chair and made the declaration of acceptance of office.

[Watch the appointment here](#)

4. APPOINTMENT OF DEPUTY MAYOR 2026/27

One nomination was received: Councillor Mark Harrison was proposed by Councillor Gullis and seconded by Councillor Shaw.

A vote was taken.

Resolved: That Councillor Mark Harrison be appointed as Deputy Mayor for the 2026-27 Municipal Year.

The Deputy Mayor made the Declaration of Acceptance of Office and expressed his commitment to serve to the best of his ability.

[Watch the proceedings here](#)

5. MAYORAL APPOINTMENTS

The following appointments were made:

- Mayoress: Deborah Bailey

- High Constable: Peter Whalan
- Mayor's Cadet: Cdt Elayna Johnson
- Chaplain: Father Christopher Routledge
- Mace Bearers: Jenny Otter and Glenn Martin James

[Watch the proceedings here](#)

6. MAYORAL ADDRESS

The Mayor thanked members for electing him and expressed feeling honoured to have been considered for this office and referred to the vital role of mayor for a borough's heritage.

The Mayor's two chosen charities were announced as follows:

- Tri-Services and Veterans Support Centre
- Bradwell Bombers FC

[Watch the proceedings here](#)

7. VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

On behalf of the Council, Councillor Simon Tagg congratulated the Mayor on his appointment and expressed thanks and appreciation to the retiring Mayor, and Mayoress who had picked up the reins following the sad death of the previous Mayor, Barry Panter.

The Leader notably referred to successful events of the past year including 'one Mayor Meandering' walking the boundary of the Borough. Councillor Robert and Mrs Judy Bettley-Smith had been excellent ambassadors for the Borough.

[Watch the proceedings here](#)

8. RESPONSE OF THE RETIRING MAYOR AND SUMMARY OF THE MAYORAL YEAR

The retiring Mayor stated that the start of his Mayoral year had been overshadowed by the tragic death of former Mayor, Councillor Barry Panter, whose portrait now hung in the Mayor's Parlour.

During his Mayoral year he had enjoyed excellent support from both sides of the Chamber. He sent his best wishes to former Councillors who had not returned after the elections held in May.

The retiring Mayor wished to thanked the Chief Executive, other officers and the Mayoral team for their advice and support. He thanked his son, Sam who had been his High Constable throughout the year but had been unable to attend this evening. Therefore, his daughter performed the role this evening. He thanked his wife Judy for her support, advice and encouragement.

The year had been an adventure and objectives had been achieved and every visit had been enjoyable with 325 visits made throughout the year and raised around £36,000 for the two chosen charities.

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Two main charities had been supported – Papyrus and Belong but many other charities were supported personally.

Gifts were handed to the Mayoress, Consort, High Constable, Civic and Member Support Officer, Chauffeur, Mace Bearers, Chaplain and High Sergeant.

The retiring Mayor finished by congratulating the new Mayor and letting him know he could rely on him would he need any advice or support.

The Mayor handed out badges of office to the retiring mayor and mayoress and as recognition for their service.

[Watch the proceedings here](#)

9. APPOINTMENT OF LEADER OF THE COUNCIL

It was moved by Councillor Glenn Tift and seconded by Councillor Vanessa Renshaw that Councillor Jonathan Gullis be appointed as Leader of the Council.

Councillor Gullis thanked Councillor Simon Tagg for his many years of service as Leader of the Borough Council and for his passion and commitment to the Borough. The voters were also thanked for putting their trust in a Reform Administration.

Resolved: That Councillor Jonathan Gullis be appointed as Leader of the Council.

[Watch the proceedings here](#)

10. APPOINTMENT OF DEPUTY LEADER AND CABINET

The Leader confirmed Councillor Graham Shaw as Deputy Leader and the following as members of the Cabinet for 2026/27:

- Councillor Jonathan Gullis
– Cabinet Member for Planning and Town Centres
- Councillor Graham Shaw
– Cabinet Member for Finance
- Councillor Vanessa Renshaw
– Cabinet Member for Housing and Public Protection
- Councillor Ben Simpson
– Cabinet Member for Waste, Recycling and Green Spaces
- Councillor Martin Rogerson
– Cabinet Member for Legal, Governance and Organisational Performance
- Councillor Andrew Fisher
– Cabinet Member for Residents Services and Neighbourhoods

[Watch the proceedings here](#)

11. **ELECTION RESULTS**

The Leader introduced a report and moved the recommendations detailing the results from the elections held earlier this month.

Councillor Shaw seconded the recommendations.

The Leader thanked previous members who had not returned following the elections and stated that in the near future, the following former Councillors would be welcomed as Honorary Aldermen of the Borough:

Gillian Burnett-Faulkner, Paul Northcott, Paul Waring, Mike Stubbs, Stephen Sweeney, Ian Wilkes, Gill Williams and John Williams who had all met the relevant criteria.

Sylvia Dymond was just short of a year and it was hoped that, by working with officers a way could be found to make her eligible to become an Honorary Alderman.

The Leader stated that the election results had been historic – going from one Reform UK Councillor to twenty-seven. There was an amazing team of members with a wide range of experience. The Leader said that he looked forward to working with everyone to help drive an agenda forward, tackling the bread and butter issues that mattered to people.

Councillor Simon Tagg thanked and congratulated the new Leader of the Council on his appointment. Where the new Administration did the right thing and took the Borough forward they would be supported by the Conservative group. They would however be held to account where failures were seen.

Councillor Tagg paid tribute to former members of his group who had not returned following the elections.

Resolved: That the information be received.

[Watch the debate here](#)

Councillor Duffy left the meeting at 8:01pm

12. **CALENDAR OF MEETINGS 2026-2030**

The Leader introduced and proposed to approve the Calendar of Meetings.

This was seconded by Councillor Graham Shaw.

Resolved: That the draft Calendar of Meetings 2026-30 be approved.

[Watch the debate here](#)

13. **APPOINTMENTS TO COMMITTEES, CHAIRS AND VICE CHAIRS FOR 2026/27**

The Mayor proposed that members of the committees be appointed as per the list provided and that a vote on committee Chairs and Vice-Chairs be taken en-bloc. There were 25 (twenty-five) votes in favour of the Reform members, 15 (fifteen) votes in favour of Conservative members and 2 (two) in favour of Labour members.

Resolved: That the committees' membership as set out in the Appendix to the report be agreed, and that the Committee Chairs and Vice-Chairs be appointed as follows:

| COMMITTEE | CHAIR | VICE-CHAIR |
|--|-------------------------|-------------------------|
| Audit and Standards | Cllr Glen Tift | Cllr Janice SainReiners |
| Conservation Advisory | Cllr Sue Beeston | Cllr Jill Whitmore |
| Licensing and Public Protection | Cllr Simon Kasperowicz | Cllr Pamela Jellyman |
| Planning | Cllr Christopher Saxton | Cllr Jonathan Downs |
| Health, Wellbeing and Environment Scrutiny | Cllr Scott Stevenson | Cllr Olivia Wozny |
| Economy and Place Scrutiny | Cllr Martyn Ashworth | Cllr Patricia Harrison |
| Finance, Assets and Performance Scrutiny | Cllr Paul Wood | Cllr Peter Walton |

[Watch the debate here](#)

14. APPOINTMENTS TO EXTERNAL ORGANISATIONS FOR 2026/30

The Mayor proposed to take the appointments en bloc to the vote. There were 25 (twenty-five) votes in favour of the Reform UK nominees and 15 (fifteen) votes in favour of the Conservatives nominees.

Resolved: That representatives to the outside bodies be appointed as follows:

| Name of Organisation / Role | Representative |
|---|-----------------------|
| Aspire Housing Board | Cllr Renshaw |
| Business Improvement District | Cllr Gullis |
| Campaign to Protect Rural England – County Branch | Cllr Machin |
| Corporate Parenting Panel | Cllr Kasperowicz |
| Local Councils Network | Leader |
| Visit Staffordshire Destination Management Partnership | Leader |
| Go Kidsgrove | Cllr Westcott |
| LGiU Assembly | Cllr Rogerson |
| Local Government Association | Leader |
| Newcastle Partnership (Local Strategic Partnership) | Leader |
| North Staffs Victim Support | Cllr Renshaw |
| Parking and Traffic Regulations Outside London (PATROL) | Cllr Renshaw |
| Sir John Offley Almshouse Trust | Cllr Whitmore |
| Staffordshire County Council Health and Care Overview and Scrutiny Committee | Cllr Stevenson |
| Staffordshire Leaders Board | Leader |
| Staffordshire Playing Fields Association | Leader |
| Staffordshire Police, Fire and Crime Panel and associated panels | Cllr Shaw |
| Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre) | Leader |
| Stoke-on-Trent and Staffordshire Local Enterprise Partnership | Leader |

| | |
|--|---|
| Newcastle-under-Lyme Almshouse Association | Ward Councillors |
| West Midlands Employers | Leader |
| Waste and Mineral Site Liaison Committee – Acton Composting Site (Committee is Active) | Cllr Lefroy |
| Waste and Mineral Site Liaison Committee – Holditch House Waste Site | Cllr Barber |
| Waste and Mineral Site Liaison Committee – Keele (Madeley Heath) Quarry (Committee not yet Active) | Cllr Bettley-Smith Cllr Whitmore |
| Waste and Mineral Site Liaison Committee – Knutton Quarry (Committee is Active) | Cllr Shaw Cllr Sparks |
| Waste and Mineral Site Liaison Committee – Walleys Landfill Site (Committee is Active) | Cllr Ashworth (Silverdale) Cllr Shaw (Knutton) Cllr Jones (Keele) Cllr Whieldon (Thistleberry) |
| West Midland Reserve Forces and Cadets Association | Cllr Bailey |
| Armed Forces Champion | Cllr Bailey |

[Watch the debate here](#)

15. **CONFIRMATION OF THE CONSTITUTION**

The Leader introduced the report and moved the recommendation forward.

This was seconded by Councillor Martin Rogerson.

Councillor Mark Holland expressed his support for the report and highlighted that the changes that had been made in relation to procurement procedures.

Councillor Joan Whieldon enquired about the timescale for the implementation of the recommendations.

The Service Director for Legal and Governance (Monitoring Officer) said the request would be taken forward.

The Leader advised that further amendments to the Constitution would be taken to the next full Council meeting, adding that these would not be subject to a cross-party working group.

- Resolved:**
1. That the updates to the constitution produced by the Monitoring Officer (see Appendices to the report) be noted.
 2. That the Monitoring Officer be authorised to progress amendments to the constitution at Appendices 1-3. 3.
 3. That the Monitoring Officer be authorised to make any further administrative / enabling amendments to the constitution as required.

[Watch the debate here](#)

16. **URGENT BUSINESS**

The Leader introduced the report and moved the recommendation forward.

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Councillor Martin Rogerson seconded the recommendation.

Councillor Simon Tagg, the Leader and the Mayor respectively thanked the departing Monitoring Officer for his work and wished him luck in his new role.

Resolved: That in accordance with section 5 of the Local Government & Housing Act 1989:

1. The appointment of Barbara Beardwell as the Council's Interim Monitoring Officer, be confirmed.
2. The approval be delegated to the Chief Executive, in consultation with the Leader of the Council, to maintain an Interim Monitoring Officer ahead of a permanent replacement.

[Watch the debate here](#)

17. **DISCLOSURE OF EXEMPT INFORMATION**

There were no confidential items.

**Mayor Councillor Christopher Bailey
Chair**

Meeting concluded at 8.15 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO COUNCIL

08 July 2026

Report Title: Changes to the Constitution

Submitted by: Interim Service Director- Legal & Governance/Monitoring Officer

Portfolios: Legal, Governance and Organisational Performance

Ward(s) affected: All

| <u>Purpose of the Report</u> | <u>Key Decision</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|---------------------|------------------------------|--|
| <p>The changes set out below are ones proposed to ensure that the council can operate with efficiency. Whilst the council previously had a Constitution Working Group with which the Monitoring Officer could consult, this was an informal arrangement and not one reflected in the Constitution. Accordingly, following the agreement of council to these changes the Monitoring Officer will consult with the Group Leaders on the final wording on the changes outlined in this report and then amend the constitution to reflect the will of council.</p> | | | |
| <p><u>Recommendation</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Agrees the proposed changes to the Constitution 2. Delegates the responsibility for making such changes reflecting the will of Council, to the Monitoring Officer in consultation with the Group Leaders; such changes to take effect as soon as the Monitoring Officer has consulted the Group Leader and made the changes required. | | | |
| <p><u>Reasons</u></p> <p>To ensure that the constitution continues to reflect the will of the council</p> | | | |

1. **Background**

1.1 The Constitution governs the way in which the council operates and has to be complied with; and it has to comply with the law. It is important that it is kept up to date to reflect both legislative changes and the wishes of members about how the council should operate. It is regularly reviewed.

1.2 **Proposed Changes to the Constitution.**

Part A Section A3 Citizens Rights

- 1.2.1 The current petition scheme will be amended to include the following:
- 1.2.2 If a petition contains 1,500 or more valid signatures it will be debated at full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.
- 1.2.3 If a petition contains at least 750 valid signatures, and asks for this, the relevant senior officer will give evidence at a public meeting of the council's relevant scrutiny committee to explain progress on an issue, or to explain the advice given to elected members.
- 1.2.4 If a petition has received at least 250 valid signatures it will be reported to full Council, and the lead petitioner will be allowed a maximum of three minutes to speak to the petition but it will not be the subject of a debate, and Members will not ask questions of the Lead Petitioner.
- 1.2.5 If a petition has received between 5 and 100 valid signatures it will be reported to full Council by the proper officer and then referred to the relevant chief officer who will be responsible for ensuring that the petition is responded to and taken into account in the decision-making process as appropriate.
- 1.2.6 The only valid signatures are those with an address within the councils area.

1.3 Part B Section B2 -The Council

1.3.1 The functions set out in The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Schedule 2, where they are functions of this authority, will be the responsibility of the Executive.

1.3.2 Appointments to Outside Bodies will be reviewed annually

1.3.3 The requirement for appointees to provide a bi-annual report to Council is removed

1.4 Section B2- Committees

1.4.1 Planning committee- Paragraphs 3.3 – 3.6 & 3.10 – 3.13 of the Constitution will be removed and replaced with the wording as required by the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026.

These regulations require most planning applications to be determined by an officer and strictly limit the matters which can be determined by the Committee to those applications which fall within Schedule 2 of the Regulations, and only where:

- a. at least one of the criteria in regulation 5(3) is met **or** it is an own-interest application as set out in regulation 6; **and**
- b. the nominated officer and nominated member of the Planning Committee agree to the referral

The criteria in Regulation 5(3) state that the nominated member and nominated officer may agree to refer a Schedule 2 application to a committee if in their view it raises –

- (a) one or more issues of economic, social or environmental significance to the local area, or
- (b) one or more significant planning matters having regard to the development plan and any other material considerations.

In addition, the Committee may determine “ own interest” applications (made by or on behalf of the authority or an officer or member of the authority or an application where the authority or any of its members or officers has an interest) where the nominated member and nominated officer agree to refer the application to committee for determination.

- 1.4.2** Employment Committee- the Disciplinary Appeals Sub-Committee will only deal with appeals by Chief Officers and Deputy Chief Officers; all other employment appeals will be delegated to the Chief Executive.
- 1.4.3** The decision to approve any packages on dismissal, including redundancy, which amount to over £100,000 including pension costs, will be delegated to the Audit and Standards Committee. Whilst Statutory Guidance recommends that this is a matter reserved to full Council it is considered that the Audit and Standards Committee are better placed to give such matters the detailed consideration that they deserve, with decisions reported to full Council in due course.
- 1.5** Section B4- Council Procedure Rules
 - 1.5.1** The following rules are removed:
 - a) Rule 4.3 (b)
 - b) Rule 4.3 (c)
 - c) Rule 4.3 (q)
 - d) Rule 4.3 (r)
 - e) Rule 4.11
 - f) Rule 5.15
 - 1.5.2** Rule 7.2 relating to questions on notice will be amended so that Members who wish to ask questions at Council of Cabinet members and committee Chairs must notify these to the Monitoring Officer in writing by email at least 10 days before the meeting. At the meeting members will be asked if they wish to move their question. Any supplementary question must arise out of the original question or reply.
 - 1.5.3** Rule 11.2 will be amended so that normally no less than 7 days’ notice is given of meetings.
 - 1.5.4** The Rules about public speaking will be amended as follows. Questions (with a 150-word limit) may be asked of the Leader or any member of the Cabinet. The maximum time allowed for questions from the public is 30 minutes. Questions must be submitted to the Monitoring Officer in writing and by email no less than 15 days before the meeting and no person, or organisation by itself or on its behalf; can ask more than two questions. A written response will be provided no later than 24 hours before the meeting. A supplementary question (word limit 50) which must arise out of the original question or the reply, may be asked by the original questioner at the meeting. Questions which cannot be dealt with at the meeting will be dealt with

by written answer. Unless the Mayor decides otherwise no discussion will take place on any question.

1.6 Section B5- Committee Procedure Rules

1.6.1 Rules 4.1 to 4.3 are removed. Motions without Notice will not be allowed at committee meetings

1.7 Section C 3- Cabinet Procedure Rules

1.7.1 Rule 4.1 will be amended to increase the Key Decision amounts on any matter to expenditure or savings of over £250,000 or more (revenue) and over £500,000 (capital)

1.7.2 Rule 9.2 will be amended to require five clear days of a question from the public; unless an item is added later when two clear days are required of any question.

1.8 Section F1 - Member Code of Conduct

1.8.1 Arrangements for dealing with the Standards Allegations under the Localism Act 2011. These arrangements will be amended to ensure that when making any decisions about Code of Conduct complaints the Monitoring Officer will take account of the Public Interest Test

2. Issues

2.1 The purpose of the Council's constitution is to act as a public rulebook that explains how the council operates, makes decisions, and holds itself accountable to residents. It is a legal requirement that our constitution is a comprehensive, living document that provides a clear framework for governance.

2.2 There is a need to refresh the constitution periodically so as to ensure that we have a plain-language guide for how the council operates and as a democratic organisation so that it can help residents, businesses, and stakeholders better understand how the council's decision-making process works.

3. Recommendation

That Council

3.1 Agrees the proposed changes to the Constitution

3.2 Delegates the responsibility for making such changes reflecting the will of Council, to the Monitoring Officer in consultation with the Group Leaders; such changes to take effect as soon as the Monitoring Officer has consulted the Group Leader and made the changes required.

4. Reasons

4.1 The report outlines changes that are proposed to be made to the constitution and delegates the responsibility for making these changes as reflecting the will of Council, to the Monitoring Officer in consultation with Group Leaders.

5. Options Considered

5.1 None; updates are required to ensure we remain legally complaint.

6. Legal and Statutory Implications

6.1 The proposed changes comply with local government legislative requirements.

7. Equality Impact Assessment

7.1 Not applicable

8. Financial and Resource Implications

8.1 Not applicable

9. Major Risks & Mitigation

9.1 Not applicable

10. UN Sustainable Development Goals (UNSDG)

10.1 As the constitution is focused on enabling the council to perform effectively and in accordance with its legal obligations it is considered to be in accordance with the Goals.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

- One Commercial Council
- One Digital Council
- One Sustainable Council

12. Key Decision Information

12.1 Not applicable

13. Earlier Cabinet/Committee Resolutions

13.1 Not applicable

14. List of Appendices

14.1 None

15. Background Papers

15.1 None

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO COUNCIL

08 July 2026

Report Title: Adoption of Borough Local Plan (2020-2040)

Submitted by: Deputy Chief Executive

Portfolios: Planning and Town Centres

Ward(s) affected: All

| <u>Purpose of the Report</u> | <u>Key Decision</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
|--|----------------------------|---|-----------------------------|
| To adopt the Newcastle-under-Lyme Borough Local Plan (2020-2040) | | | |
| <u>Recommendation</u> | | | |
| That Council: | | | |
| <ol style="list-style-type: none"> 1) notes the outcomes of the Inspectors report into the Examination of the Borough Local Plan 2020-2040 (appendices 1 and 2 to this report) 2) adopts the Newcastle-under-Lyme Borough Council Local Plan (2020-2040), subject to <ol style="list-style-type: none"> a. incorporating the Main Modifications (Appendix 2) recommended by the Inspector necessary to make the Plan sound as well as the accompanying list of changes to the associated Policies Map (Appendix 3) b. the schedule of additional modifications (Appendix 4) 3) withdraws the policies in the adopted Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council Core Strategy and the adopted Newcastle-under-Lyme Borough Council Local Plan (2003) except for those policies listed to be saved in the Local Plan 2020 – 2040. 4) authorises the Interim Head of Service (Planning Policy) to publish a Sustainability Appraisal Adoption Statement and a Local Plan Adoption Statement in line with the regulations contained within the Town and Country Planning Regulations 2012. 5) authorises the Interim Head of Service (Planning Policy), in consultation with the Portfolio Holder, to make any non-material updates and drafting changes to the Local Plan. This includes the additional (minor) modifications published alongside the Main Modifications (Appendix 4). | | | |
| <u>Reasons</u> | | | |
| To enable the Borough Council to adopt the Local Plan and therefore ensure that an up-to-date Local Plan is in place. To recommendations will also ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). | | | |

1. Background

- 1.1** The Local Plan sets the vision and framework for how the Borough will grow up to 2040. It sets out targets for the number of jobs and homes to be delivered in the Borough and provides a spatial strategy to guide development to the most sustainable locations.
- 1.2** On its adoption, the Newcastle-under-Lyme Borough Local Plan (2020-2040) will form part of the statutory Development Plan for the Borough and would replace all policies in the Joint Core Strategy 2009 and most of the policies contained within the legacy Newcastle-under-Lyme Local Plan 2003. The list of policies to be deleted are set out in Appendix 2 of the Local Plan 2020 – 2040.
- 1.3** The Borough Council submitted the Local Plan 2020-2040 for examination on 20th December 2024. Inspector Anne Jordan (BA Hons) MRTPI was appointed to examine the Local Plan.
- 1.4** The Local Plan has been examined to assess whether it has been prepared correctly in accordance with legal and procedural requirements and whether the in terms of its content it is 'sound'. Plans are 'sound' if they are: -
- a. Positively Prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b. Justified – sets out an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c. Effective – is deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d. Consistent with national policy – enables the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.
- 1.5** Public examination hearing sessions were held from 20th May to 26th June 2025. The Inspector issued her post hearing views on 1st August 2025 and asked the Council to undertake some additional work. The Council duly responded to the Inspector and again on additional matters raised on the 22 September and 3rd October 2025 respectively.
- 1.6** Consultation on Main Modifications or changes to the Local Plan (following the examination hearing sessions) took place between the 5th November and the 17th December 2025. Here, the Council consulted on a schedule of main modifications required to the Local Plan following the outcomes of the examination process. Other consultation documents included a list of additional minor modifications to the Plan (focused on non-material matters such as formatting of the text) and supporting documentation including Sustainability Appraisal and Habitats Regulations Assessment. Changes to

the Policies Map were also consulted upon at this stage to reflect the implications of changes being proposed to the Local Plan.

- 1.7 Responses to the consultation on Main Modifications were duly sent to the Inspector. The Inspector issued her final report to the Council on 19th May 2026 recommending that with the modifications confirmed in her report, the Council could adopt the Local Plan.
- 1.8 Following the Borough Council elections in May 2026, the Administration requested the Council write to the Planning Inspector to ask whether any changes could be made to the Local Plan. The letter of response from the Planning Inspector is set out at Appendix 5.
- 1.9 The Local Plan for the Borough has been developed since 2021 and represents a major milestone for the Council, replacing the existing development plan documents (including the joint Core Strategy with Stoke-on-Trent City Council) from 2009. The Council has undertaken at least 4 consultations on the Local Plan and has expended considerable resource in commissioning evidence and developing evidence to justify the proposals in the Plan. The Plan has identified appropriate employment and residential allocations to support the Plan proposals and provides for an up to date and positive framework for the achievement of sustainable development and support investment across the Borough.

2. Issues

- 2.1 The Inspector concludes that subject to Main Modifications recommended in her report, that the Local Plan provides an appropriate basis for planning in the Borough. The report concludes that the duty-to-co-operate has been met and all other legal, procedural and regulatory requirements have been complied with the Plan can be made sound, through modifications proposed.
- 2.2 The Inspector in her final report has detailed final modifications required to make the Plan 'sound' (included in Appendix 2). These vary in character and are summarised as follows: -
 - The provision of a safeguarded route for a link road between the A53 Whitmore Road and the A525 Keele Road;
 - Removal of the housing allocations: -
 - AB12 Diglake Street;
 - AB33 Land off Nantwich Road/Park Lane Audley;
 - CT1 Land at Red Street Chesterton;
 - CH13 Land at Castletown Grange Cross Heath;
 - KS3 Land at Blackbank Road Knutton;
 - Site 8 G&T Land West of Silverdale Business Park.
 - Changes to the housing trajectory to reflect up-to-date development assumptions;
 - Changes to Policy AB2 (Land at Junction 16) to ensure that suitable on and off-site mitigation measures for any adverse impacts on the M6 (Junction 16) or other parts of the highway network (strategic and local) are adequately identified and addressed, that adequate public transport is provided, and that the landscape impacts of the development are appropriately considered;
 - Changes to clarify the Neighbourhood Plan housing requirements;

- Deletion of Policy SA1 General Requirements and inclusion of site-specific criteria for a number of housing allocations;
- Allocation of land for the extension of Madeley High School;
- Changes to clarify how employment land supply is calculated;
- Changes to clarify how compensatory improvements to the Green Belt will be identified and secured;
- Changes to remove reference to First Homes in line with up- to-date national policy;
- Changes to Policy EMP2 Existing Employment Sites to include the 'agent of change principle';
- Changes to Policy SE9 Historic Environment to reflect national policy;
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

2.3 Subject to the Plan's adoption, the Council will make a copy of the document publicly available alongside an adoption statement and information about the sustainability appraisal in line with the Town and County Planning (Local Planning) (England) Regulations 2012. These will be made available to view on the Council's website and for inspection at Castle House. The Borough Council will also notify statutory consultees and those who commented at the Final Draft Local Plan and other interested parties (including the Secretary of State).

2.4 In line with the transitional provisions of the December 2024 National Planning Policy Framework (paragraphs 234b & 236 respectively) for Local Plan making, where a Local Plan has been submitted for examination on or before the 12 March 2025 and the emerging Plan provides for less than 80% of local housing need, the Local Planning Authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 in order to address any shortfall in housing need. This is the position that applies to the Council following the publication of the National Planning Policy Framework in December 2024.

2.5 The Council has published a local development scheme which sets out the timetable / programme for producing a new local plan. Following the publication of the Local Development Scheme, regulations associated with the new local plan system have now been published in line with the Levelling Up and Regeneration Act that requires the Council to produce a notice of intention to start plan making, through the new Local Plan system by the 30 June 2026 and an early assessment, through the new local plan process (called gateway 1 assessment) by the end of October 2026. Cabinet resolved on the 23 June 2026 not to commence work on the new local plan until the outcomes and implications of Local Government Reorganisation are known.

2.6 Cabinet also considered a report on the adoption of the Borough Local Plan (2020-2040) on the 23rd June 2026. Cabinet resolved to note the outcomes of the Inspectors report into the examination of the Borough Local Plan 2020-2040 (appendices 1 and 2 to this report). Cabinet also noted that the administration sought positive engagement and, where possible, agreement with opposition groups on the respective positions towards the adoption of the Borough Council Local Plan (2020-2040) in advance of the meeting of Full Council.

3. Recommendation

3.1 That Council

- 1) notes the outcomes of the Inspectors report into the Examination of the Borough Local Plan 2020-2040 (appendices 1 and 2 to this report)
- 2) considers any recommendations from Cabinet.
- 3) adopts the Newcastle-under-Lyme Borough Council Local Plan (2020-2040), subject to
 - a. incorporating the Main Modifications (Appendix 2) recommended by the Inspector necessary to make the Plan sound as well as the accompanying list of changes to the associated Policies Map (Appendix 3)
 - b. the schedule of additional modifications (Appendix 4)
- 4) withdraws the policies in the adopted Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council Core Strategy and the adopted Newcastle-under-Lyme Borough Council Local Plan (2003) except for those policies listed to be saved in the Local Plan 2020 – 2040.
- 5) authorises the Interim Head of Service (Planning Policy) to publish a Sustainability Appraisal Adoption Statement and a Local Plan Adoption Statement in line with the regulations contained within the Town and Country Planning Regulations 2012.
- 6) authorises the Interim Head of Service (Planning Policy), in consultation with the Portfolio Holder for Strategic Planning, to make any non-material updates and drafting changes to the Local Plan. This includes the additional (minor) modifications published alongside the Main Modifications (appendix 4).

4. Reasons

- 4.1** To enable the Borough Council to adopt the Local Plan and therefore ensure that an up-to-date Local Plan is in place. The recommendations will also ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. Options Considered

- 5.1** At this stage in the statutory plan-making process the Council cannot introduce further Main Modifications, amend policy wording or alter site allocations. There is a binary choice here and Members will have two options available to them: to adopt the Local Plan incorporating the Inspector's recommendations, or to not adopt the Plan. To not adopt the Local Plan at this stage is not recommended.
- 5.2** To adopt the Local Plan, as amended by Main Modifications set out in the Inspectors report is the preferred option. It has taken a number of years to get this point and significant cost and resources to prepare the Plan. This would be lost if the Plan were not to be adopted. It could also lead to reputational damage to the Council if the Plan were not taken forward. The Council has consistently expressed its clear intention through the approval of a Local Development Scheme (Local Plan Timetable) to adopt a new Local Plan providing a comprehensive set of up-to date planning policies for the Borough.
- 5.3** A decision to not adopt the modified Local Plan would mean that the Council would continue to use policies that date from the Joint Core Strategy in 2009.

Some of the Joint Core Strategy policies have already been identified as 'out of date' for the purposes of decision taking. Without the Local Plan, the Council would have difficulties in demonstrating a five-year supply of homes and would continue to accept that its policies are not up to date for the purposes of decision taking. Decisions would also be taken, for housing, against the standard method housing figure of 559 dwellings per annum compared to 400 dwellings per annum in the Local Plan. This would leave the Borough Council in a vulnerable position to speculative planning applications, with potentially increased appeal and other costs. It would not provide stability in decision making, nor support investment or regeneration in the Borough.

- 5.4** Some of the allocated sites in the Local Plan have already been submitted as planning applications to the Council for determination. Without the Local Plan, there are risks that there is no policy guidance to support the determination of applications which might lead to decisions being challenged and an uncertain policy outlook resulting in increased costs in officer time and other more direct costs against the Council.
- 5.5** Adoption of the Local Plan will support the delivery of infrastructure and provide for certainty to support confidence, investment and economic growth in the Borough.

6. Legal and Statutory Implications

- 6.1** In accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'), the Council has a statutory duty to prepare planning policies and maintain an up-to-date development plan. Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.2** Following adoption (which takes effect immediately on the resolution of Council), the Local Plan, along with an 'Adoption Statement' and Sustainability Appraisal Adoption Statement, will be published in due course and made available for inspection. Parties involved in the process will also be notified. There is a period of six weeks for legal challenge by way of judicial review, although the Local Plan would remain in effect pending the outcome of any challenge.
- 6.3** The Planning and Compulsory Purchase Act 2004 (as amended) gives the Secretary of State (Ministry of Housing, Communities and Local Government) powers to intervene. Until 24 March 2026, section 21 of the Planning and Compulsory Purchase Act 2004 provided the principal intervention powers. From 25 March 2026, sections 15H, 15HA and 15HE of the Planning and Compulsory Purchase Act 2004 (as substituted by the Levelling-up and Regeneration Act 2023) now govern intervention powers. Under both regimes, the Secretary of State possesses powers to intervene at any time before a Local Plan is adopted, including after an inspector has examined the plan and recommended main modifications
- 6.4** These powers include directing the local planning authority to modify the plan or calling in the plan for the Secretary of State's own approval. Such an action would strip the Council of its power to adopt the plan (or that part of it), with

the Secretary of State assuming that responsibility. The Secretary of State has related holding powers that can be exercised while the Secretary of State is ultimately deciding whether, and how, to intervene; so that the prospect of any intervention is not frustrated.

- 6.5 The powers arise where the Secretary of State thinks that a local planning authority is failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of their local plan.

7. **Equality Impact Assessment**

- 7.1 The Local Plan is supported by an Equality Impact Assessment as part of its Sustainability Appraisal. This has considered how development proposed and planning policies impact on different groups in the community.

8. **Financial and Resource Implications**

- 8.1 The expenditure associated with the preparation of the Local Plan (2020 to 2040) has been funded through a combination of the existing Planning Policy staffing budget and the full utilisation of the Local Plan reserve. Since the start of the 2020/21 financial year, total costs have amounted to £1.269m, of which £1.079m has been met directly from the Local Plan reserve.
- 8.2 Alongside this, the Planning Policy staffing budget has continued to support the programme, with staffing expenditure totalling £306k in 2025/26 alone. The costs relating specifically to the examination stage have, to date, reached £341k.

9. **Major Risks & Mitigation**

- 9.1 In line with the transitional provisions of the December 2024 National Planning Policy Framework (paragraphs 234b & 236 respectively) for Local Plan making, where a Local Plan has been submitted for examination on or before the 12 March 2025 and the emerging Plan provides for less than 80% of local housing need, the Local Planning Authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 in order to address any shortfall in housing need. This is the position faced by the Council following the publication of the National Planning Policy Framework in December 2024.
- 9.2 Regulations which come into effect from the 25 March 2026 sets out a new process for preparing a Local Plan. The guidance associated with the new local plan system suggests that the Council must produce a notification of commencement (essentially to publish a timetable of production of the new local plan) through the new local plan system by the 30 June 2026 and further information (called a Gateway 1 assessment) by the end of October 2026. Cabinet on the 23rd June resolved not to prepare a new local plan until a decision is made on local government reorganisation and the implications of that decision is known.
- 9.3 The Government have also recently published a consultation version of changes that they would like to make to the National Planning Policy Framework alongside draft guidance on how to produce a new Local Plan.

This may have implications for the Local Plan (2020-2040) alongside the development of the new Local Plan.

- 9.4 The Planning and Infrastructure Act received Royal Assent in late 2025. This may also have a future impact on Planning and Local Plan making. The English Devolution and Community Empowerment Act 2026 also establish a new tier of plan making, at the sub-regional level, called spatial development strategies. The development of these documents may have implications for future plan making in the Borough.
- 9.5 There is an opportunity for an aggrieved party to challenge a decision to adopt a Local Plan under s113 of the Planning and Compulsory Purchase Act. An application must be made before the end of the period of six weeks following the adoption of the Plan.

10. UN Sustainable Development Goals (UNSDG)

10.1 As the Local Plan is primarily focused on the use of land and the achievement of sustainable development, overall levels of growth and the relationship to the environment and infrastructure then several of the UN Sustainable Development Goals will overlap with the aims of the Plan.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

We will make investment to diversify our income and think entrepreneurially.

- *Site allocations in the Local Plan will support sustainable development in the Local Plan up to 2040, including sites in the Council’s ownership.*

One Digital Council

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

- *Consultation on the Local Plan has included appropriate engagement including via digital means. There will be an interactive version of the Local Plan Policies Map, on the Council’s website.*

One Sustainable Council

We will deliver on our commitments to make all decisions with sustainability as a driving principle

- *The Local Plan includes policies to support the Council's urban tree planting schemes and policies in relation to energy efficiency.*

12. Key Decision Information

12.1 The Local Plan is a borough wide document that has implications on communities living or working in an area comprising more than two or more wards.

13. Earlier Cabinet/Committee Resolutions

13.1 Cabinet 23 June 2026 – Decision on Local Plan - [Agenda for Cabinet on Tuesday, 23rd June, 2026, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

13.2 Council – 24 July 2024 – Council decision to consult on the Final Draft Local Plan - [Agenda for Council on Wednesday, 24th July, 2024, 7.00 pm – Newcastle-under-Lyme Borough Council](#)

14. List of Appendices

14.1 Appendix 1: Inspectors Report

14.2 Appendix 2: List of Main Modifications

14.3 Appendix 3: List of changes to the Policies Map

14.4 Appendix 4: List of Additional Modifications

14.5 Appendix 5: response from Planning Inspector in respect of changes

15. Background Papers

15.1 The Local Plan Examination Library can be viewed using the following webpage:- [Local plan examination – Newcastle-under-Lyme Borough Council](#)

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Report to Newcastle-under-Lyme Council

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State
19 May 2026

Planning and Compulsory Purchase Act 2004 (as amended and applied by the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026)

Report on the Examination of the Newcastle under Lyme Local Plan

The Plan was submitted for examination on 20 December 2024

The examination hearings were held between 20 May and 19 June 2025

File Ref: PINS/P3420/429/7

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Abbreviations used in this report

| | |
|--------|---|
| AA | Appropriate Assessment |
| AQMA | Air Quality Management Area |
| BMV | Best and Most Versatile (Agricultural Land) |
| BNG | Biodiversity Net Gain |
| dpa | dwellings per annum |
| EA | Environment Agency |
| GTAA | Gypsy and Traveller Accommodation Assessment |
| Ha | hectare |
| HENA | Housing and Economic Needs Assessment |
| HIA | Health Impact Assessment |
| HMO | Houses in Multiple Occupation |
| HRA | Habitat Regulation Assessment |
| MM | Main Modification |
| NDSS | Nationally Described Space Standard |
| NP | Neighbourhood Plan |
| NPPF | National Planning Policy Framework |
| SA | Sustainability Appraisal |
| SESA | Strategic Employment Site Assessment |
| SFRA | Strategic Flood Risk Assessment |
| SHELAA | Strategic Housing and Economic Land Availability Assessment |
| SM | Standard Method |
| SSSI | Site of Special Scientific Interest |
| STA | Strategic Transport Assessment |
| SUDS | Sustainable Drainage Systems |
| VA | Viability Assessment |

Non-Technical Summary

This report concludes that the Newcastle-under-Lyme Local Plan (the Plan) provides an appropriate basis for the planning of the borough, provided that a number of main modifications [MMs] are made to it. Newcastle under Lyme Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. In some cases, I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- The provision of a safeguarded route for a link road between the A53 and the A525;
- Removal of the housing allocations AB12 Diglake Street, AB33 Land off Nantwich Road/Park Lane Audley, CT1 Land at Red Street Chesterton, CH13 Land at Castletown Grange Cross Heath, KS3 Land at Blackbank Road Knutton, Site 8 G&T Land West of Silverdale Business Park;
- Changes to the housing trajectory to reflect up-to-date development assumptions;
- Changes to Policy AB2 to ensure that suitable on and off-site mitigation measures for any adverse impacts on the M6 (Junction 16) or other parts of the highway network (strategic and local) are adequately identified and addressed, that adequate public transport is provided, and that the landscape impacts of the development are appropriately considered;
- Changes to clarify the Neighbourhood Plan housing requirements;
- Deletion of Policy SA1 General Requirements and inclusion of site-specific criteria for a number of housing allocations;
- Allocation of land for the extension of Madeley High School;
- Changes to clarify how employment land supply is calculated;
- Changes to clarify how compensatory improvements to the Green Belt will be identified and secured;
- Changes to remove reference to First Homes in line with up-to-date national policy;
- Changes to Policy EMP2 Existing Employment Sites to include the 'agent of change principle';
- Changes to Policy SE9 Historic Environment to reflect national policy;
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Newcastle-under-Lyme Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.
2. Annex 1 of the National Planning Policy Framework (NPPF) 2024 sets out transitional arrangements, in accordance with which I have examined the Plan under the National Planning Policy Framework, December 2023. Therefore, unless stated otherwise, references in this report are to the NPPF of December 2023. Paragraph 35 of this document, to which I have had regard, advises that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Newcastle-under-Lyme Local Plan, submitted in December 2024 is the basis for my examination. It is the same document as was published for consultation in August 2024.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made some amendments to the detailed wording of the MMs and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability

appraisal/habitats regulations assessment that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Newcastle - under-Lyme Local Plan Policies Map as set out in CD02.
7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
8. These further changes to the policies map were published for consultation alongside the MMs [Policies Map Modifications] In this report I identify any amendments that are needed to those further changes in the light of the consultation responses.
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the 'schedule of proposed modifications to the local plan policies maps.

Context of the Plan

10. The Plan is proposed to replace the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (adopted 2009) and saved policies of the Newcastle-under-Lyme Local Plan (adopted 2003). The new Plan, together with the Minerals Local Plan for Staffordshire (2015-2030), the Staffordshire and Stoke-on-Trent Waste Local Plan (2010-2026) and made Neighbourhood Plans (NP) will form the development plan for the borough.
11. The market town of Newcastle-under-Lyme is the principal urban settlement in the borough with a smaller secondary centre of Kidsgrove to the north. These are contiguous with Stoke-on-Trent which lies to the east, forming part of a wider urban area. The Keele University campus lies to the west of Newcastle-

under-Lyme. The borough has good connectivity with Stoke, Manchester, Birmingham and beyond by both road and rail links.

12. The borough lies to the north-west of Staffordshire and borders districts that form part of Shropshire and Cheshire. The north of the borough contains the main settlements of Newcastle-under-Lyme, Kidsgrove, Chesterton and Audley and the southern part of the borough is predominantly rural in nature. Outside of the main urban areas, much of the borough is dominated by attractive undulating rural landscapes, which include farmlands, woodlands and villages, including the smaller settlements of Madeley, Baldwins Gate and Loggerheads. A significant proportion of the borough lies within the Green Belt.
13. The borough contains two statutory protected wetlands designated as RAMSAR sites at Betley Mere and another at Balterley Heath. There are also five sites of special scientific interest (SSSI) in the borough. The borough also contains several other heritage assets including Conservation Areas and Listed Buildings, two registered Parks and Gardens, a Registered Battlefield and a large number of non-designated heritage assets including standing structures and sub-ground remains that reflect the borough's rich industrial heritage.

Public Sector Equality Duty

14. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including policy HOU4 which makes provision for the housing needs of Gypsies, Travellers and Travelling Showpeople, Policy HOU5 Specialist Needs Housing and Policy HOU3 Housing Mix which addresses the need to provide specialist and accessible housing, including that which meets the needs of older people. In this way the disadvantages that they suffer would be minimised, and their needs met, in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the Newcastle-under-Lyme Local Plan, as a whole, would bear disproportionately or negatively on them or others in this category.

Assessment of Legal Compliance

15. The Plan has been prepared in accordance with the Council's Local Development Scheme.
16. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement and the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations).

17. The Council carried out a sustainability appraisal (SA) of the Plan, prepared a report of the findings of the appraisal, and published the report [CD04] along with the Plan and other submission documents under Regulation 19. The appraisal was updated to assess the main modifications. The SA is adequate in assessing the sustainability implications of the Plan and reasonable alternatives.
18. The Habitats Regulations Appropriate Assessment Report (AA) [CD05] July 2025 sets out that a full assessment has been undertaken and that the Plan may have some negative impact which requires mitigation in relation to 2 sites at Oakhanger Moss Site of Special Scientific Interest (SSSI) and Black Firs and Cranberry Bog SSSI. In relation to water quality, policies in the Plan to improve water efficiency and ensure adequate water supply for growth will ensure adequate water supplies at European sites and thus mitigate against any likely significant effects. In relation to potential adverse impacts arising from recreational pressure, the Plan contains policies which require delivery of open space to meet the needs of new growth. Furthermore, taking into account the availability of other publicly accessible spaces close to Plan allocations and distance of allocations to the SSSIs, along with the limited public access available to the identified sites, it is considered that there is unlikely to be any adverse recreational impacts on the integrity of the European sites from the Local Plan alone or in-combination.
19. The assessment also indicates that Oakhanger Moss SSSI and Black Firs and Cranberry Bog are predicted to be subject to a likely significant effect, either alone or in combination from the changes in air quality associated with development set out in the Local Plan, particularly traffic movements associated with allocation AB2. The AA concluded that taking into account policies which incorporate measures for sustainable transport, to encourage a modal shift, and to promote active transport options, the positive impact arising from these would provide appropriate mitigation to address the identified likely significant effects in relation to air quality. Following advice from Natural England the Council undertook a further AA to specifically look at air quality impacts. This concluded that provided specific measures were taken to secure mitigation development at the allocation would not have an adverse impact on integrity in relation to air quality. Subject to **MM67** the Plan would provide this mitigation. I refer to this matter below in my consideration of Policy AB2.
20. Accordingly, I find that the Plan, subject to the recommended MMs, would have no adverse impact on site integrity at any European site, either alone or in-combination.
21. The Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.

22. The Plan, taken as a whole, includes policies designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. Policy CRE1 Climate Change is a wide-ranging policy which sets out a range of measures to achieve both climate change mitigation and adaptation. Policy CRE2 Renewable Energy makes provision for renewable energy generation in the borough. These are dealt with below in Issue 12 of the report.
23. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

24. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 13 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.
25. The NPPF is clear that "Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy". The Council has engaged with adjoining local planning authorities, Staffordshire County Council, Local Enterprise Partnerships, Local Nature Partnerships and the prescribed bodies on all relevant strategic matters from an early stage in plan preparation as documented in the Council's Duty to Cooperate Compliance Statement 2022 [CD11].
26. The strategic matters identified as being relevant to the preparation of the Plan include the housing requirement, identifying the district's economic needs, Gypsy and Traveller needs, Green Belt, cross-boundary infrastructure, highways, transport, and air quality. For each strategic matter the statement sets out how the Council has sought to cooperate, the actions taken, outcomes and any ongoing co-operation. Statements of Common Ground have also been provided which set out areas of agreement with key bodies and organisations, and these demonstrate the ongoing contact that took place during the Local Plan process on key strategic matters, and where the parties are not in agreement. I am therefore satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan.
27. No authorities have formally requested Newcastle-under-Lyme to accommodate any of their own development needs. Cheshire East Council object to the

allocation of land for employment at site AB2 Land at Junction 16 of the M6, the amount of employment development the Plan seeks to accommodate, and whether this would have any consequent impact on housing needs.

Staffordshire County Council as highways authority also commented at an early stage in relation to highways modelling and identified the need for mitigation proposals at the site. I note that the Council sought to respond to concerns raised by the highway authority in later iterations of the Plan and I deal with these matters below.

Issue 1 – Is the spatial strategy set out in the Plan based on robust evidence and is it justified and effective?

Strategic Objectives

28. Chapter 4 of the Plan provides a vision for the borough and provides 13 strategic objectives which set out, amongst other things, how the Plan will facilitate economic growth and provide homes to meet future needs. The objectives also identify the need to achieve a balance between growth and conservation, to reduce the borough's carbon footprint and mitigate the impact of climate change and to improve health and wellbeing. The objectives also identify the need to support growth at Keele University and to protect the Green Belt.
29. However, the objectives of the Plan have some significant omissions and some need to be reframed to ensure consistency with national policy. In order to be consistent with the aims of housing policies in the Plan, and to ensure that the Plan would accord with national policy in these regards, Objective SO5 should include reference to providing a mix of housing tenures. Objective SO9 seeks to protect green infrastructure as a means of ensuring access to outdoor spaces to foster wellbeing. However, the objective would not be effective because as drafted it does not encourage the improvement of such spaces and does not relate to all such spaces, or spaces outside urban areas. To ensure the Plan is effective this objective should be revised to refer to improving all areas. Objective SO12 relates to Green Belt and refers to strategic Green Belt release. To ensure the Plan is justified, this objective should be reframed to focus on Green Belt land that is to be protected within the Plan, rather than that which is to be removed.
30. The Plan also does not have objectives in relation to pollution and contamination, nature recovery, or best and most versatile agricultural land. Whilst I acknowledge that Plan objectives are necessarily high level and not all policies in the Plan need to be linked to specific objectives, these omissions mean that the objectives are inconsistent with national policy on these issues and that they also provide an inadequate and thus ineffective basis for the policies that follow. A modification is therefore necessary to specifically refer to

these issues. Accordingly, **MM01** modifies the objectives as set out above to ensure that the Plan is positively prepared, effective and consistent with national policy. Furthermore, to reflect the removal of some of the site allocations, as set out in Issue 6 below, **MM02** is a consequential modification that makes the necessary changes to the Local Plan Key Diagram, for clarity and therefore effectiveness. As advertised, the diagram shows changes to the Green Belt at Bignall End and Lyme Park which have now been superseded by other modifications to the Plan and so is inconsistent with the Policies Map. I have therefore corrected the Diagram to ensure it reflects the retention of these areas of Green Belt. I am satisfied that no party would be disadvantaged by this change.

Spatial Strategy

31. The Plan seeks to focus most development within or adjacent to the main settlements of Newcastle-under-Lyme, Kidsgrove, Chesterton and Audley, which are more sustainably located with better access to jobs and services. A lesser proportion of development is proposed in the southern part of the borough, which includes the smaller settlements of Madeley, Baldwins Gate and Loggerheads. As the north of the borough is constrained by the Green Belt, the strategy will require the release of Green Belt Land. I set out below in Issue 4 why I have concluded that there are exceptional circumstances in principle to do so.
32. Policy PSD1 of the Plan provides context for the rest of the Plan strategy by setting out the quantum of housing and employment land to be delivered by the Plan. PSD2 defines a settlement hierarchy, and PSD3 explains the distribution of development across the borough. The Housing Spatial Strategy Topic Background Paper [ED031] explains how the Spatial Strategy as set out in these 3 policies was arrived at, detailing how policy development was informed by public consultation, and the evidence base. An Initial Draft Newcastle-under-Lyme Local Plan was consulted upon as part of Reg 18 in June 2023, with further consultations on the Plan under Reg 19 carried out in August 2024.
33. SA was carried out at each stage of the plan-making process, with the findings being used to inform decision making. The SA documents how the spatial strategy was identified, the alternatives considered through the plan making process and the reasons for discounting alternatives. This included options for the location and proportion of development and for the amount of housing and employment land the Plan should provide. These are considered below in the relevant sections.
34. The 2024 SA [CD03] sets out that initially 6 spatial options in relation to the distribution of development were appraised at Reg 18 stage, with an additional 'Growth Direction Option Zero' being added at Reg 19 stage. This seeks to maximise brownfield opportunities and the use of land within development

boundaries before looking at site options outside development boundaries. The available evidence in the SHELAA provided a comprehensive assessment of potential development sites in the borough and formed the basis for the Council's conclusion that this option would not, on its own, meet the identified housing or employment requirements. Nevertheless, the option forms a starting point for all other growth options, and I set out elsewhere in this report why I am satisfied that the release of Green Belt land will be necessary to meet development needs identified within this Plan.

35. Growth Option 1, which comprised large scale growth in locations with limited access to key facilities and essential infrastructure was not consistent with the settlement hierarchy and was thus discounted. Options, 2, 3, 4 and 5 would, on their own, not provide for local housing needs in full and would also not provide a balanced distribution of development across the main settlements in the settlement hierarchy. In this regard, Option 6, which comprises a mix of sites was concluded to provide the best option for ensuring a broad distribution of growth which could be aligned with the settlement hierarchy.
36. In addition, three options were considered for the scale of housing growth. The Housing and Economic Needs Assessment Update (HENA) [ED001] sets out that providing the Standard Method (SM) alone would not provide sufficient working population to support projected levels of economic growth in the borough. For this reason, and in line with the strategic objectives of the Plan to support economic growth, Option 1 of 347 dpa was discounted. The SA shows Option 2 of 400dpa and Option 3 of 435 dpa to be broadly similar in terms of outcomes. Accordingly, the Council's selection of Option 2 is reasonable as it strikes a balance between the protection of the Green Belt and the provision of a housing requirement that is aligned to economic growth ambitions.
37. Alongside housing options, the Council also considered 3 options for employment growth. These all met or exceeded the identified need based on the SM figure and modelling comprised a figure at the bottom, middle and top of the range arrived at in the employment forecasts. The SA concluded that the 3 options would be likely to have similar outcomes, and all would support jobs growth which equates to the job growth associated with the SM. However, as the higher growth option would provide the highest potential for jobs growth it was the Option taken forward by the Council. Further to this the Council then looked at 4 different sub-options for delivering employment land. I set out in Issue 7 why I am satisfied with the Council's approach to employment land supply.
38. The combination of options resulted in 54 potential sub-options. I note that, in practical terms, all of the spatial options considered would include some alteration to the Green Belt Boundary. Nonetheless, having concluded that development within Green Belt would be necessary, these options together provide a sufficient range of alternatives to provide a meaningful comparison on

which to assess likely effects. Whilst it is true that growth options could have been set higher, or lower, the options are nonetheless sufficiently different to constitute reasonable alternatives.

39. The SA does not always provide a definitive 'best' option, as the work is necessarily high-level and some effects will be uncertain. Nevertheless, alongside other evidence in the form of the HENA and SHELAA it provides a sufficiently detailed comparison on which the Council could base an informed assessment of the different spatial and quantitative options for accommodating development in the borough.
40. Policy PSD2 sets out a settlement hierarchy and PSD3 distributes levels of development within them. The Rural Area Topic Paper [ED05] provides a competent assessment of the facilities and services available in each settlement in the borough, along with opportunities for local employment and commuting. Newcastle-under-Lyme is identified as a strategic centre for development which will accommodate the majority of new development in the borough. Kidsgrove is identified as an urban centre and is proposed to accommodate a significant proportion of new development, commensurate with the scale of the settlement and the services available within it.
41. Audley and Bignall End, Betley and Wrinehill, Madeley and Madeley Heath, Loggerheads, Baldwins Gate and Keele with the University are all designated as Rural Centres, with some available services commensurate with their size and location. Taking into account the availability and suitability of development sites in and around these settlements they are anticipated to accommodate lower levels of growth. Other settlements and rural areas comprise smaller settlements and open countryside which are not a focus for growth in the Plan, and no sites are allocated for development within them.
42. In light of the removal of some of the allocations in the Plan which I set out in Issue 6, the Plan will not exactly replicate the proportions or amount of development originally envisaged. The hierarchy has been arrived at using a degree of professional judgement based on a range of considerations, including, amongst other things, the availability, suitability and achievability of development sites. Accordingly, neither the hierarchy nor the proportion of homes assigned within it can ever be entirely internally consistent. However, I am satisfied that most growth is proposed in and around settlements with the best access to services and employment and that the spatial strategy and the related settlement hierarchy is therefore reasonable and justified. In light of the removal of some allocations from the Plan the amount of development within some settlements has changed and **MM05** is a consequential modification which updates the figures within it, to ensure the Plan is effective.

43. SA was also carried out as part of the site selection methodology for all housing and employment sites and for each Local Plan policy throughout the development of the Plan, including following modification post-examination. As such, it is clear that the site selection process was informed by the SA throughout the Plan-making process.
44. The sites selected have resulted in a Plan which allocates employment land in excess of that set out in Employment Option 3. The removal of some housing allocations has resulted in levels of housing below that originally proposed in the Plan, but in excess of the need identified in the HENA and set out in Policy PSD1. Nevertheless, I am content that in delivering housing growth significantly above the level set out in the SM, and in seeking to meet employment needs beyond the minimum identified as needed to sustain predicted levels of growth in the borough, the Plan is broadly consistent with the growth options chosen and are also in line with the strategic objectives of the Plan.
45. Policy PSD1 sets out the minimum levels of housing and employment provision to be delivered in the Plan. It also identifies sites at Keele and Junction 16 of the M6 as strategic employment sites and expresses support for windfall development in appropriate circumstances. These include where sites do not require major investment in new infrastructure. As worded, the policy would preclude new development where the infrastructure needs of the development are effectively addressed by the scheme. As a result, it is ineffective and inconsistent with paragraph 16 of the NPPF. **MM03** amends the text so that the policy addresses sites which mitigate their own impacts on infrastructure and also corrects a typographical error. This modification is necessary to ensure effectiveness and consistency with national policy.
46. I examine below in Policy HOU4 the housing needs of Gypsies and Travellers and Travelling Showpeople in the borough. These needs are not set out in Policy PSD1. To ensure the policy reflects all of the housing provision identified in the Plan and is therefore justified and effective, the policy should be modified to include this provision. I have made post-consultation amendments to **MM03** as consulted on to include this provision. This amendment is relatively minor but is nevertheless required to achieve effectiveness. No prejudice would be likely to occur to the interests of any parties as a result of this change.
47. Furthermore, the supporting text to the policy fails to supply relevant information as to how employment and housing needs will be met. **MM04** sets out this information, updated to reflect the removal of sites in the Plan, which is addressed in Issue 6, and to take account of update of the housing and employment supply information to 2024. The modification also provides further elaboration on the nature of the strategic employment allocations, explaining that the allocations aim to provide flexibility and choice in employment land supply. These changes are necessary for clarity and therefore effectiveness.

Plan Period

48. If adopted in a timely manner, the Plan period would fall slightly short of the 15 - year coverage that the NPPF expects for strategic policies. In assessing this matter, the Minister of State for Housing and Planning's letter to the Planning Inspectorate of 9 October 2025 is relevant. This emphasises firstly, the government's determination to make rapid progress toward universal local plan coverage; and secondly that Inspectors should adopt a flexible approach to the examination of the last round of current system plans. The letter further sets out that the evidencing of expectations to establish whether soundness tests have been met should be proportionate to the context in which plans are being prepared.
49. It is clear that, in order to extend the plan period, further work to the Council's evidence base would be needed. This would mean delays to the adoption of the Plan and consequent delay to the genuinely plan-led approach to development which paragraph 15 of the NPPF expects. It would also mean delaying the greater certainty that an adopted plan would provide for proposals, including those that would significantly boost the supply of homes. Moreover, due to transitional arrangements in place relating to plan preparation, the Council are one of several local planning authorities who have been directed by the Secretary of State to commence plan-making in the new system by 30 June 2026. On the basis of the anticipated timeframes in the new plan-making system, this means that an update to the Plan will be forthcoming in a little over three years' time, which would provide adequate opportunity to consider the longer-term planning horizon.
50. Accordingly, these considerations, taken together, lead me to the view that the submitted Plan period is justified, and provides a soundly based approach to the planning of the area.

Conclusion

51. Subject to the Main Modifications identified above the Plan's overall spatial strategy is based on robust evidence, is justified and likely to be effective. In this regard it provides a pragmatic and soundly based development strategy for Newcastle-under-Lyme over the Plan period.

Issue 2 - Is the identified housing requirement justified and consistent with national policy?

The Housing Requirement

52. The Borough of Newcastle-under-Lyme and the city of Stoke-on-Trent function as a joint Housing Market Area. Both boroughs have agreed to meet their own housing needs.
53. Policy PSD1 sets out a strategic aim to delivery 8000 new homes in the period 2020 to 2040 which equates to 400 dwellings per year. This is significantly in excess of the local housing need figure derived from the SM as set out in national guidance, which was 330 homes per year when the Plan was published. The SM figure aligns broadly with recent housing delivery in the borough.
54. The PPG is clear that the SM is a minimum figure and that in some circumstances Local Planning Authorities may seek to plan for housing above the level set out in the SM. Modelling in the HENA suggests that housing provision at the level set out in the SM would add around 5460 people to the population of the borough by 2040, however, this growth would be largely in older people with virtually no growth in the working age population and with very limited jobs growth.
55. A review of economic forecasts from Cambridge Econometrics and Experian show a considerable improvement on past trends of economic growth seen in the borough. Such forecasts can vary considerably, and in this case the HENA is rightly cautious of some of the assumptions made in the Cambridge Econometrics forecast, which assumes growth in some sectors that does not appear to be being replicated locally. A blended forecast, which uses a sectoral profile more akin to that of the borough produces a jobs growth figure of 237 jobs per annum. This exceeds a level of jobs growth that could be supported by the minimum need supported by the SM.
56. Further modelling in the HENA suggests that an increase of around 15% more housing would be needed to supply the labour force necessary to support this level of jobs growth. Adding the projected employment-related housing need would result in a requirement of 400dpa.
57. I set out below why I consider the provision of employment land in the Plan, including the allocation of strategic sites, to be appropriate. In light of the allocation of strategic sites, I have considered whether the amount of employment land allocated may warrant a further uplift in the housing requirement beyond the 400dpa set out above. The HENA set out a number of

factors which point to a need for caution in this regard. The forecasts for growth used to formulate the employment related housing requirement take into account growth in sectors such as logistics and so to some degree jobs created on strategic sites may not be wholly additional to the baseline forecast, with such sites instead being necessary to sustain the assumptions for growth set out in the forecasts.

58. Furthermore, it is unlikely that all of the jobs arising will be filled by those resident in the borough, lessening reliance on the borough's resident labour force and thus reducing their impact on local housing need. I note here the concerns of Cheshire East, that the allocation at AB2 will put additional pressure on housing need in this neighbouring borough. I accept that there may be some displaced housing needs arising as a result of this allocation. However, these needs are likely to arise gradually and late in the plan period. Monitoring of this Plan, taken together with plan-making in the sub-region (including through the Spatial Development Strategy process) will provide appropriate mechanisms to consider how such needs may be accommodated. In this regard, additional housing needs can, if necessary, be accommodated in future plans in the region.
59. With these factors in mind, I see no persuasive reason to increase the proposed uplift from the SM above 400dpa within this Plan. Should ongoing monitoring indicate that employment growth in the borough is creating a labour shortage, a different approach may be warranted in future plan-making activity.
60. Furthermore, there is no need for a further uplift in the housing requirement to specifically address affordable housing needs. The SM includes within it an uplift to address affordability. Furthermore, given that housing sites will at most deliver 30% affordable housing, and in most cases significantly less, every affordable home would require many times as many market homes to be built. There is no convincing evidence that there is a requirement for this level of market housing or that such a strategy would deliver the necessary number of affordable homes. I am therefore not persuaded that a further uplift in the housing requirement above 400dpa is justified on this basis.

Neighbourhood Plan Requirement

61. The Plan does not set specific housing requirements for Neighbourhood Plans (NPs). The supporting text to policy PSD3 states that the Council will provide an indicative figure to Neighbourhood Planning Areas on request. However, the NPPF identifies that Plans should set a housing requirement for Neighbourhood Planning Areas.
62. At this point in time, in the absence of the necessary technical work to identify potential future NP requirements it would not be appropriate to pre-empt this work, which should be undertaken in conjunction with the local community. Furthermore, the Plan already meets its full housing needs, without any

contribution from future NPs. I therefore see no reason why the NP requirement for the relevant NP areas should be any more than that already provided through completions, permissions and allocations within the relevant areas.

63. The requirement in the NPPF is to set a 'minimum' requirement for NP areas. This does not preclude NP areas from allocating sites if they consider it an appropriate strategy for their area and therefore the supporting text to policy PSD3 makes this clear.
64. Accordingly, **MM06** to the supporting text to Policy PSD2 sets out the approach set out above and is necessary to ensure the Plan is effective.

Conclusion

65. Subject to the required main modifications detailed above the housing requirement set out in the Plan is justified and effective.

Issue 3 – Is the identified employment requirement justified and consistent with national policy?

The Employment Land Requirement

66. The Council carried out a joint HENA in 2020 [ED01b] along with Stoke-on-Trent City Council. The 2020 study concluded that together, Stoke-on-Trent and Newcastle-under-Lyme form a Functional Economic Market Area (FEMA). As each authority subsequently decided to prepare its own plan, the HENA was updated in 2023 [ED01a] and again in 2024 [ED01] to identify the employment and housing needs of Newcastle under Lyme. Both Authorities have undertaken to meet their own employment needs [CD11], and Stoke-on-Trent City Council have raised no objection to the Council's approach in relation to employment need and allocations.
67. The HENA presents employment need as a range, having regard to past take-up rates, labour supply modelling and forecasts of future employment growth. The figures are calculated from 2023 to 2040 and so do not directly align with the Plan Period. All models include an additional five years of supply to provide headroom. This level of headroom would help to create the conditions in which businesses can invest, expand and adapt and means that the Plan would be flexible enough to accommodate unanticipated needs. It is thus in accordance with the expectations of Section 6 of the NPPF on these matters.
68. The labour supply modelling, taking account of population growth, results in a requirement of 43.1 hectares of employment land. The forecast based on past take-up over the past five years arrives at a figure of 83 hectares. Past take up

over the past 10 years is lower, at 63.3 hectares, as levels of take up have increased significantly in recent years. Using employment forecasting provides a figure of 48.2 hectares. Here the HENA blends the data from Experian and Cambridge Econometrics to account for anomalies in the data sets. I consider all of these estimates to have been competently undertaken.

69. The Council has elected to use a midpoint figure of 63 hectares. This also reflects the rate of past take up calculated over the last 10 years and is expressed as a minimum requirement in policy PSD1. Taken as a starting point I consider 63 Hectares to be a reasonable figure. However, I am mindful that there is a significant likelihood that demand for employment space may be higher, given take up in recent years. Vacancy levels for industrial property are low and despite a reduction in industrial land values, rental values have increased with evidence [ED02a] indicating that much of the space currently advertised as available for rent is under construction. These factors suggest there may be an element of 'suppressed demand' for industrial and logistics floorspace in the borough, whereby established companies are trading in business space that does not meet their needs because there is no new stock available. This is reinforced by the qualitative assessment of sites within the HENA which shows a significant proportion of the existing stock considered to be average or poor.

Conclusion

70. Subject to the required main modifications detailed above the employment requirement set out in the Plan is justified and effective.

Issue 4 – Whether the approach to the alteration of the Green Belt and development within it is justified and consistent with national policy.

Overview

71. The Green Belt in Newcastle-under-Lyme Borough is made up of part of the North Staffordshire Green Belt, which covers the northern half of the borough. It is contiguous with the Green Belt in Cheshire East to the north and Stafford to the south and is tightly drawn around the main settlements in the borough of Newcastle under Lyme, Kidsgrove, Audley, Silverdale, Chesterton and partly adjoining Madeley. These are the settlements most sustainably located to access jobs and services. The southern part of the borough outside of the Green Belt comprises open countryside and some smaller settlements of Baldwins Gate and Loggerheads and whilst there is some capacity for proportionate growth in these locations, the supply and suitability of land to meet longer term development needs outside the Green Belt is nonetheless restricted.

Exceptional Circumstances

72. The Strategic Housing and Employment Land Availability Assessment (2024) (SHELAA) [ED006a] comprises a thorough and competent assessment of the scope to accommodate housing in the borough. The methodology for the SHELAA took appropriate account of relevant constraints and comprised a competent assessment of potential sites. I am satisfied the conclusions reached within it in terms of housing land availability are justified. The Site Selection Report [ED029] sought to identify as many potential sites as possible in the urban area. Furthermore, the Newcastle-under-Lyme and Kidsgrove Urban Capacity and Town Centre Regeneration Study [ED021] explored options for development with the urban area and concluded that additional opportunities beyond existing regeneration and investment schemes were relatively limited. Opportunities have also been sought to optimise development through individual site assessments within the Site Selection Report and within policy HOU2.
73. An estimate of housing supply from commitments, and sites outside the Green Belt allocated in this Plan, alongside future windfalls, indicates that there is a shortfall against the housing requirement of around 2068 over the Plan period. Taking into account the Spatial Strategy there is insufficient capacity to meet the housing requirement on land outside the Green Belt.
74. In line with national policy the Plan seeks to meet identified housing need for housing in the borough, and to diversify the borough's employment base and deliver employment sites which will benefit economic growth for the region, to generate more skilled jobs for local people. The Council has made formal requests to adjoining authorities with a view to meeting this need, but none have indicated they are able to meet this identified need. Opportunities for urban intensification have been identified in the Plan and may provide some limited scope to increase site yields, but this is unlikely to have anything more than a limited effect on overall housing supply.
75. Therefore, on the basis of these considerations, in order to meet the housing requirement in full, I am satisfied that exceptional circumstances have been demonstrated that justify Green Belt boundary alteration.

Green Belt Review

76. The ARUP Green Belt review was initially undertaken as a joint review for Newcastle-under-Lyme and Stoke-on-Trent City Council. It was undertaken in four parts. The 2024 Part 4 Review [ED08d] reviewed the methodology in light of change to national guidance, consolidated all of the previous Green Belt site review assessments and undertook a number of additional Green Belt assessments including new sites, previously assessed sites with revised boundaries, and previously assessed sites where circumstances had changed.

In this respect it provided a consolidated report of the work undertaken throughout the review process.

77. Some have disputed the scores attributed to the contribution of different sites to Green Belt purposes. This is inevitable given that a degree of planning judgement is involved and indeed I have reached a different conclusion in places. Nevertheless, I am satisfied that the review process followed a robust methodology and that, read as a whole, it provides a sound basis for identifying land for removal which would cause least harm to Green Belt purposes with permanent and defensible boundaries which are logical and robust. Accordingly, alongside consideration through the employment and housing site selection methodologies, the review can be considered fit for purpose. Individual sites are reviewed below in Issue 6 and Issue 8.

Green Belt Policies

78. Policy PSD5 sets out a framework for managing the Green Belt within the borough. However, the policy and supporting text provides incomplete direction as to the types of compensatory improvements which may be considered acceptable, pending consideration on a site-by-site basis. Furthermore, to be consistent with national policy it is necessary to provide an additional criteria setting out that development proposals for sites removed from the Green Belt should establish a recognisable and permanent new boundary to the Green Belt.
79. The policy lists those sites within the Green Belt which are allocated for development. I set out below why allocations AB12, AB33 and CT1 should be removed from the Plan, and the policy should be updated to reflect this.
80. Policy IN1 Includes the allocation of land at Madeley High School for expansion of the school. The land lies within Green Belt and although it is listed in the infrastructure section of the Plan and shown on the Policies Map it is not listed in Policy PSD5. The Infrastructure Delivery Plan [CD16] indicates that there is an outstanding need for expansion to Madeley High School by 0.5FE (75 places) to meet the needs arising from new homes in the catchment. A further expansion at Madeley High School is identified as necessary to meet the need arising from commitments and allocations proposed in the Plan estimated to be likely to generate approximately 74 pupils across four-year groups. There is therefore a demonstrable need for land to be provided, which, as it needs to be adjacent to the school, cannot effectively be provided outside the Green Belt. The land allocated is proportionate in size to the use proposed. Furthermore, the NPPF gives great weight to the need to create, expand or alter schools through the preparation of plans. I therefore consider that exceptional circumstances have been demonstrated to justify the release of this land from Green Belt.

81. The school allocation does not have a site-specific policy to guide its development. I have not been advised of the timescale for provision of the infrastructure, but it would appear unlikely that it will come forward within the short term. I am therefore content to leave the requirement for a site-specific policy to the Plan update that is due to commence shortly.
82. In addition to the correction of typographical errors **MM08** makes these modifications, including providing details of additional supporting documents which may assist in implementing compensatory improvements. The changes are made to ensure the Plan is effective and positively prepared.

Safeguarded Land

83. The Plan does not allocate any Safeguarded Land. The NPPF states that where necessary safeguarded land should be identified in the Plan to meet longer term development needs beyond the Plan period. As such, the provision of safeguarded land is not a requirement of National Policy.
84. The Safeguarded Land Assessment [ED008d] recommended that some safeguarded land should be identified. Nevertheless, the Assessment also recognised the potential for brownfield land in the Borough, which is not available at this time, to come forward after the plan period has concluded. Moreover, the Council is imminently due to commence an update to the Plan, and a spatial development strategy for the wider area is also forthcoming. Both of these may have implications for the distribution of development beyond the plan period which would mean that safeguarding land would be premature at this juncture. Accordingly, I consider that identification of safeguarded land is not necessary and that the Council's approach to this matter is well-founded and consistent with national policy

Keele and Whitmore

85. The Plan removes the village of Keele from the Green Belt, having previously been 'washed over'. The Green Belt Village Study [ED009] looked at the potential for removal of the villages of Keele and Whitmore from the Green Belt. These are the only two villages in the borough which are 'washed over' and both have a defined boundary set out in the 2011 Local Plan which formed a starting point for review. I am satisfied that the methodology used in the Village Study is coherent and fit for purpose.
86. The Village Study concluded that as Whitmore is predominantly low density with detached housing, large gardens provide clear views and an open character which makes an important contribution to the openness of the Green Belt. Accordingly, it was concluded the village should remain 'washed over'.

87. In the case of Keele, the report concluded that the majority of the village boundary was clearly defined and that views into and out of the village are mostly restricted by built form and vegetation. The open character was therefore not judged to make an important contribution to the openness of the Green Belt. The report therefore recommended that the village be inset within the Green Belt.
88. I concur with these conclusions. I note that the inset boundary differs slightly from that shown on the 2011 Plan and am satisfied that it follows a logical re-view of the features on the ground and so is justified.

Conclusion

89. Subject to the **MMs** detailed above I am satisfied that there is sufficient evidence to support the release of land from the Green Belt to meet employment, education and housing needs in the borough, subject to exceptional circumstances being demonstrated for the alteration of Green Belt boundaries to justify the removal of specific sites from the Green Belt. This matter is dealt with in Issues 6 and 8 below.

Issue 5 - Does the Plan provide an appropriate supply of deliverable and developable housing sites to meet identified needs and do these align with national policy?

90. The Plan sets out a housing trajectory in Appendix 6. The trajectory is consistent with material provided in the Housing Supply Paper [EX/NBC/04]. This sets out for each of the allocated sites the number of dwellings expected to be completed over the Plan period. It also sets out the number of dwellings expected from large sites with planning permissions and from windfalls over the Plan period.
91. The trajectory and the detailed information on sites with planning permission was updated during the Examination to reflect actual completions and changes in the deliverable supply for the first 5 years of the Plan period (20/21 – 24/25). Figures for 2024/25 were necessarily an estimate. Within these first 5 years of the plan period 2071 new dwellings were completed.
92. The Housing Supply Paper identified the large sites with extant planning permissions, a significant proportion of which are under construction. Further information is provided on all of the sites that form part of the 5 -year housing land supply in the site proformas appended to the Housing Supply Paper. I am satisfied that these provide a comprehensive assessment of the large sites and sufficient evidence to support their inclusion within the housing trajectory.

93. The Council have included student housing within their housing supply. The borough has seen an increase in applications for such housing in recent years to meet needs associated with higher education facilities in the area. Planning Practice Guidance advises that authorities should use census data to calculate a ratio to estimate the amount of student accommodation required to 'release' a conventional home to the general supply. Using census data to determine the number of students in student only households the Council calculated an average occupancy of 2.5 students per unit. This suggests that 2.5 student units are required to release a mainstream home to the general supply. I am satisfied that a calculation which applies this ratio to student housing is appropriate and provides a firm basis for estimating the contribution such housing can make to housing supply.
94. The Council have also included an element of supply from Use Class C2. The Housing Delivery Test (HDT) Measurement Rule Book includes a ratio of 1.8 to determine the release of accommodation. It follows that the Council's approach which sees 1.8 C2 units as equivalent to 1 dwelling in the housing supplies is reasonable and justified.
95. Within the trajectory changes of use and conversions, and outline consents of less than 10 dwellings are separately recorded. I am satisfied that these provide a source of deliverable supply.
96. Site allocations make up the largest proportion of housing supply in this Plan. My assumptions in relation to when these dwellings might come forward take into account the views of the Council and consultees on the specific sites, average lead in times within the borough and historic build out rates. These expectations are based on reasonable and informed assessments put to me during the examination, including that within the Housing Supply Topic Paper, and so I am satisfied that they are based on best available information.
97. The Council has included an allowance of 63dpa within their housing land supply for windfalls. Table 5 of the Housing Supply Paper sets out the completions on both small and large windfall sites, including changes of use and conversions over the last 15 years. Although this shows an average of around 63 dwellings per year, this can fluctuate significantly with noteworthy 'outlier' figures for 2016/17 and 2021/22. Furthermore, the time period over which the assessment has been made includes a significant period during which the current Local Plan for the borough has been 'out-of-date'.
98. These factors lead me to the view that although windfalls are likely to make an ongoing contribution to housing supply in the borough, the figure used by the Council is overly optimistic. Disregarding anomalous years with very high levels of windfalls suggests a more cautious figure in the region of around 35 dpa. I am mindful that windfalls are difficult to predict but nonetheless, the evidence

provided suggests that windfalls will provide a reliable source of supply over the plan period at or around the 35 dpa mark. This figure should be applied to all years beyond the 3 years of extant permissions – a period of 12 years – which would provide 420 dwellings over the plan period.

99. The contribution from small sites is based on extant permissions for small sites, excluding any completions. Whilst this calculation does not account for lapses in permission, neither the NPPF nor the PPG require such an analysis. In any event applying a lapse rate would be unlikely to have a material effect on supply estimates over the plan period. The Council's approach to this matter is therefore proportionate and justified.
100. The NPPF indicates that at least 10% of the housing requirement should be on sites no larger than one hectare. Allocations of less than 1 hectare would provide 416 dwellings. This alone would not meet the 10% target. However, the trajectory shows that development on small sites through permissions would provide around 136 dwellings of which a significant proportion, if not all, would be on sites of less than 1 hectare. It is also likely that a significant proportion of the identified completions in the housing supply will also have been on small sites. I am therefore satisfied that the Plan is likely to fulfil this requirement. The Council have carried out a thorough site selection process which has included bringing forward a large number of small sites in an effort to maximise urban capacity and minimise the requirement to release Green Belt. I am therefore satisfied that they have been successful in allocating a sufficient range of sites, and that supply is not overconcentrated in a small number of larger sites, which could impede delivery.
101. The figures used in the trajectory are estimates and as such, the actual number of houses that site deliver may differ. I am nonetheless satisfied that the estimates used are based on sound evidence and take a precautionary approach to delivery over the plan period.
102. The updated trajectory indicates that the Plan provides for at least 8425 developable dwellings against a requirement of 8000 dwellings. This would provide headroom of around 5% giving me assurance that the dwelling requirement is likely to be met by the Plan.
103. Allowing for a 5% buffer¹ the trajectory demonstrates that there is currently around 7 years supply of deliverable housing land in the borough. This exceeds the minimum five-year supply requirement in the NPPF.

¹ EX/NBC/04 confirms that the Council's 2023 Housing Delivery Test Result indicates an over-supply of housing over the three years captured through the housing delivery test. The NPPF Dec 2024 requires the addition of a 5% buffer to the supply of specific deliverable sites to ensure choice and competition.

104. As submitted the figures included in the Plan are out of date in terms of commitments and completions and are out of step with the other assumptions that have been refined during the examination process. The Plan is ineffective and unjustified as a result. **MM120** is therefore needed, which brings about the necessary changes to secure soundness in these respects.

Conclusion

105. The evidence indicates that the housing requirement figure across the Plan period is likely to be met and that the Plan identifies at least a five-year supply of specific deliverable sites at the time of adoption.

106. In conclusion, subject to the above-mentioned modifications, the Plan is positively prepared and is justified, effective and consistent with national policy in relation to its provision for the supply of housing.

Issue 6 – Are the proposed housing allocations justified, effective, developable, deliverable, in line with national policy and otherwise soundly based?

Housing Allocations

107. The Plan contains 40 housing allocations to meet identified need. Below I deal firstly with the site selection process and then with general requirements for all allocations within Policy SA1. Additional soundness matters relevant to individual allocations are then dealt with in turn. Not all housing allocations are referred to below. Where I have not made specific reference to allocations, having regard to all the evidence provided to me, including consultation responses my observations on site, I have concluded that they are capable of being developed and that the relevant policies enable any detailed impacts to be assessed and if necessary, mitigation identified at application stage and that they are otherwise soundly based.

Site Selection Process

108. The Site Selection Report (SSR) [ED029] provides a summary of the seven-stage process by which sites were selected as potential allocations. The process used as a starting point a distribution pattern which sought to allocate most development within and around Newcastle-under-Lyme and Kidsgrove, as the borough's most sustainable settlements with lesser amounts of development in lower order in line with the settlement hierarchy. Once commitments and completions were considered the process sought to align the remaining 'residual target' for each settlement identified for growth with suitable development sites outside the Green Belt. The SHELAA [ED006a] provided the pool of sites to consider. Only once non-Green Belt sites were assessed

against all relevant constraints did the Council seek to complete the remaining 'target' with sites from the Green Belt, should exceptional circumstances apply. The report also sets out how the SA and HRA as well as other parts of the evidence base were used in the process of assessing reasonable alternative sites.

109. I am satisfied that the constraints considered by the Council which included impacts on heritage assets, Best and Most Versatile (BMV) agricultural land and biodiversity were comprehensive and considered in a consistent manner. The Green Belt Review [ED8a-d] was used to make comparative judgements and to select those sites which made the weakest contribution to Green Belt purposes. Therefore, in line with the NPPF, all suitable, available and achievable brownfield/underused land was first identified for development and land within the Green Belt was only brought forward when non-Green Belt land was insufficient to meet identified need.
110. The evidence demonstrates that the sites were selected against possible alternatives following a thorough assessment using a robust and objective process. Accordingly, I am satisfied that the sites selected are all, in principle, justified, subject to a number of MMs to address individual soundness issues, as set out below.

Policy SA1 – General Requirements

111. Policy SA1 sets out a range of general requirements for the housing and employment allocation policies set out in Chapter 14 of the Plan. These requirements are in addition to the site-specific requirements which are provided under each individual policy. The policy contains a list of considerations which cross-references to other policies in the Plan. Whilst it provides a comprehensive summary of considerations for development, and avoids repeating these considerations for each allocation, it essentially duplicates policy from elsewhere in the Plan. In this regard, although the information contained within SA1 forms a useful checklist, as a policy it is not justified and runs contrary to the NPPF's expectation that unnecessary duplication should be avoided. **MM66** therefore deletes the policy and **MM121** provides an abridged version within the appendix to serve as a checklist for applicants. Reference to Policy SA1 is removed from site-specific policies in **MM70, MM75, MM79, MM80, MM82, MM83, MM84, MM85, MM86, MM87, MM88, MM89, MM90, MM92, MM93, MM96, MM97, MM99, MM100, MM101, MM103, MM104, MM105, MM106, MM108, MM110, MM111, MM113, MM114, MM115, MM117, MM118 and MM119**. These modifications would ensure that the policy is justified and consistent with national policy in these regards.

AB12 Land East of Diglake Street

112. During the course of the Examination the landowner has advised that the site is no longer available for development. I cannot therefore conclude that the site is available and suitable for development and the allocation of the site is not justified. **MM69** therefore deletes the allocation to ensure the Plan is justified.

AB33 Land off Nantwich Road / Park Lane, Audley

113. During the course of the Examination the landowner has advised that the site is no longer available for development. I cannot therefore conclude that the site is available and suitable for development and the allocation is not justified. **MM71** therefore deletes the allocation to ensure the Plan is justified.

AB15 Land North of Vernon Avenue

114. Land North of Vernon Avenue is allocated in the Plan for 33 dwellings. The site is in an accessible location with good access to local services. The Green Belt Review concludes that the site makes a moderate contribution to Green Belt purposes. I concur with the findings that development would result in a small incursion into undeveloped countryside relative to the size of Audley, although the extent to which the site is enclosed by built form to the north, east and south limits the perception of encroachment. Furthermore, the removal of the site from the Green Belt would not harm the overall function and integrity of the Green Belt.

115. The policy appropriately addresses the need for development to be landscaped and that the western hedgerow boundary is retained and strengthened. The policy refers to the retention of the medieval field system within the site. Although it is possible and indeed desirable that the existing field boundaries are, where possible reflected in the layout and landscaping of the site, redevelopment would not realistically be able to retain the medieval field system on the site and this requirement would not therefore be reasonable. To ensure the policy is effective **MM70** amends the policy text to require that the historic landscape pattern is where possible taken into account in the site layout and corrects a typographical error in the policy.

116. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

CT1 Land at Red Street and High Carr Farm, Chesterton

117. Land at Red Street and High Carr Farm is allocated for the development of 530 dwellings. The Green Belt Review concludes that the site makes only a weak contribution to Green Belt Purposes. However, although the development would have a defensible boundary as it would extend up to highway to the north

and east, it would nonetheless significantly diminish the gap between Talke Pits and Red Street and would not be well related to the existing urban fabric.

118. Furthermore, development of the site would leave a large area of Green Belt to the south 'enclosed' by development and so would give rise to significant harm the overall function and integrity of the Green Belt in this location. I am conscious that the Green Belt Review, when taken as a whole, allows for comparative judgements to be made in relation to sites in the knowledge that a comparative methodology has been used. Nevertheless, whilst I am satisfied that the methodology used is a broadly reasonable one, I consider that the level of harm would be much greater than that identified by the Green Belt Review in this case.
119. Following the hearings I advised the Council that I was not persuaded that the development of the site was viable, taking into account the specific evidence provided to me of the geo-technical constraints. The Council subsequently removed the site from the Plan. In response the site promoter has provided further evidence relating to the viability of the site, taking into account specific costings for remediation. These appear to demonstrate that development on the site could be viable with provision of affordable housing at 30%. However, even if I were to accept that this is the case, and that it is likely to demonstrate an appropriate form of development at application stage, given my concerns in relation to the effect of the proposal on the Green Belt, I am not persuaded that the allocation is a sound one.
120. It follows that the site-specific exceptional circumstances do not exist to justify the removal of this site from the Green Belt. I therefore cannot conclude that the allocation is justified or consistent with national policy and so **MM73** deletes it from the Plan.

CH13 Castletown Grange, Douglas Road, Cross Heath

121. Land at Castletown Grange comprises the site of a residential care home. The Council has advised that the site is no longer being promoted for development and so I do not consider the site to be available or suitable for development and the allocation of the site is not justified. **MM74** therefore deletes the allocation.

CH14 Maryhill Day Centre, Wilmot Drive

122. Land at Maryhill Day Centre is allocated for residential development for 30 dwellings. The allocation is in a sustainable location, with good access to local services and would make use of a brownfield site. I am therefore satisfied that the allocation is a sound one. **MM75** addresses a small typographical error, which is necessary in the interests of clarity and therefore effectiveness.

KS3 Land at Blackbank Road, Knutton

123. Land at Blackbank Road is allocated for development of 150 dwellings. The site comprises a developable area of around 3 hectares and includes a large area of school playing fields which the Playing Pitch Strategy 2020 [ED012] identifies as being in use but suffering from drainage issues and dog fouling. The Newcastle-under-Lyme area was found to have sufficient provision at the time of the study, which includes the pitches within the available supply. The update to the study [ED012a] shows growing demand in the area. The policy acknowledges the existing use and includes a criterion that acknowledges the most recent use of the site and the need to consider alternative provision. However, based on the information before me, I cannot be assured that the site is surplus to requirements and cannot therefore conclude that the site is available and suitable for development. The allocation is therefore not justified and **MM81** deletes the allocation.

124. LW53 Land at Corner of Mucklestone Wood Lane, Loggerheads

125. Land at Mucklestone Wood Lane is allocated for the development of 130 dwellings. The site is also subject to planning permission, granted on appeal since the publication of the draft Plan, with, I understand, the post-approval matters being resolved in a timely manner. I was advised at the Examination of the circumstances that led to the allocation of the site in the Plan. Given that permission has now been granted on the site, it appears highly likely that it will come forward for development in the short term. However, as the site has not, to my knowledge, commenced, it would not be appropriate to remove it as an allocation.

126. The policy contains a number of criteria including the requirement for a noise assessment, a contamination assessment and mitigation strategy, and assessment and mitigation strategy to prevent deterioration of groundwater. These are necessary requirements and to ensure that the information provided is proportionate to the nature of the development and the potential for harm it is necessary to insert the word 'appropriate' within each criterion. **MM86** makes this modification to ensure the policy is effective.

MD29 Land North of Bar Hill, Madeley

127. Land north of Bar Hill is allocated for residential development for 150 dwellings. The policy contains a number of criteria which aim to ensure that adverse impacts from development are avoided or mitigated and that the development is integrated into the village. The site lies west of the railway line, and although it is within walking distance by road to the facilities in the village, a more direct route is available via the footbridge over the railway. Criteria 3 seeks to achieve active travel links through improvements to the footbridge. However, to be

effective the need for links to Madeley should be made explicit within the criterion.

128. The site is identified as being subject to surface water flooding. Although the matter is thoroughly addressed in the supporting text, it is not adequately set out in the policy itself. To be effective, and consistent with national policy the need for a Flood Risk Assessment should be set out within criterion 6.
129. The site lies within close proximity to Bar Hill Wood, which is an Ancient Woodland. Development of the site has also been identified as having the potential to impact upon trees that are subject to Tree Preservation Orders. The policy as drafted 'recognises' these constraints but to be effective should set out in direct terms that a tree survey and an ecological survey should be undertaken to understand and mitigate any impacts on protected trees and woodland.
130. The Heritage Impact Assessment (HIA) for the Plan has identified that there is medium potential for archaeological remains in the area and as a result Historic England has advised that a programme of archaeological recording is carried out as part of any development to investigate the nature of and significance of any archaeological remains that survive on the site. I consider this requirement to be reasonable and necessary. **MM87**, which modifies the policy to make these changes is therefore necessary for the policy to be effective and consistent with national policy.

NC13 Land West of Bullockhouse Road, HARRISEAHEAD

131. Land west of Bullockhouse Road is allocated for 100 dwellings. The Green Belt Review concludes that the site makes a moderate contribution to Green Belt purposes. I concur with the findings that although the site makes a small incursion into open land to the north, the development of the site would be well related to the existing built-up boundary and overall, development would not harm the function and integrity of the Green Belt. The policy appropriately addresses the need for development to be landscape-led; however, the supporting text refers to a land contamination report being required due to the use of the site. However, this relates to the former historic use of land in the area for coalmining, not to the current use of the site and for effectiveness **MM88** clarifies this position. Having regard to my conclusions in Issue 4, exceptional circumstances exist which justify Green Belt boundary alterations to facilitate development on site.

SP11 Lyme Park

132. Land at Lyme Park is allocated for residential and community uses within a wider country park setting. The site comprises a former golf course to the west

of Newcastle-under-Lyme which lies between Silverdale and Keele. Although the Golf Course has not been in use for some time, it is valued as open space by local residents. The Green Belt Review looked at two variations of land release at the site. The first, SP11a, extends further to the west, the second, which is broadly consistent with the site proposed to the west, but includes Jobs Wood, and land now designated as SP23. I am satisfied that a review of both sites gives an adequate assessment of the impact of development on the Green Belt in this location.

133. I agree with the findings of the review, that taken in the round, The site makes a moderate contribution to Green Belt purposes. Although it would result in an incursion of built form into undeveloped countryside, the development would be reasonably contained and well defined along the strong permanent southern boundary of the A525 Keele Road and that overall, the removal of the site from the Green Belt would not harm the overall function and integrity of the Green Belt. The review recommends that if the site is taken forward the policy should ensure strengthening of the eastern and western boundaries.
134. The residential uses are proposed in four parcels. A total of 900 dwellings is proposed across the four sites proposed within an open and landscaped setting to be adopted as a Country Park. The 4 built areas and Country Park setting are to be the subject of a masterplan, which will be landscape led, and amongst other things will be required by the policy to provide safe and appropriate access between the different parcels.
135. The Strategic Transport Assessment [ED011] identifies that the development may lead to some residual impact on the wider highway network, in particular on the A525. It also identifies mitigation measures to address this, in particular the link through to Whitmore Road required as part of the development of site KL15 at the University and TB19, Land South of Newcastle Golf Club. I am satisfied that these measures will be sufficient to mitigate the highway impacts of the scheme. I am also satisfied that ecological interests on the site will be appropriately protected through the development process. The policy identifies the need to provide appropriate ecological buffers to Bogs Wood and Jobs Wood, and such matters will be considered thorough Policy SE8 of this Plan. I am also satisfied that the requirement for a HIA will address how development can respond sensitively to nearby heritage assets.
136. The criteria set out in the policy are comprehensive and address most of the development opportunities and constraints presented by the site. However, a number of omissions undermine its effectiveness. The policy as drafted removes both the development parcels and the Country Park from the Green Belt. Although it provides a setting for development it is intended to be open and undeveloped and contiguous with the open countryside. Although I note that access routes between the residential parcels which have yet to be defined will fall within the Country Park, such development is not inappropriate in the

Green Belt. I therefore find no justification for the removal of the Country Park from the Green Belt. Furthermore, parcel SP11(3) comprises two areas of development separated by the Country Park. This is impractical and the development area should be consolidated on the Policies Map and the inset map within the Plan.

137. Site SP11(4), along with allocations SP23, TB6 and TB23 is located close to Walleys Quarry Landfill. The site has previously been the source of nuisance arising from odour. With this in mind the Council sought to restrict further development around the site until after the site had ceased operation for the disposal of landfill.
138. However, the Environment Agency (EA) issued a closure notice in November 2024, and the company went into liquidation in February 2025, 'disclaiming' their environmental permits and the freehold title to the site. This means that the environmental permits, for the landfill and the soil treatment activity on site no longer exist and the property is in the process of reverting to the Crown. The EA is thereby using its discretionary powers under Regulation 57 of the Environmental Permitting Regulations to arrange for steps to be taken to remove a risk of pollution.
139. As drafted, the policy refers to no dwellings being occupied until the operation of Walleys Quarry ceases. As this would appear to have already occurred reference to 2026 in the policy is no longer necessary and should be deleted. The supporting text also refers to no dwellings being occupied until the operation of Walleys Quarry as a landfill site has ceased. This is potentially open to misinterpretation so for clarity and therefore effectiveness the supporting text should be amended to refer instead to the importation of non-hazardous waste and to remove reference to a date since the site has effectively closed. The policy and supporting text also spell the name of the landfill incorrectly and this should be addressed.
140. In light of the recent liquidation, it is not clear to me that the legal process has been concluded, I consider it necessary to retain reference to the matter within the policy. Furthermore, the properties could be constructed but not occupied, in anticipation of resolution, since nuisance would only effectively occur when the occupier takes up residence. Although, in practice, any permission on the site would be subject to odour assessment and provision of a mitigation strategy as required by the policy, as properties would not be suitable for occupation without resolving this matter it is not necessary to remove this requirement from the policy.
141. Criterion 8 to the policy seeks to direct development within the site to areas at lowest risk of flooding. To address the potential for surface water flooding from

the Springpool Spring and Pool this matter should be highlighted within the criterion.

142. The policy sets out that financial contributions will be required for highways improvements and to improve the capacity of local schools and health facilities. It is also appropriate that financial contributions are sought towards the delivery of infrastructure and the ongoing maintenance of the Country Park. The successful delivery of the development will be dependent upon the delivery of the Country Park and to be effective and justified the policy should be modified to include this requirement.
143. Lastly, the effectiveness of the policy is undermined by minor drafting errors which have been corrected to ensure the legibility of the policy.
144. **MM90** to the policy and **MM91** to the supporting text make these necessary modifications to ensure the Plan is effective and positively prepared.
145. The Council have updated the Policies Map to reflect the retention of the County Park within the Green Belt. However, in reapplying the Green Belt they have omitted to indicate the extent of the Country Park, which is needed for the Plan to be effective and positively prepared. I have therefore requested that the Policies Map is updated to show the extent of the Country Park, which has been omitted in error.
146. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

SP22 Former Playground off Ash Grove

147. Land at Ash Grove Silverdale is allocated for the development of 36 dwellings. The Level 2 Strategic Flood Risk Assessment (SFRA) indicates that the site is subject to surface water flooding. Accordingly, criteria 7 requires that a sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding. However, this fails to make clear that, as indicated in the SFRA, a site-specific FRA will be necessary alongside a surface water drainage strategy which includes a Sustainable Drainage System (SUDS) maintenance and management plan. **MM92** is therefore necessary, which would include these requirements in the policy and ensure that the Plan is effective and consistent with national policy in these regards.

SP23 Land at Cemetery Road / Park Road

148. Land at Cemetery Road is allocated for 200 dwellings. The Green Belt Review concludes that the site makes a moderate contribution to Green Belt purposes.

I concur with the findings that although development would result in an incursion into open land to the south, it would be reasonably contained by existing roads. The Green Belt Review assumes that land to the south referred to as SP14 will be released alongside SP23 and has identified that if this was not the case SP14 could be left as an enclosed parcel of open land. However, when viewed on site SP14 is perceived in wider views alongside open land on either side of Gallowstree Lane. The Policies Map is also proposed to be updated to show this land as protected open space. I am therefore satisfied that provided the southern edge of SP23 is provided with appropriate landscaping to secure a durable boundary, the development of the site would not harm the function and integrity of the Green Belt.

149. The site lies close to Walleys Quarry Landfill with the potential to cause nuisance from odour. The policy as drafted is potentially open to misinterpretation so for clarity and therefore effectiveness the supporting text should be amended to refer to the importation of non-hazardous waste and to remove reference to a date since the site has effectively closed. The policy and supporting text also spell the name of the landfill incorrectly and this should be addressed.
150. I have amended the policy and supporting text to address this matter for the same reasons as set out under policy SP11.
151. **MM93** to the policy and **MM94** to the supporting text addresses these matters. These changes are necessary to ensure the Plan is positively prepared and effective. Subject to these amendments and having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

BL18 Land at Clough Hall

152. Land at Clough Hall is allocated for 150 residential dwellings. The Green Belt Review concludes that the site makes a weak contribution to the Green Belt. I concur with the findings that development would entail a small incursion into undeveloped countryside relative to the size of Talke, although it is enclosed by the settlement to the north, east and west which limits the perception of encroachment. Overall, the removal of the site from the Green Belt will not harm the overall function and integrity of the Green Belt.
153. The policy appropriately addresses the need for development to be landscaped and designed to ensure buildings are not intrusive in significant views from the surrounding area. I am satisfied that the site can in principle be accessed in a manner which would not cause harm to the Site of Biological Importance and note that the amount of development proposed will allow for the retention of playing fields at the site.

154. The policy includes a criterion which requires that a sequential approach to development is taken, to direct development to areas at lowest risk of flooding. United Utilities have advised that the site may be subject to sewer flooding. To ensure that this matter is adequately addressed a site-specific flood risk assessment which assesses all forms of flooding should be carried out to inform development. **MM97** to the policy and **MM98** to the supporting text address this matter and removes unnecessary supporting text which is no longer required if a site-specific flood risk assessment is to be carried out. It also corrects some drafting errors. These changes are necessary to ensure the Plan is consistent with national policy and is effective.
155. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

TK10 Land at Crown Bank

156. Land at Crown Bank Talke is allocated for the development of 170 dwellings. The site is located on the western boundary of the settlement and comprises open fields. The Green Belt Review identifies that the site makes a strong contribution to Green Belt Purposes as it scored highly in two of the five aspects of the assessment.
157. In relation to the aim of preserving the setting of special character of historic town the assessment takes into account the proximity of the Conservation Area and concludes that the site makes a strong contribution to preserving the setting of Talke as an historic town. However, the HIA [ED016], concludes that the openness of the site makes a neutral contribution to the setting of heritage assets in the vicinity. The HIA also concludes that with sensitive design, development of the site would have a similarly neutral effect. Furthermore, criterion 6 of the policy requires submission of a site-specific HIA for the site to demonstrate how the layout and design of development will respond positively to heritage assets in the vicinity, including the Conservation Area. I consider that the HIA that supports the Plan [ED016] provides a more granular analysis of this matter than that set out in the Green Belt Review. I am therefore of the view that development of this site would not lead to material harm to this Green Belt purpose.
158. The Green Belt Review also identifies that the western site boundary of the land parcel is not well defined and so development on site would be perceived as encroaching on the countryside with impacts on openness due to site topography which slopes to the south. The Policy requires that the layout and development of the site be landscape led and that buildings or structures are designed to ensure they are not intrusive in significant views from the surrounding area. Landscape buffers are to be provided along the eastern and western boundaries. I am therefore satisfied that, the development of the site would not harm the function and integrity of the Green Belt.

159. United Utilities has advised that there are underground sewers within the site that should be accounted for within future development. Accordingly, to ensure that the Plan is effective and that this matter is taken into account in future development **MM102** addresses this matter.

160. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

TK27 Land off Coppice Road, Talke

161. Land off Coppice Road Talke is allocated for 90 dwellings. The Green Belt Review concluded that the site makes a moderate contribution to Green Belt purposes. I concur with the findings that development of the site would entail a small incursion into undeveloped countryside relative to the size of Talke but that taken in the round the removal of the site would not harm the overall function and integrity of the Green Belt. The policy appropriately addresses the need to ensure appropriate landscaping of the site, including the retention of hedgerows to retain the pattern on enclosure on the site.

162. The policy requires highway safety improvements including offsite footway improvements on the site frontage to the local school, bus stop and shops. However, as existing access from the site to these facilities may be acceptable the policy's requirements are neither effective nor justified and should be amended to require an assessment of the need for these provisions. **MM104** makes this necessary modification to ensure the policy is justified and effective.

163. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

TB6 Former Pool Dam Pub Site

164. The site is allocated for residential development for 13 dwellings. It lies close to Walleys Quarry Landfill with the potential to cause nuisance from odour. To ensure clarity and therefore effectiveness **MM105** amends the policy to reflect the closure of the site and to correct a spelling mistake.

TB19 Land South of Newcastle Golf Club

166. Land South of Newcastle Golf Club is allocated for residential development for 550 dwellings on land south of the University, between the Golf Club and the Motorway. The Green Belt Review identifies the site as making a moderate contribution to Green Belt purposes. Although the development of the site would entail an incursion into undeveloped countryside, and currently provides a strong degree of openness, the motorway forms a well-defined and permanent boundary to the west that would prevent unrestricted sprawl. Subject to the

implementation of appropriate requirements in the policy to ensure the retention of hedgerows and trees and the provision of a landscape buffer along the western boundary, development of the site will not harm the overall function and integrity of the Green Belt.

167. The proposed allocation includes provision of strategic open space to the west of the site. As this is intended to serve not just the development but the wider community in the form of a Country Park it should be described as such in the policy. This is intended to be kept permanently open and consequently I find no justification for the removal of this area from the Green Belt. The Policies Map should be changed to reflect this and the policy modified to reflect the need for a permanent and durable boundary between the developed portion of the site and the Country Park.
168. As set out below within Issue 13, there is an identified need for a link road between the A525 and Whitmore Road. As drafted the policy requires provision of a link road which is outside the geographical extent of the policy. Instead, the policy should refer to a safeguarded route, which should be illustrated on the Policies Map. In order to ensure that the route provides an effective transport link the supporting text should also advise that although the specification for the route will be determined through any future planning application it should be capable of accommodating a bus route.
169. The Level 2 SFRA identifies the site as being at flood risk from two ordinary watercourses within the site. Neither watercourse is large enough to be on some of the Environment Agency's flood risk mapping, nonetheless the SFRA shows some limited risk to either end of the site, and a risk of surface water flooding. Consequently, a site-specific flood risk assessment should be required in order to inform future development. This should include a surface water drainage strategy which incorporates a SUDs maintenance and management plan. The flood risk assessment should also review whether hydraulic modelling of the identified watercourses is necessary.
170. The site lies adjacent to Newcastle Golf Course. To ensure that no undue impact is experienced by future occupiers, and that the future operation of the golf course is not compromised by the proximity of housing, a ball strike assessment should be prepared as part of any future application and the measures within it implemented as part of development.
171. **MM106** to the policy and **MM107** to the supporting text makes these necessary modifications to ensure the Plan is justified and effective.
172. Having regard to my conclusions in Issue 4, exceptional circumstances exist to remove this site from the Green Belt.

TB23 Land West of Galingale View

173. Land West of Galingale, Thistleberry is allocated for residential development for 124 dwellings. The site lies close to Walleys Quarry Landfill with the potential to cause nuisance from odour. The policy and supporting text should be updated to reflect the closure of the landfill, to correct spelling and to make clear that no dwelling should be occupied until the disposal of non-hazardous waste at the site has ceased.
174. The Level 2 SFRA [EX/NBC/06c(ix)] identifies that the site is at flood risk from two unnamed ordinary watercourses which cross the site and that a site specific flood risk assessment which includes a detailed hydraulic model will be necessary to inform the development of the site, including the extent of the developable area and necessary surface water drainage. Criterion 6 should therefore be amended to reflect this requirement, to ensure the Plan is effective and consistent with national policy, which seeks to ensure flood risk is addressed within new development.
175. **MM108** to the policy and **MM109** to the supporting text, address these points and corrects a typographical error. These changes are necessary to ensure the Plan is justified and effective.

Town Centre Sites

176. The Plan contains a number of sites within Newcastle-under-Lyme town centre most of which are currently in use as car parks. Based on the evidence provided [EX/NBC/32] I am satisfied that the loss of these sites will not have an adverse impact upon economic activity in the town centre. Indeed, the provision of housing on these sites would help to contribute to the vitality of the town centre. Some of the sites below are already subject to planning permission but as I am not aware that construction is complete on any of these sites they are retained as allocations.
177. TC7 Land bound by Ryecroft, Ryebank, Merrial Street, Corporation Street and Liverpool Road, Newcastle, is allocated for mixed use including 75 dwellings. To reflect planning permissions 24/00840/FUL and 24/00792/FUL **MM110** removes the employment allocation and updates the housing figure to 228 to ensure the Plan is accurate and therefore justified.
178. TC19 Hassell Street Car Park is allocated for residential development for five dwellings. To reflect the fact that only part of the car park is being redeveloped **MM111** alters the policy to refer to the site being 'partially allocated' in the interests of clarity and therefore effectiveness.

179. TC20 King Street Car Park is allocated for residential development for 10 dwellings. To reflect the fact that only part of the car park is being redeveloped **MM112** alters the policy to refer to the site being 'partially allocated' in the interests of clarity and therefore effectiveness.
180. TC40 Car Park, Blackfriars Road, Newcastle is allocated for residential development for 10 dwellings. To reflect the recommendations in the Level 2 SFRA [EX/NBC/06c(x)], which indicates that the southeast corner of the site is at risk of both fluvial and surface water flooding, development on the site should be guided by a site-specific flood risk assessment alongside a surface water drainage strategy for the site. **MM114** amends criteria 7 to set out this requirement. The modification is necessary for the policy to be effective and consistent with national policy which seeks to ensure flood risk and the provision of SUDs is adequately accounted for within new development.
181. TC45 York Place, Newcastle-under-Lyme Town Centre is allocated for commercial development. However, since the Plan was prepared planning permission has been granted for a mixed-use scheme that includes 42 dwellings on the upper floors. **MM115** addresses this by including the housing within the allocation. Furthermore, the inclusion of residential use on the site would also necessitate a contribution towards local schools and health infrastructure and this needs to be included within the policy. **MM115** to the policy and **MM116** to the supporting text amend the Plan to include this requirement. These changes are necessary to ensure the Plan is effective and positively prepared.
182. TC71 Midway Car Park allocates Midway Car Park for dwellings. Criteria 5 to the policy, which relates to heritage assets contains a typographical error that undermines its effectiveness. **MM119** corrects this and therefore ensures effectiveness.
183. A number of alternative or omission sites have been put forward as suitable for development. It may well be the case that there are other suitable sites in the borough that are also capable of being developed, and some of those may also be reasonably related to the settlement hierarchy. However, it is the Council's responsibility to prepare a sound Plan and, for the reasons set out earlier, the approach set out above is sound. I therefore do not consider it necessary to allocate any of these alternative sites in order for the Plan to be sound.

Conclusion

184. Accordingly, subject to the modifications set out above, I am satisfied that the sites selected are all, in principle, justified, effective, developable and deliverable, and otherwise soundly based.

Issue 7 Does the Plan provide an appropriate supply of deliverable and developable employment sites to meet identified needs and do these align with national policy ?

Employment Land Supply

185. The Council have calculated existing supply at around 29 hectares [ED29] from the period 2023 onwards, although the 2024 HENA puts the figure at 18.1 hectares, taking account of sites in the supply which the Council's consultants considered had limited potential for employment development. However, some of this supply is in active use, some is on a very small site, and this figure does not take account of the consultant's evidence, that it is uncertain whether a proportion of existing employment sites in the supply are likely to be brought forward for employment use.
186. I set out below my reasoning in relation to the employment site allocations in the Plan. In purely quantitative terms, counting existing supply and allocations KL13, CT20 and BW1, but not taking into account potential constraints within the existing supply, would provide around 56 hectares of employment land. This would not meet the midrange of the employment range identified as the minimum figure of 63 Hectares. These sites alone are not capable of meeting the employment needs of the borough and would not provide an adequate range in qualitative terms. Without additional allocations most of the Plan's supply would be derived from allocations identified prior to 2011 that remain undeveloped. I note that CT20 and KL13 continue to be developed and that Chatterley Valley West adjacent to BW1 is also now being developed out. In this regard, I am satisfied that the sites BW1, CT20 and KL13 are deliverable and likely to be attractive to some occupiers and so I consider their inclusion within the Plan to be sound. Nevertheless, these sites alone are unlikely to provide a sufficient range of sites to be attractive to a wide range of occupiers.
187. I set out below why I consider the allocations at KL15 Land South of the A525 Keele and AB2 Land at Junction 16 M6 to be appropriate. Development at KL15 would provide a further 13 hectares and the allocation at AB2 would provide a further 80 hectares. AB2 does not fulfil the same specific market requirements as KL15 and so I do not consider it to be an alternative to it. Instead, AB2 is complementary in providing an appropriate range of employment provision which capitalises on the locational advantages of the borough.
188. The Plan provides for around 149 hectares of employment land, significantly exceeding the minimum provision identified in PSD1. I have considered whether there is justification for making provision for employment at this level, taking into account that Green Belt release needs to take place to do so.

189. Although 63 hectares is identified as the minimum provision, the evidence provided by the Council identified a likely range, from 43 – 83 hectares being required, and for the reasons set out above, I consider that there is a significant likelihood that employment take up will be towards or beyond the higher end of the range. The NPPF is clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In this regard, provision that accounts for unexpected contingencies, provides choice and flexibility, and allows for the potential for strong economic growth is in alignment with national policy.
190. Secondly, both the strategic sites selected were allocated on the basis of the size of the site put forward for development. For both KL15 and AB2 the site promoters have undertaken master planning accounting for infrastructure requirements and to create a business environment which addresses the sector of the market they seek to meet. It is therefore not practical or deliverable to release such sites in stages to align with a lower supply figure. More pertinent to the Council's decision to allocate these sites is that both provide a range of distinct benefits that could not be met elsewhere in the borough or on a range of smaller dispersed sites. Both meet the specific locational requirements for different business sectors which are not replicated elsewhere, and both provide for a range of floorplates to meet modern business needs. Furthermore, both sites will ensure provision with the potential to extend beyond the plan period. This is consistent with guidance in the NPPF which is clear that in deciding changes to Green Belt boundaries, the Plan should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period.
191. Thirdly, in the case of AB2, the allocation proposes a low-density development with a significant element of the site given over to open space and landscaping. The floorspace to be provided, as set out in the policy is 220,000 sqm. It is therefore a lower density development than would be likely to be provided in a more conventional urban setting and the yield from the site will be lower than the 80-hectare site area suggests.
192. The site would likely assist in fulfilling needs in the wider FEMA and serve a wider employment market than the borough alone. However, this is an inevitable outcome of an allocation of this nature, which is focused on specific locational requirements of a sector which national policy expects plans to recognise and address. I am also satisfied that taken in the round, the employment provision identified in the Plan will meet the employment needs identified for the borough. Overall, the level of provision is considered to be soundly based and would allow identified needs to be met. The take-up rate and availability of sites will continue to be monitored and reviewed throughout the Plan period.

Conclusion

193. The evidence indicates that the employment land requirement figure across the Plan period is likely to be met and that the Plan is positively prepared and is justified, effective and consistent with national policy in relation to its provision for employment land.

Issue 8 Are the proposed employment allocations justified, effective, developable, deliverable, in line with national policy and otherwise soundly based?

Site Selection Process

194. One of the objectives of the Plan is to diversify the borough's employment base by delivering employment sites which focus on the advanced manufacturing, distribution and logistics sectors. This is consistent with the aims of the NPPF which directs that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

195. The Site Selection Report [ED029] provides detailed commentary on how sites were considered for allocation for employment development. The evidence shows that from a limited pool of non-greenbelt sites a large proportion have been brought forward for either housing or employment development. Of those remaining, three were brought forward for allocation and three were discounted for valid planning reasons. I am satisfied that the methodology used by the Council was a sound one and that it demonstrates that employment needs set out in the Plan cannot be met in full by the allocations brought forward from the 2011 Plan. No adjoining authority has agreed to meet the Council's employment needs. Accordingly, taking into account the impetus in the Plan and national policy to foster economic growth, I am satisfied that exceptional circumstances have been demonstrated to support the release of land from the Green Belt to address employment needs.

196. The Strategic Employment Site Assessment (SESA) [ED02a], prepared by Aspinall Verdi assesses how long-term strategic employment needs could be met through Green Belt release. Three sites were considered to be the best available options for employment development, having been selected from available sites in the Strategic Housing and Employment Land Availability Assessment (SHELAA), and taking into account the attractiveness of these sites for future development. I am satisfied that this assessment has been competently undertaken and that it forms a firm basis on which to base a comparative assessment.

Employment Allocations

197. In relation to site BW1 Chatterley Valley, the Stage 1 Strategic Flood Risk Assessment (SFRA) [ED013] indicates that the site is at risk of surface water flooding and a Stage 2 SFRA was carried out [EX/NBC/06c(iv)]. This identified that the site is at flood risk from groundwater emergence but that subject to appropriate measures, to be identified in a site-specific flood risk assessment, it could be developed safely without giving rise to flood risk elsewhere. **MM72** makes the necessary modifications to the policy to ensure that this requirement is explicit in the policy text, and the policy is justified and effective.
198. Policy CT20 Rowhurst Close, Chesterton allocates 8.88 hectares of land for employment uses. The policy includes a requirement for a land contamination report within two different criteria. This is inconsistent with national policy which says that unnecessary repetition should be avoided. **MM76** removes the duplication to achieve consistency with the NPPF.
199. Policy KL13 Keele University Science Park is a comprehensive policy which allocates the site for 220 units of student accommodation and 11 hectares of employment land. Employment uses would comprise business space for science-based companies, academic buildings and employment uses directly related to the University's core functions within Class E, B2 and B8. Class E includes a broad range of uses. Should the Council wish to restrict uses within the wider Class E, then the vehicle for doing so would be the imposition of an Article 4 direction, which would be outside the scope of the Plan. I am therefore satisfied that as worded the uses proposed are appropriate for the site. The inclusion of 220 student units reflects the nature of the allocation in the 2011 Plan. I am satisfied that limited provision of student accommodation is appropriate as part of a wider mix. I set out in Issue 5 how the student dwellings on the site have been accounted for within the Plan housing supply.
200. The Strategic Transport Assessment (STA) [ED011] identifies that a necessary component of development at the site, is the need to ensure that the site and the wider campus is adequately served by public transport through the provision of a link between the A525 and the A53. The route of the link runs through allocation KL13, and I set out below in Issue 13 why I consider this to be justified. However, as currently worded the policy requires the delivery of a link road. As the road extends beyond the site it would not be possible for development of the site to deliver this. Instead, the policy should refer to the provision of a safeguarded route through the site to facilitate the future provision of a transport link between the A525 and A53. **MM77** modifies the wording of the policy and the supporting text to make this clear, and ensure the Plan is positively prepared and effective.

Strategic Employment Allocations

Policy KL15 – Land South of the A525 Keele

201. KL15 is located west of Newcastle-under-Lyme, at Keele University. The site adjoins the Low Carbon Energy Generation Park and the Keele University Science & Innovation Park, which is an established business centre. The University is a major employer in the borough, estimated to employ over 2,000 staff, a large number of which are high skilled positions.
202. The Council have advised that the Keele University Science and Innovation Park is Staffordshire's only Science Park and plays an important role in attracting businesses to locate in Newcastle-under-Lyme. It currently has five Innovation Centres which house high value and high growth businesses, with a cluster in medical, pharmaceutical and digital companies on site, many of which are overseas companies. Occupancy rates at the site are high. Investment in the site is programmed through the 'New Keele Deal' which seeks to further exploit Keele University's research and business engagement potential.
203. The University expects student numbers to almost double by 2040 which it is anticipated will create demand for supporting commercial, residential and amenity uses. Alongside this academic growth, the University is seeking to provide six further Innovation Centres.
204. The SESA identifies that the site is uniquely placed to capitalise on growth within a number of key sectors in the wider economy. Research and Development requires high quality light industrial and laboratory or innovation space with international inward investors seeking to capitalise on close ties with the University. Financial and professional services require large footplates with high quality accommodation in accessible locations. The digital and creative sector often requires flexible space as office or studios and businesses normally like to cluster, building on links with existing users at University of Keele Science Park. The energy and environmental sector is also identified as another growing sector of the economy which would potentially be attracted to sites with links to academic institutions. The report therefore concludes that the site would be deliverable and attractive to the market. Furthermore, its development would draw inward investment to key and growing economic sectors consolidating the role of the University as a key driver in the local economy.
205. The allocation of the site requires release of the land from Green Belt. I concur with the Council's assessment that the land provides an at best moderate contribution to the purposes of the Green Belt. However, the strong locational advantages of the site cannot be replicated elsewhere and provide justification for its allocation. This approach also garners support from the NPPF insofar as it says that planning policies should address the specific locational requirements

of different sectors including making provision for clusters of knowledge and data-driven industries. Moreover, the site provides strong defensible boundaries and there is potential within the wider University holding to provide compensatory measures in the Green Belt. Having regard to the identified employment needs, I therefore conclude that there are exceptional circumstances to justify the allocation of the site for employment.

206. Policy KL15 sets out how the 13ha site should be developed. As with Policy KL13 it allows for development within use classes B1, B2 and B8 and allows ancillary non-employment uses where they support the onsite businesses, research and development and industrial processes on site. Although the justification for the allocation of the site focusses heavily on the benefits of its development for office and former B1 light industrial and Research and Development uses, I see no reason why the policy should explicitly restrict uses on site to former B1 uses. Given the context and size of the site any B2 or B8 uses are likely to be relatively small-scale. Should the Council wish to restrict uses within the wider Class E, then the vehicle for doing so would be the imposition of an Article 4 direction, which would be outside the scope of the Plan.

207. The allocation also allows for 260 dwellings for student accommodation. The location of the student housing is not defined in the Plan but its provision aligns with the long-term programme for expansion at the University and takes into account the University's ongoing programme of replacement of its older housing stock I consider it therefore likely that part of the site will be necessary for this use, albeit potentially towards the end of the Plan period. I set out in Issue 5 how the student dwellings on the site have been accounted for within the Plan housing supply.

208. The policy contains wide-ranging and justified criteria for considering development on site. However, the policy refers to the need to provide a link road through the site. The safeguarded route for the link is being provided through KL13 and so therefore the policy and supporting text should refer to contributions to be made towards the provision of a transport link, setting out that the level of such contributions required will be determined following a transport assessment as part of any future planning application. Accordingly, **MM78**, which makes these modifications to ensure the Plan is positively prepared and effective.

AB2 - Land at Junction 16 of the M6

209. AB2 is located to the west of the Audley, immediately to the south of M6/A500 interchange. It borders the A500 to the north and the M6 to the west. The site is made up of agricultural land and is completely detached from the nearest settlement of Audley, which is around 800m away. The site is around 80

hectares in size and is proposed for circa 220,000 sqm of employment floorspace comprising offices, research and development, industrial processes, general industrial, storage and distribution and open storage.

210. The SESA identifies the site as being one of the most commercially attractive strategic employment locations in Newcastle-under-Lyme. Its primary advantage is its accessibility to the strategic road network, sitting directly beside the M6 and A500. This would provide rapid and reliable access to wider sub-regional markets and beyond. As a result, the site is described as an 'outstanding location for logistics development', a sector which is identified in the SESA as facing site shortages across the motorway corridor and for which there is strong market demand². The location on the A500 also makes it attractive to local businesses looking for accessibility across the borough and into the Stoke-on-Trent and Crewe areas.
211. The scale of the site makes it suitable for major national and international occupiers requiring large footprint distribution or manufacturing buildings making it one of the few locations in the borough capable of accommodating large-scale logistics requirements with preliminary masterplans indicating that the site can accommodate a range of floorplates to meet the needs of a range of occupiers. It follows that the allocation attracts support from the NPPF insofar as it expects the specific locational requirements of different sectors to be recognised in planning policies including for storage and distribution operations at a variety of scales and in suitably accessible locations.
212. The site is being promoted by an established company who have invested significantly in the development of a viable scheme which addresses areas of concern, which are set out below. This is identified in the assessment as a factor supporting the allocation as it indicates the site is likely to be brought to market relatively quickly, should it be allocated.
213. The SESA identified only one other potential site to meet employment needs – site TK30, Land off Talke Road and A500, Talke which is around 66 hectares in size. The site also lies in Green Belt and was considered by the Council as an alternative to site AB2.
214. Although TK30 site has proximity to the A500 and is only 3 miles from M6 Junction 16, it does not provide the same immediate access and access to the site is via Talke Road and Dean's Lane, both of which present more complex route arrangements for HGV movements. Therefore, although the site is likely to encounter strong demand, it does not have the same level of strategic connectivity provided by AB2, and so would be less competitive for regional occupiers because of weaker access. TK30 is a former colliery site with

² West Midlands Strategic Employment Sites Study – Avison Young 2021

challenging topography which may present geotechnical constraints, and which precludes larger floorplates. Furthermore, the consultants preparing the SESA advise that the site is also further behind in the development process and is unlikely to come forward as quickly as AB2.

215. Taking these factors into account I agree with the assessment findings that AB2 is the stronger strategic site in terms of connectivity, deliverability, commercial attractiveness, and ability to service immediate market demand.
216. The allocation of the site requires release of the land from Green Belt. I concur with the Council's assessment that the land makes a moderate overall contribution to the purposes of the Green Belt. The assessment recognises that the site contributes strongly to openness and that existing less durable boundaries to east and south would not prevent encroachment. The undulating topography also provides long-range views of the site. However, the locational advantages of the site, and its ability to provide a high quality and deliverable employment site cannot be replicated elsewhere and provide strong justification for its allocation. The master planning of the site presents scope for providing strong defensible boundaries and there is potential within the owners wider holding to provide compensatory measures in the Green Belt.
217. The development of the site raises a number of issues which are addressed in the policy. The STA [ED011] looked at the transport implications of the development of the site, alone and in combination with other allocations, including key allocations in Cheshire East. Concerns have been raised as to the likely effects of the development on the highways network and the nature of the modelling undertaken. The scope of the STA is not to identify all necessary mitigation, but rather to assess whether the site can be developed for the uses proposed and the broad scope of any mitigation likely to be required to facilitate this. I am satisfied that the modelling in the STA was competently undertaken and that it is adequate for its intended purpose, which is to identify, in broad terms, the likely impacts of a development of this type and location on the wider highway network. In this regard it demonstrates that the site can be developed in principle, subject to appropriate mitigation to address likely impacts on the wider highway network and so is proportionate.
218. However, the STA is not adequate to define the exact scope and nature of mitigation, and it is not intended to do so. Neither is it intended to justify all forms of future development on site. To support a planning application on the site more detailed modelling will be required. This will need to take into account effects on the strategic highway network and local roads in both Staffordshire and Cheshire East, and so the views of the relevant bodies should be sought. In this regard criterion 7 should be amended to reflect this requirement to ensure the policy is effective. Subject to modifications in **MM67** I am satisfied that the policy provides scope to deal with highway impacts.

219. I note here that although the site is accessible by car, without appropriate measures, development would not be accessible to the workforce by sustainable means. Criterion 13 of the policy addresses this by requiring a comprehensive travel plan that incorporates measures to support travel by sustainable modes. To be effective this criterion should state clearly that public transport provisions are required as part of any travel plan and that such measures will be required to be sustained in the long-term. It is appropriate that this travel plan considers routes connecting to Cheshire East and Stoke on Trent, given the location of the site close to the borough boundary, and the potential to employ people from a significant catchment.
220. Access is proposed via the A500 with emergency access via Barthomley Road, both to be delivered in phase 1 of the development. Based on the advice of the highways authority I am satisfied that these arrangements can be appropriately implemented, subject to details to ensure appropriate arrangements at both access points being secured by a future planning application.
221. As part of the allocation the Council require the provision of a Heavy Goods Vehicle lorry park, which aims to alleviate parking along the A500. The National Highways Lorry Park Demand Assessment [ED037] provides convincing evidence for the need for such a facility in this location, where the report states that 'high demand for lorry parking exacerbates off-site parking issues, particularly on the A500'. Criteria 3 of the policy includes a requirement for development to include this facility. However, in order to ensure that such a facility is built to an appropriate standard the policy should specify that the site is designed and operates in accordance with Park Mark Freight scheme requirements and achieves 'Park Mark Freight accreditation'.
222. Criterion 1 of the policy requires that the development satisfactorily addresses the site allocation requirements Policy SA1 (General Requirements). For the reasons set out below this policy is being deleted from the Plan. However, to recognise the importance of a holistic approach to development across the site, the policy should make explicit that the preparation and implementation of a comprehensive, masterplan-led approach towards the site will be required.
223. The visual effects of the proposal have been a concern for many. The topography and open nature of the site mean that development of the scale proposed is likely to have some visual impact. Nevertheless, it is necessary that any development is designed to ameliorate visual impact as far as possible. Criterion 9 seeks to ensure that structures on site are designed so as not to be intrusive in significant views from the surrounding area. To ensure visual impacts are addressed as far as possible, a landscape and visual impact assessment should be prepared and submitted as part of any proposal for the site and criterion 9 should be amended to include this requirement.

224. The site is intended to provide a high-quality environment with significant proportions of open space within the site. Criterion 15 requires that strategic open space is provided to the north of the site as part of any layout. However, to avoid an over-prescriptive approach in relation to layout, and to ensure that a high proportion of the site is given over to open space this requirement should be modified to require at least 40% of the total site area to be given over to landscaping in the form of green corridors.
225. Criteria 19 requires a utilities masterplan. Whilst I consider this to be a reasonable requirement to ensure the effective provision of services including foul drainage, there are some omissions from the list of services mentioned. Accordingly, to be effective I have amended the requirement to include all essential services on the site.
226. The HRA indicates that Oakhanger Moss SSSI and Black Firs and Cranberry Bog are predicted to be subject to a likely significant effect (LSE) either alone or in combination from the changes in air quality associated with traffic movements associated with this allocation. The AA concluded that measures to promote active transport options, would provide appropriate mitigation to address these impacts. In addition, as part of such measures the travel plan should discourage the routing of traffic past the Black Firs and Cranberry Bog SSSI on the A531. To be effective, criterion 13 should be amended to include this requirement.
227. I note the concerns raised in relation to other potential impacts of the proposal, including on the provision of social infrastructure and impact on local services, biodiversity, flooding, effect on heritage assets, residential amenity and the effects of construction. I am satisfied that the requirements of Policy AB2 in conjunction with other policies in the Plan will ensure that any such significant effects from the development can be mitigated.
228. Subject to the above requirements, although it is clear that the development in open countryside will have a visual impact, the economic benefits of such development would outweigh this harm. I therefore conclude that there are exceptional circumstances to justify the allocation of the site for employment.
229. As well as making drafting changes, in the interests of clarity **MM67** to the policy and **MM68** to the supporting text addresses all these matters identified above and makes the necessary modifications to the Plan, to ensure that it is positively prepared, consistent with national policy and effective.
230. Policy SA1 sets out a range of general requirements for the employment allocation policies in Chapter 14 of the Plan. These requirements are in addition to the site-specific requirements provided under each individual policy. The Policy contains a list of considerations which cross-references to other policies

in the Plan. In this regard, whilst it provides a comprehensive summary of considerations for development, and avoids repeating these considerations for each allocation, it essentially duplicates policy from elsewhere in the Plan. In this regard, although the information contained within SA1 forms a useful checklist, as a policy is not necessary or justified. **MM66** therefore deletes the Policy and **MM121** provides an abridged version within the appendix to serve as a checklist for applicants. Reference to Policy SA1 is removed from site-specific policies in **MM67**, **MM72**, **MM76**, **MM77**, **MM78**.

Conclusion

231. Exceptional circumstances have been demonstrated to justify removal of sites AB2 and KL15 from the Green Belt. Subject to the MMs identified the employment sites selected are all, in principle, justified, and meet anticipated employment needs over the Plan period.

Issue 9 – Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups, which are justified, effective and consistent with national policy?

Policy HOU1 – Affordable Housing

232. Affordable housing need is assessed in HENA 2023 [ED001a]. This report revisited the calculation of affordable housing need provided in the previous Housing Needs Assessment, to check the relatively low need identified and to incorporate newly available data. More up to date data was also provided by the 2024 HENA, which checked a number of key outputs, and estimated that the annual need for affordable housing was unlikely to have grown in April 2024. The HENA comprises robust and up to date evidence and taking into account existing supply identifies that 278 dpa affordable homes will be needed across the plan period. The need is predominantly for one-bedroom units and for affordable rented housing.

233. The Viability Assessment (VA) [ED004] tested a range of affordable housing options between 10% on brownfield sites within the identified 'low value zone' and 30% on greenfield sites within the 'high value zone' as shown on the policies map. The work identified that a differential rate was most appropriate and that, in some cases, particularly in the low value zone, the cumulative effect of the full policy requirements of the Plan may impact upon deliverability as the affordable housing thresholds in the Plan may not be viable. However, I take into account the forecast changes in market conditions over the next five years, which predict improvements in viability. I also note that individual sites will be subject to site specific opportunities and constraints and that many sites would be able to support the Plan's full policy requirements without a need to review

viability. I am therefore satisfied that the VA is robust and that the affordable housing requirement set by the Council is soundly based.

234. I note that if Local Plan allocations are developed in accordance with policy the borough will not meet all of its affordable housing need over the Plan period. However, there is no requirement in either planning policy or guidance for affordable housing need to be met fully through planning obligations. I am satisfied that HOU1 has appropriately identified a proportionate contribution to addressing affordable housing needs whilst not undermining deliverability of market housing.

235. The policy allows for lower levels of affordable housing should the Plan requirement be demonstrated to be unviable. Consequently, the approach taken would maximise the delivery of affordable housing without compromising the delivery of housing and I am satisfied that the thresholds identified are justified.

236. Nevertheless, national policy provides for specific exemptions to the need to provide affordable housing. These relate to the provision of specialist housing, build to rent, self-build and rural exception sites. The VA does not provide convincing justification that the Plan should depart from this approach, and these exceptions should be set out in the policy. Furthermore, although the Plan is being examined under NPPF Dec 2023 the requirement for First Homes will not be consistent with more recent national policy when the Plan is being implemented. In light of this, a specific requirement for a proportion of First Homes is not necessary and this element of the policy to be removed. Accordingly, to ensure consistency with national policy and for the policy to be effective, **MM13** to the policy and **MM14** to the supporting text sets out the above exceptions and removes reference to First Homes.

Policy HOU2 - Housing Mix and Density

237. Policy HOU2 sets a range of appropriate densities for new residential developments and seeks to provide a range of housing types to reflect local needs. The thresholds arrived at are based on appropriate evidence within SHELAA [ED006] and these strike an appropriate balance between the need to maximise housing delivery and to reflect the character of the wider area. Housing mix will be informed by evidence in the HENA [ED001] or subsequent updates and so I am satisfied that this is also soundly based.

238. To improve the legibility and precision of the policy and in the interests of clarity and effectiveness, **MM15** makes a number of changes to the wording of the policy.

Policy HOU3 – Housing Standards

239. Policy HOU3 sets out housing standards to ensure acceptable levels of internal space of housing within new developments in accordance with national policy. The Council's Nationally Described Space Standard Topic Paper [ED026] provides convincing evidence that a significant proportion of recent development in the borough has fallen short of the internal space requirements set out in the NDSS. Therefore, in order to ensure an appropriate standard for new developments I consider the requirement of the policy for new development to meet these thresholds to be reasonable, necessary and therefore justified. As the matter is taken into account within the VA, I am also satisfied that this requirement will not impact upon the deliverability of new development.
240. The policy also sets out requirements in relation to adaptable and accessible housing. This has been considered through the HENA [ED001a] and the VA [ED004] and reflects the approach taken in national policy which seeks to create inclusive and accessible places. The construction of all new housing to M4(2) standards is due to become part of the Building Regulations, but at present no date has been set for when this will happen. As such, given the need highlighted in the HENA, it is justified for the policy to require new housing to meet this standard.
241. Furthermore, in relation to the provision of wheelchair adaptable and wheelchair accessible homes, the evidence in the HENA shows a sustained need for such accommodation, both in relation to provision for the elderly and those with impaired mobility. I therefore consider that the requirement for such provision in major developments is justified. However, as drafted the policy states that such provision will be required where there is a demonstrable need. As the HENA already provides evidence of need, I do not consider further evidence to be necessary. **MM16** removes the requirement for further justification and to ensure the Plan is positively prepared. For clarity and therefore effectiveness the modification also amends the reference in criteria 1 to residential homes to avoid confusion with care homes.

Policy HOU4 –Gypsy, Travellers and Travelling Showpeople

242. The Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2024 (GTAA) [ED18] provides a comprehensive assessment of the accommodation supply and need of the Gypsy, Traveller and Travelling Showpeople communities in the borough and taking into account natural turnover identifies that five additional pitches will be required to meet the needs in the borough of those meeting the ethnic definition of Gypsies and Travellers over the period 2020 to 2040. There is also a requirement for five additional plots for Travelling Showpeople over the period to 2040 based on need arising from five newly forming households.

243. I have made post-consultation amendments to **MM03** to ensure that identified needs for Travellers are set out in strategic policy. This modification, which is necessary to achieve accordance with national policy, is essentially a change of emphasis that will ensure internal consistency and does not introduce new policy. Its inclusion at this stage would not therefore result in prejudice to the interests of any parties.
244. Policy HOU4 allocates two sites for the use of Gypsies and Travellers and Travelling Show people and provides criteria by which proposals for new Gypsy and Traveller sites will be assessed. The site proposed for plot provision at Hardings Wood is currently occupied by three families of Travelling Showpeople and the additional need is forecast to arise from emerging households from families on the site. The site provides some scope for additional pitches to meet this need, and I am therefore satisfied that no further provision needs to be made to address this need within the Plan.
245. The site G&T11 at Hardings Wood is identified in the Level 2 SFRA as being subject to fluvial flooding, although this does not appear to be representative of the underlying topography as noted on site. The site is also shown to at risk of surface water flooding. To respond to the recommendation of the SFRA, before further development is implemented on site, a site-specific Flood Risk Assessment should be prepared for the site alongside a Surface Water Drainage Strategy which includes a SUDs maintenance and management plan. **MM80** which addresses this matter is therefore necessary for the Plan to be justified and effective.
246. A further allocation is proposed at a site west of Silverdale Business Park which would address the identified need for Gypsy and Traveller sites. However, access to the site has not been effectively secured and the site adjoins an existing breakers yard which would provide a poor-quality residential environment. Whilst it is possible that the site may prove appropriate once access and environmental issues have been resolved, I am not persuaded that this would comprise an appropriate allocation at this time. **MM17** and **MM95** therefore removes this site as an allocation and also makes a drafting change to the policy which is necessary to improve its effectiveness. To ensure the legibility of the policy I have made further typographical changes to reflect that there is now only one site being identified in the policy. No prejudice would be likely to occur to the interests of any parties as a result of this change.
247. The removal of the proposed Silverdale allocation leaves the Plan with a shortfall in provision of five pitches, three of which are identified to be needed within the next five years. I have considered whether this deficiency would require the Council to find an additional site to ensure the Plan is sound. The Gypsy and Traveller Site Selection Report [ED019] provides convincing evidence that the Council have carried out a robust assessment of available opportunities in the borough to meet the identified need in the GTAA [ED018]. I

therefore do not consider that it would be productive to require a further site search. I also note that the existing Gypsy and Traveller site in Silverdale may have some potential for intensification.

248. In light of this, and the relatively low level of need identified, I am satisfied that the criteria-based element of the policy, as set out in HOU4 is appropriate and proportionate.

Policy HOU6 - Self-Build and Custom Dwellings

249. Policy HOU 6 relates to the provision of Custom and Self-Build Dwellings. Criteria 1 of the policy sets out that preference will be given to self-build schemes on brownfield sites or on infill plots. This implies a sequential test which I was advised at the hearings is not the intention of the policy. For the policy to be effective, and consistent with the NPPF, this sentence is removed from the policy. Criteria 2 require the provision of serviced plots on all major developments and fails to recognise that the nature and size of the site, site specific constraints and viability constraints may impact on whether sites are suitable for such provision. However, to be effective these factors should be reflected within the policy and the supporting text. Where on site provision is not feasible it may be appropriate to make provision for self-build off-site or to make a financial contribution towards providing self-build elsewhere and to be effective the policy should reference this.

250. Criterion 5 sets out that where self or custom build housing plots are unsold they can revert to open market housing. However, the policy would not be effective as it does not set out that evidence will be required to demonstrate this. The provision of self and custom build housing is an indicator that is part of the Council's proposed monitoring of the plan and so the policy should include an additional criterion which reflects this. The Monitoring Framework seeks to monitor the provision of custom and self-build plots and a new Criterion 6 reflects this.

251. Finally, the policy also has a number of drafting errors which need to be addressed. For clarity and therefore effectiveness **MM18** addresses all these matters. As advertised **MM18** refers to self and custom build dwellings within settlement boundaries being considered favourably. However, the Regulation 19 draft of the policy refers to such development being in accessible and sustainable locations. This Regulation 19 wording is consistent with national policy and the change to this wording that would be brought about by **MM18** is not needed. I have therefore made a post-consultation change to **MM18** to re-instate that earlier wording. The matter has been adequately covered in the consultation, and no prejudice would occur to the interests of any parties as a result of this

relatively minor amendment. Which refers to such development being in accessible and sustainable locations.

Policy HOU7 - Homes in Multiple Occupation

252. Policy HOU7 sets out the circumstances where Houses in Multiple Occupation (HMOs) will be supported. The policy has a number of drafting errors, and it is not clear that the provisions set out in part d) will apply to all the categories of HMO listed under criteria a)-d). **MM19** corrects these errors and is necessary for clarity and therefore effectiveness.

Policy HOU8 - Rural and First Homes Exception Sites

253. Policy HOU8 relates to development on rural exception sites including the development of First Homes. For the reasons set out above in respect of HOU1, references to First Homes are to be removed from the Plan and therefore **MM20** and **MM21** are necessary to ensure consistency with national policy and for the policy to be effective.

Conclusion

254. Subject to the MMs detailed above, the housing policies set out in the Plan are justified, effective and consistent with national policy.

Issue 10 – Does the Plan set out a positively prepared strategy and policies for retailing and town centres and tourism which is justified, effective and consistent with national policy?

255. Chapter 9 of the Plan contains five policies which seek to promote and retain the long-term vitality and viability of the various retail centres in the borough. This includes policies which define a retail hierarchy, provide criteria by which retail and town centre uses will be assessed, and set out a framework for improving and enhancing Newcastle-under-Lyme Town Centre and regenerating Kidsgrove Town Centre.

Policy RET1 - Retail

256. Policy RET1 sets out a clear hierarchy of retail centres and provides appropriate criteria for assessing proposals within and adjacent to retail centres. However, the policy lacks clarity in relation to the nature of retail uses to be supported in neighbourhood parades of shops which are not included within the hierarchy. In order for the policy to be effective **MM25** makes clear that retail development in

neighbourhood parades is defined as development which falls within Class E(a) of the Use Classes Order.

Policy RET2 - Shop Fronts, Advertisements, New Signage

257. Policy RET2 sets out considerations in relation to signage and advertisements for commercial uses. Criterion 1 incorrectly refers to 'uses' but the installation of shopfronts or the display of signage does not constitute a use. Criteria 2 refers to schemes in Conservation Areas or Listed Buildings. However, this fails to recognise potential impact on the setting of heritage assets and non-designated heritage assets. **MM26** corrects the error and alters the text to refer to the impact on all heritage assets and their setting. These modifications are necessary for the policy to be effective.

Policy RET3 - Restaurants, Cafes, Pubs and Hot Food Takeaways

258. Policy RET3 is a wide-ranging policy which includes a number of considerations to be taken into account in relation to proposals for pubs and hot food uses. Criterion 2 refers to restrictions that may be imposed on such uses in the interests of amenity and refers to both new uses and extensions to such uses. Such restrictions can only be imposed on new uses and cannot legitimately be applied to parts of a building. **MM27** makes necessary corrections to the text and removes reference to restricting the use or operation to extensions to existing businesses. These changes are necessary for the policy to be justified and effective.

Policy RET4 Newcastle-under-Lyme Town Centre and Policy RET5 : Kidsgrove Town Centre

259. Policy RET4 sets out considerations for development within Newcastle-under-Lyme Town Centre. For the policy to be effective **MM28** makes clear that the policy refers to opportunities to diversify retail, leisure or cultural opportunities in the town. Policy RET5 relates to development within Kidsgrove Town Centre. However, the policy omits to refer to the need for new development to conserve and enhance heritage assets in Kidsgrove Town Centre. **MM29** addresses both matters in the interests of clarity and effectiveness.

Conclusion

260. Subject to the required **MMs** detailed above, the policies for retailing, town centres and tourism set out in the Plan provide a positively prepared strategy and are justified, effective and consistent with national policy.

Issue 11 - Does the Plan set out positively prepared policies for employment which are justified, effective and consistent with national policy?

Employment Policies

261. Policy EMP1 provides a list of requirements for employment uses which address the need to support economic growth and productivity, taking into account local circumstances. The policy seeks to support the development of employment uses in employment sites within Uses Classes E(g) B2 and B8. I consider this to be reasonable as such designations are intended to fulfil an identified need for such uses. However, to ensure consistency with national policy, **MM22** widens the scope of the criterion to also allow 'complementary uses' and removes reference to 'over-concentration' which is difficult to define and would therefore not be effective. The modification also recognises that the provision of high-quality transport connections may not always be achievable or proportionate to the scale of the development and so sets out that this is applicable only 'where relevant'. This change is necessary for the policy to be effective.

262. Policy EMP2 relates to development on existing employment sites and provides a list of criteria against which such policies will be considered. The policy as drafted is comprehensive but does not make clear that development is to be considered against all of the criteria. Neither does criterion d) adequately explain the 'Agent of Change' principle, or the measures that should be undertaken to comply with it. **MM23** addresses these matters, in order for the policy to be justified and effective.

263. Policy EMP3 seeks to support the role tourism in the borough can play in the rural economy. The aims of the policy are consistent with the NPPF in that it seeks to promote economic growth which is appropriate to its location. However, the effectiveness of the policy is undermined by some errors and omissions. In Criterion 3 the text does not refer to static caravans and other drafting changes are needed in assist with the legibility of the Policy. **MM24** makes theses necessary changes to ensure the policy is clear and therefore effective.

Conclusion

264. Subject to the required MMs detailed above, the policies for employment set out in the Plan would provide a positively prepared strategy which is justified and consistent with national policy.

Issue 12 – Does the Plan set out a positively prepared strategy and policies for sustainable development, rural matters and climate change which is justified, effective and consistent with national policy?

Policy SE1: Pollution and Air Quality

265. Policy SE1 reflects the Council's commitment to protecting the health and well-being of residents by improving air quality in the borough. The policy includes a number of criteria which seek to secure improvements to air quality. Criterion 1b seeks to ensure that new development will not result in negative impacts in air quality in or near Air Quality Management Areas (AQMAs). However, it does not include a means of measuring this and so the criterion needs to be altered to secure an air quality assessment where a proposal is likely to have an impact in or near an AQMA, along with consequential amendments to assist with clarity. Criterion 1c directs developers to consider the cumulative effects of emissions. To ensure action is taken, and so to be effective this should be amended to require that development proposals 'address' the cumulative effects of emissions.
266. Criterion 1d relates to mitigation but does not make clear that this should be undertaken where necessary, and where impacts cannot be acceptably mitigated then development should be refused. It also contains superfluous text which, is largely commentary and as it is unnecessary should be deleted. Criterion 1e which relates to noise attenuation measures and Criterion 1f which relates to external lighting also contain superfluous text which makes the policy difficult to read and therefore reduces its effectiveness. This text should therefore be removed from the policy. The commentary in relation to lighting would be more appropriate within the supporting text and should be reproduced there. Criteria 1g relates to the Agent of Change principle. As drafted, this restricts mitigation measures to impacts from noise and light. To ensure all potential impacts are taken into account, this element of the policy needs to be reframed in the interests of effectiveness.
267. Criterion 2 sets out broad principles the Council will follow to achieve reductions in air pollution. These are replicated elsewhere in the Plan, do not provide any guidance to a developer or decision maker, and add unnecessarily to the length of the policy. To ensure the policy is effective this criterion should be removed. Criterion 3 includes details of dust control measures. These measures may form part of a construction management plan, but the details add unnecessarily to the length of the policy and should be moved to the supporting text. Criterion 4 encourages developers to use low-emission construction equipment. It is not necessary for this criterion to be in the policy as it is effectively covered in criterion 5 which requires the use of a construction management plan and it should therefore be moved to the supporting text. Finally, parts of the text suffer

from drafting errors, and the text need to be re-ordered in the interests of legibility. This includes correcting the number of AQMAs in the borough to three rather than four.

268. **MM41** makes the above changes to the Policy and **MM42** makes changes to the supporting text. These are necessary to ensure both are clear and therefore effective. I note, however, that criterion 4 has not been moved to the supporting text and has been deleted within the advertised modifications. I have therefore re-inserted it within the supporting text. I am satisfied that no party would be disadvantaged by this change and I have altered the Schedule of Modifications accordingly.

Policy SE2: Land Contamination

269. Policy SE2 aims to prevent harm from contaminated land and ensure that development sites are safe for their intended use. Criterion 1h contains a typographical error which to ensure the policy is effective is corrected by **MM43**.

Policy SE3: Flood Risk Management

270. Policy SE3 sets out flood risk considerations, to ensure new development is resilient to the effects of climate change. Criterion 1 relates to the application of the sequential test but does not make clear that it is the Council who will apply the sequential and exceptions tests, or explain that the exception test is only applied if it is not possible to locate development in an area at lower risk of flooding. Furthermore, criterion 3e omits to include the need to include detailed modelling of main rivers and functional floodplain within flood risk assessments.

271. The supporting text to the policy refers to the need to take account of all forms of flood risk but omits to refer to surface water flooding. Furthermore, criterion 4 refers to 'high-risk' areas but these are not defined. Finally, for completeness, the FRA should have regard to the aims and objectives of River Basin Management Plans as appropriate. **MM44** which relates to the Policy and **MM45** to the supporting text makes these necessary changes to ensure the policy is justified and consistent with national policy.

Policy SE4: Sustainable Drainage Systems

272. Policy SE4 deals with the implementation of Sustainable Drainage Systems within new development as a means of managing surface water runoff and mitigating flood risk. Criterion 2 sets out the SUDs hierarchy within the Policy. This adds unnecessary length to the policy which reduces its legibility. This information should be moved to a more appropriate location in the supporting text. Criterion 7 of the Policy sets out options for maintenance. This detail is

largely commentary and would also be more appropriately located within the supporting text. Lastly, in addition to some minor drafting changes to assist with comprehension and to therefore ensure the policy is effective, it is necessary to make clear within Criterion 6 that the SUDs strategy should outline the funding mechanism for the scheme. **MM46** to the policy and **MM47** to the supporting text make these changes which are necessary for clarity and therefore effectiveness.

273. The supporting text already refers to the need for development to align with the latest SFRA recommendations, Lead Local Flood Authority guidance, and relevant SUDS design standards. Therefore, further changes to refer to non-potable water collection are not necessary for soundness.

Policy SE5: Water Resources and Water Quality

274. Policy SE5 sets out requirements aimed at protecting and enhancing water quality, promoting sustainable water management, and ensuring the long-term availability of water resources for the borough. Criterion 2 relates to nitrate neutrality but does not explain why nitrate neutrality is a relevant consideration. In the interests of clarity and therefore effectiveness the further explanation of nitrate neutrality should be included in the supporting text rather than the policy itself. As nitrate neutrality cannot be achieved by individual developments on their own, the text should reflect this by replacing the word 'achieve' with 'support'.

275. Criterion 4 refers to issues of capacity set out in the Water Cycle Study and directs developers to work with the EA and water companies to address these. It is not clear what is being sought or whether it is a reasonable requirement, as mitigation should only be sought from development to address its own impacts. In light of Policy CRE1 which address issues of water efficiency within development, Policy SE1 which addresses pollution and SE4 which relates to SUDs, this element of the policy is unnecessary, would not be effective, and should be removed.

276. Criterion 6 relates to reducing water demand. For clarity, and therefore effectiveness this objective should be explicit within the criterion. Additionally, foul drainage has a strong link with water quality, but the policy does not refer to it. To be consistent with national policy a criterion should be included which directs that new development should follow the foul drainage hierarchy. Finally, Water Framework Directive catchment areas and the objectives set out in River Basin Management Plans which apply to them can help inform development and so they should be referenced within the supporting text.

277. **MM48** which relates to the policy and **MM49** to the supporting text makes these necessary changes to ensure the policy is justified, effective and consistent with national policy.

Policy SE6: Open Space, Sports and Leisure Provision

278. Policy SE6 seeks to ensure residents have access to good quality open space and sports and leisure provision. However, the policy has some omissions which undermine its effectiveness. Criterion 3d seeks to ensure that the layout of play areas and equipment are provided to a recognised specification and is provided at an early stage of development. However, as drafted this is unclear. I consider it justified that play areas are provided at an early stage of development in order to adequately serve the needs of children within new developments. As drafted the proposed modification would be ineffective and so I have amended it in the interests of clarity and therefore effectiveness. I am satisfied that no party would be disadvantaged by this change and I have altered the Schedule of Modifications accordingly.

279. Criterion 3f refers to Natural England's Green Infrastructure Framework but does not explain why this is relevant. As such it is necessary for the policy to set out that this will assist in achieving the connectivity of sites to Green Infrastructure. Criteria 4 is to be applied where proposals would lead to the loss of open space or sports and recreational buildings. As drafted the Policy makes no provision for instances where these may be surplus to requirements and this should be reflected in the Policy. **MM50** makes these necessary changes to ensure the policy is justified and effective.

Policy SE7: Biodiversity Net Gain

280. Policy SE7 seeks to secure Biodiversity Net Gain (BNG) within new development. The requirement to provide at least 10% BNG is consistent with national guidance, but the policy has some significant omissions which undermine its effectiveness. To ensure that the policy is in line with national policy it should acknowledge that some developments are exempt from BNG requirements. Furthermore, in the interests of clarity, and therefore effectiveness, the supporting text should make clear that BNG is not applied to irreplaceable habitats and any mitigation should be considered separately.

281. **MM51** which relates to the Policy and **MM52** to the supporting text makes these necessary changes to ensure the policy is justified, effective and consistent with national policy. The modifications as consulted upon deletes the requirement to use the relevant statutory Biodiversity Metric. The requirement to use the relevant statutory BNG Metric is set out in Planning Practice Guidance and so this requirement is consistent with national policy. Whilst it is not necessary for this requirement to be set out in the Plan, its removal could be misinterpreted to

imply that Council consider other metrics to be appropriate. Accordingly, I have omitted the proposed modification from the attached schedule and reference to the biodiversity metric will now be retained in the policy. This will ensure the policy is clear and effective. I am satisfied that no parties would be disadvantaged by this change.

Policy SE8: Biodiversity and Geodiversity

282. Policy SE8 is a wide-ranging policy which seeks to ensure all development proposals take proportionate measures to conserve and enhance biodiversity. Part 1 of the policy seeks to avoid any adverse impacts on a range of biodiversity assets. This requirement goes far beyond that required in national guidance and is overly restrictive. Accordingly, I have modified the criteria to require no significant adverse impacts on these assets. Furthermore, within the list criterion "i" refers to trees, woodlands and hedgerows. Removal of non-protected trees and hedgerows, or small woodlands could be an acceptable component of development if adequately mitigated. The inclusion of this criterion is therefore overly restrictive and unnecessary and should be deleted. I am satisfied that these assets are adequately protected by policy SE11. Accordingly, **MM53** makes these necessary modifications in order for the policy to be consistent with national policy and positively prepared.

Policy SE9: Historic Environment

283. Policy SE9 is a wide-ranging policy which deals with all aspects of the historic environment. As the policy is broad ranging it is overly long, repeating national policy at length. It is also unclear in places, with parts of the policy text providing commentary which would be more appropriately contained within the supporting text. As a result, the policy is ineffective. **MM54** to the policy and **MM55** to the supporting text provide a more succinct and focussed policy which is consistent with national policy without repeating it at length. Supporting information has been moved to the supporting text. This includes information on how the policy will be applied and guidance on when a Heritage Assessment will be required and what it should contain. These changes are necessary to ensure the policy is effective, consistent with national policy and positively prepared.

Policy SE10: Landscape

284. Policy SE10 recognises the contribution the landscape makes to quality of life and seeks to ensure that new development protects and enhances it. The policy as drafted requires that development should comply with guidance in the Council's Landscape and Settlement Character Assessment Study. This guidance is not part of any adopted development framework and so the policy cannot require compliance with it and should instead require new development

to 'take account of' the guidance. Furthermore, criterion 3d relates to greywater recycling. This matter is not directly related to landscaping and so detracts from the effectiveness of the policy. It is, in any case, a requirement of Policy SE5 and so should be deleted from this part of the Plan. Accordingly, **MM56** makes these necessary changes in the interests of clarity, and therefore effectiveness.

Policy SE11: Trees, Hedgerows, and Woodland

285. Policy SE11 relates to trees, hedgerows and woodlands prioritises the protection of these natural assets within new development. The effectiveness of the policy is undermined by drafting errors and by the inclusion of unnecessary information and commentary. Criterion 1 refers to the need to ensure the long-term viability of these features. To avoid confusion with financial viability matters this policy should instead refer to long-term retention. Criterion 3 contains two bullet points which could be more succinctly combined within the text. Criterion 7 also contains a number of bullet points which contain unnecessary commentary and should be abridged. Criterion 11 duplicates criterion 10 and should be removed. Criterion 13 is supporting information and should be moved to the supporting text. Accordingly, **MM57** to the policy and **MM58** to the supporting text makes these necessary changes in the interests of clarity, and therefore effectiveness.

Policy SE12: Amenity

286. Policy SE12 aims to protect amenity while supporting appropriate development. The effectiveness of the policy is undermined by drafting errors and by the inclusion of unnecessary information and commentary. Criterion 2 relates to the Agent of Change principle, whereby new development should effectively integrate with existing uses. However, the criterion should explain that impacts can occur on all types of facilities and would arise from new development permitted after existing activities or uses were established. For completeness the policy should also include vibration and odour within the range of potential impacts. Additionally, as drafted the policy includes a number of matters which assessments in this regard should cover. However, these matters will vary from case to case, and such a list is at risk of being interpreted as a closed list, which is not the intention. It is therefore sufficient that the policy refers instead to the provision of suitable mitigation before the development is completed.

287. Criterion 4 refers to measures which would be outside planning control and so these should be removed from the policy. In relation to all these matters **MM59** makes the necessary modifications to the policy in the interests of clarity and effectiveness and to ensure consistency with national policy.

288. Lastly in relation to criterion 3. This states that where significant adverse effects cannot be effectively mitigated, and no acceptable compromise in operations

can be reached, planning permission will be refused. This criterion appears to place an obligation on existing occupiers or businesses to curtail or alter existing practices to facilitate new development, which I consider to be unreasonable and contrary to national policy. The published Modification removes all of criterion 3 but greater clarity would be achieved by altering the requirements of the criterion to remove the reference to reaching an acceptable compromise. I am satisfied that no party would be disadvantaged by this change and I have altered the Schedule of Modifications accordingly.

Policy SE13: Soil and Agricultural Land

289. Policy SE13 seeks to protect the borough's (BMV) agricultural land from inappropriate development and promote sustainable soil management practices. However, criterion 2 requires a sequential test for all new development on agricultural land which is inconsistent with national policy. I am satisfied that the other criteria are sufficient to ensure the objectives of the policy and so consider that criterion 2 should be deleted in the interests of effectiveness. Criterion 5 relates to cumulative impacts of proposals on soil quality. For clarity, the words 'In assessing development proposals' should be inserted at the start of the policy to make clear that the criterion refers to planning applications. In relation to both these matters **MM60** makes the necessary modifications to the policy in the interests of clarity and effectiveness and to ensure consistency with national policy.

Policy SE14: Green and Blue Infrastructure

290. Policy SE14 seeks to promote the provision of green and blue infrastructure within new development. The policy is long and contains superfluous detail which undermines its effectiveness. Criterion 1 contains three subpoints which could be more succinctly combined within the text by setting out that the aims of the policy is to support climate resistance, support biodiversity and provide high quality spaces in the borough. Criterion 2 sets out how cases which involve the loss of blue and green infrastructure will be assessed. As drafted in relates to any loss and this would not be proportionate. To ensure the Plan is positively prepared this should be modified to refer to significant loss or degradation of existing blue and green infrastructure. Part "d" of this policy relates to the provision of biodiversity net gain, but as this matter is subject to a separate policy it is not necessary. Therefore, in the interests of securing a succinct plan, as required by national policy, and effectiveness, it should be removed.

291. Criterion 3 relates to the provision of green and blue infrastructure in new development. To acknowledge that not all new developments will be able to make provision for this the criterion should be modified to state that such provision should be made 'where possible'. Furthermore, the requirement for residents to have access to high-quality green space is addressed in policy SE6 of the Plan as much as is necessary and so should be deleted in this policy.

Finally, criterion 5 is commentary and it is not necessary for it to be included within the policy. In the interests of clarity and therefore effectiveness it should therefore be deleted.

292. These changes are covered in **MM61** and are necessary in the interests of clarity and effectiveness and to ensure consistency with national policy.

293. The policy makes no specific provision for 'swift bricks'. The requirement to incorporate features which support priority or threatened species such as swifts, is contained within the NPPF2024. This Plan is being examined under the NPPF 2023 which has no similar obligation. Such a modification is therefore not necessary for soundness. Policy SE14 and the supporting policies on biodiversity (SE7 and SE8) provide an appropriate and sound framework for assessing future development proposals. The national policy in relation to swift bricks will also be a material consideration for planning applications alongside policies in the Plan.

Policy CRE1: Climate Change

294. Policy CRE1 sets out a number of criteria aimed at ensuring that new development addresses the causes and effects of climate change, consistent with national policy. Criterion 1 expects new development to follow the heat and energy hierarchy but does not explain the measures by which this is to be achieved. For the policy to be effective it should be made clear that new development should seek first to reduce energy use, use energy more efficiency and also be designed to use energy from renewable sources.

295. Criteria 3 requires new development to meet Part G of the Building Regulations which seeks to secure water efficiency by requiring new dwellings to achieve water usage of 110 litres per dwelling per day. I am satisfied that the evidence provides sufficient justification to impose this standard but note that the reference to Part G should be 'as updated' to ensure that the policy keeps pace with any forthcoming legislative changes.

296. Criterion 4 of the policy seeks to ensure that new development complies with Part L of the Building Regulations which relates to the conservation of fuel and power. Compliance with the Building Regulations is subject to the relevant legislative framework and it is neither necessary nor appropriate that this be contained within a local plan policy. The purpose of this part of the policy is to encourage energy efficiency. Therefore, it is necessary to reframe this criterion to state that exceeding the standard shall be afforded positive weight in decision making.

297. Criterion 5 states that developments are encouraged to complete whole-life-cycle carbon assessments. This is vague and would not be effective. To provide

sufficient direction for both developers and the decision maker it is necessary to explain what this part of the policy seeks to achieve and why.

298. Criterion 6 sets out a range of measures to be implemented within new development which address climate change. Some of these measures are duplicated elsewhere and so should be removed or are unclear and need additional explanation. Finally, the policy parts of the text need to be re-ordered in the interests of legibility and suffers from some drafting errors in the supporting text which need to be addressed.

299. These changes are captured in **MM11** and are necessary to provide clarity and to ensure effectiveness and consistency with national policy.

Policy CRE2: Renewable Energy

300. Policy CRE2 seeks to encourage the production and use of decentralised, renewable and low carbon energy, consistent with wider sustainable development aims. Part 3 of the policy seeks to resist adverse impacts from such development but fails to take account of effective mitigation. Part 7 relates to solar energy schemes and in line with national policy seeks to ensure that brownfield sites for such development are given preference over greenfield sites. In the interests of positive planning this part of the policy should make clear that such an assessment should be proportionate. Criteria 7(b) relates to the loss of BMV agricultural land. However, it does not take account of potential loss of quality in agricultural land or clarify that the policy is seeking to resist the permanent loss of such land.

301. **MM12** makes the necessary modifications to the Policy in the interests of clarity and effectiveness and to ensure consistency with national policy.

Policy PSD4: Development Boundaries and the Open Countryside

302. Policy PSD4 seeks to protect open countryside by setting out the circumstances against which proposals for development in the countryside will be supported and the criteria against which it will be considered. To do so it relies on settlement boundaries within which development will be generally supported, with a more restricted set of circumstances applying to development outside these boundaries. Settlement boundaries were reviewed and defined using a robust methodology, as detailed in the Settlement Boundary Review Report [ED007] and where necessary updated to reflect recent development and proposed allocations in the Plan. I am therefore satisfied that the boundaries have been appropriately drawn, reflecting the current form and function of settlements, and that they provide a clear basis for decision-making.

303. However, the criteria set out in Part 4 of the policy do not recognise the need to consider historic aspects of the countryside in considering the impact of proposals and new text is required. For the reasons set out above there is also a need to remove reference to First Homes. **MM07** makes these necessary modifications to the Policy in the interests of clarity and effectiveness and to ensure consistency with national policy.

Policy PSD6: Health and Wellbeing

304. Policy PSD6 sets out a range of considerations aimed at making it easier for the population to achieve healthy lifestyles. This includes the requirement for major developments to be supported by a screening Health Impact Assessment(HIA). This requirement is a proportionate approach, as it will only necessitate a full HIA where a likely adverse impact is identified. However, to be effective this requirement should state that it will take account of any proposed mitigations.

305. The policy also states that new development should follow Sport England's Active Design Principles. This document is guidance, not policy and the wording of the Policy should reflect this. Furthermore, to demonstrate how the principles have been incorporated it is appropriate to provide reference to the use of an active design checklist. Finally, criteria 'h' states that it will support initiatives to reduce obesity in the borough. It is not clear what actions the policy requires a developer to take, and this matter would be better placed within the supporting text. To ensure that the policy is effective and positively prepared **MM09** makes these necessary modifications.

Policy PSD7: Design

306. Policy PSD7 seeks to ensure good design in all new development and sets out a wide-ranging list of criteria to achieve this. Criterion 5 states that housing developments should achieve Building for a Healthy Life standard. However, this guidance is not a 'standard' as such but is rather a design toolkit with a range of considerations aimed at ensuring good design in new development. Whilst the principles can be applied to all residential development and are broad ranging, they are most applicable to larger scale development. To ensure the policy is justified it is therefore necessary to amend this criterion to reflect that it is not a 'standard' and to apply it to major development. Furthermore, for the policy to be effective, it should be explicit that all development proposals should respond positively to local character. The policy should also refer to the need to conserve and, where possible, enhance heritage assets and their settings. These matters are set out in an additional criterion within the policy.

307. Criteria 8 of the Policy seeks to ensure development is accessible and inclusive. To ensure the Plan is positively prepared the criterion does not need to refer to potential reasons for discrimination as this could be interpreted as a closed list

and should simply refer to 'all'. Criteria 9 refers to Department of Transport Local Transport Note 1/20. For effectiveness the criterion should make clear what this note seeks to achieve, which is high-quality cycle infrastructure. Criterion 10, which seeks 'tree-lined streets', whilst a requirement of the NPPF2023, is no longer a requirement of national policy. Furthermore, the requirement to increase tree cover and incorporate trees into new development is a requirement of Policy CRE1 and Policy SE11. This criterion is therefore unnecessary and should be removed.

308. Lastly, the Landscape and Character Assessment Study (2022) [ED023] identifies areas of the borough characterised by large houses on extensive plots which should be protected and criterion 11 seeks to reflect this. However, as drafted the requirement is unclear and should be redrafted. **MM10** makes the aforementioned modifications to the policy to ensure it is effective and positively prepared.

Policy RUR1: Rural Housing

309. Policy RUR1 sets out measures aimed at supporting the rural economy. Criterion 2c states that new development should prioritise the re-use of previously developed land and/or sites that are physically well-related to existing settlements. Individual planning applications would not be able to demonstrate compliance with this requirement without doing a sequential test which is not the intention of the policy. To ensure the policy is justified this criterion should therefore be removed.

310. Criterion 2e relates to the re-use of historic farm buildings. This matter is effectively dealt with by criteria 2f which relates to the reuse of existing buildings and 2h, which relates to heritage assets. This criterion is therefore unnecessary and to avoid duplication, it should be deleted. Criterion 2b refers to a requirement to 'Improve the sustainability of a site in terms of access'. For clarity, this should simply refer simply to the 'accessibility of the site'. The above changes are captured in **MM62** and are necessary for the policy to be effective.

Policies RUR3 – RUR5: Extensions and Alterations to Buildings Outside of Settlement Boundaries, Replacement Buildings Outside of Settlement Boundaries, Re-Use of Rural Buildings for Residential Use

311. Policies RUR3 and RUR 4 recognise that because plot sizes in rural areas are often larger there is potential for dwellings to increase in size and that can lead to an over-supply of large properties in rural areas over time. The policy therefore seeks to exercise controls over the extent to which rural dwellings can be enlarged. The policy is justified in that it seeks to ensure the retention of an appropriate mix and choice of housing in rural areas in line with national policy. Policy RUR5 relates to the re-use of rural buildings for residential use and seeks to strike an appropriate balance between sustaining the rural economy and avoiding isolated homes in the countryside.

312. Historic England advised that these three policies should be modified to refer to the need to 'protect' rather than 'sustain' heritage assets and these modifications have been consulted upon. The NPPF refers to protecting heritage assets within the environmental objectives in paragraph 8. It also refers to sustaining heritage assets within the historic environment chapter of the NPPF. On reflection, I consider that the text of the Plan as drafted adequately reflects the NPPF and that it is not necessary to modify the Plan in this regard. As such I have deleted this change from **MM63**, **MM64** and **MM65** in the attached schedule. I am satisfied that no party would be disadvantaged by this change.

Conclusion

313. Subject to the **MMs** detailed above, the policies for sustainable development, rural matters and climate change would provide a justified, effective and positive prepared strategy which is consistent with national policy.

Issue 13 - Does the Plan set out a positively prepared strategy and policies relating to the infrastructure, transport and delivery which are justified, effective and consistent with national policy?

314. The NPPF is explicit that sustainable development requires an alignment of growth and infrastructure. The Infrastructure Delivery Plan (IDP) [CD016] provides a comprehensive assessment of the likely infrastructure requirements necessary to support development anticipated in the Plan. These include extensive public transport improvements, expansion of Madeley High School, provision of a new primary school and expansion of a number of existing primary schools, provision of a link road between the University and Whitmore Road, a new build health hub to serve Newcastle South and various community and green infrastructure projects.

315. A mix of funding sources will be required to deliver the necessary infrastructure. The IDP provides funding sources for most of the projects identified, although for some public transport and green infrastructure projects funding sources were not available at the time of the Examination. Costings for all of the projects, in particular green infrastructure, were also not available. It is therefore not possible to identify the extent of any funding gap.

316. Planning for infrastructure is dynamic in that funding sources will change across the plan period and so come forward to support development as it progresses towards the application stage. Developer contributions will be the main source of funding for many of the infrastructure projects identified, and these have been appropriately tested through the VA. I note that capital funding through the Town Deal will also provide for a significant proportion of the projects identified

and I also anticipate that such capital funding will change and evolve in the future. The funding assumptions also take no account of CIL.

317. As such, where there are identified gaps there a reasonable prospect of them being bridged and the necessary infrastructure being delivered at the appropriate time. Monitoring of the Plan, taken together with updates to the IDP, will also assist in aligning necessary infrastructure to the overall level of growth.

Policy IN1: Infrastructure

318. Policy IN1 sets out how the necessary infrastructure to support development will be identified and secured and includes a comprehensive range of matters to inform development. The policy is informed by a competent and comprehensive assessment of infrastructure needs in the borough which includes a schedule of key projects necessary to support the allocations in the Plan. I am satisfied that the measures in the Infrastructure Delivery Plan are both necessary and sufficient to support development.

319. The policy contains a number of omissions and errors that undermine its effectiveness. It states that contributions may be sought under S106 of the Planning Act but omits to reference potential obligations under S38 of the Highways Act. The policy also sets out infrastructure items for which provision may be sought but omits to refer to blue infrastructure. Furthermore, the list refers to 'Biodiversity Net Gain and the Nature Recovery Network' but this would be more appropriately described as 'ecological enhancements'.

320. Criteria 8 states that the level of contribution sought will take account of the total contribution liability incurred. In line with national policy the starting point for any development should be that it mitigates its own impacts. Only where the benefits of the development would outweigh the harm arising from the lack of mitigation should considerations of viability be taken into account. This sentence is therefore misleading and should be removed. Finally, parts of the text need to be re-ordered in the interests of legibility. **MM30** which makes the above changes to the policy is therefore necessary for the clarity and therefore effectiveness.

321. The policy identifies the proposed link between the A525 and Whitmore Road as being a critical piece of highways infrastructure to be delivered within the plan period. The STA [ED011] considered the transport implications of the sites proposed in the Local Plan. It identified there are capacity issues and congestion forecast in both directions of Keele Road, between the University and Gallowstree Lane Roundabout. Thus, it identified the need for a new link road between University Avenue/Barkers Wood Road to Whitmore Road to

provide an additional route to distribute trips and relieve pressure on the A525, support bus services and provide active travel infrastructure.

322. I am satisfied that the modelling used was competently undertaken and fit for purpose. The modelling took account of switches between modes as a result of traffic impacts. I am also satisfied that the Council can rely on it to inform the nature and scope of necessary mitigations and that the identified link road is necessary to facilitate the development identified in the Plan.
323. The route between the town centre and the University is understood to be one of the busiest bus routes in the county and so additional bus capacity will be required to serve developments west of the town centre. A new circular bus service using the link is also to be provided, serving Newcastle-under-Lyme bus station, existing residential and employment areas, Keele University, and KL15, KL13, TB19, and SP11 sites.
324. The requirement to provide contributions to this infrastructure as mitigation, and in the case of KL13, a safeguarded route, is therefore reasonable and necessary.
325. In order to ensure that this link can be implemented at the appropriate time the Council will need to modify the Policies Map to insert a safeguarded transport route between allocation TB19 'Land South of Newcastle Golf Club' and KL13 'Keele Science Park, Phase 3' on the Policies Map.
326. The highways authority has advised, by way of update, that the proposed highway improvement scheme for the A34, will require part of Thomas Street Open Space in order to be implemented. To provide full information and so in the interests of positive planning **MM31** makes the necessary update to the supporting text.

Policy IN2: Transport and Accessibility

327. Policy IN2 is a comprehensive policy which sets out a range of relevant transport considerations for development proposals. Criterion 3 relates to parking. In order to demonstrate that new development will provide adequate parking I consider it necessary to require developments to provide a parking plan which takes into account the existing parking available. Criterion 8 directs developers to take account of the Local Transport Plan and Bus Service Improvement Plan. For completeness, this section should also refer to the borough's Integrated Transport Strategy and the Local Cycling and Walking Infrastructure Plan and therefore relevant references to these should be moved from the supporting text to the Policy. It is also appropriate that the supporting

text sets out that the Infrastructure Delivery Plan will be used to determine appropriate mitigation measures.

328. To improve the legibility of the policy I have also removed some superfluous text and made some minor grammatical and drafting changes to criteria 1, 3 and 4 of the policy and parts of the supporting text in the interests of clarity and therefore effectiveness.
329. **MM32** which makes all the above changes to the Policy and **MM33** to the supporting text are therefore necessary for the Policy to be effective.

Policy IN4 Cycleways, Bridleways and Public Rights of Way

330. Policy IN4 sets out how cycleways, bridleways and Public Rights of Way will be incorporated into new development. The Policy contains a number of omissions and errors that undermine its effectiveness. Criteria 1 contains reference to 'riding'. For clarity this needs to be amended to refer to 'horse riding'. Criteria 1d relates to unrecorded footpaths and the need to take them into account within new development. To be effective the wording of the policy should require that such footpaths are first identified. Criteria 1e relates to connectivity. To be effective it should make explicit that cycle routes, footpaths and bridleways, towpaths and rights of way should be incorporated into any final layout at an early stage of the development process.
331. For clarity, and therefore effectiveness, it is necessary for Criteria 1f to explain the role of the Local Transport Plan and to set in the supporting text that this Plan, along with the Local Cycle and Walking Infrastructure Plan will be used by the County Council to consider development proposals. **MM34** which makes all the above changes to the policy and **MM35** to the supporting text are therefore necessary for the Policy to be effective.

Policy IN5 Provision of Community Facilities

332. Policy IN5 seeks to safeguard existing community facilities. The policy contains a number of criteria against which the loss of community facilities will be assessed. This includes where development is no longer viable. In some instances, such as in relation to health service operations, the operational requirements of the provider will be a relevant consideration in deciding whether a use can be sustained on site and these should be reflected in the policy.
333. Furthermore, the policy does not address the provision of new community facilities. In some instances, the need for new community facilities will have been identified in the Infrastructure Delivery Plan or Neighbourhood Plans, and these can be supported through developer contributions. It is appropriate that this is reflected in the policy. Finally, the supporting text includes examples of

community facilities. Although this is not a closed list, public houses and sports facilities are acknowledged community facilities which are most frequently the focus for redevelopment proposals and are not included on the list and which for clarity should be included. **MM36** which makes all the above changes to the policy and **MM37** to the supporting text, are therefore necessary for the policy to be effective.

Policy IN6 Telecommunications Development

334. Policy IN6 sets out a number of criteria for assessing new telecommunications proposals. Criterion 1(e) seeks to ensure that the apparatus would not harm the significance of a designated heritage asset, but it does not include reference to its setting. **MM38** seeks to address this by adding the words 'including its setting'. However, for clarity this should read 'including that arising from harm to its setting'. I am satisfied that no-one would be disadvantaged by this change and I have amended the modification **MM38** accordingly in the attached schedule.

Policy IN7 Utilities

335. Policy IN7 seeks to ensure adequate utilities provision to serve new development. The policy refers to the need for development proposals to demonstrate that there is sufficient infrastructure capacity to meet forecast demands and lists a range of utilities. However, this includes surface water disposal, water supply and wastewater treatment. Water utilities are both controlled by separate, dedicated legislation under the Water Industry Act 1991. It is therefore the responsibility of the water company to ensure that water and sewerage provision is made prior to development taking place and it is outside the control of a developer to demonstrate this. To be justified and consistent with national policy reference to water utilities should therefore be removed.

336. Criterion 4 of the Policy seeks to protect some areas from visual intrusion relating to utilities installation and refers to Conservation Areas. This requirement only reflects one type of heritage asset and should refer instead to utilities installation not harming the significance of heritage assets. Although I recognise that some utilities provision will not be subject to planning control, I consider that the requirement is nonetheless justified where planning permission is required. **MM39** which makes all the above changes to the policy and is necessary for the policy to be effective.

337. The supporting text to the policy refers to instances where new or upgraded infrastructure is necessary and states that the Council will seek developer contributions where appropriate. For completeness the text should also include works carried out under S38 agreements. These changes are captured in **MM40** and are therefore necessary for the policy to be effective.

Conclusion

338. Subject to the **MMs** detailed above, the policies relating to infrastructure, transport and delivery would provide a justified, effective and positive prepared strategy which is consistent with national policy.

Overall Conclusion and Recommendation

339. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

340. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

341. I conclude that if adopted promptly (with the recommended MMs) the Plan establishes a five-year supply of deliverable housing sites. Accordingly, for the reasons set out in Issue 5, I recommend that in these circumstances the LPA will be able to confirm that a five-year housing land supply has been demonstrated in a recently-adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF.

Anne Jordan

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

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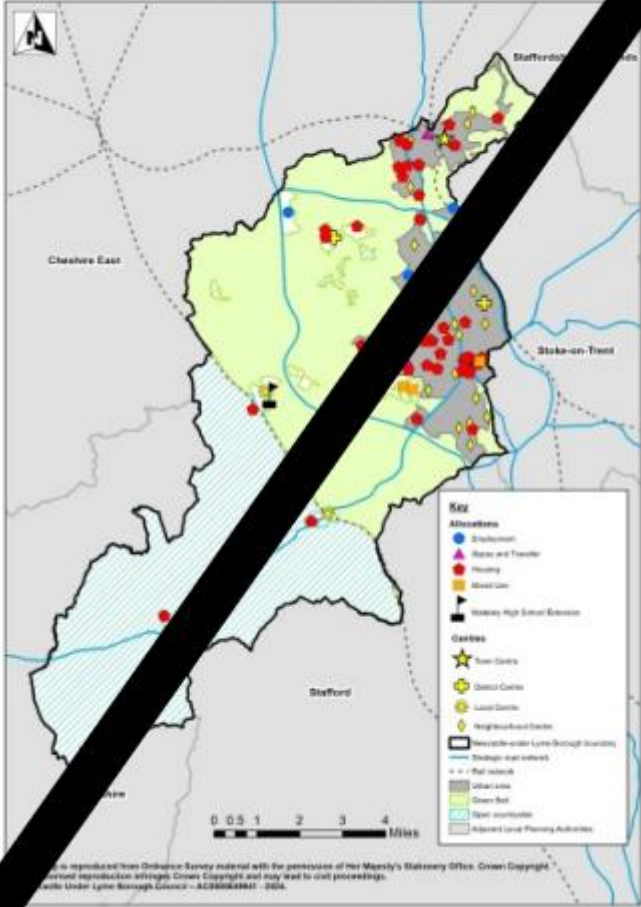
Newcastle-Under-Lyme Local Plan 2020 – 2040
Schedule of Proposed Main Modifications to the Submitted Local Plan
May 2026

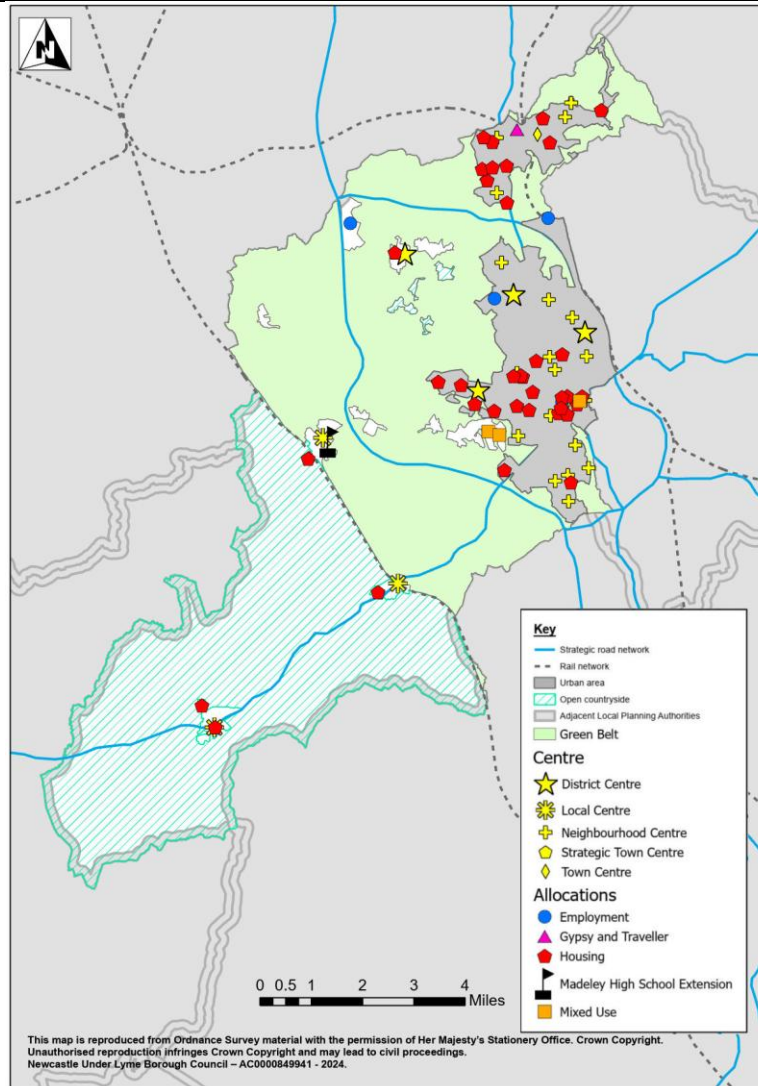
Appendix – Main Modifications

The modifications below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

| Modification Reference | Page Number | Policy / Para / Map Reference | Main Modification | Reason | Main Modification / Additional Modification |
|------------------------|-------------|---|---|--|---|
| MM01 | 10 & 11 | Paragraphs 4.8, 4.12 & 4.15 respectively (Strategic Objectives for the Borough) | <p>To amend paragraph 4.8 as follows: - Add text, as follows: - “SO-5(V) Provide a mix of housing types and tenures which are attractive...”</p> <p>To amend paragraph 4.12 as follows: - “SO-9(IX)...Maintain and improve the vast majority of the wide variety of open spaces in urban areas and improve green corridor linkages....”</p> <p>To add text to paragraph 4.15 as follows: - SO-12 (XII) Protect the Green Belt <u>through a clear, structured policy approach, except where exceptional circumstances justify strategic Green Belt release to meet strategic needs identified by the Plan</u></p> <p>To add additional strategic objectives, as follows: - <u>SO14 (XIV) To seek to address the local causes of pollution and the contamination of land.</u> <u>SO15 (XV) To support the implementation of the Nature Recovery Network</u> <u>SO16 (XVI) To avoid, where possible, the loss of best and most versatile land and valued soils</u></p> | To ensure the objectives of the Plan are consistent with national policy in relation to housing mix, Green Belt release, addressing pollution, and supporting biodiversity and geodiversity. | MM |

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|------|----|-----------------------------------|--|--|----|
| MM02 | 12 | Local Plan Key Diagram (Figure 2) | <p>To amend the Local Plan Key Diagram to reflect any changes to site allocations proposed in the Local Plan.</p> <p>Local Plan Key Diagram</p> <p>Figure 2 Local Plan Key Diagram</p>  <p>Cheshire East</p> <p>Stafford</p> <p>Stoke-on-Trent</p> <p>Key</p> <p>Allocations</p> <ul style="list-style-type: none"> Employment Retail and Travel Housing Mixed Use Primary High School Extension <p>Centres</p> <ul style="list-style-type: none"> Town Centre District Centre Local Centre Neighbourhood Centre <p>Neighbourhood Boundaries</p> <p>Strategic Road Network</p> <p>Rail Network</p> <p>Watercourse</p> <p>Green Belt</p> <p>Open Countryside</p> <p>Adjacent Local Planning Authorities</p> <p>0 0.5 1 2 3 4 Miles</p> <p><small>This map is reproduced from Ordnance Survey material with the permission of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. © Ordnance Survey 2014. Stoke-on-Trent Local Plan 2014-2024.</small></p> | To reflect the outcomes of the Local Plan Examination Process. | MM |
|------|----|-----------------------------------|--|--|----|



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|------|---------|--|--|-------------------------------------|----|
| MM03 | 13 & 14 | Policy PSD1 (Overall Development Strategy) | <p>To amend the policy as follows: -</p> <p><u>3. Provision will be made for five pitches to meet the needs of Gypsies and Travellers and five plots for Travelling Showpeople over the plan-period to 2040</u></p> <p>3. <u>4.</u></p> | To make grammatical improvements to | MM |
|------|---------|--|--|-------------------------------------|----|

| | | | <p>Criterion 4b:- To amend to read '....linked to research and innovation of at the University.'</p> <p>Criterion 5d:- To amend to read 'd. Does not require major investment in new infrastructure. Is effectively served by existing infrastructure or the infrastructure needs of the development are effectively addressed by the scheme. Where this is unavoidable, Where new infrastructure is required the delivery of development should be co-ordinated (including the use of phasing) to coincide with new infrastructure provision.</p> | the text and support the effectiveness of the policy. | | | | | | | | | |
|--|-------------------------------|--|--|---|-------------------------------|--|---------------------|---|--------------------|--|------------------|---|----|
| MM04 | 13&14 | Policy PSD1 (Overall Development Strategy) – supporting text | <p>Paragraph 5.3 – supporting information to Policy PSD1, to amend the paragraph, as follows:-</p> <p>The economic growth scenario applied in the Local Plan is informed by the latest Cambridge Econometrics (March 2023) and Experian (December 2023) economic forecasts for Newcastle-under-Lyme for the period 2023-2040. The economic forecast identifies jobs growth of approximately 237 per annum over the plan period. To meet projected growth in the Borough there is a need to provide for a minimum of 63 hectares of employment land. The Local Plan allocates strategic sites AB2 (Land at Junction 16) <u>as a high-quality logistics site with Heavy Goods Vehicle Lorry Parking</u> and KL15 (Land at Barkers Wood, Keele) <u>as a science and innovation park linked to Keele University</u> to provide resilience <u>and variety</u> in employment land supply and ensure that employment land needs are met during the plan period. The sites at AB2 (land at Junction 16) These sites also perform a key strategic role in supporting sub-regional economic growth</p> <p>To insert new table (after Paragraph 5.3)</p> <p><u>Table 1a Employment Land Supply Information</u></p> <table border="1"> <thead> <tr> <th><u>Site</u></th> <th><u>Area (Hectares)</u></th> </tr> </thead> <tbody> <tr> <td><u>Existing Employment Supply</u></td> <td><u>29.66</u></td> </tr> <tr> <td><u>Rowhurst Close, Chesterton (CT20)</u></td> <td><u>8.88</u></td> </tr> <tr> <td><u>Keele University Science Park (KL13)</u></td> <td><u>11</u></td> </tr> </tbody> </table> | <u>Site</u> | <u>Area (Hectares)</u> | <u>Existing Employment Supply</u> | <u>29.66</u> | <u>Rowhurst Close, Chesterton (CT20)</u> | <u>8.88</u> | <u>Keele University Science Park (KL13)</u> | <u>11</u> | To update and provide clarification on the employment and housing land supply figures in the Borough. | MM |
| <u>Site</u> | <u>Area (Hectares)</u> | | | | | | | | | | | | |
| <u>Existing Employment Supply</u> | <u>29.66</u> | | | | | | | | | | | | |
| <u>Rowhurst Close, Chesterton (CT20)</u> | <u>8.88</u> | | | | | | | | | | | | |
| <u>Keele University Science Park (KL13)</u> | <u>11</u> | | | | | | | | | | | | |

| | |
|--|---------------|
| <u>Chatterley Valley (BW1)</u> | <u>6.4</u> |
| <u>Land South of A525 Keele (KL15)</u> | <u>13</u> |
| <u>Land at Junction 16, M6 (AB2)</u> | <u>80</u> |
| <u>Total</u> | <u>148.94</u> |

Paragraph 5.4 - To amend the paragraph as follows: -

The base date of the Plan is 01 April 2020. The position on local housing need, housing and employment land supply is calculated as of 31 March ~~2023~~ **2024** which reflects the Council's latest monitoring position. The following table sets out the Local Plan housing requirement and the supply sources that will deliver a resilient and continuous supply of housing. This includes the residual amount of housing that we need to allocate sufficient homes for in the Local Plan. It is important that there is resilience in housing supply taking account of factors that may affect delivery and to ensure the overall housing requirement is delivered during the plan period. To address this, the Plan makes provision for a supply buffer of circa ~~8.3~~ **5%** above the housing requirement set out in this policy.

Update Table 2 as follows: -

| Elements of Housing Supply | Figures |
|---|---------------------------------|
| Minimum Housing Requirement | 8,000 (400 dwellings per annum) |
| Total completions and commitment as at the 31 March 2023 2024 | 3,369 3,719 |
| Commitments from sites | 410 |

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|------|----|---|---|--|----|
| | | | <p>post March 2023 (appendix 4)</p> <p>Total Supply from Local Plan Housing Allocations 4,512 4,286</p> <p>Total Windfall Allowance 372 420</p> <p>Total Supply of Housing + buffer 8,663 8,425</p> | | |
| MM05 | 16 | Policy PSD3: Distribution of Development | <p>To amend criteria 1 as follows:- The strategic centre of Newcastle-under-Lyme is expected to accommodate in the order of 5,200 4,700 new homes</p> <p>To amend criteria 3 as follows: - Audley and Bignall End (Joint) in the order of 110 250 new homes</p> | In the interests of clarity and therefore effectiveness – reflecting the removal of allocations from the Plan. | MM |
| MM06 | 18 | Paragraph 5.23 (Supporting text to Policy PSD3: Distribution of Development) | <p>To add the following text at the end of paragraph 5.23: -</p> <p>5.23 Policy PSD3 (Distribution of Development) seeks to distribute the housing requirement and is supported by site allocations the Local Plan. Neighbourhood Planning Groups should be aware of the figures presented where preparing their own neighbourhood plans. In line with paragraph 68 of the NPPF, the Council will provide an indicative requirement housing figure if requested to do so by a neighbourhood planning body. This figure will take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the policy approach of the Local Plan, until superseded. In relation to Neighbourhood Planning Areas, the Local Plan broadly meets the housing requirements of these areas through existing permissions and allocations. It therefore does not set out additional housing requirements for each Designated Neighbourhood Area. Nevertheless, the Council will support Neighbourhood Planning Groups seeking to allocate development within their area by providing up to date evidence of local need, including affordable housing need if required.</p> | To ensure the Plan is positively prepared and in the interests of clarity. | MM |

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| MM07 | 19 | Policy PSD4 (Development Boundaries and the Open Countryside) | <p>To amend criteria 3 (i) as follows: - Proposals for Rural and First Homes Exception sites that meet the criteria set out in Policy HOU8 Rural and First Homes Exception Sites and policy HOU9 Community Led Exception Sites;</p> <p>To add additional text and make amendments to criterion 4, as follows: - 4. Development proposals should not harm the character, appearance, historic and environmental quality of the Countryside as an asset that contributes to the Borough's Identity Identify and that should be preserved."</p> | To remove references to First Homes from the Plan in line with changes in national policy and to better reflect the housing needs of the Borough and to ensure effectiveness of the policy. | MM |
| MM08 | 20 | Policy PSD5 (Green Belt) | <p>To delete the following items in criterion 2 b. AB12 Land east of Diglake Street; c. AB33 Land off Nantwich Road / Park Lane ; e. CT1 Land off Red Street and High Carr Farm;</p> <p>To insert a new criterion 2(c), as follows: - <u>C. to allocate land for the extension of Madeley High School</u></p> <p>To amend Criterion 3 as follows: - Amend text to read '...., except expect in very special circumstances....'</p> <p>To amend criterion 6 as follows: -</p> | To ensure that policy PSD5 is consistent with other provisions in the Plan, including policy IN1 with reference to Madeley | MM |

| | | | | |
|--|--|--|--|--|
| | | <p>“6. Development proposals for sites removed from the Green Belt should include compensatory improvements to the environmental quality and accessibility of remaining Green Belt Land to offset the impact of the removal of land from the Green Belt. These improvements should demonstrably enhance environmental quality, biodiversity and accessibility. <u>Details of such improvements will be considered during the development management process and assessed on an individual application basis</u>”.</p> <p>To amend criterion 7 as follows: -</p> <p><u>7. Development proposals for sites removed from the Green Belt should establish a recognisable and permanent new boundary to the Green Belt.</u></p> <p>To amend paragraph 5.33 as follows: -</p> <p>5.33 Compensatory improvements to the Green Belt will be secured through planning conditions or planning obligations such as Section 106 agreements. <u>Site allocations that involve removing land from the Green Belt will provide compensatory improvements to the remaining Green Belt. The scope of compensatory improvements will also be informed through early engagement with relevant landowners, key stakeholders and the local community. Compensatory improvements to the environmental quality and accessibility of remaining Green Belt land may include:</u></p> <ul style="list-style-type: none"> • <u>New or enhanced green infrastructure.</u> • <u>Woodland planting, examples include support for the Council’s Carbon Capture Areas and Urban Tree Planting Strategy.</u> • <u>Landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);</u> • <u>Improvements to biodiversity, habitat connectivity and natural capital including schemes that can also enhance natural flood resilience by managing surface water run-off and improving drainage.</u> • <u>New or enhanced walking and cycle routes including contributions to schemes, such as the Staffordshire County Council Local Transport Plan, Walking and Cycling Infrastructure Plan and the Public Rights of Way Improvement Plan (all as updated); and</u> • <u>Improved access to new, enhanced or existing recreational and playing field provision for sites in the Green Belt identified in the Local Plan or Playing Pitch Strategy.</u> <p>To update the list of related documents as follows: -</p> <p>Related Documents</p> <ul style="list-style-type: none"> • ED008 Green Belt Study (Ove Arup, 2019, 2017, 2020, 2023, 2024) • ED009 Green Belt Village Study (Ove Arup, 2024) • <u>Staffordshire County Council, Local Transport Plan</u> • <u>Staffordshire County Council, Local Cycling and Walking Infrastructure Plan</u> • <u>Staffordshire County Council, Public Rights of Way Improvement Plan</u> | <p>High School.</p> <p>and</p> <p>Other changes have been made to provide further information on the approach to Green Belt Compensatory Improvements in accordance with national policy also to reflect the approach, later in the Plan to the deletion of policy SA1 – General Requirements.</p> | |
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| MM09 | 21 | Policy PSD6 (Health and Wellbeing) and supporting information text. | <p>To amend criteria 1a as follows: - Follow Reflect Sport England's Active Design Principles (as updated) and <u>provide evidence through the completion of an active design checklist</u></p> <p>To amend criterion 1(c) as follows:-</p> <p>c. For major development schemes, including non-residential, be supported by a core (i.e.screening) health impact assessment. Following the screening assessment, a full (comprehensive) health impact assessment may be required <u>where, taking into account potential mitigation, it is found that. D</u> development that would have an unacceptable adverse impact, following the Health Impact Assessment, on health or wellbeing, <u>such development</u> will not be permitted;</p> <p>To delete criteria 1h as follows: - <u>“Support initiatives that seek to reduce overweight and obesity across the Borough, including for schemes such as Hot Food Takeaways (outlined in policy RET4)”</u></p> <p>In paragraph 5.35 remove the dash between ‘needs’ and ‘for’ in the first sentence</p> <p>Insert new paragraph in the supporting information (after paragraph 5.41), as follows: -</p> <p><u>5.41a In line with Policy RET3 (Restaurants, Cafes, Pubs and Hot Food Takeaways) the Council will support initiatives on Hot Food Takeaways that seek to reduce obesity across the Borough.</u></p> | To ensure the effectiveness of the policy and ensure appropriate cross references with other policies, such as policy RET4 (Hot Food Takeaways) | MM |
| MM10 | 24 | Policy PSD7 (Design) | <p>To amend criteria 5, as follows:-</p> <p>5. Development proposals for major should ensure that housing <u>schemes developments achieve should demonstrate how the design has positively responded to the Building for a Healthy Life criteria standard</u> (or as updated);</p> <p>To amend criteria 8, as follows: -</p> <p>8. Developments should be accessible and inclusive, ensuring that they can be used safely, easily and with dignity by all. <u>regardless of disability, age, gender, ethnicity or economic circumstances.</u></p> | To ensure the effectiveness of the Policy and to remove duplication of meaning. | MM |

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| | | | <p>To amend criteria 9, as follows: -</p> <p>9. <u>To support the delivery of high-quality cycle infrastructure in the Borough, D</u> development should take account of Department for Transport Local Transport Note 1/20 as updated and Local Walking and Cycling Plans in scheme design.</p> <p>To remove criteria 10 of the policy: -</p> <p>10. Developments should ensure that new streets are tree lined and that opportunities are taken to incorporate tree planting elsewhere in the development</p> <p>To amend criteria 11, as follows: -</p> <p>11. <u>The Landscape and Character Assessment Study (2022) identifies areas of the Borough characterised by large houses on extensive plots which should be protected. Within these areas characterised by large houses on extensive plots, as identified in the Landscape and Character Assessment Study (2022) development proposals should be sensitive to the existing patterns of development</u></p> <p>To add a further criterion to the policy, as follows: -</p> <p><u>12. Development proposals should respond positively to local character and should conserve and, where possible, enhance heritage assets and their settings</u></p> | <p>And</p> <p>To ensure the effectiveness of the Policy in respect of its approach to heritage assets.</p> | |
| MM11 | 25-26 | Policy CRE1 (Climate Change) and supporting information text | <p>To amend criteria 1, as follows:-</p> <p>1. <u>The Council expects development to follow the energy and heat hierarchy New development should seek to reduce energy use, use energy more efficiently and where possible, be designed to enable the use of energy from renewable sources</u></p> <p>To amend criteria 3, as follows: -</p> <p>“Residential Developments should be designed to achieve a maximum of 110 litres per person per day, in line with the optional standard of Building Regulations, Part G <u>(as updated)</u>”.</p> <p>To amend criteria 4 as follows: -</p> <p>To ensure a high standard of fabric and energy efficiency performance, all new residential development <u>which exceeds the will be expected to meet</u> carbon emission targets set by UK Building Regulations (Part L of the</p> | <p>To ensure the effectiveness of the policy.</p> <p>To clarify the intention of the policy.</p> <p>To correct grammatical and spelling errors.</p> | MM |

Building Regulations or as amended / updated). ~~Proposals which exceed the fabric and energy efficiency performance in respect of carbon emissions~~ will be afforded positive weight in decision taking

To amend criteria 5, as follows: -

5. To measure carbon emissions across the whole lifecycle of projects, development proposals that All developments are encouraged to complete a whole-life cycle carbon assessment in accordance with Royal Institute of Chartered Surveyors (RICS) Whole Life Carbon Assessment Guidance (as updated) will be afforded positive weight in decision taking

The amend criteria 6 (b), as follows: -

b. The provision of space (where possible) for the growing and sourcing of local food supplies (such as allotments).

To delete criteria 6 (e), as follows: -

~~e. Evidence of construction methods that maximise the use of locally sourced recycled materials~~

To delete criteria 6 (g), as follows: -

~~g. Promoting sites with the best opportunities for the sustainable travel modes to jobs, services, facilities and education~~

To amend criteria 6 (h), as follows: -

h. Development should be located to minimise the need for travel and designed to promote walking, cycling and public transport to minimise carbon emissions from vehicular traffic

To amend criteria 7, as follows: -

7. Development proposals should include appropriate measures to ensure the future resilience of infrastructure to climate change including to provide space for physical protection measures and / or make provision for the future relocation of vulnerable development and infrastructure, where necessary demonstrated as necessary to ensure the future resilience of communities and infrastructure to climate change impacts.

To amend criteria 8, as follows: -

8. ~~Opportunities for extensions to the district heat network at Keele University should be explored.~~ New development with the potential to connect or extend a heat network should assess the feasibility of this option before considering other heat sources. Opportunities for extensions to the district heat network at Keele University should be explored.

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| | | | <p>To amend paragraph 6.3 as follows: -</p> <p>6.3 The Climate Change Adaptation and Mitigation report (2020) states that 56.1% of energy consumption in the Borough comes from domestic buildings which is significantly higher than Staffordshire's average (34.2 per cent) and nationally. Therefore, this policy seeks to radically increase efficiency in homes. The policy and the Local Plan approach is consistent with the energy / heat hierarchy, which prioritises using less energy, followed by using energy efficiently and finally encouraging the use of renewable energy generation.</p> <p>To amend paragraph 6.7 as follows: -</p> <p>Amend the word complimentary in the last sentence to read 'complementary'</p> | | |
| MM12 | 27-28 | Policy CRE2 (Renewable Energy) | <p>To amend criteria 3 (b), as follows: -</p> <p>b. Habitats and species of internal international, national and local importance</p> <p>To amend criteria 3 (c), as follows: -</p> <p>"Residential amenity that cannot be effectively mitigated including by visual intrusion, air, dust, noise, odour, traffic and recreational al access"</p> <p>To amend criteria 7 (a), as follows: -</p> <p>7 (a) Demonstrate, through a proportionate assessment that available brownfield sites have been examined and discounted before greenfield development considered</p> <p>The amend criteria 7 (b), as follows: -</p> <p>b. Avoid the permanent loss or reduction in the quality of best and most versatile agricultural land</p> | To ensure the effectiveness of the policy and explain how the policy is expected to be applied. To correct a spelling error. | MM |
| MM13 | 29 | Policy HOU1 (Affordable Housing) | <p>To amend criteria 1, by adding an additional criterion, (d), as follows: -</p> <p><u>1.d. Exemptions to the affordable housing thresholds include where the site or proposed development</u></p> <p><u>i) provides solely for Build to Rent homes;</u></p> <p><u>ii) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);</u></p> <p><u>iii) is proposed to be developed by people who wish to build or commission their own homes; or</u></p> <p><u>iv) is exclusively for affordable housing, a community-led development exception site or a rural exception site.</u></p> | To provide clarity on the intention of the policy and improve its | MM |

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| Page 118 | | | <p>To amend criteria 3, as follows: -</p> <p>3. At least 25% of the affordable housing provision will be delivered as First Homes, which will be available to first time buyers at a minimum 30% discount from market value and in accordance with other national policy requirements concerning First Homes. The tenure split for affordable housing should be provided in line with the latest evidence.</p> <p>To amend criteria 6, as follows: -</p> <p>6. An enabling fee will be charged for each new affordable dwelling that is secured through a S106 agreement (in addition to any S106 monitoring fee), except for First Homes.</p> | <p>effectiveness.</p> <p>To remove references to First Homes from the Local Plan.</p> | |
| MM14 | 30 | <p>Paragraphs 7.3, 7.4, 7.7, & 7.9 (supporting text to policy HOU1 Affordable Housing)</p> | <p>To delete paragraph 7.3., as follows:-</p> <p>National policy also states that First Homes should be provided as part of affordable housing provision. The Written Ministerial Statement on Affordable Homes Update 24 May 2021 contains the policy on First Homes.</p> <p>To amend paragraph 7.4 as follows: -</p> <p>The Housing Needs Assessment (HNA, 2024) identifies an annual need for 278 affordable homes throughout the Borough of Newcastle-under-Lyme over the plan period to 2040. Given the acute need for social rented accommodation, the HNA Update (2024) recommends the tenure split of affordable homes to be 65% social rented, 10% other affordable housing product and 25% affordable home ownership through First Homes. Opportunities should also be taken to include a proportion of affordable older persons accommodation as part of the affordable housing provision, particularly involving care provision. Planning permission may be granted for an alternative tenure split provided that robust evidence demonstrates that a different split is more suitable. This will be informed by market conditions and local housing need at the time.</p> <p>To amend paragraph 7.7 as follows: -</p> <p>7.7 Applicants will normally be required to enter into legal agreements to ensure that the housing is provided and retained. An enabling fee will be charged for each new affordable dwelling that is secured through a S106 agreement (in addition to a S106 monitoring fee), except for First Homes.</p> <p>To amend paragraph 7.9 as follows: -</p> <p>7.9 In some circumstances it may be appropriate for schemes to include specialist residential accommodation and facilities for older people within the affordable housing provision. Proposals for extra care accommodation, assisted living or other forms of retirement housing to be let and sold on the open market will be subject to the requirements of this policy to provide affordable housing. The policy approach to affordable housing provides exemptions to certain forms of housing including self-build and custom</p> | <p>To remove references to First Homes from the Local Plan.</p> <p>To provide clarity on the intention of the policy and improve its overall effectiveness.</p> | MM |

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| | | | <u>housing, build to rent homes, forms of specialist accommodation and schemes exclusively for affordable housing. This approach recognises the specific viability considerations for such schemes.</u> | | |
| MM15 | 31 | Policy HOU2 (Housing Mix and Density) | <p>To amend criteria 3 as follows: -</p> <p>3. Residential development should be of an appropriate type and size, <u>having regard to local needs and market demand identified in consistent with</u> the most up to date evidence including Housing and Economic Development Needs Assessment (HEDNA) and Housing Needs Assessments (HNA) to address local needs and market demand. The mix of units will also have regard to the current Housing Register, Neighbourhood Plans, Parish Surveys, Parish Plans and the latest Council Position Statements.</p> <p>To amend criteria 4 as follows: -</p> <p>4. For major development, provision for specific housing needs, including older people who require specialist housing, should be <u>taken into account considered</u>. This will need to <u>consider take into account</u> the location and accessibility of the site as relevant to the type of household occupiers.</p> | <p>To ensure the effectiveness of the policy following the discussion held at matter 7 housing policies.</p> <p>To ensure the effectiveness of the policy.</p> | MM |
| MM16 | 33 | Policy HOU3 (Housing Standards) | <p>To amend criteria 1, as follows: -</p> <p>'All new residential <u>development homes</u> (including conversions).'</p> <p>To amend criteria 2, as follows:-</p> <p>On major residential developments and specialist housing for older people, 10% of market dwellings should meet the requirements of Building Regulations Part M4 (3) (2) A wheelchair adaptable homes standard and 10% of affordable / social rented housing should meet the requirements of Part M4 (3) B accessible homes standard (or Government equivalent), where there is a demonstrable need in the local area</p> | To provide clarity on the intention of policy | MM |
| MM17 | 34 | Policy HOU4 (Gypsy, Travellers and Travelling Showpeople) | <p>To amend criteria 1 as follows :-</p> <p>1. Sites will be approved to meet the needs set out in the most recent Gypsy and Traveller Accommodation Needs Assessment (GTAA), this will include:</p> <p>a. The site at G&T 8 Land West of Silverdale Business Park as shown on the adopted policies map is suitable for Gypsy and Traveller use to ensure a supply of pitches</p> <p>b. The site at G&T11 Land at Hardings Wood Road, Kidsgrove as shown on the adopted policies map is <u>suitable allocated</u> for an intensification of uses for Travelling Showpeople</p> | To remove site G&T 8 Land West of Silverdale Business Park from | MM |

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| | | | <p>The site at G&T 8 Land West of Silverdale Business Park as shown on the adopted policies map is suitable for Gypsy and Traveller use to ensure a supply of pitches</p> <p>Rename criteria (b) to (a)</p> <p>To amend criteria 2, as follows: - Proposed Gypsy Traveller and Travelling Showperson sites should ensure make sure that they:</p> <p>To amend criteria 3, as follows: - 3. Alongside the consideration of criteria 2 4 above, proposals for Gypsy and Traveller and Travelling Showperson sites should not conflict with other local or national policies</p> | <p>the Local Plan.</p> <p>To ensure the effectiveness of the policy.</p> | |
| MM18 | 37 | Policy HOU6 (Self Build and Custom Dwellings) | <p>To amend criteria 1 as follows:-</p> <p>1. The Council will view applications for self-build and custom-build housing favourably, subject to proposals being in accessible and sustainable locations, and compliant with all other relevant Local Plan policies. Preference will be given to proposals located on suitable brownfield sites or infill plots within existing development curtilages to optimise the efficient use of land.</p> <p>To amend criteria 2, as follows:- 2. On major residential development schemes, a suitable proportion of serviced plots must be designated for self-build and/or custom-build opportunities. This proportion will be determined by the Council in line with demand identified on the Self and Custom Build Register, ensuring alignment with market needs. The Council will seek the provision of serviced plots within suitable residential developments. The amount of provision will be based on:</p> <ul style="list-style-type: none"> • Identified demand on the Self and Custom Build Register, ensuring alignment with market needs • The size and nature of the development • Site-specific constraints of the site and viability considerations <p><u>Where on-site provision is not feasible, developers may provide serviced plots on an alternative site within the Borough, or where appropriate, make a financial contribution to support the provision of self-build opportunities elsewhere.</u></p> <p>To amend criteria 4, as follows: -</p> <p>4. Where an applicant considers the provision of self-build and/or custom-build housing to be unviable, they are required to should submit a detailed viability assessment to support this assessment justifying this claim.</p> | <p>To improve the effectiveness of the policy following the discussion at Matter 7 Housing Policies.</p> <p>To provide further explanation on the expectations regarding the implementation of the policy.</p> | MM |

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| | | | <p>Any associated costs incurred in verifying independently the claim of a proposal being unviable shall be borne by the applicant.</p> <p>To amend criteria 5, as follows: -</p> <p>5. Self / custom build plots should be marketed as self/custom build opportunities for a minimum of 1 year. If unsold, the plots can revert to open market housing <u>through the submission of appropriate evidence of adequate marketing having taken place consistently over the 1-year period.</u></p> <p>To amend paragraph 7.47 as follows:-</p> <p>7.47 The Council will monitor the delivery of Self-Build housing through its Self and Custom Build Register. Findings will be reported in the Authority Monitoring Report to ensure the effective implementation of Policy HOU5 and its contribution to the Borough's strategic objectives for housing choice and community development. The Council recognises that exceptional circumstances may necessitate adjustments to the required proportion of Self-Build plots. Such cases will be subject to thorough Council review and must be supported by clear and compelling justification aligned with the policy's intent. <u>The proportion of self and custom build plots required will take into account factors including the size of the scheme, indicative need in the area for self and custom build plots (as suggested through the self and custom build register), the capability of the site to accommodate such development taking into account the physical constraints of the site and the sites access to services and facilities.</u></p> | | |
| MM19 | 38-39 | Policy HOU7 (Homes in Multiple Occupation) | <p>To amend the policy as follows: -</p> <p>1 Proposals <u>for the type of schemes listed in HOU 7 (A-D) will be supported, provided that development proposals meet the criteria set out in HOU 7(2):a.</u> Change of use from residential to a small House in Multiple Occupation (HMO) (Use Class C4) or to a mixed C3/C4 use within areas covered by Article 4 directions (Sidmouth Avenue, Gower Street, Granville Avenue, Northcote Place and King Street, Newcastle);</p> <p>b. Change of use from residential to a large HMO (sui generis use class).</p> <p>c. Provision of a new build HMO; or</p> <p>d. Change of use from other uses (other than Use Class C3) to HMO will be supported provided that development would: -</p> <p><u>2 For the schemes listed in HOU7 (1 a-d), proposals should meet the following criteria to be supported:-</u></p> <p>i. Not result in more than 10% of residential properties within a 100m radius being</p> | To restructure the policy in the interests of clarity and to make it more effective in its implementation | MM |

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| MM20 | 40-41 | Policy HOU8 (Rural and First Homes Exception Sites) | <p>To amend the policy title to read: - Policy HOU8: Rural and First Homes Exception Sites</p> <p>To delete criteria 2 as follows: -</p> <p>2. In addition to the requirements above, proposals for first homes exception sites will be permitted where the following criteria are met:</p> <p>a. the proposed development is located on unallocated land outside the Green Belt;</p> <p>b. Where a proposal also includes other forms of affordable housing, there must be evidence of local need and that it would assist with viability of the sustainability of the scheme. Applicants may alter the proportions of affordable housing to include small quantities (up to 25%) of other affordable housing products;</p> <p>c. the homes will remain first homes in perpetuity;</p> <p>d. the first homes provided are occupied by first time buyers who meet the local connection test;</p> | To remove references to First Homes from the Local Plan to reflect national policy and in the interests of effectiveness. | MM |
| MM21 | 41 | Paragraph 7.60, 7.62, 7.64 & 7.65 (supporting information to policy HOU8: Rural and First Homes Exception Sites) | <p>To amend paragraph 7.60, as follows: - 7.60 The aim of this policy is to support the delivery of affordable housing on exception sites adjoining the settlement boundaries of rural service centres or settlements in the 'other settlements or rural areas' tier of the settlement hierarchy. The policy also supports the provision of First Homes as exception sites adjacent to settlement boundaries on unallocated land outside the Green Belt. This policy is important to facilitate the delivery of small-scale affordable housing in rural areas of the Borough.</p> <p>To amend paragraph 7.62, as follows: - 7.62 Exception sites will be delivered to address the needs of the local community including households who are unable to afford open market housing and are either current residents or have an existing family or employment connection to the parish. First Homes will be occupied by first time buyers who meet the local connection test</p> <p>To amend paragraph 7.64, as follows: - "This policy recognises that and enables affordable housing on Rural and First Home Exception Sites to be cross subsidised from the sale of market homes where, without this element of market housing, the site would not come forward for affordable housing".</p> <p>To delete paragraph 7.65, as follows: -</p> | To remove references to First Homes from the Local Plan to reflect national policy and in the interests of effectiveness. | MM |

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| | | | 7.65 In respect of First Homes, the inclusion of other forms of affordable housing tenures could be included where it can be demonstrated that there is a local need, and it would assist viability or the sustainability of the development | | |
| MM22 | 45 | Policy EMP1 (Employment) | <p>To amend criteria 2, as follows: -</p> <p>2. Development within employment sites that is not within E (g)/B2/B8 use will only be supported where it is for an ancillary <u>or complementary use</u>. In these cases, proposals will need to demonstrate that they support, maintain or enhance the primary business and employment function of the site; and that the number and distribution of ancillary units would not result in an over-concentration that might affect the function and appearance of the area. The proposed ancillary use must also be compatible with adjacent land uses and not prejudice the operation, viability or amenity of other businesses or surrounding uses.</p> <p>To amend criteria 3, as follows: -</p> <p>“3. High quality sustainable transport connections should be provided as part of employment proposals, <u>where relevant</u>”.</p> | To ensure the effectiveness of the Policy. | MM |
| MM23 | 46 | Policy EMP2 (Existing Employment Sites) | <p>To amend criteria 1, as follows: -</p> <p>1) Within areas of existing employment land, proposals for alternative uses will be considered positively having regard to other relevant planning policies and whether <u>all</u> the following criteria are satisfied:</p> <p>a. Proposals are compatible (via scale, design and location) with adjacent existing and proposed land uses and any impact on amenity can be appropriately mitigated; and one of the following:</p> <p>b. The land or building is no longer suitable or viable for employment use and there is no realistic prospect of re-use or redevelopment for employment use. In terms of viability, this is demonstrated by the site / property having been marketed for at least 12 months; or</p> <p>c. The loss of land or buildings would not adversely affect economic growth and employment opportunities in the local area; or</p> <p>d. <u>Where proposals are adjacent to, or near an existing business, the proposed development (or ‘agent of change’) should demonstrate that it would not place an unreasonable restriction on an existing businesses’ operation and provide adequate and suitable mitigations as part of the proposed development before the development has been completed. Where the operation of an existing business (including changes of use) could have a significant adverse effect through nuisance or environmental problems that cannot be mitigated. The proposed development (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.</u></p> | To ensure the effectiveness of the policy. | MM |
| MM24 | 47 | Policy EMP3 (Tourism) | <p>To amend criteria 3 (b & c) as follows:-</p> <p>b. In the case of a new facility, evidence is submitted to demonstrate that the proposed business is <u>likely to be</u> viable; and</p> <p>c. In the case of a new small-scale <u>static and</u> touring caravan, camping and / or glamping site, evidence is submitted to demonstrate that the facility will meet an identified unmet need <u>for that tourist facility</u>.</p> | To ensure the effectiveness of the policy. | MM |

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| Page 124 | | | To amend criteria 5, as follows: - 5. Where permanent self-catering visitor accommodation is permitted, occupancy is likely to be restricted by planning condition to short stay holiday use only. A legal obligation may also be required to secure this | | |
| MM25 | 49 | Policy RET1 (Retail) | To amend criteria 1, as follows: - Amend text to read '.....in the Borough, at a retail hierarchy...' To amend the last sentence of criteria 3, as follows:- Although not a defined centre for retail purposes, retail development (Class E (a)) will also be supported in neighbourhood parades of shops as defined on the Policies Map. Amend Table 5, as follows: - Delete box before 'Chesterton (London Road). | To correct drafting errors. | MM |
| MM26 | 51 | Policy Ret 2 (Shop Fronts, Advertisements, New Signage) | To amend criteria 1, as follows 1. Any proposed signage and/ or advertisements should be sensitively designed and suited to their purpose, with clear regard had to local amenity, the historic environment, public safety, place and context. Such uses will New shopfronts and the display of advertisements and signage will not be permitted if they are of poor quality and where they fail to improve the character, function, appearance and quality of an area. To amend criteria 2, as follows: - <u>"In Conservation Areas and / or near Listed Buildings In schemes impacting on heritage assets (designated and non-designated) including Conservation Areas and their settings....."</u> | To provide clarity on the implementation of the policy. | MM |
| MM27 | 51 | Policy RET3 (Restaurants, Cafes, Pubs and Hot Food Takeaways) | To amend the policy as follows: - The building or change of use of establishments to restaurants and cafés, drinking establishments and hot food takeaways will be permitted provided they comply with other policies in the development plan and where there will be no adverse effect, either individually or cumulatively, on the character of the area, amenities of residential occupiers, community safety and or highway safety. Where permission is granted for such uses or for an extension of such use , conditions appropriate to the permitted use may be imposed relating to community safety, hours of opening, noise, odour and fumes, the disposal of refuse, and restricting the sale of hot food to be consumed off the premises. Where hot food takeaways are located within 400 metres of a primary or secondary school, planning permission will may be granted subject to a condition that the premises are not open to the public before 17:00 on weekdays and that there is no over the counter sales before that time. In Newcastle-under-Lyme and Kidsgrove town centres, the | To provide clarity on the implementation of the policy. | MM |

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| | | | clustering of hot food takeaways should be avoided by ensuring no more than 2 hot food takeaways are located adjacent to each other. | | |
| MM28 | 53 | Policy RET4 (NUL Town Centre) | To amend criteria 1h, as follows: - <i>Amend word diversity to read 'diversify'</i> | To correct a drafting error. | MM |
| MM29 | 54 | Policy RET5 (Kidsgrove Town Centre) | To amend criteria 1 (b), as follows: - To amend Trent and Mersey Canal with '&' To add a new criterion, as follows: - 2) <u>Development should conserve and enhance heritage assets in the town centre</u> | To ensure the effectiveness of the policy and correct a drafting error | MM |
| MM30 | 55-56 | Policy IN1 (Infrastructure) | To amend criteria 3, as follows: - Development should be located so as to make the best use of existing infrastructure. Where new or improved infrastructure is required to meet needs arising directly from a development or to mitigate any adverse impacts of a development on existing infrastructure, the development will make provision either through the direct allocation of land and / or planning obligation made under Section 106 of the Town and Country Planning Act 1990, <u>Section 38 of the Highways Act 1980</u> or any other future 'developer contributions' regime towards the provision of infrastructure. To amend criteria 4, as follows:- 4. The Council will support water and wastewater infrastructure investment which facilitates the delivery of wider sustainable development and the meeting of environmental objectives of water and sewerage undertakers, including where no feasible operational alternatives exist, development proposals for water and wastewater infrastructure in more sensitive areas such as open countryside <u>and</u> where the investment is needed to respond to future growth and environmental needs To amend criteria 5, as follows: - 5. Development should have regard to and provide infrastructure in line with the latest Infrastructure Delivery Plan (IDP) and, in particular, the Delivery Schedule contained within this. The areas potentially subject to direct provision and / or provision of financial contributions <u>in lieu of provision towards</u> include, but are not limited to: -Affordable housing; | To ensure the effectiveness of the policy and to correct a drafting error | MM |

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| | | | <ul style="list-style-type: none"> -Highway and transport infrastructure including sustainable transport measures; -Flood prevention (including upgrades to existing provision and flood alert services) and surface water drainage including future maintenance; -Green and blue infrastructure, including future maintenance; -Education; -Health care provision; - <u>Ecological enhancements</u> Biodiversity Net Gain and Nature Recovery Network; -Historic Environment including heritage assets and public realm improvements <p>To amend criteria 8, as follows: -</p> <p>8. <u>A financial contribution will be required</u> W where provision in accordance with policy cannot be delivered on-site or by the nature of the infrastructure involved is required to be provided off-site and is not the responsibility of the developer/applicant but a third-party service provider, a financial contribution will be required. The level of the financial contribution will take into account the total contribution liability incurred by the development arising from all policy and site-specific requirements.</p> | | |
| MM31 | 57 | Paragraph 10.6 (supporting information to policy IN1 Infrastructure) | <p>To add additional text to Paragraph 10.6, as follows: -</p> <p><u>10.6 The highway scheme listed at IN1 - 13(b) Improvements to Talke Signals (A34 Newcastle Road / Congleton Road / Coalpit Hill) - will require part of the existing green space (Thomas Street Open Space) fronting the A34 to be brought into the highway to facilitate delivery of the improvement set out in the Strategic Transport Assessment.</u></p> | To ensure the effectiveness of the policy and provide further information regarding the implementation of the policy. | MM |
| MM32 | 57 | Policy IN2 (Transport and Accessibility) | <p>To amend criteria 1, as follows: -</p> <p>1) New development should make appropriate provision for access by sustainable modes of transport to protect the integrity of the highway network. and the Council will work with developers to ensure that development proposals which contribute towards an accessible, efficient and safe transport network that offers a range</p> | To ensure the effectiveness | MM |

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| | | | <p>of transport choices and improves accessibility through sustainable modes of travel will be supported. All developments should meet, where relevant, the following criteria</p> <p>1 (f) Not cause severe residual impacts on the road network, either direct and <u>individually</u> or <u>cumulatively</u></p> <p>1 (g) Not cause an unacceptable impact of development on the wider transport network and <u>where necessary make appropriate</u> contributions to meeting the transport needs generated by the impact of the <u>development in the area.</u></p> <p>To amend criteria 3, as follows: - The Council requires all development proposals to consider what is appropriate parking provision based on the following parameters and the detailed principles set out in Policy IN3:-</p> <p>a. Developments have designated parking and consider what existing parking is available; <u>A parking plan should be prepared to demonstrate that it has taken into account the need for designated parking spaces having regard to existing parking available;</u></p> <p>b. Developments consider the impact of safety and residential amenity of on street parking and have identified measures to overcome this;</p> <p>c. <u>In the case of Any</u> employment premises that have considered appropriate parking measures for their employees and operational needs, including freight <u>have been taken into account.</u></p> <p>d. Developments consider <u>The need for</u> priority and secure parking cycles, other non-car transport and electric vehicles as a means of promoting their use <u>have been taken into account;</u></p> <p>e. Development should make appropriate provision for deliveries and servicing in terms of road safety, traffic congestion, and environmental impacts.</p> <p>To amend criteria 4, as follows: - Development proposals should ensure <u>that the</u> design, access, and egress of the development safeguards the needs of pedestrians, cyclists and buses as well as emergency services, delivery's and refuse collection vehicles with routes that are accessible and appropriately lit.</p> <p>To amend criteria 8, as follows: - <u>In order to respond to local transport needs,</u> Development should take account of the Local Transport Plan <u>and associated documents including the Borough Integrated Transport Strategy,</u> Bus Service Improvement Plan <u>and Local Cycling and Walking Infrastructure Plan.</u></p> | ess of the policy. | |
| MM33 | 58-59 | Paragraph 10.8, 10.10, 10.11, 10.13, 10.15 & 10.16 | To amend Paragraph 10.8, as follows: - Amend the first sentence to state ' <u>Policy</u> IN2 priorities....' | To ensure the effectiveness | MM |

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| | | <p>(supporting information to policy IN2: Transport and Accessibility)</p> | <p>To amend Paragraph 10.10, as follows: - New developments will need to provide, as appropriate, Transport Statements, Transport Assessments and Travel Plans to ensure the delivery of travel choices and sustainable opportunities for travel in line with the latest government guidance and best practice. New developments that are predicted to have an adverse impact on the transport network will be expected to contribute towards capacity and mitigation measures. Proposals that require new projects to mitigate impacts will be required to make a proportionate financial contribution.</p> <p>To amend Paragraph 10.11, as follows: - In addressing issues of transport and accessibility, new developments of all sizes, types and locations should consider the following various factors</p> <p>Provision as a minimum of the necessary infrastructure for charging electric vehicles in line with the installation and charge point requirements in Part S of the Building Regulations (or as updated). Alongside being appropriately lit, proposals should provide for an appropriate width and specification of cycle and footpaths for all users (e.g. incorporating tactile paving for those who are blind or partially sighted) to create in creating a permeable and legible layout to enable ease of movement.</p> <p>To amend paragraph 10.13 & 10.16, as follows: - To delete paragraphs 10.13 and 10.16 and create a new paragraph 10.13 (into a single paragraph), as follows: <u>'The Local Transport Plan, prepared by the County Council provides for an important reference guide to how the highway authority will respond to planning applications. The Local Transport Plan and associated documents should be considered in the development of any planning application. The most up to date iteration of the Infrastructure Delivery Plan will also be a significant determinant in establishing appropriate mitigation requirements.'</u></p> <p>To amend Paragraph 10.15, as follows: - <u>For development proposals, Transport models will be required to use R</u> robust datasets which show the effect of including sustainable transport networks and local facilities into new developments should be collated and presented.</p> | <p>ess of the policy.</p> | |
| <p>MM34</p> | <p>60-61</p> | <p>Policy IN4 (Cycleways, Bridleways and Public Rights of Way)</p> | <p>To amend criteria 1, as follows: - 'walking, cycling and horse riding'</p> <p>To amend criteria 1 (d), as follows: - d. Developers will be expected to identify and consider any unrecorded public paths that cross development sites and treat them in the same way as definitive public rights of way.</p> | <p>To ensure the effectiveness of the policy.</p> | <p>MM</p> |

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| | | | <p>To amend criteria 1(e), as follows:-</p> <p>e. To improve connectivity and ease of movement development proposals should seek, where feasible, to provide links to cycle routes, long-distance footpaths, bridleways, towpaths and rights of way networks <u>incorporating those matters into any final layout at an early stage of the development process.</u></p> <p>To criteria 1 (f), as follows: -</p> <p>f. <u>The Local Transport Plan sets out key objectives for walking, cycling and riding across the County.</u> Developments should seek to contribute positively to the delivery of the Rights of Way Improvement Plan for Staffordshire, the Local Cycle and Walking Infrastructure Plan and the walking, cycling and public transport aspects of the Staffordshire Local Transport Plan. It should also consider Local Transport Note 1/20 (as updated) from the Department of Transport.</p> <p>To amend criteria 4, as follows: -</p> <p>Amend the 3rd sentence to read '<u>Highway's Authority</u>'</p> | | |
| MM35 | 62 | Paragraph 10.27 (supporting information to Policy IN4 Cycleways, Bridleways and Public Rights) | <p>To create a new Paragraph (10.27a), as follows: -</p> <p><u>10.27a The Local Transport Plan and Local Cycle and Walking Infrastructure Plan (as updated) will provide an important reference guide to how the County Council will consider development proposals as they come forward.</u></p> | To ensure the effectiveness of the policy. | MM |
| MM36 | 62 | Policy IN5 (Provision of Community Facilities) | <p>To amend criteria 1 (b), as follows: -</p> <p>1b there is no longer a need or demand for the facility or its <u>it is</u> no longer viable <u>with due regard to aspects including the operational requirements of the provider.</u></p> <p>To introduce a new criterion, as follows: -</p> <p><u>2. Development proposals should support through developer contributions, where necessary, the provision of new community facilities identified through Neighbourhood Plans.</u></p> | To ensure the effectiveness of the policy. | MM |
| MM37 | 63 | Paragraph 10.33 (supporting information to Policy IN5) | <p>To amend paragraph 10.33, as follows: -</p> <p>Community facilities include, but are not limited to, community centres, village halls, <u>Public Houses, Sport Buildings (cricket club)</u>, youth centres, medical facilities, places of worship, nurseries, libraries, theatres, arts venues and accommodation providing an element of care. Other types of facilities which offer benefits to the</p> | To ensure the effectiveness of the policy. | MM |

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| Page 130 | | Provision of Community Facilities) | community may be assessed on a case-by-case basis. It is also recognised that the facilities are not necessarily in public ownership and may be privately owned or managed. | ess of the policy | |
| MM38 | 64 | Policy IN6 (Telecommunications Development) | To amend criteria 1 (e), as follows: - Insert the following additional text: e. the apparatus would not harm the significance of a designated heritage assets <u>including that arising from harm to its setting.</u> | To ensure the effectiveness of the policy | MM |
| MM39 | 65 | Policy IN7 (Utilities) | To amend criteria 1, as follows: - Development proposals should demonstrate sufficient existing infrastructure capacity <u>including for surface water disposal, water supply, wastewater treatment,</u> telecommunications, gas and electricity, highways, social and green infrastructure to meet forecast demands arising from them and that appropriate connections can be made. To amend criteria 4, as follows: - “Within sensitive areas such as Conservation Areas <u>near heritage assets and their settings, new utility services should not harm the significance of the heritage asset.</u> New utility services should be laid.....” | To recognise that water supply and wastewater treatment are dealt with through separate regulatory matters. To ensure the effectiveness of the policy | MM |
| MM40 | 66 | Paragraph 10.41 (supporting information to policy IN7 Utilities) | To amend paragraph 10.41, as follows: - Move the paragraph to above 10.38 and amend the paragraph: Where new or upgraded infrastructure is required to support development, the Council will seek developer contributions through various mechanisms, such as: Planning obligations (Section 106 agreements): Negotiating legal agreements with developers to secure funding or direct provision of infrastructure necessary to mitigate the impacts of development. | To ensure the effectiveness of the policy | MM |

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| | | | <p><u>Section 38 agreements negotiating a legal agreement between a developer and Staffordshire County Council under the Highways Act 1980 to secure the construction and adoption of roads.</u></p> <p>Community Infrastructure Levy (CIL): where the Council has adopted a CIL regime, utilising the CIL to collect contributions from development towards the provision, improvement, or maintenance of infrastructure that supports the development of the area.</p> <p>Other funding sources: Exploring and securing funding from other sources, such as government grants, public-private partnerships, or community fundraising initiatives, to support infrastructure development.</p> | | |
| MM41 | 67 | Policy SE1 (Pollution and Air Quality) | <p>To amend criteria 1, as follows: - Amend criteria 1b, 1c, d, f and g</p> <p><u>b. provide an air quality assessment where a proposal is likely to have an impact on local air quality, particularly in or near</u></p> <p>Not result in negative impacts on air quality within areas designated as in Air Quality Management Areas (AQMA), the designation of a new AQMA. <u>Development should not</u> compromise the implementation of the North Staffordshire Local Air Quality Plan and Newcastle-under-Lyme Air Quality Action Plan.</p> <p>c. <u>Consider address</u> the cumulative effects of emissions from proposed development alongside other and existing sources of air pollution in the vicinity.</p> <p>d. Demonstrate that mitigation measures can be achieved, <u>where necessary</u>, to reduce pollution, both during construction and operational phases of development. <u>Where mitigation measures cannot acceptably mitigate the impact of development then planning permission should be refused. Measures should prioritise those that directly address air quality concerns, such as: Sustainable and active transport options: This includes promoting walking, cycling, public transport, and reducing the need for travel. Low emission technologies: This includes utilising clean technologies and innovations to reduce emissions from various sources. Enhancement of green infrastructure: This includes utilising natural solutions like green spaces and vegetation to absorb air pollutants.</u></p> <p>e. Include, <u>where necessary</u>, appropriate noise attenuation measures <u>to address noise pollution (from development that will likely generate significant noise levels) to reduce the impact on the surrounding land uses, existing or proposed and sensitive receptors to acceptable levels</u> in accordance with relevant noise standards and Government guidance.</p> <p>f. Ensure that where external lighting is required, <u>a lighting scheme will not have a harmful effect will suitably address any security issues whilst ensuring any light spill and potential glare and impact on the night sky is minimised through the control of light direction and levels, particularly in residential and commercial areas, areas of wildlife interest or the visual character of historic buildings and rural landscape character.</u></p> <p>g. <u>Under the agent of change principle, if new development or uses are to be introduced near a preexisting business or facility, the applicant (or 'agent of change') will provide suitable mitigation before the development has been completed. it is the responsibility of the developer to ensure solutions to address and mitigate noise and/or light are put forward as part of proposals.</u></p> | To ensure the effectiveness of the policy | MM |

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| | | | <p>To delete criteria 2, as follows: - A substantial improvement to air quality will be sought in the Borough by: a. Reducing emissions derived from vehicular travel by minimising the need to travel and maximising opportunities for more sustainable modes of travel including walking, cycling and public transport. b. Promoting the use of low carbon emission vehicles and facilitating the provision for electric charging facilities c. Identifying opportunities to protect and enhance ecosystems and the green infrastructure network to assist in the absorption of air pollutants.</p> <p>To amend criteria 3, as follows: - Development proposals must implement effective dust control measures during construction. such as: a. Regularly watering exposed soil and stockpiles. b. Covering haul roads and using wheel washing facilities. c. Utilising dust suppression systems during demolition and excavation activities. d. Implementing windbreaks or temporary enclosures around construction sites</p> <p>To delete criteria 4, as follows:- 4. Developers are encouraged to utilise low emission construction equipment and machinery, such as electric or hybrid vehicles, to minimise air pollution during construction activities</p> | | |
| MM42 | 68 | Paragraph 11.1, 11.2, 11.4, 11.4a & 11.4b (supporting information to Policy SE1 Pollution and Air Quality) | <p>To amend Paragraph 11.1, as follows: - Amend to read ‘Town Centre; and, May Bank, Wolstanton, Porthill’</p> <p>To amend paragraph 11.2, as follows: - “The policy emphasises prioritising Improvements in air quality can be achieved through sustainable transport options, low-emission technologies, and the enhancement of green infrastructure to reduce air pollution from development projects, aligning with key initiatives promoted by the CAS”.</p> <p>To amend Paragraph 11.4, as follows: - Amend to read ‘three four-AQMA’s within the borough.’</p> <p>To insert new text at Paragraph 11.4a, as follows: - <u>“A lighting scheme should suitably address security issues whilst ensuring any light spill and potential glare and impact on the night sky is minimised through the control of light direction and levels, particularly</u></p> | <p>To clarify what areas are covered by the three respective AQMA’s.</p> <p>To ensure the effectiveness of the Policy</p> | MM |

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| | | | <p><u>in residential and commercial areas, areas of wildlife interest or the visual character of historic buildings and rural landscape character”</u></p> <p>To insert new text at Paragraph 11.4b, as follows: - <u>Dust control measures can include: -</u> <u>a. Regularly watering exposed soil and stockpiles</u> <u>b. Covering haul roads and using wheel washing facilities.</u> <u>c. Utilising dust suppression systems during demolition and excavation activities.</u> <u>d. Implementing windbreaks or temporary enclosures around construction sites</u></p> <p>To insert new text at Paragraph 11.4c as follows: - <u>4. Developers are encouraged to utilise low-emission construction equipment and machinery, such as electric or hybrid vehicles, to minimise air pollution during construction activities.</u></p> | To correct a drafting error | |
| MM43 | 70 | Policy SE2 (Land Contamination) | <p>To amend criterion H, as follows:-</p> <p>h. Ensure that the monitoring and management plans specify the monitoring parameters, sampling locations, and frequency of monitoring based on the nature of the contamination and the chosen remediation methods.</p> | To ensure the effectiveness of the Policy | |
| MM44 | 70-71 | Policy SE3 (Flood Risk Management) | <p>To amend criteria 1, as follows: -</p> <p><u>“All development should follow the sequential approach to determining the suitability of land for development by directing new development to areas at lowest lower risk of flooding and where it is not possible to locate development in an area of lower risk of flooding, the Council will necessary apply the exception test, taking into account of all sources of flooding identified in the Strategic Flood Risk Assessment”</u></p> <p>To amend criteria 3 (e), as follows: Add additional text to read: e) Include detailed modelling of any ordinary watercourses, <u>main rivers and / or functional floodplain (zone 3b)</u> within or adjacent to the site, where appropriate.</p> | To ensure the effectiveness of the policy. | MM |
| MM45 | 71-72 | Paragraph 11.10, 11.12 & 11.15 (supporting information to | <p>To amend Paragraph 11.10, as follows: -</p> <p>Additional text to be inserted, as follows:</p> | To ensure the effectiveness | Partial MM/AM |

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| | | <p>Policy SE3 Flood Risk Assessment)</p> | <p>“In accordance with both the National Planning Policy Framework and the National Planning Practice Guidance it is critical that assessment of flood risk to development proposals takes account of all forms of flood risk including sewer flood risk, surface water flooding and reservoir flood risk.</p> <p><u>For the purposes of this policy, 'high-risk areas' are defined as:</u></p> <ul style="list-style-type: none"> <u>-Land located within Flood Zones 2, 3a, or 3b.</u> <u>-Sites 1 hectare or greater located within Flood Zone 1 where the current SFRA identifies a risk of flooding from any source.</u> <u>-Areas where the current SFRA identifies that development would increase flood risk or exacerbate existing flooding, particularly in those catchments identified as 'highly sensitive' to cumulative impact, which includes the following watercourses: Lyme Brook, Fowlea Brook, Valley Brook, and Englesea Brook.</u> <u>-Areas identified as being susceptible to groundwater flooding, including those within Source Protection Zones (SPZs) 1,2, or 3.</u> <u>-Areas identified on the current SFRA Groundwater Emergence map where groundwater levels are between 0 and 0.5m below ground level.”</u> <p>To amend Paragraph 11.15, as follows: - Additional text to be added following the paragraph, as follows: - <u>“The SFRA has given due consideration to the requirements and objectives of River Basin Management Plans (e.g. the Humber and North West River Basin Management Plans) when assessing flood risk and where relevant, FRAs should also have regard to River Basin Management Plans, as appropriate”.</u></p> <p>To amend Paragraph 11.15, as follows: - Delete boxes in the three bullet points.</p> | <p>ess of the policy.</p> <p>To correct a drafting error.</p> | |
| <p>MM46</p> | <p>72-73</p> | <p>Policy SE4 (Sustainable Drainage Systems)</p> | <p>To amend criteria 1, as follows: - Development proposals should manage and discharge surface water through a sustainable drainage system. Smaller Minor developments may be exempt from full Sustainable Drainage Systems (SuDs) implementation but should still incorporate appropriate measures to manage surface water runoff sustainably, such as the use of permeable paving, rain gardens, or soakaways, wherever feasible.</p> <p>To amend criteria 2, as follows: - Development proposals should follow the SuDs hierarchy prioritise the following approaches for surface water management in this order of preference:</p> <ul style="list-style-type: none"> a. Infiltration: Discharge of rainwater into the ground through infiltration techniques such as soakaways. b. Attenuated Discharge to a Surface Water Body: Discharge of rainwater to streams, rivers, lakes, canals (with permission), or other surface water features, ensuring minimal impact on flow rates. | <p>In the interests of clarity and to ensure the effectiveness of the Policy</p> | <p>MM</p> |

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| | | | <p>c. Attenuated Discharge to a Surface Water Sewer, Highway Drain, or another Drainage System, Discharge to existing public surface water drainage systems, but only after exploring infiltration and surface water body discharge options.</p> <p>d. Attenuated Discharge to a Combined Sewer: Discharge to a combined sewer system that collects both surface water and foul sewage (wastewater). This should only be considered as a last resort after exhausting all other options above. Departures from the this hierarchy should be fully justified and may require additional mitigation measures.</p> <p>To amend criteria 4 & 5, as follows: - To combine into a single criterion, as follows: -</p> <p>4. Proposals should demonstrate E early engagement with the Lead Local Flood Authority (LLFA) and United Utilities is important to explore SuDS feasibility and design. For sites with potential canal discharge, the Canal and & Rivers Trust should also also be consulted.</p> <p>5. SuDS proposals must Proposals should align with the latest SFRA recommendations, LLFA guidance, and relevant SuDS design standards.</p> <p>To amend criteria 6 and 7, as follows: - To combine into a single criterion, as follows: -</p> <p>6. The SuDs strategy should include a A detailed maintenance plan for the approved SuDS system should be submitted that addresses, addressing ongoing responsibility, inspection regimes, and funding mechanisms for over the SuDS lifespan. The SuDs strategy should outline the main funding mechanism for the SuDs scheme.</p> <p>7. The maintenance plan should outline the long term funding mechanism for the SuDs scheme. Options may include:</p> <p>a. Establishment of a dedicated management company. This company would be responsible for ongoing maintenance, funded through service charges levied on residents or businesses within the development.</p> <p>b. Community based stewardship: explore opportunities for community involvement in SuDS maintenance, such as volunteer groups or partnerships with local organisations.</p> <p>c. Financial contributions from developers: Developers may be required to provide financial contributions towards the long term maintenance of the SuDS, secured through planning obligations or a sinking fund.</p> <p>d. Pumped drainage systems should be minimised. Proposals should prioritise gravity-based, naturally functioning SuDS solutions wherever possible.</p> | | |
| MM47 | 74 | Paragraph 11.16a, 11.20a, and 11.21 | To amend Paragraph 11.16, as follows: - Insert the following paragraph under 11.16: | To correct a drafting error. | MM |

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| | | <p>(supporting information to Policy SE4 Sustainable Drainage Systems)</p> | <p><u>The following are approaches for surface water management in order of preference:</u></p> <p><u>a. Infiltration: Discharge of rainwater into the ground through infiltration techniques such as soakaways.</u></p> <p><u>b. Attenuated Discharge to a Surface Water Body: Discharge of rainwater to streams, rivers, lakes, canals (with permission), or other surface water features, ensuring minimal impact on flow rates.</u></p> <p><u>c. Attenuated Discharge to a Surface Water Sewer, Highway Drain, or another Drainage System, Discharge to existing public surface water drainage systems, but only after exploring infiltration and surface water body discharge options.</u></p> <p><u>d. Attenuated Discharge to a Combined Sewer: Discharge to a combined sewer system that collects both surface water and foul sewage (wastewater). This should only be considered as a last resort after exhausting all other options above.</u></p> <p>To amend Paragraph 11.20, as follows: - Insert the following paragraph under 11.20:</p> <p><u>“Options for the management of SuDs may include:</u></p> <p><u>a. Establishment of a dedicated management company. This company would be responsible for ongoing maintenance, funded through service charges levied on residents or businesses within the development.</u></p> <p><u>b. Community-based stewardship: explore opportunities for community involvement in SuDS maintenance, such as volunteer groups or partnerships with local organisations.</u></p> <p><u>c. financial contributions from developers: Developers may be required to provide financial contributions towards the long-term maintenance of the SuDS, secured through planning obligations or a sinking fund.</u></p> <p><u>d. Pumped drainage systems should be minimised. Proposals should prioritise gravity-based, naturally functioning SuDS solutions wherever possible.</u></p> <p>To amend Paragraph 11.21, as follows: - Amend to read ‘Canal & and River Trust’</p> | | |
| MM48 | 75 | <p>Policy SE5 (Water Resources and Water Quality) Criterion 2</p> | <p>To amend criteria 2, as follows: -</p> <p>2. <u>To support water bodies to achieve good ecological status under the Water Framework Directive, D</u> development proposals located within designated nitrate vulnerable zones or in close proximity to sensitive water bodies should consider nitrate neutrality. This means that the development will not result in any net increase in nitrate levels within the affected water environment. Developers should consult with the Environment Agency and relevant water companies to determine the appropriate measures to <u>support achieve</u> nitrate neutrality, such as on-site mitigation through sustainable drainage systems or off-site offsetting through habitat creation or restoration projects.</p> | <p>To make appropriate reference to non-mains foul drainage</p> | MM |

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| | | | <p>To delete criteria 4.</p> <p>4. Development proposals must consider the capacity limitations outlined in the Water Cycle Study (WCS). Where constraints are identified, developers must work with the Environment Agency and water companies to implement appropriate mitigation measures.</p> <p>To amend criteria 6, as follows: -</p> <p>6. To reduce water demand and promote sustainable water management across the Borough, D development proposals should, where possible, incorporate water reuse strategies, such as greywater recycling and rainwater harvesting systems. , to reduce demand on potable water supplies and promote sustainable water management. The feasibility and appropriateness of these techniques should be assessed on a site-by-site basis, taking into account factors such as the scale and type of development, local water availability, and the potential for integration with other sustainable drainage measures.</p> <p>To add new criterion 7, as follows: -</p> <p><u>“7. Development should follow the hierarchy (order of preference for foul drainage connection), as set out in National Planning Guidance. The Council requires non mains drainage proposals to assess the potential impacts upon water quality to ensure no detrimental impact on the water environment”</u></p> | requirements. | |
| MM49 | 76 | Paragraph 11.23 (supporting information to Policy SE5 Water Resources and Water Quality) | <p>To amend Paragraph 11.23, as follows: -</p> <p><u>“11.23.....Relevant development proposals should have regard to Water Framework Directive catchment areas (in the North West / Humber catchment) and also River Basin Management Plans”.</u></p> | To ensure the effectiveness of the policy. | MM |
| MM50 | 76 | Policy SE6 (Open Space, Sports and Leisure Provision) criteria 3 (d) | <p>To amend criteria 3 (d), as follows: -</p> <p>d. the layout and equipment provided is to a recognised specification <u>and is provided</u> at an early stage of the development.</p> <p>To amend criteria 3 (f), as follows: -</p> <p>f. <u>In order to support the connectivity of sites to Green Infrastructure</u>, major development schemes should also make reference to Natural England’s Green Infrastructure Framework and the accessible greenspace standards included in the Framework.</p> <p>To amend criteria 4, as follows: -</p> | In the interests of clarity and thus effectiveness | MM |

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| | | | <p>4. Proposals which result in the loss of green / open space, sports and recreational buildings and land will only be permitted where:</p> <p>a. <u>An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirement</u> or it is demonstrated that the open space, buildings or the loss resulting from the proposed development would be replaced by equivalent or better</p> | | |
| MM51 | 78 | Policy (SE7 Biodiversity Net Gain) | <p>To amend criteria 1, as follows: -</p> <p>1. Development proposals, <u>unless exempt</u>, should for one or more dwellings or non-residential buildings will be permitted provided that they are designed to deliver at least a 10% measurable net gain of biodiversity habitat using the relevant statutory Biodiversity Net Gain (BNG) Metric. Provision of BNG should be secured and maintained for a period of 30 years.</p> | To ensure the effectiveness of the policy | MM |
| MM52 | 79 | Paragraph 11.39 (supporting information to Policy SE7 Biodiversity Net Gain) | <p>To amend Paragraph 11.39, as follows: -</p> <p>more successful nature recovery network. <u>Biodiversity Net Gain is not applied to irreplaceable habitats. Any mitigation / compensation requirements for Habitats sites should be dealt with separately from Biodiversity Net Gain provision.</u></p> | To provide further clarification on the operation of the policy to the supporting information to the Policy. | MM |
| MM53 | 80 | Policy SE8 (Biodiversity and Geodiversity) | <p>To amend criteria 1, as follows: -</p> <p>1. All development should ensure the conservation, enhancement and restoration of biodiversity and geodiversity, avoiding any <u>significant</u> 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 including:</p> <p>a. Internationally designated sites (SPA, SAC, Ramsar);</p> <p>b. Sites of Special Scientific Interest (SSSIs);</p> <p>c. Legally protected species;</p> <p>d. Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs);</p> <p>e. Priority habitats and species listed in the national and local Biodiversity Action Plans;</p> <p>f. Habitats and species of principal importance for the conservation of biodiversity in England;</p> <p>g. Biodiversity Opportunity Areas (BOA) / Nature Recovery Networks (NRN);</p> <p>h. Irreplaceable habitats including ancient woodlands and ancient and veteran trees;</p> | To ensure the effectiveness of the Policy. | MM |

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| | | | <p>i. Trees, woodlands and hedgerows; and j. Wildlife corridors and stepping-stones</p> | | |
| MM54 | 82-85 | Policy SE9 (Historic Environment) | <p>To amend Policy SE9 by deleting the policy text, and replacing the form of words, as follows: -</p> <p><u>Policy SE9: Historic Environment</u></p> <p><u>1. Proposals will be supported where they conserve and, where appropriate, enhance the significance of the Borough's heritage assets and their settings. Great weight will be given to the conservation of designated heritage assets.</u></p> <p><u>2. Proposals that will lead to harm to, or loss of the significance of, a designated heritage asset will require clear and convincing justification.</u></p> <p><u>3. Where a proposal will result in less than substantial harm to a designated heritage asset, this harm will be weighed against the public benefits of the proposal. Substantial harm to, or the total loss of significance of, a designated heritage asset will be refused unless this harm or loss is outweighed by substantial public benefits, or the specific criteria in NPPF paragraph 207 apply.</u></p> <p><u>4. The effect of a proposal on the significance of non-designated heritage assets will be considered. In weighing applications, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.</u></p> <p><u>5. Where a proposal has the potential to affect a heritage asset (other than one of solely archaeological interest) or its setting, it must be accompanied by a proportionate Heritage Assessment.</u></p> <p><u>6. Where a site includes, or has the potential to include, heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, a field evaluation will be required to accompany the proposal.</u></p> | To ensure the effectiveness of the policy and consistency with national guidance | MM |
| MM55 | 85-86 | Paragraph 11.48 – 11.54 (supporting information to Policy SE9 Historic Environment) | <p>To amend Paragraphs 11.48 – 11.54 by deleting the current wording and replacing the supporting text, as follows: -</p> <p><u>Supporting Information</u></p> <p><u>The Borough's Historic Environment</u></p> <p><u>The Borough has a wealth of valued heritage assets, ranging from individual listed buildings and conservation areas to historic landscapes and archaeological remains.</u></p> <p><u>These assets are an irreplaceable resource that contribute significantly to the character, distinctiveness, and quality of place in Newcastle-under-Lyme. This policy seeks to ensure they are managed sensitively and proactively during the development process, to help conserve and enhance their significance in accordance with the provisions of the NPPF.</u></p> <p><u>The following sections provide guidance on how proposals will be assessed against the requirements of Policy SE9:</u></p> <ul style="list-style-type: none"> <u>• Assessing Harm to Designated Heritage Assets provides further detail on the application of the tests in Policy SE9(2) and SE9(3)</u> <u>• Non-Designated Heritage Assets explains the approach to be taken under Policy SE9(4).</u> | To ensure the effectiveness of the policy | MM |

• Heritage Assessments and Archaeological Interest outlines what is expected to satisfy the requirements of Policy SE9(4), SE9(5) and SE9(6).

• Responding to Local Character and Setting relates to the overarching principle in Policy SE9(1).

Assessing Harm to Designated Heritage Assets

The significance of a designated heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Policy SE9(2) and SE9(3) reflect the tests set out in national policy which require any harm to be clearly and convincingly justified. In line with national policy, great weight is given to the conservation of designated heritage assets; the more important the asset, the greater the weight that will be applied.

A distinction is made between the level of harm caused. Where a proposal will result in less than substantial harm to a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use. For proposals resulting in substantial harm or total loss, a much stricter test applies. National policy requires that substantial harm to, or loss of, a Grade II listed building or Grade II Registered Park or Garden should only be permitted in exceptional circumstances. For assets of the highest significance – including Scheduled Monuments, Registered Battlefields, and Grade I and II* listed buildings and Registered

Parks and Gardens – circumstances must be wholly exceptional. All such proposals will be refused unless the harm or loss is outweighed by substantial public benefits, or it can be demonstrated that the asset has no viable use, and its conservation cannot be secured.

Non-Designated Heritage Assets

Non-designated heritage assets are recognised as key contributors to local history and a sense of place. While they do not have the same level of protection as designated assets, the harm to their significance is a material consideration to be weighed in the planning balance.

In assessing the significance of a non-designated heritage asset to inform the balanced judgement required by Policy SE9(4), the Council will have regard to whether the asset has value derived from one or more of the following:

a) Architectural and Artistic Interest: As a notable example of a particular architectural style, period, construction method, or for its aesthetic qualities.

b) Archaeological Interest: As a source of evidence about past human activity

c) Historic Interest: Through its association with key local historic events or people, or for its role in the social and economic development of the area. Of particular importance to the Borough’s rural character are historic farmsteads. The Staffordshire Historic Farmsteads Study indicates that a significant proportion of recorded farmsteads within the Borough retain heritage potential. Where proposals affect a non-designated historic farmstead, particular regard will be had to the significance of the surviving historic form and buildings and their contribution to the wider landscape. Their sensitive conversion to new uses will be looked upon more favourably than their loss.

Although some of the Borough’s non-designated heritage assets are identified on the Council’s Local List, undesignated heritage assets may be identified during the

development process. In such instances the Council will require an assessment of the significance of the asset as part of the application, which should include an appraisal of the effects of the proposal on its significance.

Heritage Assessments and Archaeological Interest

A Heritage Assessment (HA) is required for proposals affecting designated or non-designated heritage assets (including their setting). A Heritage Assessment (HA) should be proportionate to the asset's importance and, as a minimum, must be informed by the Staffordshire Historic Environment Record (HER) and be undertaken by a suitably qualified professional. It should describe the significance of the assets affected and assess the likely impacts of the proposal. The HA must clearly demonstrate how the mitigation hierarchy has been applied. Firstly, all opportunities to avoid harm to the significance of a heritage asset must be explored. Where the avoidance of all harm is not possible, the HA must detail the proposed mitigation measures to minimise that harm. Any residual harm must then be clearly and convincingly justified against the tests in Policy SE9. Applicants should refer to the Council's 'Guidance on the preparation of a Statement of Significance for Heritage Assets' document when preparing their submission. Where a site has, or has the potential for, heritage assets with archaeological interest, a specific archaeological assessment is required. As a minimum, this will be informed by the Staffordshire Historic Environment Record (HER) and comprise a desk-based assessment. Where the desk-based assessment indicates that there is a potential for important archaeological remains on the site, a field evaluation will then be required to determine the character and significance of these remains. All such assessments must be undertaken by a suitably qualified professional in accordance with relevant guidance. The Council, in consultation with its archaeological advisors, will use planning conditions or obligations to secure appropriate investigation, recording, and mitigation measures where necessary

Responding to Local Character and Setting

Proposals will be required to demonstrate how they respond positively to local character and the historic environment, conserving and enhancing the significance of heritage assets and their settings. In assessing proposals, account should be taken of:

a) The immediate and wider setting, including the grain, height, and mass of surrounding development (in particular, historic development), the spaces around built form and the visual impact on views and the character of settlements).

b) The historic landscape character, as set out in Policy SE10 (Landscape) and informed by the Staffordshire Historic Landscape Characterisation Project.

c) The character and significance of any Historic Urban Character Areas (HUCAs)

d) The character and significance of any designated Conservation Area, as identified in the relevant Conservation Area Appraisal, Management Plan and / or Summary Statement.

e) Heritage and design policies contained within any relevant adopted

Neighbourhood Plans.

Development should be of a high quality and include architectural design features and materials that are distinctive to the local area, such as timber-framing, local stone, and Staffordshire blue brick. Contemporary or innovative design can be appropriate where it helps to integrate the development positively with the local

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| | | | <p><u>area. Further guidance on general design principles, including architectural quality and materials, is set out in Policy PSD7 (Design). Detailed policy requirements relating to the protection and enhancement of landscape character are set out in Policy SE10 (Landscape).</u></p> <p><u>Positive Approaches to Heritage-led Development</u></p> <p><u>The Council will expect new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance.</u></p> <p><u>Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) will be treated favourably.</u></p> <p><u>The Council will take a positive approach to development that conserves and enhances the significance of the Borough's heritage assets. Proposals that better reveal the significance of an asset, particularly where they enable public understanding and enjoyment, will be supported where they comply with other policies in this Plan. This includes, for example, well-designed and sensitively located visitor or tourism infrastructure consistent with Policy EMP3 (Tourism). Such schemes can deliver significant public benefits which will be a key consideration when weighing proposals against any less than substantial harm, in line with the policy tests set out in Policy SE9(3).</u></p> <p><u>Shopfronts</u></p> <p><u>Proposals affecting shopfronts, awnings, canopies and security shutters, particularly within Conservation Areas, must also comply with the specific requirements set out in Policy RET2 (Shop Fronts, Advertisements, New Signage).</u></p> | | |
| MM56 | 87-88 | Policy SE10 (Landscape) | <p>To amend criteria 1(a), as follows: -</p> <p>1(a) Protect and enhance the Key Characteristics and comply with <u>take account of</u> the relevant Landscape Guidelines, Guidance for Landscape Management and Guidance for Integrating Development into the Landscape for the relevant Landscape Character Type and Landscape Character Area, as identified in the Newcastle-under-Lyme Landscape and Settlement Character Assessment Study 2022 ('the LSCA') or any subsequent update.</p> <p>To amend criteria 3 and 3 (d), as follows: -</p> <p>"All new landscaping schemes will be expected to <u>take account of and:</u></p> <p>3(d) For major developments, where appropriate, identify and include opportunities for on-site water re-use / greywater recycling.</p> | To ensure the effectiveness of the Policy | MM |
| MM57 | 88-89 | Policy SE11 (Trees, hedgerows and woodland) | <p>To amend criteria 1, as follows: -</p> <p>Development proposals should prioritise the retention and protection of existing trees, hedgerows, and woodlands. To ensure the long-term <u>viability retention</u> of these natural features, proposals should be supported by Arboricultural Impact Assessments (for proposals impacting significant trees) and / or Hedgerow Surveys (where applicable).</p> <p>To amend criteria 3, as follows: -</p> | Duplication of criteria 10 and changes to improve the | MM |

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| | | | <p>Where the loss of significant trees, hedgerows, or woodlands is unavoidable, proposals should demonstrate: A <u>adequate replacement planting of appropriate species, providing a commensurate amenity and ecological value to the loss and the integration of replacement planting within a comprehensive landscape scheme.</u></p> <p>To amend criteria 7, as follows: -</p> <p>Development proposals adjacent to existing woodlands should consider potential impacts and incorporate appropriate mitigation measures. <u>This may include: establishing buffer zones, mitigating light pollution and ensuring that development does not disrupt the natural hydrological flows and connectivity between woodlands and watercourses</u>, Establishes buffer zones: Maintaining appropriate buffer zones between development and woodlands to minimise disturbance and protect ecological integrity. M mitigating light pollution and: Implementing measures to reduce light spill and glare from development, such as directing lighting downwards and using appropriate shielding, to protect nocturnal wildlife and dark skies. Protecting hydrological connectivity: E <u>ensuring that development does not disrupt the natural hydrological flows and connectivity between woodlands and watercourses, such as through the use of sustainable drainage systems and the preservation of natural drainage features.</u></p> <p>To delete criteria 11.</p> <p>Development proposals impacting sites comprising Ancient Woodland or veteran trees should include assessments of the impact in accordance with Natural England's Specialist Survey Method for Veteran Trees. Where applicable, long-term management plans conforming to Natural England guidelines should be included within the proposal.</p> <p>To delete criteria 13.</p> <p>Hedgerows, particularly those designated as 'important' under the Hedgerows Regulations (1997), are distinctive elements of the Borough's landscape and form valuable habitats. Development proposals resulting in the removal of 'important' hedgerows should include a full assessment to demonstrate compliance with the Regulations.</p> | effectiveness of the Policy. | |
| MM58 | 90 | Paragraph 11.61 & 11.62a (supporting information to Policy SE11 Trees, hedgerows and woodland) | <p>To amend Paragraph 11.61, as follows: -</p> <p>Remove boxes from the bullet points entitled Environmental Benefits and Economic Benefits.</p> <p>To insert new paragraph 11.62a, as follows: -</p> <p><u>"Hedgerows, particularly those designated as 'important' under the Hedgerows Regulations (1997), are distinctive elements of the Borough's landscape and form valuable habitats. Development proposals resulting in the removal of 'important' hedgerows should include a full assessment to demonstrate compliance with the Regulations".</u></p> | To correct drafting errors. | MM |
| MM59 | 90-91 | Policy SE12 (Amenity) | <p>To amend criteria 2, as follows: -</p> <p>New development should effectively integrate with existing uses. And Existing businesses and community facilities must not have unreasonable restrictions placed on them as a result of new development <u>permitted after they were</u></p> | To ensure the | MM |

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| | | | <p>established. Where the operation of an existing business or facility could have a significant adverse effect on a proposed new development (including change of use) in its vicinity, the applicant (developer, or agent of change) should provide a suitable assessment, such as noise, vibration and odour impact assessments or a light pollution study and provide suitable mitigation before the development has been completed, to demonstrate the following....</p> <p>The nature and extent of potential amenity impacts on future occupants, and That the proposed development incorporates adequate mitigation measures to protect the amenity of future occupants,or That the business or facility can modify its operations to minimise adverse impacts without unreasonable restrictions on its operations.</p> <p>The assessment should consider factors such as noise levels, operating hours, traffic generation, and light pollution, and should be conducted in accordance with relevant industry standards and guidelines.</p> <p>To delete part of criteria 3. Where significant adverse effects cannot be effectively mitigated, and no acceptable compromise in operations can be reached, planning permission will be refused. To amend criteria 4, as follows: - The Council will utilise available planning enforcement mechanisms, such as planning conditions, legal agreements, or enforcement notices, to ensure compliance with the Agent of Change principle and address situations where mitigation measures are not effective or reasonable compromises cannot be reached. This may involve requiring the modification of existing operations, the implementation of additional mitigation measures, or, in extreme cases, the restriction or cessation of activities that cause unacceptable harm to amenity.</p> | effectiveness of the policy | |
| MM60 | 91 | Policy SE13 (Soil and Agricultural Land) | <p>To delete criteria 2. Proposals for development on BMV land (Grades 1, 2, and 3a) will only be supported where: a. There is an overriding need for the development that cannot be met on lower quality land. b. It has been demonstrated that there are no suitable alternative sites on land of lower agricultural quality.</p> <p>To amend Criteria 4, as follows: - 'In assessing development proposals, the Council will'</p> | To ensure the effectiveness of the policy | MM |
| MM61 | 93 | Policy SE14 (Green and Blue Infrastructure) | <p>To amend criteria 1, as follows: - <u>"In order to support climate resistance, support biodiversity and high quality spaces in the Borough,</u> development proposals should incorporate multifunctional Green Infrastructure and Blue Infrastructure elements as an integral part of the design from the outset. These elements should: a. Address climate resilience through measures such as sustainable drainage systems (SuDS), green roofs, walls, urban tree planting, and other nature based solutions that contribute to climate action goals.</p> | To correct a drafting error and in the interests of clarity and | MM |

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| | | <p>b. Support town centre regeneration and enhance public spaces through high quality urban green spaces, landscaping, and street trees.</p> <p>c. Contribute to biodiversity objectives by creating new habitats and incorporating features that enhance existing ecological networks.</p> <p>To amend criteria 2, as follows: -</p> <p>Where development proposals result in the significant loss or degradation of existing Green Infrastructure and Blue Infrastructure assets and, where the benefits of the development demonstrably outweigh the harm caused, applicants must demonstrate that:</p> <ol style="list-style-type: none"> All appropriate alternatives that avoid harm have been fully considered and shown to be unviable. Suitable mitigation and compensatory measures have been proposed to offset any unavoidable loss or damage. Opportunities to enhance existing Green Infrastructure and Blue Infrastructure assets in the vicinity of the development site have been explored and, where feasible, will be incorporated into the scheme. <p>d. In accordance with national guidance, development proposals must demonstrate a net gain in biodiversity through measurable habitat creation, restoration, and enhancement, contributing to the Council's strategic Nature Recovery Network.</p> <p>To amend criteria 3, as follows: -</p> <p>Development proposals should, where appropriate, contribute to the creation of a well-connected Green Infrastructure and Blue Infrastructure network throughout the Borough. This includes (where possible):</p> <ol style="list-style-type: none"> Enhancing and extending existing green corridors, including canal towpaths, to support biodiversity, active travel, and connections between communities and nature. Designing schemes that improve access to and within Green Infrastructure and Blue Infrastructure assets, particularly within areas of lower environmental quality or health inequalities. <p>c. Residents should have access to a high quality green space.</p> <p>To delete criteria 5.</p> <p>The Council will explore various funding mechanisms for Green Infrastructure maintenance, such as developer contributions, dedicated funding streams, or community based stewardship programs. Opportunities for community involvement in the management and maintenance of Green Infrastructure assets will be actively encouraged.</p> <p>To amend criteria 6, as follows: -</p> <p>Amend second sentence to read '....in Green Infrastructure projects....' Delete ¶ between Green and Infrastructure.</p> | therefore effectiveness. | |
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| MM62 | 95 | Policy RUR1 (Rural Economy) | <p>To amend criteria 2 b, c, and e, as follows: -</p> <p>b. Improve the accessibility sustainability of a site in terms of access (where opportunities exist);</p> <p>To delete criteria c, as follows:-</p> <p>c. Prioritise the re-use of previously developed land and / or sites that are physically well-related to existing settlements;</p> <p>To delete Criteria 2(e).</p> <p>Re-use, conserve and, where possible, enhance the significance of historic farm buildings (where they exist) in accordance with Policy SE 9 (Historic Environment)</p> | To ensure the effectiveness of the policy. | MM |
| MM63 | 97 | Policy RUR3 (Extensions and Alterations to Buildings Outside of Settlement Boundaries) | <p>To amend criteria 1(e), as follows: -</p> <p>e. Sustain and enhance the significance of any affected heritage assets (and including their settings) in accordance with Policy SE9 (Historic Environment)</p> | To ensure the effectiveness of the policy. | MM |
| MM64 | 98-99 | Policy RUR4 (Replacement Buildings Outside of Settlement Boundaries) | <p>To amend criterion 1 (d) as follows:-</p> <p>1(d) The dwelling is of a high design-quality that reflects local character, and incorporating design features distinctive to the local area);</p> <p>To amend criterion 1 (g), as follows: -</p> <p>1(g). The proposals sustain and enhance the significance of any affected heritage assets including (and their settings) in accordance with Policy SE9 (Historic Environment)</p> <p>To amend criteria 2 (i), as follows: -</p> <p>2i The proposals sustain protect and enhance the significance of any affected heritage assets including (and their settings) in accordance with Policy SE9 (Historic Environment)</p> | To ensure the effectiveness of the policy. | MM |
| MM65 | 100 | Policy RUR5 (Re-use of Rural Buildings for | <p>To amend criterion 1(f), as follows: -</p> | To ensure the effectiveness of the policy. | MM |

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| | | Residential Use) | The proposals sustain and enhance the significance of any affected heritage assets, including buildings formerly associated with a historic farmstead (and including their settings) in accordance with Policy SE10 SE9: Historic Environment | ess of the policy. | |
| MM66 | 102-108 | Policy SA1 (General Requirements) | <i>To delete policy SA1 (General Requirements), including supporting information (paragraphs 13.6 – 13.10 from the Local Plan).</i> | To remove duplication from the Plan in the interests of clarity and therefore effectiveness | MM |
| MM67 | 109-111 | Policy AB2 (Land at J16 of the M6) | <p>To amend criteria 1, by inserting the following text: - <u>Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements) including The preparation and implementation of a comprehensive, masterplan-led approach towards the site.</u></p> <p>To amend criteria 3 by adding an additional sentence, as follows: - <u>“To provide secure HGV lorry parking, the site should be designed and operate in accordance with Park Mark Freight scheme requirements and achieve Park Mark Freight accreditation”.</u></p> <p>To amend criteria 7 by additional wording at the end of the criteria, as follows: - <u>‘The provision of suitable on and off-site mitigation measures for any adverse impacts on the M6 (Junction 16) or other parts of the highway network (strategic and local). Where direct provision is not achievable financial contributions to ensure such provision will be accepted in lieu. Such measures should be implemented in a timely manner to ensure they address the anticipated impacts of the scheme. contributions towards or direct provision of suitable on and off-site mitigation measures or any adverse impacts on the M6 (Junction 16) or other parts of the highway network (strategic and local) being implemented. A micro-simulation model should be prepared and agreed with National Highways, Staffordshire County Council and Cheshire East Council to identify mitigation measures required at planning application stage. Mitigation measures identified as being required by the micro-simulation model should be implemented in consultation with National Highways, Staffordshire County Council and Cheshire East Council’.</u></p> <p>To amend criteria 9, as follows: -</p> | To ensure the effectiveness of the Policy | MM |

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| | | | <p>The layout and development of the site will be landscape led, with roads, buildings or structures designed to ensure they are not intrusive in significant views from the surrounding area. <u>A landscape and visual impact assessment should be prepared and submitted for the site.</u> Green Infrastructure should also be retained and significantly enhanced across the site,</p> <p>To amend criteria 13, as follows:-</p> <p>13. Implementation of an agreed comprehensive travel plan <u>and public transport strategy</u> incorporating measures to support travel to / from the development, particularly by sustainable modes. This should implement initiatives to support sustainable travel into the site, to include cycle links into the development with suitable cycle parking / amenities, bus routes and demand responsive travel schemes to support workers travelling to / from the site. The Travel Plan <u>and public transport strategy should demonstrate how connectivity consider routes connecting into Newcastle-under-Lyme, Stoke-on-Trent and Cheshire East will be achieved. The provision of public transport as part of the travel plan (including demand response schemes) should demonstrate that it can be sustained in the long-term and has taken into account the advice of local transport authorities at Cheshire East and Staffordshire County Council</u></p> <p>To amend criteria 13, by adding an additional sentence as follows: - <u>“Travel Planning to the site should discourage the routing of traffic past the Black Firs and Cranberry Bog SSSI on the A531”</u></p> <p>To amend criteria 15, as follows:-</p> <p>Provision of strategic <u>and on plot landscaping of at least 40% of the total site area. To be delivered as green corridors across the site.</u> open space within the northern centre of the site, including the whole of the area in between public footpaths Audley 9 and Audley 22 to be delivered as part of development Phase 1</p> <p>To amend criteria 19 as follows: -</p> <p>A utilities masterplan being prepared for the site <u>which seeks to guide the provision of essential services on the site details matters including fowl and surface water drainage,</u></p> | | |
| MM68 | 110-111 | Paragraph 13.6 & 13.19 (supporting information to Policy AB2 (Land at J16 of the M6)) | <p>To amend Paragraph 13.6, as follows: - To refer to Chapter 13, rather than 14.</p> <p>To amend Paragraph 13.19, as follows: - To amend the second sentence to read: ‘.....development <u>should be</u> reinforced...’</p> | To correct drafting errors. | AM |

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| MM69 | 111-113 | Policy AB12 (Land East of Diglake Street) and supporting information, paragraphs 13.24 -13.37. | <p>To delete the policy and supporting information</p> <p>Policy AB12 Land East of Diglake Street</p> <p>Land East of Diglake Street is allocated for residential development for 125 dwellings. Development proposals will be permitted subject to:</p> <ol style="list-style-type: none"> 1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), 2. Access to the development being via Diglake Street (with emergency access via Raven's Lane / B5500) and pedestrian access provided via Raven's Lane / B5500, Diglake Street and the Albert Street play area, 3. Provision of a parking area for local residents in the northwest corner of the site and contributions towards off-site highway improvements necessary to support the development (if required), 4. The layout, design and development of the site being landscape led, with buildings and structures designed to reflect local character and grain and to ensure they are not intrusive in significant views from the surrounding area, 5. Submission of a Heritage Impact Assessment to demonstrate how the layout and design of the development will respond sensitively to the setting of Audley Conservation Area and nearby heritage assets, giving consideration to the HIA for the site prepared by the Council, 6. A programme of archaeological recording to investigate the nature of and significance of any archaeological remains that survive on the site, 7. Retention and enhancement of existing hedgerows on the site, including strengthening hedgerow boundaries on the north and north-west of the site and provision of a landscape buffer. Existing trees should also be retained to help preserve the pattern of enclosure within the site, 8. Strategic open space provided adjacent to the northern boundary of the site, 9. Provision of new Public Rights of Way within the site, running from Raven's Lane to the northern boundary of the site and along the whole of the northern boundary of the site to link with the Public Right of Way that runs through Albert Street play area, 10. A sequential approach being taken within the site to direct development to areas at lowest risk of flooding, taking account of flood risk from all sources, including sewer and surface water flooding, 11. All development being located an appropriate distance from the sewers and associated infrastructure adjacent to the western boundary of the site, 12. Financial contributions to improvements in the capacity of local schools and health facilities, 13. Contributions towards improvements to Albert Street Play Area / Bignall End Playground play facilities. <p>Supporting Information</p> <p>13.24 The site is situated on the north side of the village of Bignall End and provides an opportunity to deliver 125 homes within an established residential area, within walking distance of local services, amenities and infrastructure.</p> <p>13.25 The site is enclosed on its south, east and west sides by existing development, with the rear gardens of existing houses on Raven's Lane, Hope Street and Diglake Street respectively backing onto the site. As</p> | To ensure the provisions of the Plan are justified. | MM |
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| | | | <p>such, whilst the northern boundary of the site is adjacent to the open countryside its development would constitute a consolidation of the existing settlement form.</p> <p>13.26 Primary access to the development should be via Diglake Street and emergency site access provided from Ravens Lane. Pedestrian and cycle access to the site will be via Diglake Street, Ravens Land and Albert Street Play Area. The development will need to address off-site issues relating to on-street parking along Diglake Street and intensification of the use of the junction of Diglake Street and Raven's Lane. Off-site junction improvements may be required, which will be secured through financial contributions.</p> <p>13.27 The site is located within the Audley Ancient Clay Farmlands Landscape Character Area, which is designated as a high sensitivity landscape. Given the high sensitivity of the landscape, a landscape-led approach to development will be required, to ensure that the layout and design of buildings and structures are appropriate to the landscape setting and a Landscape and Visual Impact Assessment will also be required.</p> <p>13.28 Within this area thick, mixed species hedgerows are identified as significant landscape features. There are hedgerows along the north and northwest boundaries of the site, as well as a strong hedgerow that dissects the site in a north-south direction just to the west of its centre. The existing hedgerows will be retained and enhanced. Hedgerow boundaries on the north and north-west of the site will be strengthened and a landscape buffer provided. The boundary of the site to the open countryside will also be strengthened to create a defensible and permanent Green Belt boundary.</p> <p>13.29 The strong terraced character of existing residential development to the east and west of the site should inform and be reflected in the site layout and design. The layout of development will also provide for open space along the northern boundary of the site.</p> <p>13.30 The Audley Conservation Area is located 500 metres from the site and the Grade II listed Wedgewood Monument on Bignall Hill is located 1.2km to the east. A heritage impact assessment will be required to demonstrate how the layout and design of new development will respond sensitively to the significance of nearby heritage assets including key views to and from Wedgewood Monument. A programme of archaeological recording should take place to determine a programme of mitigation measures to reduce or remove any potential impacts on the archaeological resource of the area.</p> <p>13.31 There are no Public Rights of Way on the site at present, however, to improve connectivity new pedestrian and cycle links should be provided into the site from both Raven's Lane and Diglake Street, along with a new route along the northern boundary of the site, linking it with the Albert Street play area.</p> | | |
| MM70 | 113 | Policy AB15 'land north of Vernon Avenue' | <p>To delete criteria 1 as follows:- Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 3, as follows:- A land contamination assessment required in relation to area of former mining activity</p> <p>To amend criteria 4, as follows:-</p> | To ensure the effectiveness of the Policy | |

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| | | | <p>The layout and development of the site will be landscape led and buildings or structures are designed to ensure they are not intrusive in significant views from the surrounding area, <u>where possible the layout should seek to integrate the medieval field system within the layout.</u></p> <p>To amend Criteria 8 as follows:-</p> <p>The retention of medieval field system on site. Where this is not possible, a A programme of archaeological recording to investigate the nature of and significance of any archaeological remains that survive on the site</p> | | |
| MM71 | 114 | Policy AB33 (Land off Nantwich Road / Park Lane) and supporting information, paragraphs 13.43 – 13.46 | <p>Policy AB33 Land off Nantwich Road / Park Lane, Audley</p> <p>Land off Nantwich Road / Park Lane, Audley is allocated for residential development for 55 dwellings.</p> <p>Development proposes will be permitted subject to:-</p> <ol style="list-style-type: none"> 1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), 2. Primary vehicular access being via Park Lane and secondary access via Nantwich Road, 3. Connectivity to existing cycle and pedestrian routes being enhanced, 4. The layout and development of the site being landscape led and buildings or structures are designed to ensure they are not intrusive in significant views from the surrounding area, 5. Heritage impact assessment required to demonstrate how the layout and design of the development will respond sensitively to the setting of the Conservation Area and nearby heritage assets, giving consideration to the HIA for the site prepared by the Council, 6. The retention of the medieval field system on site. Where this is not possible, a programme of archaeological recording to investigate the nature of and significance of any archaeological remains that survive on the site, 7. A sequential approach will be taken within the site to direct development to areas of least risk of flooding, taking account flood risk from all sources including surface water flooding, 8. Development layout will consider proximity to sewers adjacent to the boundaries of the site and provide for appropriate distances away from such assets, 9. A land contamination assessment and mitigation strategy is required in relation to area of former mining activity, 10. Contributions and accessibility improvements to Alsager Road Play Area / Audley Park, 11. Financial contributions to improvements of local schools and health facilities <p>Supporting Information</p> <p>13.43 The site is located within Flood Zone 1 but some areas within the site are affected by surface water flooding. In accordance with national and Local Plan policy, an effective drainage strategy will be established, and a sequential approach applied within the site directing development to areas of lowest flood risk.</p> | To ensure the provision in the Plan are justified | MM |

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| | | | <p>13.44 A land contamination assessment and mitigation strategy is required in relation to historic land use and potential impact of mine workings. The site is in close proximity to Audley Conservation Area and therefore requires a Heritage Impact Assessment.</p> <p>13.45 The infrastructure delivery plan identifies that contributions are required towards the Newcastle North Primary Care Network to support adaptation / expansion of the existing estate.</p> <p>13.46 Allocation of a site establishes the principle of a particular use. Any future planning application(s) will be determined in accordance with the relevant policy criteria applicable to the site, other relevant policies in the Local Plan and any other material considerations. As such, the detail provided at the planning application stage may result in minor adjustments to the overall quantum of development achieved on the site.</p> | | |
| MM72 | 115 | Policy BW1 (Chatterley Valley) | <p>To delete criteria 1, as follows:- Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 4, by adding additional text, as follows: - <u>“A site-specific flood risk assessment at planning stage should be prepared and include a detailed hydraulic modelling of the drainage channels within the boundary to provide certainty on risk and inform mitigation. Modelling and assessment of the culvert to the south east shall be provided”</u></p> | To ensure the policy will be effective and in the interests of clarity. | MM |
| MM73 | 116 | Policy CT1 (Land at Red Street and High Carr Farm) | <p>To delete policy CT1 and the supporting information, as follows:-</p> <p>Policy CT1 Land at Red Street and High Carr Farm, Chesterton Land at Red Street and High Carr Farm is allocated for residential development for 530 dwellings and a local centre. Development proposals will be permitted subject to:</p> <ol style="list-style-type: none"> 1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), 2. Access to the development being: – a. Via a left in / left out junction on the A34, utilising and improving the existing Bell’s Hollow Junction onto the A34; and. b. Provision of two access points along Talke Road 3. Access requirements set out in criterion 2 should include appropriate speed reduction and traffic calming schemes to facilitate safe access into the site, 4. In line with Policy SA1 (General Requirements), a masterplan and design code should be prepared and agreed for the site which will: <ol style="list-style-type: none"> a. Consider sustainable travel links including cycle and pedestrian connectivity including to public transport links. Development should also consider walking and active travel for health and wellbeing purposes within the site, b. provide for appropriate boundary treatments to the existing Green Belt, c. Facilitate improvements to local footpaths and street lighting along Talke Road / Bells Hollow, d. Achieve high quality design reflecting the landscape location of the site and creating | To ensure the provision in the Plan are justified. | MM |

~~a vibrant destination and attractive public realm. This should recognise the transitional location between the higher density urban and rural area,~~

~~e. Ensure the layout and development of the site is landscape led and buildings or structures are designed to ensure they are not intrusive in significant views from the surrounding area including the Wedgewood Monument,~~

~~f. Provide for a local centre within the site to meet local retail needs.~~

~~5. Submission of a land contamination assessment and mitigation strategy,~~

~~6. Submission of a coal mining risk assessment and mitigation strategy,~~

~~7. A sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding,~~

~~8. Submission of a drainage strategy given that existing sewers pass near to the site,~~

~~9. Submission of a noise assessment and mitigation strategy in relation to the impact of noise from the A34 Newcastle Road, farm and industrial operations in and in close proximity to the site,~~

~~10. Submission of an odour assessment and potential mitigation given adjacent farm and industrial uses,~~

~~11. Financial contributions to improvements in the capacity of local schools and health facilities.~~

Supporting Information

~~13.51 The site is located adjacent to the A34 Newcastle Road in Red Street and bounded by the A34, Bells Hollow and Liverpool / Talke Road. The immediate surrounding urban area comprises of the residential streets of Shrewsbury Drive and other residential areas.~~

~~13.52 The site provides an opportunity to deliver 530 homes supported by a local centre~~

~~13.53 Site access will be achieved via the A34 Newcastle Road and Talke Road. Development of the site may require junction improvements and offsite improvements to be secured through financial contributions.~~

~~13.54 There are Public Rights of Way which connect to the southern tip of the site and development will need to enhance these routes. Improvements will also be required to pedestrian and cycle links. Sustainable pedestrian and linkages will also need to be provided to local facilities and amenities.~~

~~13.55 Proposals should take a masterplan / landscape led approach to ensure the layout of development and the design of buildings and structures is appropriate for the landscape setting.~~

~~13.56 A noise mitigation strategy will be required in relation to the impact of noise from the A34 Newcastle Road.~~

~~13.57 Parts of the site are affected by surface water flooding. A sequential approach will be taken within the site to direct development to areas of lowest flood risk. Existing sewers pass near to the site. A drainage strategy will be required to consider the design, masterplan and drainage details for the site. The site should consider matters including topography and flow paths and should consult with the relevant statutory provider, as appropriate.~~

~~13.58 The site is located in an area that was previously subject to mining operations. Appropriate land contamination studies and coal mining assessments will be required to support the appropriate delivery of the site.~~

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| Page 154 | | | <p>13.59 The infrastructure delivery plan identifies that the site should make contributions towards the expansion of St Chads CE VC Primary School. The infrastructure delivery plan also identifies an expansion needed to Chesterton Community Sports College. In respect of health, the infrastructure delivery plan identifies that contributions are required towards the Newcastle North Primary Care Network to support adaptation / expansion of the existing estate.</p> <p>13.60 Allocation of a site establishes the principle of a particular use. Any future planning application(s) will be determined in accordance with the relevant policy criteria applicable to the site, other relevant policies in the Local Plan and any other material considerations. As such, the detail provided at the planning application stage may result in minor adjustments to the overall quantum of development achieved on the site.</p> | | |
| MM74 | 117/ 118 | Policy CH13 (Castletown Grange) and supporting information (paragraph 13.62) | <p>To delete policy CH13 and supporting text, as follows:-</p> <p>Policy CH13 Castletown Grange, Douglas Road, Cross Heath</p> <p>Land at Castletown Grange is allocated for residential development to rationalise residential uses on the site. Development will be permitted subject to:</p> <ol style="list-style-type: none"> 1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), 2. Development of the site will include a rationalisation of the site and the appropriate demolition of existing unit's onsite which seeks to minimise the release of carbon, where possible, 3. Access to the development being via Ronaldsway Drive, 4. A sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding, 5. The existing mature trees on the site edge being retained and integrated into the development layout wherever possible, considering their impact during the design phase. 6. Financial contributions to improvements in the capacity of local schools. <p>Supporting Information</p> <p>13.62 The site is a brownfield site within the Newcastle urban area. There are existing uses on the site and requires the demolition of existing units on the site and the provision of new dwellings resulting in a net loss of 7 dwellings</p> | To ensure the provision in the Plan are justified | MM |
| MM75 | 118 | Policy CH14 Maryhill Day Centre, Wilmot Drive and Paragraph 13.63 (supporting information to Policy CH14 Maryhill Day | <p>To delete criteria 1, as follows:-</p> <p>Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend text immediately after Paragraph 13.63, as follows: -</p> <p>Add paragraph number 13.64 to text starting 'Allocation of a site.....'</p> | To remove references to policy SA1 from the policy | MM |

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| | | Centre, Wilmot Drive) | | | |
| MM76 | 118-119 | Policy CT20 (Rowhurst Close) | <p>To delete criteria 1, as follows:- Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 6, as follows: - Submission of a land contamination and coal mining risk assessment and mitigation strategy</p> | To remove duplication with criterion 4 and to remove references to policy SA1 from the policy in the interests of clarity and therefore effectiveness | MM |
| MM77 | 119 | Policy KL13 (Keele Science Park, Phase 3) and supporting information, paragraph 13.74 | <p>To delete criteria 1, as follows: - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 5, as follows: - The delivery of a link road and walking / cycling links from the A53 Whitmore Road through site allocation TB19 Land South of Newcastle Golf Club through to the A525 Keele Road. The provision of a safeguarded route through the site to facilitate the future provision of a transport link between the A525 and A53. An indicative route to be safeguarded is shown on the Policies Map</p> <p>To amend paragraph 13.74 as follows: - 13.74 There is the need for a link road and walking / cycling links from the A53 Whitmore Road through site allocation TB19 Land South of Newcastle Golf Club through to the A525 Keele Road. The master planning for KL13 will give consideration to the alignment of a potential link road. The opportunity to deliver a joined up public transport system linking Keele University and Local Plan site allocations TB19, KL13 KL15 and SP11 will be explored as part of a joint approach. The road should be designed to manage traffic flow. A safeguarded route for a transport link through the site between the A525 and A53 is shown on the Policies Map. The precise specification and route would be determined as part of a future planning application. The transport link should be capable of accommodating a bus route.</p> | To remove references to policy SA1 from the policy To ensure consistency between sites KL13, KL15 and TB19 as to how the Link Road is referenced in the interests | MM |

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| | | | | of clarity and therefore effectiveness | |
| MM78 | 121 – 123 | Policy KL15 Land South of A525 Keele and paragraph 13.89 of the supporting information | <p>To delete criteria 1, as follows: - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 5, as follows:-</p> <p><u>5. The site should deliver a link road and walking / cycling links from the A53 Whitmore Road through site allocation TB19 Land South of Newcastle Golf Club through to the A525 Keele Road. Contributions towards the provision of a transport link between the A525 and A53 shown as a safeguarded link on the Policies Map.</u></p> <p><u>13.89 There is a need for the delivery of a link road and walking / cycling links from the A53 Whitmore Road through site allocation TB19 Land South of Newcastle Golf Club through to A525 Keele Road. The master planning for KL15 will give consideration to the alignment of a potential link road. The opportunity to deliver a joined up public transport system linking Keele University and Local Plan site allocations TB19, KL13, KL15 and SP11 will be explored as part of a joint approach. The road should be designed to manage traffic flow. Developer contributions will be required towards the provision of a transport link between the A525 and A53 shown as a safeguarded link on the Policies Map. The level of contributions required will be determined through all future planning applications on the site and as determined through a transport assessment.</u></p> | <p>To remove references to policy SA1 from the policy</p> <p>To ensure consistency between sites KL13, KL15 and TB19 as to how the Link Road is referenced in the interests of clarity and therefore effectiveness.</p> | MM |
| MM79 | 124 | Policy KG6 William Road, Kidsgrove (site of the Galley PH) | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To delete references to Policy SA1 | MM |
| MM80 | 124 | Policy G&T 11 (Land at Hardings) | <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To add a new criterion, as follows: -</p> | To ensure the policy | MM |

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| | | Wood Road, Kidsgrove) | <u>"A site-specific Flood Risk Assessment should be prepared for the site alongside a Surface Water Drainage Strategy which includes a SuDs maintenance and management plan"</u> | is effective. | |
| MM81 | 125 | Policy KS3 (Land at Blackbank Road, Knutton) and supporting information (paragraphs 13.107 – 13.118) | <p>To delete site KS3 (Land at Blackbank Road) and supporting text, as follows:-</p> <p>Policy KS3 Land at Blackbank Road, Knutton Land at Blackbank Road is allocated for residential development for 150 dwellings. Development will be permitted subject to:</p> <ol style="list-style-type: none"> 1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), 2. Development should reflect masterplanning proposals for the wider Knutton area and any site-specific implications, 3. Access to the development being via the B5367, High Street, 4. The layout and development of the site will be landscape led and buildings or structures are designed to ensure they are not intrusive in significant views from the surrounding area, including on its western periphery where it meets the Green Belt, 5. A sequential approach being taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding, 6. Proximity of the Site of Biological Importance (SBI) to the north of KS3 being recognised, and any impacts mitigated, 7. Submission of a coal mining risk assessment, land contamination assessment and mitigation strategy in relation to area of former mining activity, 8. Submission of a noise assessment and mitigation strategy in relation to the impact of nearby quarry operations, 9. Submission of an odour assessment and mitigation strategy in relation to nearby agricultural uses, 10. Preservation of the existing Public Right of Way that adjoins the site's western boundary, 11. Protection of the mature trees found, including their root network, 12. Consideration of alternative sports provision, recognising the site's most recent use as school playing fields, 13. Financial contributions to improvements in the capacity of local schools and health facilities. 14. Financial contributions to highways improvements to facilitate the distribution of traffic from the A525 to Whitmore Road <p>Supporting Information</p> <p>13.107 The site is located at the edge of the Newcastle-under-Lyme Strategic Centre and is approximately 2km from the town centre. It is bounded by existing residential properties to the immediate north and south and abuts the Green Belt on its western perimeter. The immediate urban area comprises of residential properties, with industrial and quarry operations also in the locality.</p> | To ensure the provision in the Plan are justified. | MM |

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| | | | <p>13.108 The site provides an opportunity to deliver 150 homes in a sustainable location adjoining Newcastle-under-Lyme and close proximity to key services, amenities and infrastructure well connected by public transport.</p> <p>13.109 Site access will be achieved via the B5367 High Street through a single access point. Development of the site may require junction improvements and offsite improvements secured through financial contributions.</p> <p>13.110 A Public Right of Way (Newcastle 61) adjoins the site and the development will need to preserve and enhance connectivity to this route.</p> <p>13.111 Lymedale Business Park Site of Biological Importance is located in very close proximity (<200m) to the northern site boundary. Appropriate regard should be had to this area of high biodiversity interest to mitigate against harm.</p> <p>13.112 In acknowledgement of the site's location immediately adjacent to an expanse of Green Belt, the development will take a landscape-led approach to ensure the layout of development and the design of buildings and structures is appropriate for the setting.</p> <p>13.113 Assessments and mitigation strategies are required in relation to the former land mining use and in relation to the impact from the nearby land uses and operations.</p> <p>13.114 A limited part of the site is affected by surface water flooding. A sequential approach will be taken within the site to direct development to areas of lowest flood risk.</p> <p>13.115 Dependent on the timing, phasing and dwelling breakdown of the housing development education contributions may be necessary.</p> <p>13.116 There is an existing overhead powerline that crosses the central part site from east to west and this will influence the layout and design of development on the site. Residential development will be located an appropriate distance from the powerlines.</p> <p>13.117 The infrastructure delivery plan identifies that contributions are required towards the Newcastle Central and Newcastle South Primary Care Networks to support adaptation / expansion of the existing estate.</p> <p>13.118 Allocation of a site establishes the principle of a particular use. Any future planning application(s) will be determined in accordance with the relevant policy criteria applicable to the site, other relevant policies in the Local Plan and any other material considerations. As such, the detail provided at the planning application stage may result in minor adjustments to the overall quantum of development achieved on the site.</p> | | |
| MM82 | 126 | Policy KS11 (Knutton Community Centre, High Street, Knutton) | To delete criteria 1 of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To delete reference s to Policy SA1 | MM |
| MM83 | 127 | Policy KS17 Knutton | To delete criteria 1, of the policy:- | To delete reference | MM |

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| | | Recreation Centre, Knutton Lane | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | s to Policy SA1 | |
| MM84 | 127 | Policy KS18 Land North of Lower Milehouse Lane | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To delete reference s to Policy SA1 | MM |
| MM85 | 128 | Policy KS19 Land at Knutton Lane | To amend the policy wording as follows:- Land at Knutton Lane is allocated for residential development for 5 dwellings. Development will be permitted subject to:- 1. the site satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To delete reference s to Policy SA1 | MM |
| MM86 | 129 | Policy LW53 Land at Corner of Mucklestone Wood Land | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), To make the following amendments to criteria 7, 8 and 9 7. Submission of an appropriate land contamination assessment and mitigation strategy in relation to impact of the former Tagedale Quarry landfill site, 8. Submission of an appropriate a noise impact assessment and mitigation strategy in relation to the impact of the A53, B0526 and Ranworth Lodge Kennels, 9. Submission of an appropriate assessment and mitigation strategy to prevent deterioration of the SPZ3 Bearstone Groundwater Protection Zone and protect controlled water receptors | To delete reference s to Policy SA1 and ensure the effectiveness of the policy. | MM |
| MM87 | 131 | Policy MD29 (Land North of Bar Hill) | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), To add the following text to the end of criteria 3 “...Over the rail line to provide access to Madeley ” To make the following updates to criteria 6,7 and 8 of the policy:- | To delete reference s to Policy SA1 and ensure the effectiveness of the policy. | MM |

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| | | | <p>6. <u>A flood risk assessment should be prepared for the site. The Flood Risk Assessment should consider surface water impacts on the site. Any proposal should provide drainage details for surface water on the site,</u></p> <p>7. <u>Any masterplanning work on the site should take into account the proximity of Bar Hill Ancient Woodland to the west of the site. A tree survey and an ecological survey should be undertaken to understand and mitigate any impacts on Ancient Woodland as appropriate. Impacts on the Ancient Woodland Proximity of Bar Hill Wood Ancient Woodland in near proximity (<500m) to the west of the site being recognised, & any impacts, mitigated,</u></p> <p>8. <u>A tree survey should be prepared to identify trees subject to Tree Preservation Orders, as appropriate. Recognition of Tree Preservation Orders (TPO), including root networks,</u></p> <p>To insert a new criterion (13) as follows: -</p> <p><u>13. A programme of archaeological recording to investigate the nature of and significance of any archaeological remains that survive on the site</u></p> | | |
| MM88 | 133 | Policy NC13 Land West of Bullockhouse Road, Harriseahead and supporting text, paragraph 13.160 | <p>To delete criteria 1, of the policy:-</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>13.160 A financial contribution will be required to support local bus provision. A coal mining assessment will be required due to <u>former</u> land uses of the site.</p> | To delete reference s to Policy SA1 | MM |
| MM89 | 134 | Policy SP2 Cheddar Drive, Silverdale | <p>To delete criteria 1, of the policy:-</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> | To delete reference s to Policy SA1 | MM |
| MM90 | 135 - 136 | Policy SP11 (Lyme Park, Silverdale) and Figure 3 | <p>To amend reference in SP11 (4), as follows:-</p> <p>SP11 (4) – Park Road – a development of 100 homes accessed from a new road from the junction of Race Course and Park Road to the north east of the site. For SP11(4) no dwellings will be occupied before the cessation of the disposal of non-hazardous waste at the Walley's Whalley's Quarry Landfill Site, currently anticipated December 2026.</p> <p>To delete criteria 1, of the policy:-</p> | To delete reference s to Policy SA1 To correct a spelling error and | MM |

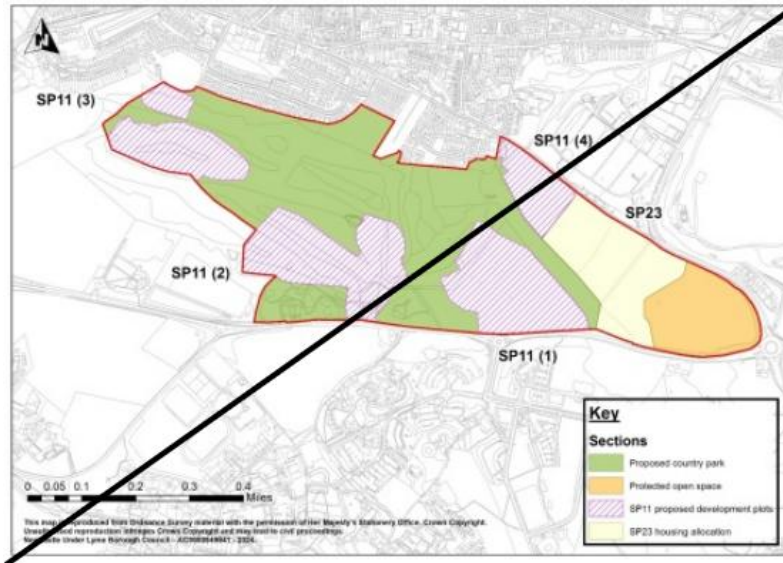
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| | | <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 7, as follows:-</p> <p>7. the preparation and agreement of a masterplan and design code prepared for the site <u>which considers the following matters should be prepared in line with Policy SA1 (General Requirements):</u></p> <p>Amend 7b</p> <p>b. Provide appropriate ecological buffer(s) to Bogs Wood Site of Biological Interest (Local Wildlife Site) and Jobs Wood should be provided. Impacts on the Site of Biological Interest should be minimised through the provision of open space, additional planting and restriction of access into the Local Wildlife Site. This should also consider Redheath Plantation adjoining the site,</p> <p>To add the following text to the end of policy criteria 8, as follows:-</p> <p><u>This should include an assessment on the structural stability of the “Springpool Spring and Pool” Bund and mitigation measures identified and implemented, as appropriate</u></p> <p>To amend criteria 9 as follows:-</p> <p>9. Submission of a noise mitigation strategy <u>which satisfactorily addresses the potential impact of noise in relation to the impact of noise</u> from the A525 Keele Road, Keele Driving Range, Cricket Ground and other sensitive uses in and in close proximity to the site,</p> <p>To amend criteria 10 as follows:-</p> <p>10. Submission of an odour assessment and potential mitigation <u>to address given</u> adjacent farm and industrial uses</p> <p>To amend criteria 12 as follows:-</p> | <p>ensure the overall effectiveness of the policy.</p> | |
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12. Submission of a land contamination assessment and mitigation strategy. This should recognise the importing of material required to build the golf course previously to support the previous use on the site

To add criteria 17 to the policy, as follows:-

Financial contributions to the delivery of infrastructure and ongoing maintenance of the Countryside Park.

To replace Figure 3, as follows:-



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| MM91 | 137 | Paragraph 13.177 (supporting information to Policy SP11 Lyme Park, Silverdale) | <p>To amend paragraph 13.173, as follows:- 13.173 An internal link road that runs between the two sites accessed via Keele Road and the Ashbourne Drive link roads should be sensitively designed to reflect the landscape and wider setting and to discourage external through movements (i.e. rat running) through the site.</p> <p>To amend paragraph 13.177, as follows: - ‘... Walleys Quarry Landfill Site, which is currently operational is located in close proximity to the site. No dwellings on parcel 4 on Park Road should be occupied until the <u>importation of non-hazardous waste to Walleys Quarry landfill ceases.</u> the operation of Walleys Quarry as a landfill site has ceased which is anticipated in 2027....’</p> <p>To amend paragraph 13.178 as follows:-</p> <p>13.178 In the delivery of the Local Centre, the site should consider the need <u>provide</u> for a new build health hub <u>location. The health hub will serve the Newcastle South Primary Care Network and early engagement with the relevant health providers will be required.</u> Contributions may also be required to the improvement of local schools and health facilities. Reference should be made to the Infrastructure Delivery Plan, and associated schedules.</p> | To ensure the effectiveness of the plan. | MM |
| MM92 | 138 | Policy SP22 Former Playground, Off Ash | <p>To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> | To delete references to | MM |

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| | | Grove, Silverdale | <p>To amend criteria 7, as follows: -</p> <p>To add additional text to the criteria:</p> <p><u>"A site-specific Flood Risk Assessment should be prepared for the site alongside a Surface Water Drainage Strategy which includes a SuDs maintenance and management plan"</u></p> | <p>Policy SA1</p> <p>To ensure consistency with the outcomes of the Level 2 Strategic Flood Risk Assessment.</p> | |
| MM93 | 138 | Policy SP23 (Land at Cemetery Road) | <p>To delete criteria 1, of the policy:-</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 3, as follows: -</p> <p>No dwellings being occupied before the cessation of the disposal of non-hazardous waste at the <u>Walleys Whalley's Quarry Landfill Site, currently anticipated December 2026,</u></p> | To ensure the effectiveness of the policy | MM |
| MM94 | 139 | Paragraph 13.187 (supporting information to Policy SP23 Land at Cemetery Road / Park Road) | <p>To amend Paragraph 13.187, as follows: -</p> <p>"...no dwellings on site should be occupied <u>until the importation of non-hazardous waste to Walleys Quarry landfill ceases.</u> the operation of Walleys Quarry as a landfill site has ceased which is anticipated in 2027....</p> | To ensure the effectiveness of the policy. | MM |
| MM95 | 139 - 140 | Site G&T 8 (Land West of Silverdale Business Park) | <p>To delete the policy, as follows:-</p> <p>Site G&T 8 Land West of Silverdale Business Park</p> <p>The land west of Silverdale Business Park, Silverdale, as shown on the Policies Map is allocated for 5</p> | To ensure the provision in the | AM |

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| | | | <p>Gypsy and Traveller Pitches, subject to:-</p> <p>1. Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements);</p> <p>2. Retaining existing boundary treatments to the site,</p> <p>3. No pitches should be occupied before the cessation of the disposal of non-hazardous waste at the Whalley's Quarry Landfill Site, currently anticipated December 2026</p> <p>4. Use of permeable materials as replacement hardstanding, where required, and provide a drainage strategy to manage surface run-off from the site,</p> <p>5. A sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding,</p> <p>6. Provision of appropriate visibility splay and access arrangements from Park Road,</p> <p>7. Submission of a noise assessment and mitigation strategy in relation to the impact of the adjacent business park.</p> <p>Supporting information</p> <p>13.190 The site is allocated to meet the accommodation needs of Gypsy and Travellers. Occupation of any development will be restricted to persons complying with the definition of Gypsy and Travellers and conditions will be imposed to permanently govern the occupation of the site.</p> <p>13.191 Any development would need to make sure that prospective occupiers would enjoy an acceptable level of residential amenity. Amenity issues in respect of the maintenance of equipment and other matters should be suitably addressed through planning conditions.</p> <p>13.192 Walleys Quarry Landfill site which is currently operational and is in close proximity to the site. No pitches on site should be occupied until the operation of Walleys Quarry as a landfill site has ceased which is anticipated in 2027.</p> <p>13.193 There is an expectation that the requirements of policy HOU 4 Gypsy, Travellers and Travelling Showpeople are addressed</p> | Plan are justified | |
| MM96 | 140 | Policy BL8 Land adj to roundabout at West Avenue, Kidsgrove | <p>To delete criteria 1, of the policy:-</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements);</p> | To remove references to Policy SA1 from the Plan | MM |
| MM97 | 141 | Policy BL18 (Land at Clough Hall) Criterion 4 | <p>To delete criteria 1, of the policy:-</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements);</p> | To remove references to | MM |

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|------|-----|--|---|---|----|
| | | | <p>To amend criteria 4, as follows: - ...including surface water flooding and sewer flooding. <u>A site-specific Flood Risk Assessment and Drainage Strategy for the site should be prepared</u></p> <p>To amend criteria 9, as follows:- 9. In line with Policy SA1 (General Requirements), a masterplan to should be prepared for the site which will:-</p> <p>To amend criteria 11, as follows: - Amend to read 'Financial contributions ...'</p> | <p>Policy SA1 from the Plan.</p> <p>To ensure the effectiveness of the policy.</p> <p>To ensure consistency with the outcomes of the Level 2 Strategic Flood Risk Assessment.</p> <p>To correct a drafting error.</p> | |
| MM98 | 142 | Paragraph 13.205 (supporting information to Policy BL18 Land at Clough Hall) | <p>To amend Paragraph 13.205, as follows: - To add additional text to the end of Paragraph 13.205: <u>"...The sewers and risk of flooding will need careful assessment in the detailed design, masterplanning and drainage details for the site. Applicants should engage with relevant statutory undertakers, as appropriate".</u></p> <p>To amend Paragraph 13.206, as follows: - The site is located in an area that was previously subject to mining operations. Appropriate land contamination studies and coal mining assessments will be required to support the appropriate delivery of the site. This will need careful assessment and consideration in the detailed design, masterplanning and drainage details for the site. <u>Applicants should engage with the relevant provider to consider the detailed design of the site and drainage</u></p> | <p>To ensure the effectiveness of the policy.</p> | MM |

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| | | | details. Applicants should consider site topography and any exceedance flow paths. Resultant layouts and levels should take account of such existing circumstances. In accordance with national and Local Plan policy, an effective drainage strategy will be established, and a sequential approach applied within the site directing development to areas of lowest flood risk | | |
| MM99 | 142 | Policy BL32 Land at Congleton Road | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Plan | MM |
| MM100 | 144 | Policy TK6 Site at Coalpit Hill | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Plan | MM |
| MM101 | 144 - 145 | Policy TK10 Land at Crown Bank, Talke and Butt Lane | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Plan | MM |
| MM102 | 145 | Paragraph 13.222 (Supporting information to Policy TK10 Land at Crown Bank, Talke and Butt Lane) | To amend Paragraph 13.222, by adding additional text to end of the paragraph as follows: - <u>“Access to sewers located on the site should be maintained alongside an appropriate standoff distance”</u> | To ensure the effectiveness of the supporting information to the policy | MM |
| MM103 | 146 | Policy TK17 Land off St Martins Road | To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Plan | MM |

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| MM104 | 147 | Policy TK27 Land off Coppice Road | <p>To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend Criteria 8 as follows:- <u>An assessment of the need for off-site highway improvements, including at the Coppice Road / Merelake Road / Coal Pit Lane Junction, and offsite footway improvements. Improvements required at Coppice Road / Merelake Road / Coal Pit Lane Junction for Highway Safety reasons. Offsite footway improvements required on the site frontage and from the site to local school, bus stops and shops</u></p> | To remove references to policy SA1 from the Plan and to ensure the effectiveness of the policy | MM |
| MM105 | 148 | Policy TB6 Former Pool Dam Pub Site | <p>To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>Amend criteria 2:- No dwellings being occupied before the cessation of the disposal of non-hazardous waste at the <u>Walleys Whalley's</u> Quarry Landfill Site, currently anticipated December 2026</p> | To remove references to policy SA1 from the Plan and to ensure the effectiveness of the policy | MM |
| MM106 | 149 | Policy TB19 (Land South of Newcastle Golf Club) | <p>To delete criteria 1, of the policy:- Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 6, by adding additional text, as follows: - <u>"A site-specific Flood Risk Assessment should be prepared for the site alongside a Surface Water Drainage Strategy which includes a SuDs maintenance and management plan. This should investigate the need for a detailed hydraulic model of adjacent watercourses"</u></p> <p>To amend criteria 9 as follows:- 9. Provision of strategic open space, <u>in the form of a country park</u>, to the south-west of the site adjacent to the M6 Motorway in accordance with an agreed masterplan, noise mitigation strategy and ecological mitigation strategy. <u>The strategic open space should be retained in the wider Green Belt. A clearly recognisable, permanent and durable boundary with the Green Belt should be created through the planting of appropriate native species.</u></p> | <p>To remove references to policy SA1</p> <p>To ensure the effectiveness of the policy.</p> <p>To ensure</p> | MM |

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|-------|-----|--|--|---|----|
| | | | <p>To amend criteria 11, as follows: - <u>The provision of a link road to facilitate a connection to the A525 Keele Road, working with Keele University and enhancement of existing Public Rights of Way and Green Infrastructure. The provision of a safeguarded route through the site to facilitate the future provision of a transport link between the A525 and A53. An indicative route to be safeguarded is shown on the Policies Map.</u></p> <p>To add a new criterion (13), as follows: - <u>"13. To prepare a ball strike assessment to assess impact on Newcastle Golf Club and implement any recommended measures identified"</u></p> | <p>consistency between sites KL13, KL15 and TB19 as to how the Link Road is referenced.</p> | |
| MM107 | 150 | <p>Paragraph 13.240 – 13.243 (supporting information to Policy TB19 Land South of Newcastle Golf Club)</p> | <p>Amend 13.240 <u>13.240 There is potential for the delivery of a link road from the A53 Whitmore Road through the site to Keele University and connecting to site allocations in the north. The site should provide safeguarding for a potential road link with the alignment of the road to be agreed with the Council. The opportunity to deliver a joined up public transport system linking Keele University and Local Plan site allocations TB19, KL13 KL15 and SP11 will also be explored. A safeguarded route for a transport link through the site between the A525 and A53 is shown on the Policies Map. The precise specification and route would be determined as part of a future planning application. The transport link should be capable of accommodating a bus route.</u></p> <p>Amend Paragraph 13.243, as follows: - Amend paragraph to read ‘.....sewer network, the site...’</p> | <p>To ensure the effectiveness of the supporting information to the policy</p> | AM |
| MM108 | 151 | <p>Policy TB23 (Land West of Galingale View)</p> | <p>To delete criteria 1, of the policy:- Delete criteria 1 : - <u>Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</u></p> <p>Amend criteria 2, as follows:- No dwellings being occupied before the cessation of the disposal of non-hazardous waste at the <u>Walleys Whalley's Quarry Landfill Site, currently anticipated December 2026</u></p> <p>To amend criteria 3, as follows: - Amend to read ‘....<u>Rosemary Hill</u>....’</p> <p>To amend criteria 6 by adding additional text to the end of the criteria, as follows: -</p> | <p>To remove references to policy SA1</p> <p>To correct spelling errors.</p> <p>To ensure the effectiveness</p> | MM |

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| | | | <u>“A detailed hydraulic model should be prepared at the planning stage to inform the developable area, including a site specific Flood Risk Assessment with mitigation to reduce flood risk. This study should also inform an appropriate surface water drainage system, informed by an appropriate hydraulic and hydrological risk assessment”</u> | ess of the policy and informed by a statement of common ground with the Environment Agency. | |
| MM109 | 152 | Paragraph 13.260 (supporting information to Policy TB23 Land West of Galingale View) | To amend Paragraph 13.260, as follows:- 13.260 Walleys Quarry Landfill operation is located adjacent to the western site boundary. An assessment including relevant surveys and mitigation strategy is required in relation to the potential impact of landfill on controlled water receptors, landfill gas migration and odours. Dwellings will not be occupied until the operation of Walleys Quarry as a landfill site has ceased . This will mitigate against potential polluting impacts from the landfill site and enable the continued operation of the landfill site. The development of the site will also give consideration to the Staffordshire Waste Local Plan and particularly safeguarding Policy 2.5. | To ensure the effectiveness of the policy. | MM |
| MM110 | 152 | Policy TC7 (Land bound by Ryecroft, Ryebank, Merrial Street, Corporation Street and Liverpool Road, Newcastle) | To amend as follows: - ...and commercial uses of 75-228 dwellings and 1.63 hectares of gross employment land Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To reflect planning permissions 24/00840 /FUL and 24/00792 /FUL and remove references to policy SA1 from the Plan. | MM |
| MM111 | 153 | Policy TC19 (Hassell Street Car Park) | To amend the first sentence on the policy as follows: - First sentence to read: ‘.....is partially allocated....’ Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To clarify that part of the site will accommodate residential | MM |

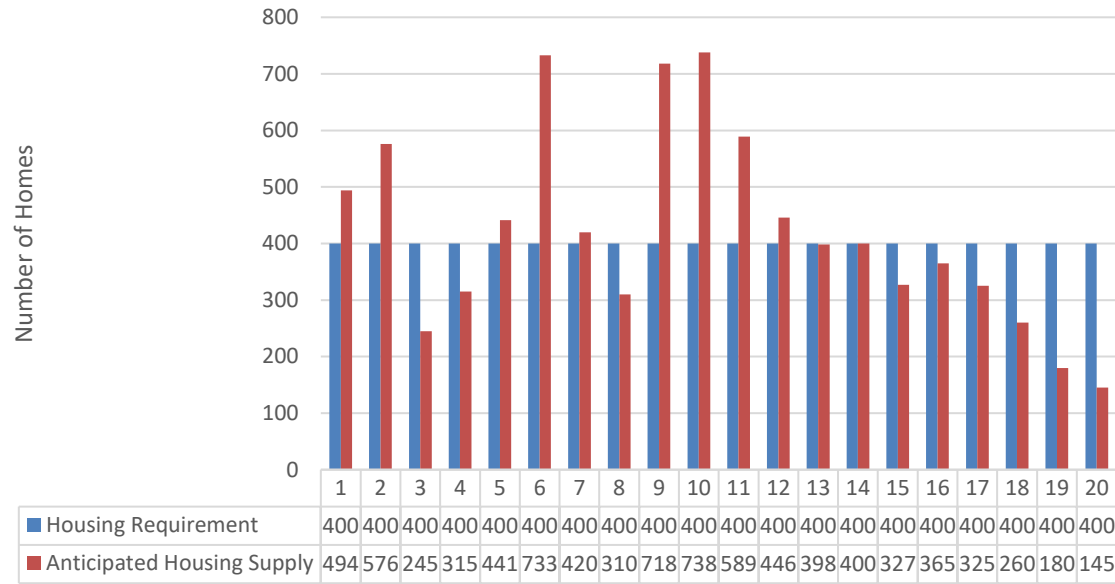
| | | | | | |
|-------|-----|------------------------------------|--|--|----|
| | | | | development but the remaining will continue to serve as car parking. To remove references to policy SA1 from the Plan. | |
| MM112 | 154 | Policy TC20 (King Street Car Park) | <p>To amend the first sentence on the policy as follows: - First sentence to read: '.....is partially allocated....'</p> <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> | <p>To clarify that part of the site will accommodate residential development but the remaining will continue to serve as car parking. To remove references to policy SA1 from the Local Plan</p> | MM |

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|-------|-------------|---|--|---|----|
| MM113 | 154/ 155 | Policy TC22 (Marsh Parade, Newcastle, Former Zanzibar Night Club) | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Local Plan | MM |
| MM114 | 155 | Policy TC40 (Car Park, Blackfriars Road) | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), To amend criteria 7 by adding additional text, as follows: - <u>“A site-specific Flood Risk Assessment should be prepared for the site alongside a Surface Water Drainage Strategy which includes a SuDs maintenance and management plan”</u> | To ensure consistency with the outcomes of the Level 2 Strategic Flood Risk Assessment. | MM |
| MM115 | 156 | Policy TC45 (York Place, Newcastle Town Centre) | To add additional text, as follows: - Is allocated <u>for residential development for 42 dwellings</u> and commercial uses. Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), To add an additional criterion (8), as follows: - 8. <u>Financial contributions to improvements in the capacity of local schools and health facilities</u> | To reflect (officer recommended for approval) planning application 24/00795 /FUL. To align with the Infrastructure Delivery Plan and ensure consistency with | MM |

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| | | | | other town centre (TC prefixed) residential allocations. | |
| MM116 | 156 | Paragraph 13.278 (supporting information for Policy TC45 York Place, Newcastle Town Centre) | To amend Paragraph 13.278 by adding additional text, as follows:- <u>The infrastructure delivery plan identifies that contributions are required towards the Newcastle Central / Newcastle South Primary Care Networks to support adaptation / expansion of the existing estate.</u> | To align with the Infrastructure Delivery Plan and ensure consistency with other town centre (TC prefixed) residential allocations. | MM |
| MM117 | 156 | Policy TC50 Land at Cherry Orchard Car Park | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from the Local Plan | MM |
| MM118 | 158 | Policy TC52 Goose Street Car Park | Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements), | To remove references to policy SA1 from | MM |

| Page 174 | | | | the Local Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------|------------------|--|--|---|--|--------------|---|-----|-----|---|-----|-----|---|-----|-----|---|-----|-----|---|-----|-----|---|------|-----|---|-----|-----|---|-----|-----|---|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|-----|-----|----|----|-----|----|----|-----|----|----|-----|-----------------------------|----|
| | MM119 | 159 | Policy TC71 (Midway Car Park) | <p>Delete criteria 1 : - Satisfactorily addressing the site allocation requirements set out in Policy SA1 (General Requirements),</p> <p>To amend criteria 5, as follows: - Amend to read ‘....former clay <u>tobacco</u> pipe’</p> | To remove references to policy SA1 from the Local Plan | MM | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MM120 | 188 | Appendix 6 (Indicative Housing Trajectory) | <p>To replace housing trajectory image as follows:</p> <p>6.1 The housing trajectory illustrates the expected delivery rate of new dwellings over the Plan period.</p>  <table border="1"> <caption>Indicative Housing Trajectory 2023 - 2040</caption> <thead> <tr> <th>Year</th> <th>Housing Delivery</th> <th>Housing Need</th> </tr> </thead> <tbody> <tr><td>1</td><td>450</td><td>400</td></tr> <tr><td>2</td><td>720</td><td>400</td></tr> <tr><td>3</td><td>450</td><td>400</td></tr> <tr><td>4</td><td>500</td><td>400</td></tr> <tr><td>5</td><td>650</td><td>400</td></tr> <tr><td>6</td><td>1000</td><td>400</td></tr> <tr><td>7</td><td>850</td><td>400</td></tr> <tr><td>8</td><td>500</td><td>400</td></tr> <tr><td>9</td><td>480</td><td>400</td></tr> <tr><td>10</td><td>550</td><td>400</td></tr> <tr><td>11</td><td>450</td><td>400</td></tr> <tr><td>12</td><td>280</td><td>400</td></tr> <tr><td>13</td><td>180</td><td>400</td></tr> <tr><td>14</td><td>100</td><td>400</td></tr> <tr><td>15</td><td>70</td><td>400</td></tr> <tr><td>16</td><td>50</td><td>400</td></tr> <tr><td>17</td><td>40</td><td>400</td></tr> </tbody> </table> | Year | Housing Delivery | Housing Need | 1 | 450 | 400 | 2 | 720 | 400 | 3 | 450 | 400 | 4 | 500 | 400 | 5 | 650 | 400 | 6 | 1000 | 400 | 7 | 850 | 400 | 8 | 500 | 400 | 9 | 480 | 400 | 10 | 550 | 400 | 11 | 450 | 400 | 12 | 280 | 400 | 13 | 180 | 400 | 14 | 100 | 400 | 15 | 70 | 400 | 16 | 50 | 400 | 17 | 40 | 400 | To add clarity to the plan. | AM |
| Year | Housing Delivery | Housing Need | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 450 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | 720 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 450 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | 500 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 650 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 1000 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | 850 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 500 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 480 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | 550 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | 450 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | 280 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | 180 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | 100 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | 70 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 50 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | 40 | 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Housing Trajectory (In Plan Period Years)



Insert new text and image, as follows:- (a full copy of this table is provided at the end of the MM schedule)

The following table sets out the housing trajectory for the Borough:-

| Site List and Status | | | | | Annual Completions | | | | | | | | | | | | |
|---|--|-----------|----------------|---|--------------------|-------|-------|-------|-------------|-------|-------|-------|-------|-------|-------|--|--|
| Planning Ref | Name | Size (Ha) | Total Capacity | Planning Status | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 (est) | 25/26 | 26/27 | 27/28 | 28/29 | 29/30 | 30/31 | | |
| AB15 | Land North of Vernon Avenue | 1.55 | 33 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 20 | | |
| BL18 | Clough Hall, Talke | 13.5 | 150 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 30 | | |
| BL32 | Land at Congleton Road, Butt Lane | 0.85 | 20 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| BL8 | Land adj to West Avenue, Kidsgrove | 1.42 | 55 | Detailed Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 25 | | |
| CH14 | Maryhill Day Centre, Wilmot Drive | 0.69 | 30 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 20 | | |
| KG6 | William Road | 0.18 | 6 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| KL13 | Keele Science Park | 26.13 | 220 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| KL15 | Land south of A525 Keele Uni | 18.05 | 260 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| KS11 | Knutton Community Centre | 0.57 | 21 | Detailed Planning Permission | | | | | | 20 | 1 | 0 | 0 | 0 | 0 | | |
| KS17 | Knutton Recreation Centre | 2.33 | 54 | Detailed Planning Permission | | | | | | 30 | 24 | 0 | 0 | 0 | 0 | | |
| KS18 | Land North of Lower Mliehouse Lane | 0.12 | 10 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 5 | 5 | | |
| KS19 | Knutton Lane, Knutton | 0.08 | 5 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| LW53 | Land at Corner of Muckleston Wood Lane | 8.35 | 150 | Outline Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 30 | | |
| MD29 | Land North of Bar Hill | 15.7 | 155 | Resolution to grant planning permission | | | | | | 0 | 0 | 0 | 0 | 30 | 30 | | |
| NC13 | Land west of Bullockhouse Road | 3.19 | 100 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 30 | | |
| SP11 (1) | Keele Square, Lyme Park | 75.74 | 255 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| SP11 (2) | Keele Woods, Lyme Park | 75.74 | 310 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| SP11 (3) | Ashbourne Drive, Lyme Park | 75.74 | 235 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| SP11 (4) | Park Road, Lyme Park | 75.74 | 100 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| SP2 | Cheddar Drive | 0.26 | 14 | Resolution to grant planning permission | | | | | | 0 | 0 | 5 | 5 | 4 | 4 | | |
| SP22 | Former Playground Off Ash Grove | 0.7 | 42 | Resolution to grant planning permission | | | | | | 0 | 0 | 20 | 20 | 2 | 2 | | |
| SP23 | Land at Cemetery Road | 5.19 | 200 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TB19 | Land south of Newcastle Golf Club | 45.44 | 550 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 60 | | |
| TB23 | Land West of Galingate View | 4.36 | 124 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TB6 | Former Pool Dam Pub | 0.34 | 13 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TC19 | Hassell Street Car Park | 0.1 | 5 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 5 | | |
| TC20 | King Street Car Park | 0.34 | 10 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 5 | | |
| TC22 | Marsh Parade, Newcastle | 0.35 | 60 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 30 | | |
| TC40 | Car Park, Blackfriars Road | 0.2 | 10 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 5 | 5 | | |
| TC50 | Cherry Orchard Car Park | 0.06 | 5 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 5 | 0 | | |
| TC52 | Goose Street Car Park | 0.35 | 25 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TC7 | Ryecroft | 1.92 | 274 | Resolution to grant planning permission | | | | | | 0 | 0 | 30 | 30 | 30 | 30 | | |
| TC71 | Midway Car Park | 0.326 | 111 | Resolution to grant planning permission | | | | | | 0 | 0 | 30 | 30 | 30 | 30 | | |
| TK10 | Land at Crown Bank | 5.33 | 170 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 0 | 30 | | |
| TK17 | Land off St Martins Road | 1.23 | 40 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 20 | 20 | | |
| TK27 | Land off Coppice Road | 2.82 | 90 | Allocation without Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 30 | | |
| TK6 | Site at Coalpitt Hill | 0.46 | 10 | Allocation without Planning Permission | | | | | | 0 | 0 | 5 | 5 | 0 | 0 | | |
| LW67 | Former Petrol Station, Eccleshall Road | 0.19 | 12 | Resolution to grant planning permission | | | | | | 0 | 0 | 5 | 5 | 5 | 2 | | |
| SB12 | Land at Clayton Lodge Hotel | 1.79 | 48 | Detailed Planning Permission | | | | | | 20 | 20 | 8 | 0 | 0 | 0 | | |
| LW74 | Land at Baldwins Gate Farm | 12.82 | 200 | Detailed Planning Permission | | | | | | 0 | 30 | 30 | 30 | 30 | 30 | | |
| CH3 | Land at Hoon Avenue | 3.8 | 100 | Outline Planning Permission | | | | | | 0 | 0 | 0 | 0 | 30 | 30 | | |
| WS9 | Land off Lamphouse Way | 1.45 | 43 | Detailed Planning Permission | | | | | | 20 | 20 | 3 | 0 | 0 | 0 | | |
| RC8 | Land at Liverpool Road | 0.37 | 7 | Detailed Planning Permission | | | | | | 0 | 0 | 5 | 2 | 0 | 0 | | |
| Windfalls (if applicable) | | | | | | | | | | | | | | 35 | 35 | | |
| Completions (n.b 24/25 are estimated completions) | | | | | 494 | 576 | 245 | 315 | 441 | | | | | | | | |
| FUL5+ sites (excluding REG 19 and LP Appendix 4 sites) | | | | | | | | | | 325 | 239 | 133 | 112 | 63 | | | |
| FULL Less than 5 (excluding REG 19 and LP Appendix 4 sites) | | | | | | | | | | 73 | 40 | 10 | 12 | 1 | | | |
| COUCON (excluding REG 19 and LP Appendix 4 sites) | | | | | | | | | | 32 | 28 | 5 | 10 | 0 | | | |
| Student (excluding REG 19 and LP Appendix 4 sites) | | | | | | | | | | 208 | 6 | 0 | 168 | 126 | | | |
| Care (excluding REG19 and LP Appendix 4 sites) | | | | | | | | | | 0 | 1 | 0 | 0 | 0 | 0 | | |
| Outline (less than 10) (excluding REG 19 and LP Appendix 4 sites) | | | | | | | | | | 5 | 11 | 21 | 9 | 10 | | | |
| Total | | | | | 494 | 576 | 245 | 315 | 441 | 733 | 420 | 310 | 718 | 738 | | | |
| Local Plan Housing Requirement | | | | | 400 | 400 | 400 | 400 | 400 | 400 | 400 | 400 | 400 | 400 | 400 | | |
| Totals | | | | | 494 | 576 | 245 | 315 | 441 | 733 | 420 | 310 | 718 | 738 | | | |
| Shortfall / Exceedance compared to LP Housing Requirement | | | | | 94 | 176 | 155 | 85 | 41 | 333 | 20 | -90 | 318 | 338 | | | |

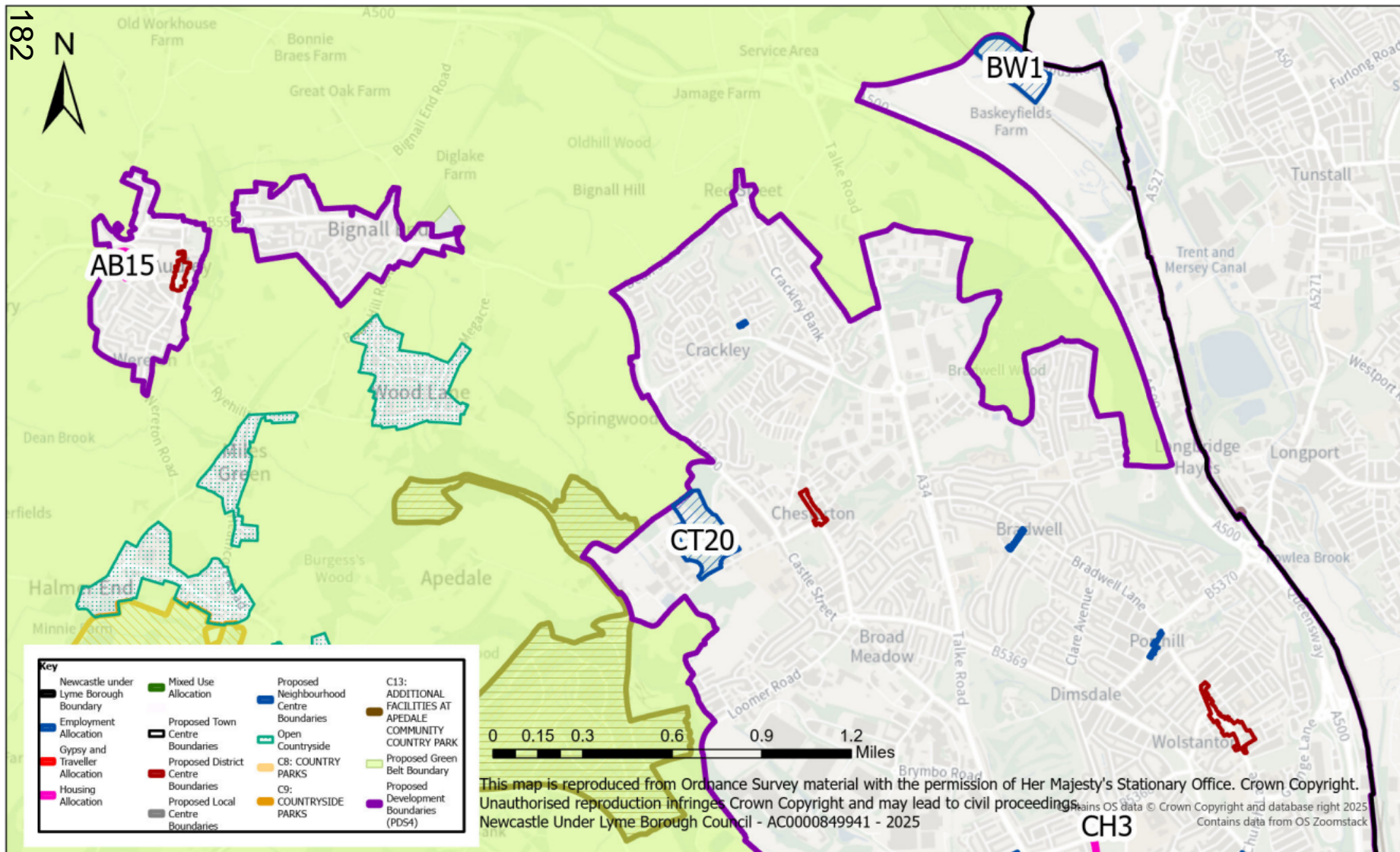
| MM121 | 200 | New Appendix 8 (Advice Note for General Requirements for Site Allocations) | <p>To create a new section and add text as follows: -</p> <p><u>This checklist is provided as guidance for applicants preparing planning applications for sites allocated in the Plan. It is intended to act as a prompt for the key matters that should be considered. It does not constitute policy and does not represent an exhaustive list of all requirements. All development proposals will be assessed against the relevant policies of this Plan, which should be read as a whole, and any other material considerations.</u></p> <p><u>Table 14 Site Allocation Considerations Checklist (new Table)</u></p> <table border="1"> <thead> <tr> <th data-bbox="510 464 947 512"><u>Consideration</u></th> <th data-bbox="947 464 1370 512"><u>Key Policy Links and Guidance</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="510 512 947 898"><u>Masterplanning</u></td> <td data-bbox="947 512 1370 898"><u>For major sites, particularly those in outline, applicants are encouraged to prepare a suitably proportionate masterplan to demonstrate how a high-quality, sustainable, and policy compliant scheme can be delivered. The specific scope and content of any masterplan should be discussed with the Council at an early stage.</u></td> </tr> <tr> <td data-bbox="510 898 947 1070"><u>Neighbourhood Plans</u></td> <td data-bbox="947 898 1370 1070"><u>Applicants should ensure proposals have regard to the aims, objectives, and policies of any 'Made' Neighbourhood Plan that covers their site</u></td> </tr> <tr> <td data-bbox="510 1070 947 1305"><u>Heritage and Archaeology</u></td> <td data-bbox="947 1070 1370 1305"><u>Proposals should consider impacts on heritage assets and their settings. A Heritage Impact Assessment and/or Archaeological Desk-Based Assessment may be required. Refer to Policy SE9.</u></td> </tr> <tr> <td data-bbox="510 1305 947 1404"><u>Landscape and Visual Impact</u></td> <td data-bbox="947 1305 1370 1404"><u>Proposals should consider the character of the landscape and key views. A Landscape and</u></td> </tr> </tbody> </table> | <u>Consideration</u> | <u>Key Policy Links and Guidance</u> | <u>Masterplanning</u> | <u>For major sites, particularly those in outline, applicants are encouraged to prepare a suitably proportionate masterplan to demonstrate how a high-quality, sustainable, and policy compliant scheme can be delivered. The specific scope and content of any masterplan should be discussed with the Council at an early stage.</u> | <u>Neighbourhood Plans</u> | <u>Applicants should ensure proposals have regard to the aims, objectives, and policies of any 'Made' Neighbourhood Plan that covers their site</u> | <u>Heritage and Archaeology</u> | <u>Proposals should consider impacts on heritage assets and their settings. A Heritage Impact Assessment and/or Archaeological Desk-Based Assessment may be required. Refer to Policy SE9.</u> | <u>Landscape and Visual Impact</u> | <u>Proposals should consider the character of the landscape and key views. A Landscape and</u> | To improve the effectiveness of the Local Plan | MM |
|------------------------------------|--|--|--|----------------------|--------------------------------------|-----------------------|--|----------------------------|---|---------------------------------|--|------------------------------------|--|--|----|
| <u>Consideration</u> | <u>Key Policy Links and Guidance</u> | | | | | | | | | | | | | | |
| <u>Masterplanning</u> | <u>For major sites, particularly those in outline, applicants are encouraged to prepare a suitably proportionate masterplan to demonstrate how a high-quality, sustainable, and policy compliant scheme can be delivered. The specific scope and content of any masterplan should be discussed with the Council at an early stage.</u> | | | | | | | | | | | | | | |
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| <u>Heritage and Archaeology</u> | <u>Proposals should consider impacts on heritage assets and their settings. A Heritage Impact Assessment and/or Archaeological Desk-Based Assessment may be required. Refer to Policy SE9.</u> | | | | | | | | | | | | | | |
| <u>Landscape and Visual Impact</u> | <u>Proposals should consider the character of the landscape and key views. A Landscape and</u> | | | | | | | | | | | | | | |

| | | | | | |
|--|--|--|---|--|--|
| | | | <u>Visual Impact Assessment (LVIA) may be required for major development or other proposals with potential for significant visual effects. Refer to Policy SE10.</u> | | |
| | | <u>Ecology and Biodiversity</u> | <u>Proposals should consider impacts on habitats, species, and designated nature conservation sites. A Preliminary Ecological Appraisal, further ecological surveys, and a Biodiversity Net Gain assessment will be required. Refer to Policies SE7 and SE8.</u> | | |
| | | <u>Trees and Hedgerows</u> | <u>Proposals should consider impacts on existing trees, hedgerows, and woodlands. An Arboriculture Impact Assessment may be required. Refer to Policy SE11.</u> | | |
| | | <u>Flood Risk, Drainage and Water Management</u> | <u>Proposals must consider flood risk from all sources and incorporate appropriate mitigation. A site-specific Flood Risk Assessment (FRA) and/or a Sustainable Drainage Systems (SuDS) strategy may be required. Refer to Policies SE3, SE4, and SE5</u> | | |
| | | <u>Amenity, Contamination and Environmental Health</u> | <u>Proposals must consider potential impacts on/from neighbouring uses (amenity), ground conditions, and air and water quality. Assessments for noise, odour, contamination, and air quality may be required. A Construction Environmental Management Plan (CEMP) may</u> | | |

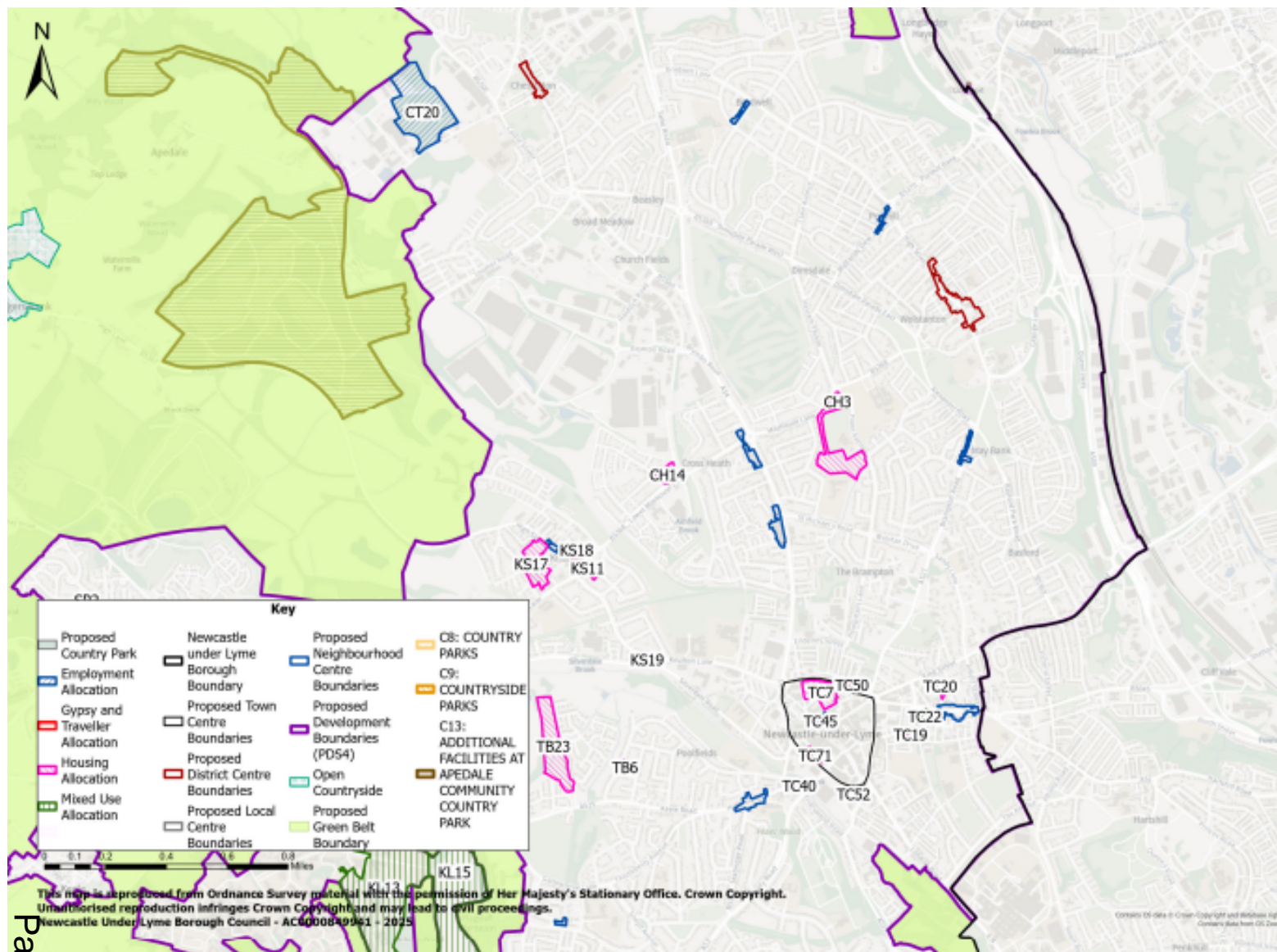
| | | | | | | | |
|--|--|--|--|---|--|--|--|
| | | | | <p><u>be required for major development. Refer to Policies SE1, SE2, and SE12</u></p> | | | |
| | | | <p><u>Infrastructure, Transport and Community Facilities</u></p> | <p><u>Proposals will be expected to be supported by, and where necessary contribute towards, required infrastructure. This includes transport, utilities (water, energy, digital), education, health, and community facilities. A Transport Assessment/Statement and Travel Plan may be required. For major schemes, a Utilities Masterplan may be required. Refer to Policies IN1, IN2, IN3, IN4, IN5, IN6, IN7 and PSD6</u></p> | | | |
| | | | <p><u>Green Belt Compensatory Improvements (for GB Sites Only)</u></p> | <p><u>Proposals on sites released from the Green Belt should provide compensatory improvements to the environmental quality and accessibility of the remaining Green Belt. Details of these measures should be informed by a site-wide masterplan and relevant evidence. Refer to Policy PSD5.</u></p> | | | |

Policies Map Modifications

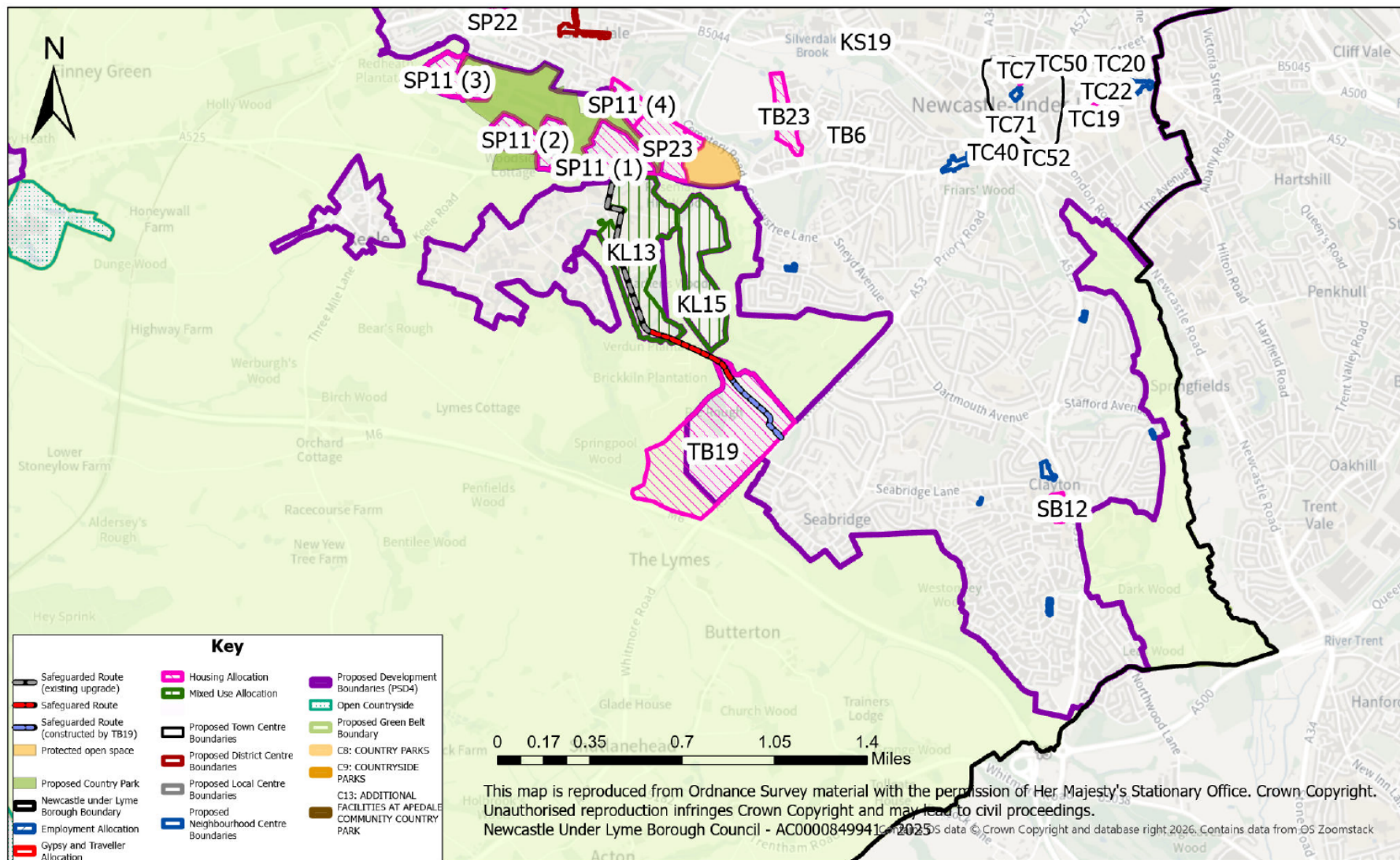
| Modification Reference | Page Number | Policy / Paragraph / Map Reference | Policies Map Modification |
|------------------------|-------------|--|--|
| PM01 | 2 | Strategic Centre Map (1) | Removal of AB12 'land east of Diglake Street' and AB33 'Land off Nantwich Road / Park Lane, Audley' and site CT1 'Land at Red Street' from the Policies Map. |
| PM02 | 3 | Strategic Centre Map (2) | Removal of CH13 'Castletown Grange', G&T Site 8 'Land West of Silverdale Business Park' and KS3 'Land at Blackbank Road' from the Policies Map. |
| PM03 | 3 | Strategic Centre Map (3) | Alteration of Green Belt boundaries, the development boundary line for SP11 'Lyme Park' and removal of G&T Site 8 'Land West of Silverdale Business Park' from the Policies Map. Modification of the Green Belt boundaries within site TB19 'Land South of Newcastle Golf Club'. Insertion of safeguarded transport route between TB19 'Land South of Newcastle Golf Club' and KL13 'Keele Science Park, Phase 3' on the Policies Map. |
| PM04 | 6 | Rural Centre – Audley & Bignall End Map (1) | Removal of AB12 'land east of Diglake Street' / AB33 'Land off Nantwich Road / Park Lane' from Policies Map. |
| PM05 | 9 | Rural Centre – Keele Village (with University Hub) Map | Removal of Site 8 'Land West of Silverdale Business Park' from Policies Map. Alteration of development and Green Belt boundaries at site SP11 'Lyme Park'. Amendment to Green Belt Boundary at TB19 'Land South of Newcastle Golf Club' and insertion of safeguarded land transport route between site TB19 'Land South of Newcastle Golf Club' and KL13 'Keele Science Park, Phase 3'. |



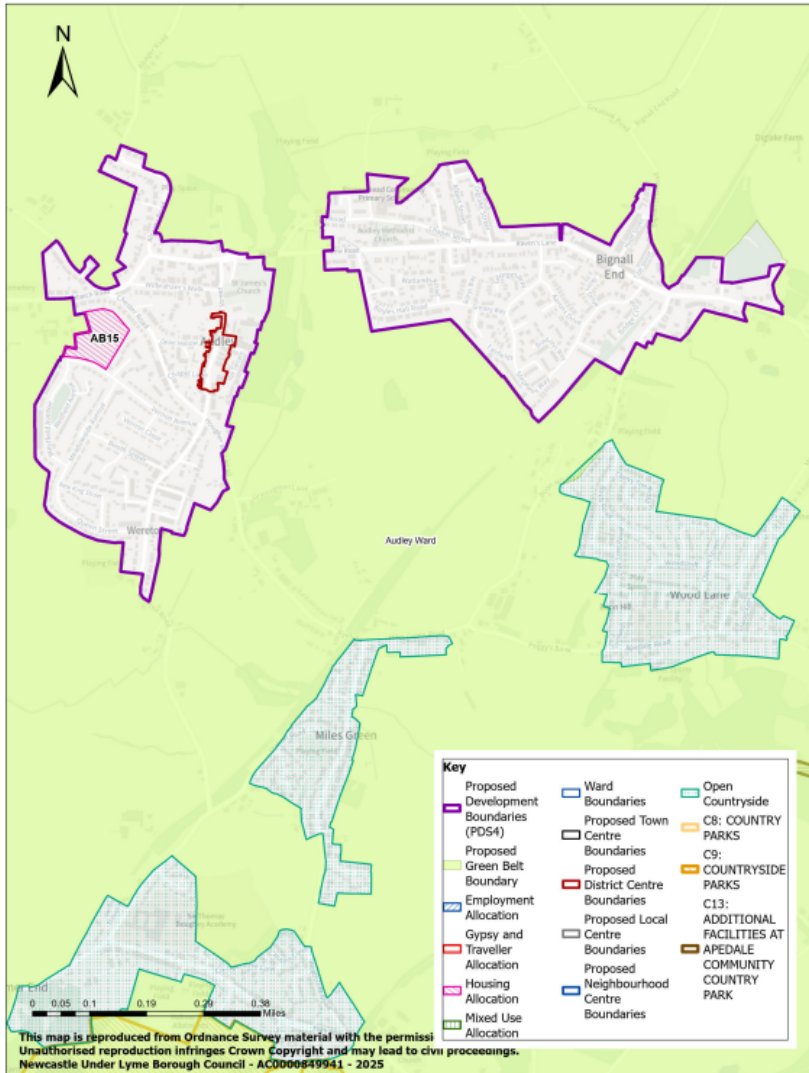
PM02 – Strategic Centre Map (2) – plan amended to remove CH13 ‘Castletown Grange’, G&T Site 8 ‘Land West of Silverdale Business Park’ and KS3 ‘Land at Blackbank Road’ from the Policies Map.



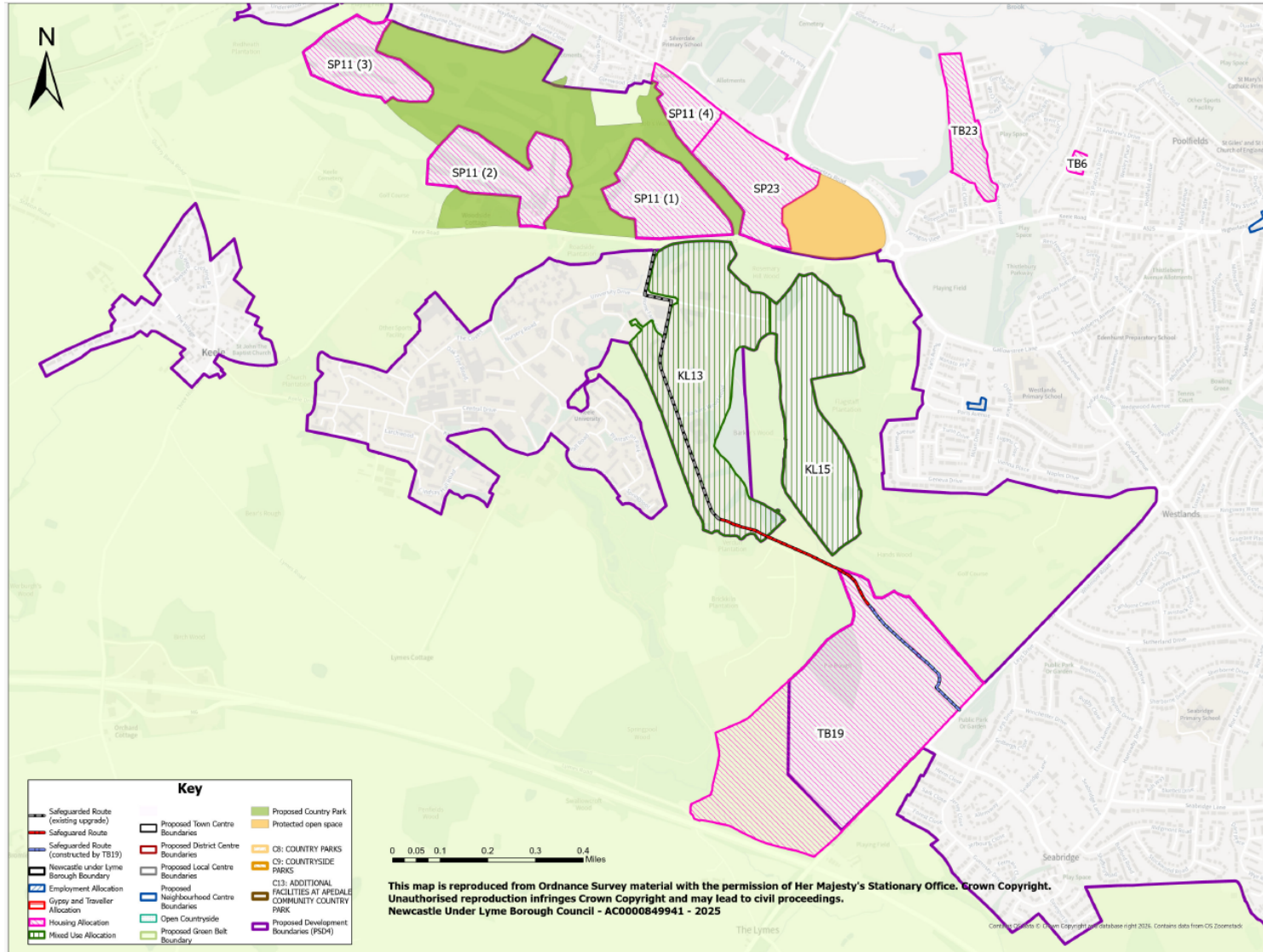
PA03 – Strategic Centre (3) – plan amended to reflect alteration of Green Belt boundaries, the development boundary line for SP11 ‘Lyme Park’ and removal of G&T Site 8 ‘Land West of Silverdale Business Park’ from the Policies Map. Modification of the Green Belt boundaries within site TB19 ‘Land South of Newcastle Golf Club’. Insertion of safeguarded transport route between TB19 ‘Land South of Newcastle Golf Club’ and KL13 ‘Keele Science Park, Phase 3’ on the Policies Map.



PM04 Rural Centre – Audley & Bignall End - Removal of AB12 'land east of Diglake Street' / AB33 'Land off Nantwich Road / Park Lane' from Policies Map.



PW105 – Rural Centre – Keele Village (with University Hub) Map - Removal of Site 8 'Land West of Silverdale Business Park' from Policies Map. Alteration of development and Green Belt boundaries at site SP11 'Lyme Park'. Amendment to Green Belt Boundary at TB19 'Land South of Newcastle Golf Club' and insertion of safeguarded land transport route between site TB19 'Land South of Newcastle Golf Club' and KL13 'Keele Science Park, Phase 3'.





Newcastle-Under-Lyme Local Plan 2020 – 2040
Schedule of Proposed Additional Modifications to the Submitted Local Plan
May 2026

Additional Modifications Appendix

The modifications below are expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text, or by specifying the additional modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan (examination document CD01, accessed here <https://www.newcastle-staffs.gov.uk/downloads/download/901/newcastle-under-lyme-local-plan>), and do not take account of the deletion or addition of text.

| Modification Reference | Page Number | Policy / Para / Map Reference | Additional Modification | Reason | Main Modification / Additional Modification |
|------------------------|-------------|-------------------------------|---|--|---|
| AM01 | All | All | To update page / paragraph / map / figure numbers in the final version of the document so that the numbers run sequentially through the document. To insert policy / site allocation boxes in the document to ease differentiation between policy and supporting text. | To update the final numbering so that the document runs sequentially. | AM |
| AM02 | Front Page | - | Title of Plan be amended to read ' Final Draft Newcastle-under-Lyme Borough Local Plan (Regulation 19) 2020-2040' and include a reference to when the document is adopted. | Minor text amendment to reflect proper title of the plan | AM |
| AM03 | 2 | Foreword | To update or remove the foreword following outcomes of local elections | Minor amendments to reflect the status of the Plan | AM |
| AM04 | 3-7 | Contents | Update Table of Contents to remove 'Section 1 (consultation not part of the Plan) referring to consultation and how to respond to the consultation and reorder contents and page numbers accordingly. Update Table of Contents to remove reference to First Homes in Policy HOU8 to read 'Rural and First Homes Exception Sites' Delete reference to policy SA1: General Requirements from the Table of Contents Remove Policy AB12 'Land at Diglake Street' from the table of contents | Minor text amendments to reflect wider changes which have been made to the Plan. | AM |

| | | | | | |
|------|-----|----------------------|---|--|----|
| | | | <p>Remove 'Policy AB33 Land off Nantwich Road/Park Lane from the table of contents</p> <p>Remove Policy CT1 'Land at Red Street and High Carr Farm, Chesterton' from the table of contents</p> <p>Remove Policy CH13 Castletown Grange, Douglas Road, Cross Heath from the table of contents</p> <p>Remove Policy KS3 'land at Blackbank Road, Knutton' from the table of contents</p> <p>Remove Site G&T8 Land West of Silverdale Business Park from the table of contents</p> <p>Add New Appendix: <u>Appendix 8: Advice Note for General Requirements for Site Allocations</u></p> | | |
| AM05 | 8-9 | List of Policies | <p>Housing, amend HOU8 to read "Rural and First Homes Exception Sites"</p> <p>Housing, HOU9 should read 'Community-Led Exception sites'</p> <p>Remove: Site Allocations SA1:General Requirements (Site Allocations)</p> | Minor text amendment to reflect changes to the Plan and minor typographic changes. | AM |
| AM06 | 1-2 | Paragraph 1.1 – 1.11 | <p>To Delete Chapter 1 (Consultation Not Part of the Plan): -</p> <p>1.1The Local Plan for the Borough sets planning policies and allocates sites for development. This document is the final draft of the Local Plan. Once adopted, the Local Plan will replace policies contained in the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (adopted 2009) and saved policies of the Newcastle-under-Lyme Local Plan (adopted 2003). This Final Draft Local Plan has been informed by:-</p> <p>National planning policies and guidance</p> <p>A variety of studies, reports and other research</p> <p>Responses received from consultations on the Issues and Strategic Options Paper and First Draft Local Plan</p> <p>Involvement of key stakeholders</p> | To reflect the status of the Local Plan, at examination stage. | AM |

~~Recommendations from appraisals, technical reports and assessments including the Sustainability Appraisal and Habitats Regulations Assessment.~~

~~How to respond to the consultation~~

~~1.2 This is the publication draft version of the Local Plan, also called the Regulation 19 pre-submission draft Plan. It is the Council's chosen plan.~~

~~1.3 The Regulation 19 Final Draft Local Plan consultation is part of the plan-making process, which will lead to the examination of the Local Plan by an independent Planning Inspector appointed by the Secretary of State. At that future examination, the Inspector will consider whether the Local Plan is 'sound' and has been prepared in accordance with legal and procedural requirements. The comments provided at the Regulation 19 stage will be sent to the Government appointed Planning Inspector when the Plan is submitted for examination and will help inform the examination on the Plan.~~

~~1.4 To assist a future planning inspector(s), it is requested that comments made on the Plan relate to the tests of soundness that the Inspector will consider (as well as any legal or procedural requirements) which include whether the Plan is positively prepared, justified, effective and consistent with national policy. Advice on the tests of soundness can be found in the National Planning Policy Framework.~~

~~1.5 The Local Plan is also supported by a Sustainability Appraisal and a Habitats Regulations Assessment. These documents are also available for comment on in regard to soundness and legal compliance matters.~~

~~1.6 Responses to this consultation should be submitted via the completion of a Regulation 19 representations form. This is the preferred way of responding to the consultation by the Planning Inspectorate.~~

~~1.7 This document, representations form and supporting evidence base can be viewed and downloaded from the Council's website at <https://www.newcastle-staffs.gov.uk/localplan>~~

~~1.8 You can send comments to us (by using the representations form) in the following ways:-~~

~~By using the consultation portal. The consultation portal can be accessed on the Council's website using the link above.~~

~~By post to: - Planning Policy, Newcastle-under-Lyme Borough Council, Floor 2, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire, ST5 1BL~~

~~By e-mail to planningpolicy@newcastle-staffs.gov.uk~~

~~1.9 The period for making representations starts on the 12 August 2024 and runs for a period of 8 weeks, ending on the 07 October 2024. Responses submitted after this date will not be accepted.~~

~~Consultation (not part of the Plan) 4~~

| | | | | | |
|------|-----|--|---|--|----|
| | | | <p>1.10 Please note that we will only consider comments by respondents who provide their name and address. Your name, organisation and response will be made publicly available once we publish responses; any comments made in your response therefore cannot be treated as confidential (published comments will exclude your personal contact details). Any comments considered to be irrelevant, inappropriate, offensive or racist will not be accepted. Comments will be processed in line with the planning policy privacy notice, which can be viewed here: – https://www.newcastlestaffs.gov.uk/privacy-notices/planning-policy-privacy-notice</p> <p>1.11 We cannot consider matters that are outside the boundaries of the planning process and likely to be civil matters between parties. These include representations in relation to loss of property value, loss of view from property, private access rights, moral issues and restrictive covenants.</p> | | |
| AM07 | 3-5 | Paragraphs 2.2, 2.8, 2.9, 2.11 & 2.14 (Introduction) | <p>To amend Paragraph 2.2 by, Adding the word ‘borough’ after reference to Newcastle under Lyme in 2nd Sentence, as follows: -</p> <p>“The new Local Plan sets out how much land should be provided to accommodate a number of land use activities including new homes and jobs that are required within Newcastle under Lyme Borough up to 2040 and where these should be located”</p> <p>To amend Paragraph 2.8, as follows: -</p> <p>“A Habitats Regulations Assessment (HRA) has also been prepared to support the development of the Final Draft Local Plan. Again, the The HRA has is an ongoing process and will help assessed the impacts of the Plan on certain nature conservation sites.</p> <p>To delete Paragraph 2.9, as follows: -</p> <p>“Both the SA and HRA have been published alongside the Final Draft Local Plan for comment”</p> <p>Paragraph 2.11, as follows: -</p> <p>Amend sentence to read “Once adopted, The new Local Plan will replace the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (2009)”</p> <p>To amend paragraph 2.13 as follows:-</p> <p>2.13 A number of communities in the Borough are currently preparing Neighbourhood Plans. The ‘made’ neighbourhood development plans in the Borough are currently: -</p> <ul style="list-style-type: none"> • Loggerheads Neighbourhood Plan (‘made’ February 2019) • Chapel and Hill, Chorlton, Maer and Aston and Whitmore Neighbourhood Plan (‘made’ January 2020) • Betley, Balterley and Wrinehill Neighbourhood Plan (‘made’ January 2022) | <p>To emphasise/clarify the geographical scope of the plan</p> <p>To reflect the status of the Local Plan, post consultation (after Regulation 19 consultation stage).</p> <p>To acknowledge that the Audley Rural Neighbourhood Plan was made on the 01 October 2025.</p> | AM |

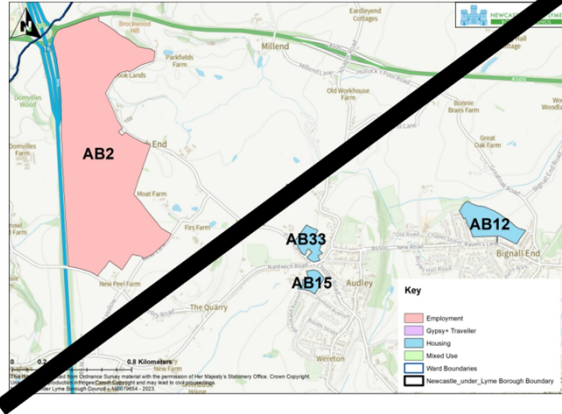
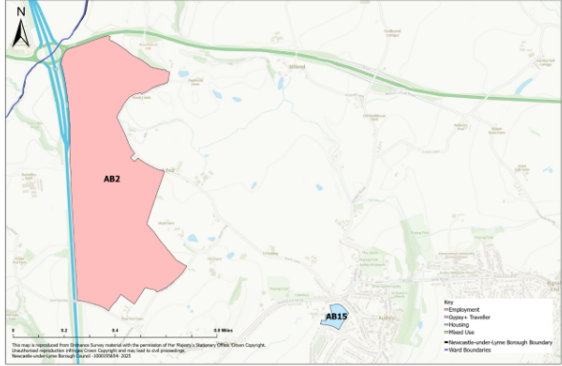
| | | | | | |
|------|-----|---------------------------------------|--|---|----|
| | | | <ul style="list-style-type: none"> • Madeley Neighbourhood Plan ('made' May 2022) • <u>Audley Rural Neighbourhood Plan ('made' October 2025)</u> <p>To amend Paragraph 2.14, as follows: -</p> <p>Issues and Strategic Options – considering considered the scope and nature of a future Plan. The Council consulted on this document from the 01 November 2021 until the 24 January 2022.</p> <p>The First Draft Local Plan – consultation responses to the Issues and Strategic Options stage, together with evidence gathered to inform potential policies and proposals led to the Council to consult consulting on a draft Plan from the 19 June 2023 until the 14 August 2023.</p> <p>The Final Draft Local Plan (Regulation 19) – this is the final version of the Plan that will be consulted upon and then submitted before submission to the Planning Inspectorate for independent examination. Responses received at this stage, should focus on 'soundness' (whether the Plan is positively prepared, justified, effective, and consistent with national policy) and legal compliance of the Plan. The Council consulted on the Final Draft Local Plan from the 12 August 2024 until the 07 October 2024.</p> <p>Submission and examination of the Local Plan – an independent planning inspector appointed by the Secretary of State considers will the soundness and legal compliance of the Local Plan to determine whether the Council can adopt the Plan. The Inspector will carefully consider representations made alongside the Plan and its evidence. Fundamental concerns at this stage could result in the Local Plan being withdrawn by the Council or being found 'unsound' by the Inspector. However, in most cases an Inspector will suggest 'modifications' to the Plan which, if implemented, by the Council should enable to Local Plan to be found sound and capable of adoption. The Council submitted the Local Plan for examination on the 20 December 2024.</p> <p>Adoption – at this stage, the Council can seek to adopt the Local Plan at Full Council and use it to guide decisions for planning applications until 2040, unless a review of the Local Plan indicates that an update is required earlier.</p> | | |
| AM08 | 6-9 | Paragraphs 3.9, 3.12 & 3.21 (Context) | <p>To amend Paragraph 3.9, as follows: -</p> <p>Replace 'and' with '&' when making reference to Trent & Mersey Canals</p> <p>To amend Paragraph 3.12, as follows: -</p> <p>Delete '...in terms of age range' at end of final sentence.</p> <p>To amend Paragraph 3.21, as follows: -</p> <p>Delete '... at Balterley Heath' from the end of the 2nd sentence.</p> | <p>To correct a drafting error</p> <p>Duplicates text/meaning already included elsewhere in the sentence.</p> | AM |

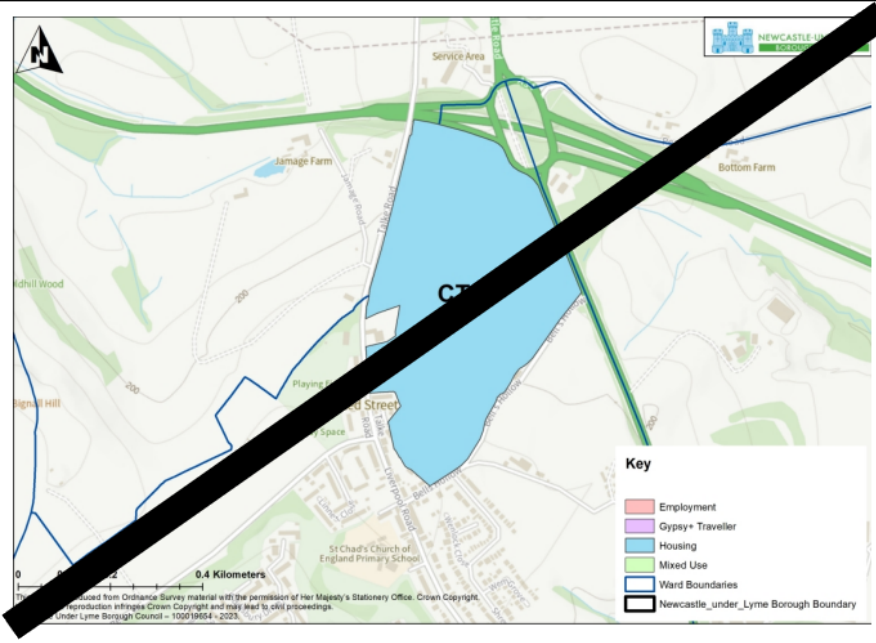
| | | | | | |
|------|-----|--|---|--|----|
| AM09 | 25 | (Related Documents to Policy PSD7: Distribution of Design) | To amend the related document reference as follows: - Secured by Design Policy <u>Police</u> Crime Prevention Initiatives Limited. | To correct a drafting error. | AM |
| AM10 | 35 | Paragraphs 7.36 (supporting text to policy HOU5 Specialist Needs Housing) | To amend Table 2 to read 'Table 3 ' in the last sentence or update so that the numbering runs sequentially through the document. | To correct a drafting error. | AM |
| AM11 | 48 | Paragraph 8.13 (supporting information to Policy EMP3 Tourism) | To amend paragraph 8.13, as follows: - Replace the word ' historic ' with ' <u>heritage</u> ' | In the interests of clarity | AM |
| AM12 | 70 | Paragraph 11.7 (supporting information to Policy SE2 Land Contamination) | Amend Paragraph 11.7, as follows: - Delete final bullet point 1. Relevant Documents... | To correct a drafting error. | AM |
| AM13 | 92 | Paragraph 11.66 (supporting information to Policy SE13 (Soil and Agricultural Land)) | To amend Paragraph 11.66, as follows: - Delete final bullet point 1. Related Documents | To correct a drafting error. | AM |
| AM14 | 108 | Audley | To amend paragraph 13.11 is as follows:- 13.11 Audley is identified as a rural centre in Policy PSD2. 'Settlement Hierarchy'. The following sites are has been identified to meet the residential development requirements of Audley in the Local Plan: | To reflect proposed changes to allocations | AM |

| | | | | | |
|------|---------|--|--|---|----|
| | | | <p>Site AB12 'Land East of Diglake Street'</p> <p>Site AB15 'Land North of Vernon Avenue'</p> <p>Site AB33 'Land off Nantwich Road / Park Lane, Audley'</p> | included in the Local Plan | |
| AM15 | 115/116 | Introduction to Crackley and Red Street | <p>To amend paragraph 13.50 as follows:-</p> <p>Crackley and Red Street</p> <p>13.50 Crackley and Red Street is a ward which forms part of the Strategic Centre of Newcastle-under-Lyme in Policy PSD2 'Settlement Hierarchy'. <u>No sites are allocated at Crackley and Red Street in the Local Plan</u> Site CT1 'land at Red Street and High Carr Farm, Chesterton' is allocated in the Local Plan to meet the residential development requirements of Newcastle-under-Lyme</p> | To provide clarity in respect of the approach of the Plan to Crackley and Red Street | AM |
| AM16 | 117 | Cross Heath Introduction (Paragraph 13.61) | <p>To amend the text in paragraph 13.61, as follows:-</p> <p>Cross Heath is a ward which forms part of the Strategic Centre of Newcastle-under-Lyme in Policy PSD2 'Settlement Hierarchy'. <u>The site at CH14 Maryhill Day Centre has been allocated to meet the residential development requirements of Newcastle-under-Lyme in the Local Plan.</u></p> <p>following sites are allocated to meet the residential development requirements of Newcastle-under-Lyme in the Local Plan:-</p> <p>CH13 Castletown Grange, Douglas Road, Cross Heath</p> <p>CH14 Maryhill Day Centre, Wilmott Drive, Cross Heath</p> | To reflect the site allocations in the Plan. | AM |
| AM17 | 125 | Introduction to Knutton (paragraph 13.106 / 107) | <p>To amend the paragraph as follows:-</p> <p>Knutton is a ward which forms part of the Strategic Centre of Newcastle-under-Lyme in Policy PSD2 'Settlement Hierarchy'. The following sites are allocated to meet future development requirements of Newcastle-under-Lyme:-</p> <p>KS3 Land at Blackbank Road;</p> <p>KS11 Knutton Community Centre;</p> <p>KS17 Knutton Recreation Centre;</p> <p>KS18 Land North of Lower Milehouse Lane;</p> <p>KS19 Knutton Lane</p> | To be consistent with the outcomes of the Inspector's Post Examination Hearing Advice | AM |

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|------|-----|--|--|--|----|
| AM18 | 134 | Paragraph 13.164, introduction to section on Silverdale | To amend the text as follows:- Silverdale is a ward which forms part of the Strategic Centre of Newcastle-under-Lyme in Policy PSD2 'Settlement Hierarchy'. The following sites are allocated to meet future development requirements of Newcastle-under-Lyme and the Local Plan:- SP2 Cheddar Drive SP11 Lyme Park SP22 Former Playground off Ash Grove SP23 Land at Cemetery Road / Park Road G&T Site 8 Land West of Silverdale Business Park | To reflect wider changes in the Local Plan | AM |
| AM19 | 138 | Paragraph 13.180 (supporting information to Policy SP22 Former Playground off Ash Grove, Silverdale) | <i>To amend Paragraph 13.180, as follows: - The first sentence to read '.... urban area.'</i> | To correct a drafting error. | AM |
| AM20 | 148 | Paragraph 13.235 (supporting information to site TB6, former Pool Dam Pub site) | To amend 13.235 13.235 Walleys Quarry Landfill site which is currently operational is located in close proximity of the site. No dwellings on site should be occupied until the operation of Walleys Quarry as a landfill site has ceased which is anticipated in 2027 . This will mitigate against potential polluting impacts from the landfill site. The development of the site will also give consideration to the Staffordshire Waste Local Plan and particularly safeguarding policy 2.5. | To ensure the effectiveness of the supporting text to the policy | AM |
| AM21 | 159 | Paragraph 13.284 (supporting information for Policy TC71 Midway Car Park) | To amend Paragraph 13.284, as follows: - Amend first sentence to read '....is located'...Remove word sustainably | To correct a drafting error. Inclusion of word duplicates references to being a sustainable location in second sentence. | AM |

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|------|---------|--|--|---|----|
| AM22 | 161-169 | Glossary | <p>To add text to define ancillary use as follows: - <u>'Ancillary Use: a secondary activity or building that is connected to and supports the main use of the property, but is not the primary purpose of the property'.</u> <i>To amend Appropriate Assessment, as follows: - Amend text to separate words 'to' and 'determine'.</i></p> <p><i>To amend Critical Drainage Areas, as follows: - Amend text to read Strategic Flood Risk Assessment not SFRA</i></p> <p><i>To amend DEFRA's Code of Practice etc., as follows: - Amend text to separate words 'for' and 'developers'</i></p> <p><i>To amend Desk Based Assessment, as follows: - Amend text to separate words 'records' and 'and'</i></p> <p><i>To amend Development Boundary, as follows: - Amend text to separate words 'development' and 'is'</i></p> <p>To add text to define energy hierarchy as follows: - <u>"Energy hierarchy - to reduce levels of carbon dioxide emissions in the built environment. It seeks to reduce energy demand, to supply energy efficiently and use renewable energy".</u></p> | <p>To ensure the effectiveness of the Local Plan.</p> <p>To correct drafting errors.</p> <p>To provide clarity as to what SFRA means.</p> | AM |
| AM23 | 175-181 | Appendix 2 (Saved Policies) | <p><i>To amend Table 9, as follows: - Add in brackets (2003, 2011)</i></p> | To clarify which local plan saved policies refer to. | AM |
| AM24 | 184-185 | Appendix 3 (Parking Standards) | <p><i>To amend Table 12 Additional Parking Standards – Disabled Motorists, as follows: - Amend to un-embolden the current bold text.</i></p> | To correct a drafting error. | AM |
| AM25 | 187 | Appendix 5 (Design Code for Historic Farmsteads) | <p><i>To amend Appendix 5, as follows: - Amend to have contents of paragraphs 5.2 to 5.11 to be a bullet pointed sub-set of paragraph 5.1</i></p> | To correct a drafting error. | AM |
| AM26 | 189 | Appendix 7 Final Draft Local Plan Site | To replace Map 1 in the Local Plan, as follows:- | To reflect wider changes to the Local Plan | AM |

| | | | | | |
|------|-----|---|--|---|----|
| | | <p>Allocation Maps – Map 1, Audley Ward Map</p> |   | | |
| AM27 | 195 | <p>Appendix 7 Final Draft Local Plan Site Allocation Maps – Map 3, Crackley and Red Street Ward Map</p> | <p>To delete Map 3 in the Local Plan, as follows:-</p> | <p>To reflect wider changes to the Local Plan</p> | MM |


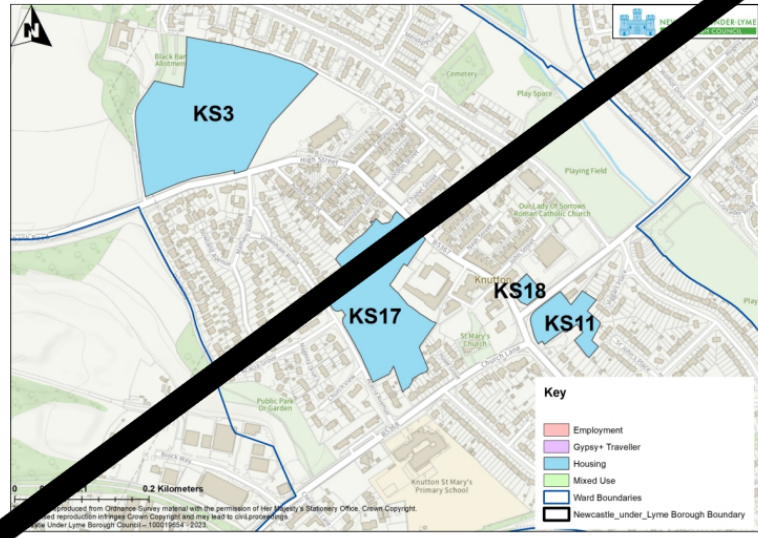


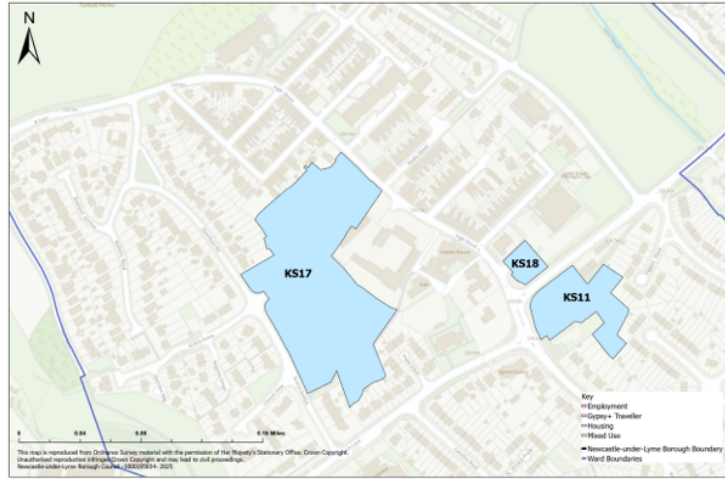
AM28
196
Appendix 7
Final Draft
Local Plan Site
Allocation
Maps – Map 4,
Cross Heath
Ward Map

To replace Map 4 in the Local Plan, as follows:-

To reflect wider
changes to the
Local Plan

AM

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| | | |  <p>This map is produced from Ordnance Survey aerial imagery with the permission of Her Majesty's Stationery Office. Crown Copyright. Reproduced with the permission of Ordnance Survey. All rights reserved. Newcastle-under-Lyme Borough Council 100019554 - 2023.</p> | | |
| AM29 | 190 | Appendix 7 Final Draft Local Plan Site Allocation Maps – Map 8, Knutton Ward Map | <p>To replace Map 8 Knutton Ward Map, as follows:-</p>  <p>Map 8 Knutton Ward Map</p> <p>This map is produced from Ordnance Survey aerial imagery with the permission of Her Majesty's Stationery Office. Crown Copyright. Reproduced with the permission of Ordnance Survey. All rights reserved. Newcastle-under-Lyme Borough Council 100019554 - 2023.</p> | To reflect wider changes to the Local Plan | AM |

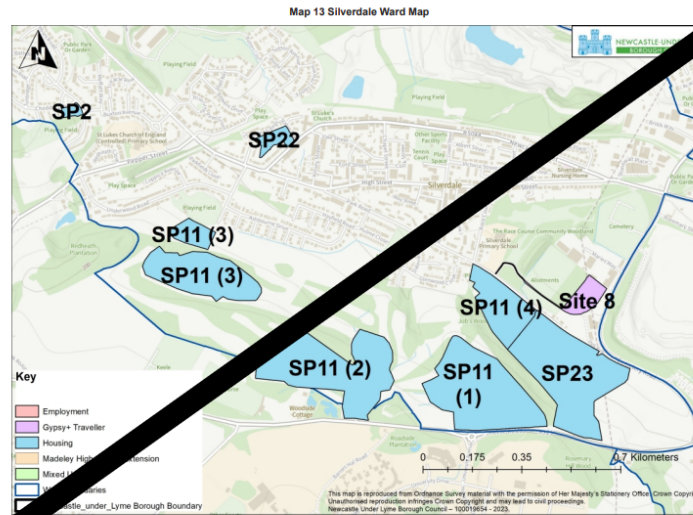


AM30

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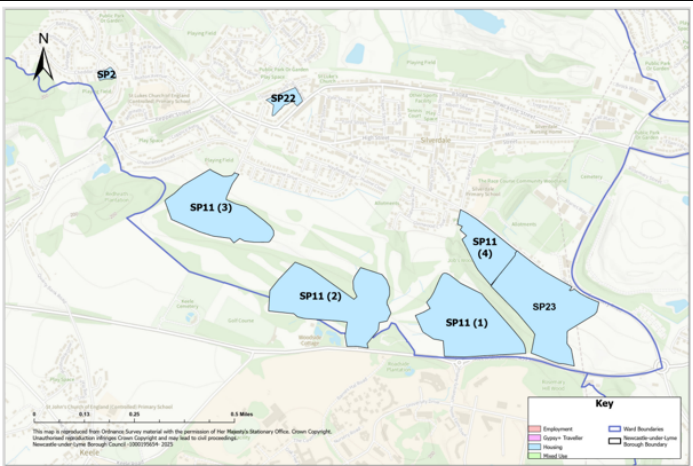
Appendix 7
Final Draft
Local Plan Site
Allocation
Maps – Map
13, Silverdale
Ward Map

To replace Map 13, as follows:-



To reflect wider
changes to the
Local Plan

AM



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Hello Allan,

Thank you for your letter.

Section 8.4 of the [Procedure Guide for Local Plan Examinations](#) explains that there is no mechanism for the Inspector's final report to be amended by the Inspector or anyone else after it has been sent to the Local Planning Authority (LPA) and we note the report has now been published in line with Regulation 25.

The Inspector is therefore not able to consider any amendments to the Plan as the examination has now concluded.

Kind regards,

Matt



Matthew Giles
Operations Officer – Local Plans
The Planning Inspectorate

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Report Title: STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL

Submitted by: Cllr. Jonathan Gullis

Portfolios: All

Ward(s) affected: All

| <u>Purpose of the Report</u> | <u>Key Decision</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|----------------------------|------------------------------|--|
| To provide an update to full Council on recent activities of Cabinet and the Forward Plan | | | |
| <u>Recommendation</u> | | | |
| That Council: | | | |
| 1. Receives and notes the statement of the Leader of the Council. | | | |
| <u>Reasons</u> | | | |
| To update Council Members on the activities and decisions of the Leader and Cabinet and to allow questions and comments to be made on the Statement. | | | |

1. Cabinet Meeting

1.1 The Administration held its first meeting of Cabinet on 23rd June 2026. Set out below are a number of decisions arising from Cabinet, together with actions and activities of Cabinet since the meeting of Annual Council.

2. Waste Vehicles – Procurement Saving

2.1 One of the first actions of this Administration was to take a close look at budgetary decisions already in train. As part of that work, it was identified that the previous Administration had been preparing to replace the existing refuse collection fleet with new electric vehicles as vehicles came forward for renewal. Those electric bin lorries would have cost £2.19 million more than their conventional equivalents, with a further estimated £4.2 million required for the charging infrastructure needed to power the fleet.

2.2 This Administration has therefore asked officers to cancel the proposed purchase of electric refuse collection vehicles and to proceed instead with non-electric vehicles that meet the latest emissions standards, are operationally reliable, and represent better value for money for residents. This will deliver a saving of approximately £70,000 per vehicle replaced.

2.3 This decision forms part of the Administration’s wider commitment to removing unnecessary Net Zero policies from the Council and reviewing every area of spending

linked to that agenda. A motion to rescind the Council's previous Climate Emergency declaration is covered later on this agenda. The Administration will continue to identify savings, remove unnecessary and ideological policies, and ensure the Council remains focused on delivering reliable services, clean streets and value for money, while remaining fully within its legal responsibilities and duties.

3. Article 4 Direction

3.1 The Administration has requested that officers undertake the necessary work to set out the use of an Article 4 Direction to control the spread of Houses in Multiple Occupation across the Borough. This is a key quality of life issue for many residents, particularly in communities where family homes are being converted into shared accommodation without proper local scrutiny.

3.2 Without an Article 4 Direction, smaller HMOs can be created without the need for planning permission, meaning residents and ward councillors can be left with little or no meaningful say. A borough-wide Article 4 Direction would ensure that future HMO conversions require planning permission and are considered properly on a case-by-case basis, taking into account the impact on parking, waste, noise, amenity, housing mix and the character of local streets.

3.3 This is about making sure that such accommodation is delivered responsibly, with proper safeguards, proper oversight and proper regard for the communities in which it is located.

3.4 A report on Article 4 Directions will come to Cabinet in the Autumn. The Administration is committed to making sure vulnerable local residents come first. That includes homeless veterans, women and children fleeing domestic violence, and others who need safe accommodation, proper safeguards and the right wraparound support to help them rebuild their lives.

4. Walleys Quarry

4.1 Cabinet received an update report on Walleys Quarry, and confirmed this Council's commitment to ensuring that the site is restored so that it can never again present a health threat to the community.

4.2 Whilst odour complaint levels remain low, with 7 complaints to the Council so far this year, the Council is not complacent and continues to carry out active monitoring and odour assessments. It was noted that the EA has reduced air quality reporting from weekly to fortnightly, but will seek to revert to a more frequent regime should issues arise.

4.3 Cabinet supported the need to support any criminal proceedings against those who ran Walleys Quarry Ltd., and to seek to press Government for the necessary resources to allow the site to be restored. A cross-party working group will be established to ensure regular political oversight, information-sharing and scrutiny of progress.

5. Community Fund

5.1 The Administration was pleased to approve the introduction of the Newcastle-under-Lyme Community Fund, providing each of the Council's 44 borough councillors with a dedicated annual ward budget of £2,500 from 2026/27.

5.2 This initiative recognises that local ward members often have the best understanding of the small projects, voluntary groups and community initiatives that make a real difference to residents' lives. Whether supporting community events, local improvements, grassroots organisations, playgroups, voluntary groups, local landmarks or projects that strengthen neighbourhood pride, this funding will enable councillors to respond directly to local priorities and help deliver visible benefits across every part of the Borough.

5.3 The Community Fund has been created by reprioritising existing Council resources, so no additional money is being raised from taxpayers to fund it. This is about taking money already within the Council's budget and putting it closer to residents, communities and local priorities.

5.4 Cabinet looks forward to seeing the positive impact this funding will have in the Borough's communities over the coming months, with proper oversight, transparency and clear eligibility criteria to ensure the money is used responsibly and for the benefit of local residents.

6. Local Government Reorganisation

6.1 The Administration remains opposed to Local Government Reorganisation and is unhappy it is being imposed on councils at a time when it should not be the priority for local government. As Leader, I have written to the Minister for Local Government and Homelessness, the Secretary of State for Housing, Communities and Local Government, and most recently the likely next Prime Minister, Andy Burnham, to state clearly that forced Local Government Reorganisation should not proceed.

6.2 The Council's position remains that forced reorganisation risks consuming significant officer time, public money and political attention at precisely the moment when local authorities should be focused on frontline services, financial discipline, community safety, housing, planning and the visible priorities residents expect us to deliver.

6.3 Ministers continue to indicate that an announcement on Local Government Reorganisation in Staffordshire and Stoke-on-Trent will take place before Parliament's summer recess. This Administration will continue to make the case that Newcastle-under-Lyme Borough Council should not be abolished and that residents should not lose meaningful local accountability.

6.4 The Administration supports the rapid introduction of a Strategic Mayoral Authority for Staffordshire and Shropshire. That would allow our area to benefit from stronger regional leadership, greater devolution, and a clearer voice on transport, infrastructure, investment and economic growth, without abolishing historic borough and district councils that understand their communities.

7. Withdrawal from the Local Government Association

7.1 The Administration has confirmed that Newcastle-under-Lyme Borough Council will withdraw from the Local Government Association. This decision is rooted in value for money, local accountability and the need to ensure that taxpayers' money is focused on the priorities of residents in this Borough.

7.2 The withdrawal will save local taxpayers an estimated minimum of £17,200 a year in membership fees and associated expenses. Between 2022/23 and 2025/26, membership

fees, together with the time and cost of attending conferences and meetings, amounted to £65,700. This Administration's view is clear: that money is better spent here in Newcastle-under-Lyme.

7.3 Leaving the LGA does not reduce the Council's accountability in any way. This Council remains fully accountable to residents through elected borough councillors, Full Council, Cabinet, scrutiny committees, audit and governance arrangements, statutory reporting requirements, external audit, the Local Government and Social Care Ombudsman, transparency rules, public questions, petitions, Freedom of Information legislation and, ultimately, the ballot box.

7.4 Nor does withdrawal from the LGA mean withdrawal from partnership working. The Council will continue to work constructively with Staffordshire County Council, Stoke-on-Trent City Council, neighbouring district and borough councils, Staffordshire Police, Staffordshire Fire and Rescue Service, health partners, businesses, voluntary organisations and community groups.

7.5 Officers will also continue to access appropriate professional advice, benchmarking information, sector intelligence and best practice through other routes where that is necessary and proportionate. However, this Administration does not believe that continued membership of the LGA represents sufficient value for money for residents.

7.6 This is part of a wider approach to Council spending. Every subscription, every membership, every outside body and every line of expenditure must be capable of being justified to the people who pay for it. Where the benefit is not clear, the money should stay in the Borough and be redirected towards local priorities.

8. Local Plan

8.1 Cabinet considered a report on commencing a new Local Plan under the Government's new housing targets, which would require the Borough to find space for more than 2,000 additional homes over the Local Plan period. Cabinet carefully considered the options within the report and determined that the Administration could not support commencing work on a new Local Plan at this time, given the damaging consequences it could have for the Borough's communities, green spaces and local infrastructure.

8.2 The Administration does not believe it is reasonable, fair or sustainable for Newcastle-under-Lyme to be asked to absorb more than 2,000 additional homes while housing targets have been reduced elsewhere. The Administration believes the Borough should not be treated as an easy target for extra development simply because Government policy has changed. Residents rightly expect this Council to stand up for our towns, villages, green spaces and infrastructure, and that is exactly what this Administration intends to do.

8.3 This position must also be seen in the context of Local Government Reorganisation. The Government is expecting this Council to begin work on a new Local Plan for 2030 to 2045 while, at the same time, the future existence of Newcastle-under-Lyme Borough Council is unresolved. That would risk thousands of hours of officer time and significant public money being spent on a planning document that may never be completed or adopted.

8.4 The Administration has therefore made clear to Government that it should not force Newcastle-under-Lyme taxpayers to fund a new Local Plan process while the future of the Borough remains uncertain, and while the effect of national housing policy would be to place even greater pressure on local communities that have already taken their fair share of development.

9. Forward Plan

9.1 A copy of the Forward Plan can be found here: [Forward plan - Cabinet Forward Plan - 1 July to 31 October, 2026 – Newcastle-under-Lyme Borough Council](#)

Cllr. Jonathan Gullis
Leader of the Council

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Motion to Full Council.

Rescinding the Climate Emergency Declaration

Proposer: Cllr Jonathan Gullis

Seconder: Cllr Martyn Ashworth

This Council notes that on the 3rd April 2019 the then Conservative led Newcastle-under-Lyme Borough Council declared a climate emergency and adopted the aim of becoming carbon neutral by 2030 through “Net Zero Newcastle 2030”.

This Council believes that taxpayers’ money should be directed first and foremost to statutory duties and residents’ priorities, including cleaner streets, tackling litter and fly-tipping, improving recycling and waste services, protecting parks and green spaces, supporting town centres and delivering core statutory services efficiently.

This Council therefore resolves to:

1. Rescind the 2019 climate emergency declaration.
2. End the Council’s commitment to “Net Zero Newcastle 2030” and remove the 2030 carbon-neutral target from Council policy.
3. Instruct officers to review all related strategies, delivery plans, spending and communications, and bring forward any necessary changes.
4. Reaffirm the Council’s commitment to practical local environmental action, including tackling litter and fly-tipping, improving recycling, protecting parks and green spaces, and reducing costs to taxpayers where possible.

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Motion to Full Council from the Conservative Group – 8th July 2026

Save Our Borough

This Council notes that:

1. An 11,000-signature petition opposing Forced Local Government Reorganisation (LGR) has now been formally submitted to the Secretary of State.
2. The petition reflects strong and widespread local opposition to proposals that could result in the merger of Newcastle-under-Lyme Borough with Stoke-on-Trent as part of a North Staffordshire authority.
3. Residents have clearly expressed concerns that such proposals would:
 - Undermine local democracy;
 - Reduce accountability;
 - Create more remote decision-making; and
 - Deliver no clear benefit to local communities.
4. Newcastle-under-Lyme has a proud history of over 853 years as an independent and self-governing Borough, with strong local identity and effective service delivery.
5. The national political context is changing with the appointment of a new Prime Minister, presenting an opportunity for a reconsideration of Government policy on local government reorganisation.

This Council believes that:

1. Local government should remain local, accountable, and reflective of community identity.
2. Any proposals for local government reorganisation must have the clear consent of local residents and councils.
3. A “one-size-fits-all” approach to restructuring is inappropriate and risks damaging effective local governance.

This Council resolves to:

1. Reaffirm its opposition to Local Government Reorganisation and the principle of maintaining Newcastle-under-Lyme Borough as a standalone authority.
2. Reaffirm its opposition to merger of Newcastle-under-Lyme Borough with Stoke-on-Trent as part of a North Staffordshire authority and endorse the petition submitted to Government as a clear expression of residents’ views.

3. Call on the new Prime Minister and the Secretary of State to:
 - Scrap proposals for forced council mergers in Staffordshire;
 - Pause and reconsider the policy of Forced Local Government Reorganisation; and
 - Retain the current structure of local government where it continues to serve residents effectively.

4. Request that the Leader of the Council & Chief Executive write to the incoming Prime Minister to set out the Council's position and seek a meeting to discuss the matter.

Proposed: Cllr Simon Tagg

Seconded: Cllr Mark Holland

Motion to Full Council from the Conservative Group – 8th July 2026

Protection of Council-Owned Green Spaces

This Council notes that:

1. Newcastle-under-Lyme Borough Council previously committed to protecting parks, open spaces, playing fields as vital community assets supporting health, recreation and sports and play.
2. In May 2025, the Council resolved to pursue permanent legal protection for up to 88 council-owned green spaces through partnership with the Fields in Trust charity ([Council pursues legal protection for green spaces – Newcastle-under-Lyme Borough Council](#)).
3. These protections were intended to operate alongside enhanced Local Plan protections agreed in April 2022 (<https://www.newcastle-staffs.gov.uk/downloads/file/1440/report>), adding a further safeguard against future loss or development.
4. By October 2025, 20 applications had already been submitted for an initial tranche of sites, with further phases planned of the Borough's valued green spaces many of which had been under threat of development under the Joint Local Plan with Stoke-on Trent. (<https://www.newcastle-staffs.gov.uk/news/article/442/council-puts-green-spaces-on-the-map-with-fields-in-trust>)

This Council recognises that:

- Fields in Trust status provides a legally binding Deed of Dedication, ensuring land is preserved in perpetuity for public recreation and wellbeing, without transferring ownership.
- The process and timescales to gain Status is governed by the Fields in Trust charity.
- Such status offers stronger, long-term protection than Local Plan policies alone, which can be reviewed or revised over time.
- Accessible green space delivers significant public benefits, including improved physical and mental health and wildlife habitats.

This Council further notes:

- The Government is pressing local authorities to produce or update Local Plans at pace, including in the context of potential Local Government Reorganisation (LGR).
- The inherent risks arising from the position adopted by the Leader of the Council in respect of the preparation of a new Local Plan, as set out at the Cabinet meeting on 23 June 2026.

- These creates a real risk that, without the additional safeguards, locally designated Council owned green spaces could be vulnerable to future policy change imposed from above or development pressure that may be taken out of the hands of local people.

Therefore, the Council resolves to:

1. Formally endorse the previous Council's programme to protect council-owned green spaces through the Local Plan and through Fields in Trust Deeds of Dedication.
2. Affirm its commitment to seeking Fields in Trust status for those listed council-owned green spaces across the Borough*.
3. Therefore, ensure that, as part of any new or updated Local Plan whether prepared by this authority or a successor authority following LGR:
 - the strongest possible protections are in place for designated green spaces, and
 - Fields in Trust designations are actively supported and expanded where appropriate.
4. Request officers to provide regular update reports to Cabinet and Scrutiny on progress of Fields in Trust applications and a programme to complete remaining eligible green spaces.
5. Actively encourage and work with other public landowners, including Staffordshire County Council, to adopt the same approach by seeking Fields in Trust protection for green spaces within the Borough under their ownership.
6. Request that the Leader of the Council writes formally to the Leader of Staffordshire County Council urging them to pursue Fields in Trust status for their green spaces within Newcastle under Lyme Borough; and specifically requesting consideration of College Fields in Madeley and the playing fields and football pitches by Hoon Avenue, which are owned by Staffordshire County Council and have been the subject of public concern regarding their future.

Proposed: Cllr Andy Fear

Seconded: Cllr Simon Tagg

*List of council owned green spaces Protected in 2022:

<https://moderngov.newcastle-staffs.gov.uk/documents/s44691/Fields%20in%20Trust%20Appendix%201.pdf>

MOTION TO FULL COUNCIL

Proposed by: Councillor Jonathan Gullis

Seconded by: Cllr Graham Shaw

This Council resolves, with immediate effect, to withdraw Newcastle-under-Lyme Borough Council from membership of the Local Government Association.

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