

\*Printed for information

## **PLANNING COMMITTEE (STRATEGIC)**

**11 October 2011**

**Present:-** Councillor Fear – in the Chair

Councillors Boden, Cairns, D Clarke, Cooper, Fear, Lawton, Matthews, Miss Reddish, Studd, Sweeney, Mrs Williams and Williams

383. \* **DECLARATIONS OF INTEREST**

There were none.

384. \* **NATIONAL PLANNING POLICY FRAMEWORK**

Consideration was given to a detailed report advising Members that the Government was now consulting on the draft National Planning Policy Framework that sought to streamline national planning policy into a consolidated set of priorities to consider when planning for and deciding on new development. These important principles would help communities enjoy a better quality of life, both now and in the future.

Approval was also sought for a formal response, as detailed in an appendix to the officers' report, to be made to the Secretary of State for Community Local Government. Although Members were in broad agreement with the response, they did indicate that the following comments be added:-

- Greater clarity was required on what the Government considered to be sustainable development.
- Email
- The precise wording of the response to the available on housing policies should be agreed between the Chair, Portfolio Holder and Executive Director – Regeneration and Planning.

The draft Framework set out national policies and rules only where it was necessary to do so and would help ensure that planning decisions reflected genuine national objectives such as the need to safeguard the natural environment, combat climate change and to support sustainable local growth which allowing for local authorities and communities to produce their own plans, reflecting the distinctive needs and priorities of their localities.

The Framework formed part of the Government's major reforms to the planning system and Members were invited to consider what these changes could mean in practice for the operation of the planning system in the Borough and the Newcastle-under-Lyme Local Development Framework. It was indicated that once the final Framework came into force the joint Core Spatial Strategy would be subject to a test of conformity and that, accordingly, it was of natural benefit to the Borough Council and Stoke-on-Trent City Council to collaborate in trying to ensure that in the final Framework the status of the Core Spatial Strategy was not undermined.

## **Planning Committee (strategic) (Strategic) - 11/10/11**

The main points in the draft Framework were dealt with in the officers' report and it was considered that the principal changes proposed in the Framework that would impact on the Borough were as follows:-

- (i) Presumption in favour of sustainable development – the government was considering a definition of sustainable development for the Framework that would be key to assessing if there will be a change to how the Council currently assess development in terms of its sustainability and whether or not the Council's Core Spatial Strategy principle of targeted regeneration will be considered sound.
- (ii) Removal of brownfield (previously developed land) target – this is in conflict with the adopted Core Spatial Strategy principle of priority to brownfield land. This part of the Framework will weaken the Council's ability to resist the development of sustainable Greenfield sites.
- (iii) The removal of the town centre first approach for office development – the Council has a clear strategic policy in the Core Spatial Strategy and supported by current policy to direct office development towards Newcastle town centre. The removal of this approach could weaken the town centre as the Council's ability to attract office development would be seriously compromised.
- (iv) The need to maintain a five-year housing supply plus 20% - this is the equivalent of maintaining a six-year housing supply and will be increasingly challenging, particularly at times when little development activity is taking place. If local authorities are unable to demonstrate that they have necessary housing supply they could be forced to approve residential development that would otherwise be considered inappropriate or risk planning by appeal and being subject to awards of costs.
- (v) Neighbourhood planning – although local authorities are not obliged to financially support the production of neighbourhood plans, the Council would need to finance any referendums and provide support/advice as necessary. There are therefore financial resource issues to consider but these will depend on the appetite of local groups or businesses to create such plans.
- (vi) In theory, the Framework represents a simplification of planning policy, increased community involvement in the planning system and an opportunity to stimulate economic growth through increased levels of development. Although these are all generally welcome, in practice, there appears to be a disparity between the localism and growth agendas. It is not clear which will take precedence should there be a conflict between the two and the framework also appears to contradict itself in places. However, there is a general view that the Framework will be subject to changes before it is published, that together with the forthcoming guidance (albeit limited), will hopefully resolve some of these issues, but where there is no clarity, issues will often be resolved by appeal.

**Resolved:-** (a) That the report be noted.

(b) That the consultation response set out in the Appendix to the officers' report, as amended, be submitted to the Department for Communities and Local Government within the required timescale.

(c) That in the light of comments from Stoke-on-Trent City Council, the Executive Director – Regeneration and Planning, in consultation with the Chair of this Committee and the Portfolio Holder, be authorised to make any further minor amendments to the response.

385. \* **SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT - SCOPE OF CONTENTS AND DRAFT TIMETABLE**

Consideration was given to a report seeking approval of a revised timetable for the Site Allocations and Policies Development Plan Document that was brought into effect in January 2009. The report also described the role of the different timetable stages leading to the intended adoption of the Plan in October 2013.

The Committee was advised that the new draft National Planning Policy Framework placed a strong emphasis on having up to date plans in place and further increased the pressure on councils by proposing that planning permission should be granted where the plan is “absent, silent, indeterminate or where policies are out of date”. The adopted Core Spatial Strategy placed the Council in a relatively strong position, although the officers considered that the necessary steps should be taken though the preparation of a Site Allocations and Policies Development Plan Document to put in place proactive policies that provided an even greater degree of certainty to facilitate sites coming forward efficiently and in a managed way.

Once adopted, the Plan would form a part of the Development Plan and carry full weight in the determination of planning applications remaining in force until the end of the plan period of 2026.

It was stated that the Newcastle and Stoke-on-Trent Core Spatial Strategy provided the overcrowding framework to develop and support detailed planning policies and that the Site Allocations and Policies Development Plan Document would be a more detailed plan and, when adopted, direct where future housing, retail, leisure facilities and employment should be located. It would also direct which areas of the Borough should be protected and safeguarded from future development and the main tests that the Council should take into account when deciding whether to grant planning permission for new development.

Housing and employment sites would only be allocated if they were of strategic importance or required to ensure that the delivery targets set in the Core Spatial Strategy were met. However, additional information would be needed justify the site, including whether it was suitable for the intended purpose and available and that a high quality and sustainable development can be achieved.

All allocated sites would be identified on an updated version of the Proposals Map.

Members were advised that in addition to issues of local importance, those of national importance would need to be reflected in the Plan and although a local interpretation and weight could be put on any issues the overall Plan would need to confirm with national policy.

## **Planning Committee (strategic) (Strategic) - 11/10/11**

A key objective of the Plan would be to create attractive neighbours that function well together and that in respect of housing the aim would be to bring forward new housing schemes that benefit places socially, economically and environmentally. It was agreed that preparation of the Plan provided an excellent opportunity for the local community to become actively involved in shaping their neighbourhoods.

The ultimate aim was to produce a Plan that was distinctive to Newcastle and an effective response to local issues and priorities contributing to the Council's corporate priorities.

The timetable leading to adoption of the Plan was as follows:-

| <b>Stage</b> | <b>Key Activities</b>                                 | <b>Star Target Date</b> | <b>End Target Date</b> | <b>Consultation Status</b> | <b>Decision Process</b>                                   |
|--------------|---|-------------------------|------------------------|----------------------------|---|
| 1.           | Preproduction evidence gathering                      | Pre Core Strategy       | Ongoing                | Informal                   | N/A   |
| 2.           | Discussions on Issues                                 | Jan 2012                | End March 2012         | Informal                   | Planning Committee/ Cabinet                               |
| 3.           | Representations invited on Options                    | July 2012               | End Aug 2012           | Formal                     | Planning Committee/ Cabinet                               |
| 4.           | Representations invited on Publication of Draft Plan. | Mid Dec 2012            | End Jan 2013           | Formal                     | Planning Committee/ Cabinet/ Council                      |
| 5.           | Representations invited on Submission Draft           | April 2013              | Mid May 2013           | Formal                     | Proceed to submission assuming no substantive amendments. |
| 5.           | Submission to the Secretary of State                  |                         | End June 2013          |                            |   |
| 6.           | Examination in Public                                 | July 2013               | Mid Sept 2013          | Formal                     | Planning Inspectorate                                     |
| 6.           | Hearing   |                         | End Aug 2013           | Formal                     | Planning Inspector  |
| 6.           | Final Inspector's Report                              |                         | End Sept 2013          | N/A                        | Non-binding report  |
| 7.           | Adoption  |                         | Oct 2013               | Formal notice              | Council   |

It was indicated that delays to the timetable could arise from the need for additional evidence, as well as, the need to repeat a stage, or conduct additional consultation. The timing of the independent examination was dependent upon the Planning Inspectorate and be subject to negotiation.

Members were reminded of the intention to prepare the Plan concurrently with the process of preparing a charging schedule under the Community Infrastructure Levy Regulations 2011, with a view to the examination of the charging schedule

following on from the examination of the DPD. Accordingly officers were currently exploring the possibility of a joint economic viability assessment with the City of Stoke-on-Trent. The feasibility of this would take into consideration any potential impact on the Plan's draft timetable.

The ultimate aim will be to produce a Plan that is distinctive to Newcastle, which is an effective response to local issues and priorities and which contributes to the Council's corporate priorities.

**Resolved:-** (a) That Cabinet be recommended to agree to proceed with the preparation of the Site Allocations and Policies Development Plan Document

(b) That a further report be submitted to the December meeting of this Committee on an Issues Paper together with further details of the consultation arrangement for the Site Allocations and Policies Development Plan Document.

386. \* **NEWCASTLE-UNDER-LYME RETAIL AND LEISURE STUDY (2011)**

Consideration was given to a detailed report presenting the findings of the above study carried out by Nathan Lichfield and Partners. The study provided a Borough-wide assessment of the future need for additional retail, commercial leisure facilities and other town centre uses for the main town centres of Newcastle and Kidsgrove and updated the North Staffordshire Retail and Leisure Study of the Borough carried out in 2005.

The scope of the study was summarised as follows:-

- To assess the vitality and viability of the main centres in the study area.
- To provide up to date advice on the market demand and capacity for additional retail (comparison and convenience) and commercial leisure development in the Borough to 2026.
- To provide evidence on how to meet any identified quantitative and qualitative need for new retail (comparison and convenience) and leisure floorspace up to 2026.

Overall the study found that the retention of comparison and convenience spending in the Borough was healthy. The Study identified the capacity for future retail and leisure growth in Newcastle town centre. It was indicated that this capacity of comparison retail floorspace identified in Newcastle town centre could in theory be accommodated wholly by the redevelopment of the Ryecroft of the Ryecroft site incorporating the site of the former Sainsbury's supermarket and site of the Civic Offices if this was taken forward as a high density wholly comparison retail scheme. However, it was more likely that any redevelopment of the Ryecroft site would have a mix of uses with the Retail Study stating that any remaining comparison floorspace capacity could be accommodated on the former St Giles and St George's site, if that site was ever made available for such uses, or on Blackfriars as part of a mixed use development. However, the development of the Blackfriars and other sites outside of the primary shopping area (outside of the ring road) would depend on passing the sequential test. Furthermore, it was stressed that future development of the St Giles and St George's site would not necessarily mean its demolition.

The relatively small capacity for additional comparison and convenience floorspace in Kidsgrove (1430 sqm) and 393 sqm by 2026) could be accommodated on the lower car park on the land North-west of Liverpool Road through a number of smaller units although the steep topography of the site is a constraint. It is acknowledged that the recent Linley Estate planning decision considered this site unsuitable for a small/medium sized supermarket, however, that assessment was made for a specific use and the consultant's working on the appellant's behalf was looking to find alternative sites unsuitable.

The study identified low capacity for future convenience floorspace in both Newcastle and Kidsgrove town centres. This capacity would not support a large-scale foodstore in either of the town centres. Elsewhere in the Borough there is some scope for additional convenience floorspace providing it meets a local need.

Limited capacity existed for leisure facilities in the Borough. However, future development would incorporate a bowling alley, restaurants and takeaways and possibly a theatre or upmarket hotel.

There was also theoretical capacity for additional cinema space to increase customer choice. However, planned development in neighbouring authorities, such as the East-West precinct redevelopment in Stoke-on-Trent city centre (Hanley) may limit potential for additional cinema screens in Newcastle-under-Lyme.

#### Newcastle Town Centre Boundary and Frontage

The study suggests that the town centre boundary is reduced to focus on the areas where the main town centre uses occur. It is recommended that the boundary should incorporate the entire area within the ring road (the primary shopping area), the leisure centre and Nelson Place to the east and Lidl, Travelodge, the Blackfriars site and Morrison's to the south-west. The policy implications of this are very significant because it would incorporate some edge-of-centre sites into a redefined town centre boundary. The implications will need to be considered as part of the preparation of the Site Allocations and Policies Development plan Document.

The Study also recommended that the primary shopping frontage (where we would expect pure retail to predominate rather than bars, restaurants, banks etc) is revised to remove Hassell Street as this does not contain a high proportion of retail when compared to the rest of the primary shopping frontage.

In conclusion it was indicated that the study would be available to view on the Council's website from 22 October.

**Resolved:-** (a) That the report be received.

(b) That the Newcastle-under-Lyme Retail and Leisure Study 2011 be noted as a technical background document to inform the formation of planning policies through the Local Development Framework.

387. \* **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL AND STOKE-ON-TRENT CITY COUNCIL JOINT EMPLOYMENT LAND REVIEW**

The Committee considered a detailed report setting out to recommendations of the above review carried out by URS/Scott Wilson.

The study provided an assessment of both the economic demand/need for employment land to 2026 and the existing supply for the two authorities. It drew conclusions from this analysis and set out a portfolio of sites, suggested delivery arrangements and policy recommendations to achieve them.

The officers' report concentrated on the study's findings and recommendations most affecting the Borough with Members being advised that as the review had been completed before the release of the draft National Planning Policy Framework (NPPF) no reference to that document was made in the study. However, it was noted that a key thread through the NPPF was the promotion of sustainable economic development and that it also introduced a duty to co-operate with neighbouring local authorities. One major change in national policy relevant to the review and proposed in the draft NPPF was the removal of the town centre first approach to office development through a sequential test.

The study identified a shortage in the supply of employment sites to meet the demand forecast of 150 ha to 2026 predicted in the Study although there were sufficient sites to meet the Core Spatial Strategy target of 44 ha to the same year. However, there were insufficient sites to meet the demand for Class B1a (light industrial) and Class B2 (medium and heavy) employment uses.

It was stated that the review of sites have exposed the potential under supply in the long term for several sectors with the results of the market engagement suggesting that there was a need to bring forward commercially attractive large employment sites in the A500 corridor towards the role.

Three new greenbelt sites had been considered during the stage 2 site appraisals, two close to the A34/A500 junction (south-west of Chatterley Valley Phase 2) and one on land adjacent to Cemetery Road in Keele. The former sites were well located close to Chatterley Valley and scored fairly well in the appraisals but were within the green belt. A more detailed site search and feasibility assessment would need to be undertaken in this general location in order to fully assess the suitability and deliverability in planning and physical terms before such sites are promoted through the planning process.

The Cemetery Road site was also located within the green belt. Whilst the site was relatively attractive and generally suitable for employment development, it was likely to be viewed as a strategically vital employment site. The market would be expected to consider that the site is too far removed from the A500/A50/M6 trunk roads and even though the A525 (Keele Road) is a good road leading into Newcastle town centre, it does not lead anywhere important (in market terms) to the west.

Viewing the Borough as a whole, the study stated that it was highly likely that the Council would need to consider allocating greenfield or green belt land for employment purposes in order to meet demand and need over the plan period. The officers indicated that there would need to be a reasoned justification for taking this action.

Proposed Portfolio of Sites to Meet Demand

The study suggested that in terms of contributing towards the suggested revised supply target, the total land deliverable (i.e. without obvious material constraint) in Newcastle-under-Lyme represented a supply of 5 years.

The study stated that to ensure that sufficient sites were delivered in the medium to long term there would be a need to address specific deliverability issues relating to key sites to ensure that employment uses can be delivered throughout Newcastle-under-Lyme. The key would be to prioritise public resources and developer activity at these sites.

Delivery and Intervention Strategy for Site Portfolio

The Study suggested three ways in which genuinely deliverable employment land could be made available. These methods were as follows:-

- (i) Investing in the removal of the sites' constraints can bring existing undeliverable sites forward.
- (ii) New employment land can be 'created' by either removing land from the Green Belt or reallocating green field sites.
- (iii) Appropriate sites outside the administrative area of Newcastle-under-Lyme, but close to the Borough's workforce can be included within the calculation of the Borough's available employment land.

The officers' comments on the above suggestions were set out in the report together with their responses to the recommendations made in the study.

**Resolved:-** (a) That the report be received.

(b) That the Newcastle-under-Lyme and Stoke-on-Trent Joint Employment Land Study 2011 be noted as a technical background document to inform the formulation of new planning policies through the Local Development Framework.

388. \* **HIGH VALUE HOUSING REPORT**

Consideration was given to a report setting out the key findings of the RENEW North Staffordshire Regeneration Partnership (NSRP) 'Executive Housing Market' (ESM) Study that would help inform the formulation of future planning policy to be set out in the Local Development Framework.

The Committee acknowledged the aspiration to have a good mix of housing to take account of current and future demographic trends and profiles, including high quality housing and supported the strategic vision of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy for the area to become a prosperous, vibrant and successful area of choice for business, visitors and residents.

To assist this aim, the Core Spatial Strategy made provision for a wide range of housing types, tenures, sizes and prices although it was the Site Allocations Development Plan Document would assess the appropriate launches for specific types of housing, including higher value housing, based on an objective assessment of need. The perceived strengths and weaknesses of North



Staffordshire as a location for executive housing from the developers' perspective were set out in an appendix to the officer's report.

The three main recommendations made in the EHM report were set out in the officers' report together with the officer's comments on each item. The EHM also considered that land should be allocated for the specific purpose of developing executive housing with consideration being given to relaxing density requirements in order to facilitate high value and quality executive housing development, but that this should be done in consultation with stakeholders including landowners and developers. The EHM report also considered that a phased programme of development should be pursued identifying the short term 'easy win' sites for delivery of a select number of bespoke detached, new executive dwellings to stimulate a niche market in locations contiguous to high value properties. The EHM report stated that the local 'executive' housing market was not as well developed as neighbouring areas, which had a better offer in terms of choice and 'quality of place' together with populations with larger average work and household incomes than in North Staffordshire. Nevertheless overall North Staffordshire was catering for its 'executive' housing, demand and on this basis it could be argued that there was little justification to intervene to support the growth of this sector.

However, notwithstanding these limitations the EHM report recommended that if the Council wanted to attract new high earners, which will in turn generate a demand for new build 'executive' housing, then it would need to intervene to provide the necessary flexible planning policy (e.g. to allow low density) and land supply (attractive sites in established areas or one larger new site in an attractive area) in order to stimulate the market. This should all be undertaken in consultation with agents and developers to ensure that we are catering for the 'executive' market and that high value housing is viable in those chosen locations.

Furthermore the evidence suggested that any new future planning policies to stimulate the 'executive' housing market by attracting new high earners would be more successful if they were supported by policies that worked to create new high earning employment opportunities. Indeed it was the lack of potential to earn high incomes locally rather than the availability of high value housing that is acted as an important constraint on this market.

Another constraint was the quality of the place. This is fundamental to establishing a successful 'executive' housing market. The focus must remain on quality in terms of design of buildings and public realm, in order to alter the perception of the area and take advantage of the assets such as access to open space.

The officers therefore considered that until there was an overall improvement in both Newcastle's 'quality of place' and earning potential, that the growth of this niche sector would be limited.

Nevertheless, Newcastle did have a ready made 'executive' housing market and the Council could try to capitalise on this in appropriate locations to grow the market for high value housing and reap the local and wider economic benefits that this may provide (retaining and attracting new economically independent households into the area and encouraging entrepreneurs and business leaders to establish new local businesses). However, it should be noted that the limited

number of 'executive' housing that the report suggests may be viable, may only bring very limited economic benefits in the short-term.

Given that the definition of 'executive' housing was based on market value, rather than the type of householder, the officers considered that it made sense, for reasons of consistency, to agree in the future to refer to this type of housing as 'high value' housing.

In conclusion, the Site Allocations Development Plan Document would assess the appropriate locations for specific types of housing, including high value housing and, following extensive public consultation seek to allocate land accordingly. In doing so, it would take into consideration the need to plan for a limited number of high value houses. Similarly there would be relatively limited geographical areas which will be attractive for the market to develop. Partnership working with both the public and private landowners and developers will be required to turn these aspirations into reality. In this way it should be possible to control when new build high value housing schemes are brought forward and at the appropriate scale.

**Resolved:-** (a) That the report be received.

(b) That the Renew North Staffordshire Regeneration Partnership (NSRP) Executive Housing Market Study be noted as a technical background document to inform the formulation of planning policies through the Local Development Framework.

(c) That the Committee's preferred option for the delivery of high value housing be through the Site Allocations and Policies Development Plan.

389. \* **BUILDINGS AT RISK SURVEY**

A report setting out the outcome of the Council's latest buildings at risk survey was submitted for consideration.

Members were advised that the survey had included all 365 listed building entries on the statutory list and of the methodology used for assessing the degree of risk to listed buildings based on their condition and level of occupancy.

Only 19 of the buildings surveyed were found to be at risk with a further 22 requiring monitoring. The remaining 346 were not considered to be at risk.

**Resolved:-** (a) That the findings of the survey for buildings found to be at risk be noted and that the Conservation Officer and other officers work with owners and their agents to get these buildings removed from the 'at risk' register.

(b) That the Conservation Officer and other officers work with owners and their agents for those buildings identified from the Survey as buildings requiring monitoring to stop them from worsening and becoming 'at risk'.

(c) That officers undertake a survey of all of statutory Listed Buildings every 5 years.

(d) That the list of buildings at risk in the Borough be published on the Council's website and a press release issued.

(e) That consideration be given to the provision of an informal guidance note for all owners of heritage assets.

390. \* **REGISTER OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES IN NEWCASTLE - 2011 REVIEW**

Consideration was given to a report recommending that the undermentioned buildings be added to the Registrar of Locally Important Buildings and Structures:-

Peak Pursuits, Nantwich Road, Audley  
193/195 High Street, Silverdale  
Cartouche on 2 Underwood Road, Silverdale  
Acton Methodist Church  
Former Station Booking Office, Baldwins Gate  
Baldwins Gate Farm, Baldwins Gate  
Madeley Mill, Moss Lane, Madeley

**Resolved:-** That the above buildings be added to the Register of Locally Important Buildings and Structures.

**A FEAR  
Chair**