

## **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

### **EXECUTIVE MANAGEMENT TEAM'S REPORT TO**

**21 September 2023**

**Report Title:** Borough Local Plan Update

**Submitted by:** Deputy Chief Executive

**Portfolios:** Strategic Planning

**Ward(s) affected:** All

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision Yes</u></b> <input type="checkbox"/> <b><u>No</u></b> <input type="checkbox"/>
To provide an update following consultation on the First Draft Local Plan.	
<b><u>Recommendation</u></b>	
<b>That:-</b>  <b>1. Members note the update following consultation on the First Draft of the Borough Local Plan</b>	
<b><u>Reasons</u></b>	
To provide an update on the Local Plan. To ensure that the process of adopting the Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 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 a spatial strategy to guide development to the most sustainable locations.
- 1.2 The Economy & Place Scrutiny Committee, on the 12 December 2022, requested that a standard item be added to the agenda to provide an update on the current position with the emerging Borough Local Plan.
- 1.3 Consultation on the First Draft Local Plan ended on the 14<sup>th</sup> August 2023. At the last Economy & Place Scrutiny Committee (8<sup>th</sup> June), Members requested a sense of the number of responses received and whether there

were any key themes arising following the consultation on the First Draft Borough Local Plan. Officers are still in the process of registering comments to the First Draft of the Borough Local Plan on the consultation portal before analysing comments that have been received. Therefore, the position outlined in this report should be regarded as an interim position.

## 2. Issues

### **First Draft Local Plan Consultation**

- 2.1 Consultation on the First Draft Local Plan took place from the 19th of June until the 23 August 2023 (a period of 8 weeks, 2 weeks longer than the statutory period of 6 weeks).
- 2.2 The consultation was held in line with the Council's approved Statement of Community Involvement (SCI). The Statement of Community Involvement sets out how the Council will engage with residents, communities and stakeholders across the Borough on matters relating to planning, including preparation of the Local Plan.
- 2.3 Consequently, in respect of the Local Plan and the consultation period, the Council: -
  - a. Published consultation documents online, alongside all the evidence base which supports the First Draft Local Plan. A frequently asked question webpage and a video presentation was also made available on the website
  - b. Made copies of the consultation documents available in local libraries and customer service centres
  - c. Advertised the consultation via press release and social media channels
  - d. Displayed site notices where there are site specific proposals included in the Plan. The site notices have provided information about the consultation and how residents can submit comments to the consultation
  - e. Enabled responses to be submitted, via a dedicated website but also by e-mail and letter to the Council
  - f. Held a programme of consultation exhibitions (drop in events) across the Borough providing information on the Plan, details of proposals relevant to the locations where events are being held and allowing attendees to ask questions of officer's present at the events.
- 2.4 In terms of the consultation exhibition 'drop in' events, the events were held on the following dates and listed locations: -

Event	Date	Number of residents who completed a 'sign in' sheet
Silverdale (Library)	22 June 2023	79
Kidsgrove (Town Hall)	28 June 2023	237

Ashley, Loggerheads (Oddfellows Hall)	05 July 2023	40
Audley (Methodist Church)	12 July 2023	191
Madeley (Madeley Centre)	13 July 2023	39
Keele (Village Hall)	20 July 2023	62
Chesterton (Holy Trinity Church)	27 July 2023	57
Silverdale (Methodist Church)	02 August 2023	72
Newcastle-under-Lyme Library (by appointment only)	03 August 2023	11
Bradwell (Bradwell Lodge Community Centre)	08 August 2023	7
Guildhall (NUL Town Centre)	10 August 2023	19

- 2.5 Most of the 'drop in' events were held from 5pm until 7pm. The exception was the event at Newcastle-under-Lyme Library where an appointment could be made to speak to a planning officer between 10am – 6pm.
- 2.6 There has been a strong response to the First Draft of the Local Plan. It is difficult to provide a full picture of the responses received until after all the responses have been processed. The Council is currently processing in the order of 550 hard copy responses (letters) and approximately 680 e-mail comments to the First Draft Local Plan and associated consultation documents. It is difficult therefore to provide a final number of consultation responses at this stage. This is due, in part, to the fact that a single e-mail may contain multiple comments on the draft Plan.
- 2.7 As outlined in the paragraph above, comments are still being processed but the interim position for responses registered on the system currently, as at the 06 September 2023 is:
- 1,488 comments on the First Draft Local Plan from 519 consultees currently registered on our consultation portal
  - 12 comments on the Sustainability Appraisal from 10 consultees currently registered on our consultation portal
  - 17 comments on the Habitats Regulations Assessment from 10 consultees registered on our consultation portal
- 2.8 There have also been four recorded petitions submitted to the consultation, these include: -
- A petition considered at Full Council on the 26th of July 2023 regarding a review of the Council's housing targets. At the time of preparing the Full Council report this had recorded 427 hard copy signatures and 1,657 signatures online. As at the 06 September 2023, 1,855 people have signed the online petition.
  - A petition entitled 'save your Newchapel and Harriseahead Green Belt from housing development (sites NC77 and NC13) with 88 signatures currently.
  - A petition regarding housing proposals at Red Street, High Carr Farm, Talke Pitts, Butt Lane, West Avenue and Congleton Road. The petition notes that infrastructure cannot take that level of development in such a

- small area, no plans for additional schools or GP surgeries with 289 online and 296 written signatures.
- d. A petition submitted by several local businesses on Hassell Street entitled 'Save Hassell Street Car Park' with over 450 signatures.
- 2.9 The immediate next steps for the planning policy team are to continue to register and publish consultation responses onto our consultation portal <https://consult.newcastle-staffs.gov.uk/kse/>. Once this has been completed, the team will then analyse responses received identifying the key issues raised and prepare a consultation report. The process of identifying key issues will be issue based rather than a bespoke individual response to comments made to the First Draft Local Plan. The outcome of the consultation will also help prepare the next stage on the Local Plan, identifying where further evidence may be required. The Council will then look to prepare the next iteration of the Local Plan, the Final Draft Local Plan for consultation and submission to the Planning Inspectorate for examination next year.

### **Consultation themes**

- 2.10 As all the responses have not yet been processed on the system, it is difficult to provide a comprehensive review of key themes raised at this stage as this will be undertaken once the consultation responses are registered on our consultation portal. However, the following are themes in the consultation responses received to date, including: -
- a. That the overall housing numbers should be recalculated and are either too high or too low.
  - b. That further work is required to understand the infrastructure requirements of the Local Plan
  - c. Views expressed on the sites proposed in the draft Plan
  - d. Concerns expressed over the need and justification for Green Belt release
  - e. That brownfield sites should be prioritised in the Plan

### **3. Recommendation**

- 3.1 That Members note the update following consultation on the First Draft of the Borough Local Plan

### **4. Reasons**

- 4.1 To provide an update on the Local Plan. To ensure that the process of adopting the Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

## **5. Options Considered**

- 5.1 The Council has already expressed its clear intention through its Local Development Scheme and through the preparation of the Local Plan to date that it intends to put in place a comprehensive set of up-to date planning policies for the Borough.
- 5.2 The option of not to proceed with the Local Plan and to cease work is not considered a reasonable option as the Council has a statutory duty to prepare development plan documents. Other consequences are the diminishing weight applied to out-of-date policies in existing development plan and the possibility without a forward supply of development sites that the Council fails to demonstrate a 5-year land supply. This would result in planning applications being determined in line with the presumption of sustainable development.

## **6. Legal and Statutory Implications**

- 6.1 In accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) the Council has a statutory duty to prepare planning policies and maintain an up to-date development plan. Secondary legislation contained in the Town and Country Planning (Local Planning) (England) Regulations 2012 provides additional guidance on Plan making.

## **7. Equality Impact Assessment**

- 7.1 The Local Plan will be supported by an Equality Impact Assessment. This will consider how development proposed and planning policies impact on different groups within the community.

## **8. Financial and Resource Implications**

- 8.1 The preparation of the Local Plan is resourced through the Planning Policy budget.

## **9. Major Risks & Mitigation**

- 6.1 Failure to demonstrate transparency and inclusiveness in our engagement and consultation with stakeholders on strategy development - If an aggrieved party feels the process has not been followed correctly then it may launch a challenge to the validity of the plan through the judicial review process. It is therefore important that the plan presents itself in a manner where each party can present their case fully. The Borough Council will also follow its Statement of Community Involvement during consultation stages.
- 6.2 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Bill is currently before parliament. The Bill will have

implications to produce Local Plans, once it receives Royal Assent (anticipated to be later in the year). The Government has outlined that Councils have until 30 June 2025 for old style Plans to be submitted for examination (to be adopted by 31 December 2026). Alongside this, the government has recently consulted on proposed changes to the National Planning Policy Framework. This may result in changes to the approach to Plan making, particularly in respect of the Green Belt. Again, this position will be kept under review. Transitional arrangements are likely to apply and implications of any changes to the approach and content of the Local Plan will be kept under review.

## **10. UN Sustainable Development Goals (UNSDG)**

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



## **11. Key Decision Information**

- 11.1 This report provides an update following consultation on the First Draft Local Plan. Decision reports associated with the formal consultation and submission of the Local Plan will affect all wards in the Borough.

## **12. Earlier Cabinet/Committee Resolutions**

- 12.1 Cabinet – 6 June 2023 – Cabinet decision to consult on the First Draft Local Plan - <https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MId=4234>

## **13. List of Appendices**

- 13.1 None

## **14. Background Papers**

- 14.1 Information on the emerging Local Plan including a link to the Borough Council's consultation portal can be viewed here: - <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan>