

LAND SOUTH WEST OF CHATTERLEY VALLEY, PEACOCK HAY ROAD, TALKE
C/O AGENT HARWORTH ESTATES

23/00678/REM

The application is for the approval of reserved matters relating to the new roundabout access, footways and improvement to the existing site access, details of which were reserved by Condition B9 of hybrid planning permission ref 21/00595/FUL.

The application site forms part of the wider Chatterley Valley development area which has a long standing employment allocation and has previously been subject to planning permission for its redevelopment.

The 13 week period for the determination of this application expires on the 16th November 2023.

RECOMMENDATIONS

Permit, subject to conditions relating to;

- 1. Link to outline planning permission and conditions;**
- 2. Approved plans;**
- 3. All road and access arrangements to be completed prior to first occupation of the buildings on site.**

Reason for Recommendation

The proposed development raises no issues with regards to highway safety and all technical issues have been addressed within this application or are covered by conditions of the hybrid planning application. It is therefore accepted that the proposed development is a sustainable form of development that accords with the development plan policies identified and the guidance and requirements of the National Planning Policy Framework and should be approved.

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

The LPA and applicant have engaged in proactive discussions and the LPA has requested further information during the consideration of the application to address concerns. Following the submission of further information the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

The application is for the approval of reserved matters relating to the new roundabout access, footways and improvement to the existing site access, the details of which are required by Condition B9 of hybrid planning permission ref 21/00595/FUL.

Outline planning permission for the redevelopment of the Chatterley Valley for industrial development was approved in 2019 and has since been subject to a number of Section 73 applications for the variation of conditions. The latest permission on the site (21/00595/FUL) was subject to a number of planning conditions, including those which required information to be submitted as part of the reserved matters submission, namely; details of the new roundabout access, footways and improvement to the existing site access.

Given that this is a reserved matters application and does not seek to vary any previously agreed conditions, the sole issue for consideration is access and highway safety.

The principle of the wider access works via Peacock Hay Road have been accepted under the previous applications approved on site, however the technical details of the new roundabout access and highways improvements were controlled through conditions of the hybrid planning permission. The applicant has confirmed that the S278 works at Peacock Hay Road (the detailed design of the works to the public highway) have already been approved by the Highway Authority. This planning application

has therefore been submitted in order to meet the condition requirements and secure planning approval to go alongside the existing highways approval.

The new roundabout would be located at the north-western edge of the wider development site along Peacock Hay Road, approximately 155 metres to the west of the existing site access and approximately 660m to the east of Talke Interchange. Following the submission of additional information, the Highway Authority has raised no objections to the proposal, subject to a condition requiring that all approved works are to be fully implemented on site prior to the first occupation of any building.

In the absence of any objections from the Highway Authority and subject to conditions, the proposed development is considered acceptable in highways terms. There are no other matters relevant to this proposal and the proposed development is in accordance with policies of the development plan and the aims and objectives of the NPPF.

Reducing Inequalities

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

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

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

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

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

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

The scheme has been developed embracing good design and access and it is therefore considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

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

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy E2: Chatterley Valley
Policy T16: Development – General Parking Requirements
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures
Policy N4: Development and Nature Conservation – Use of Local Species
Policy N17: Landscape Character – General Considerations

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (July 2023)

Planning Practice Guidance (2019 as updated)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

In 2019 a hybrid planning permission, 18/00736/OUT, was granted for the following:-

- A. full planning permission for earthworks associated with the creation of development plateaus, access roads and associated works; and
- B. outline planning permission for development of buildings falling within Use Classes B1b (research and development), B1c (light industry), B2 (general industrial and B8 (storage and distribution), and ancillary A3 (Restaurants and cafes) and A5 (hot food takeaways) uses. All matters of detail are reserved for subsequent approval.

Application 19/00846/OUT permitted the removal of condition B23, relating to pedestrian and cycleway enhancements, of planning permission 18/00736/OUT and variation of condition A1 relating to timescales for completion of earthworks; variation of conditions A8, B1 and B10 with regards to reference to Green Infrastructure Strategy; variation of condition B3 regarding requirements for the reserved matters application/s; and variation of reason for condition B25 relating to permitted use classes on the plots.

A further application, 21/00595/FUL, was permitted for the removal and variation of a number of conditions of 19/00846/OUT.

Application 21/00570/FUL, for full planning permission for the formation of development platforms, provision of access road and accompanying infrastructure and ecological enhancements has also been permitted.

Application 21/00595/NMA for a non-material amendment relating to the Electric Vehicle Charging Infrastructure as required by condition B18 of planning permission 21/00595/FUL has been permitted

Classification: NULBC **UNCLASSIFIED**

Under application 23/00220/REM reserved matters approval was granted for appearance, landscaping, layout, scale and access of Site D1 for a building in Use Classes B1(b), B1(c), B2 and/or B8 pursuant to outline element of hybrid planning application ref: 21/00595/FUL.

Views of Consultees

The **Highway Authority** raises no objections subject to a condition requiring that prior to the first occupation of the buildings within the site that the new roundabout access, footways and improvement to the site access shall be fully implemented in accordance with the approved plans.

The **Lead Local Flood Authority** have no objections to the proposal.

The **Environmental Health Division** have no objections to the proposal.

National Highways raise no objections to the proposal.

No representations have been received from **Stoke-on-Trent City Council** or the **Landscape Development Section**.

Representations

None received.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link: <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/23/00678/REM>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

19th October 2023

Classification: NULBC **UNCLASSIFIED**