

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**CORPORATE LEADERSHIP TEAM'S  
REPORT TO**

**ECONOMY AND PLACE SCRUTINY COMMITTEE**

**07 December 2023**

**Report Title: Borough Local Plan Update**

**Submitted by: Deputy Chief Executive**

**Portfolios: Strategic Planning**

**Ward(s) affected: All**

<p><b><u>Purpose of the Report</u></b> To provide an update on the Borough Local Plan.</p>	<p><b><u>Key Decision</u></b>    Yes <input type="checkbox"/>    No <input checked="" type="checkbox"/></p>
<p><b><u>Recommendation</u></b></p> <p><b>That Committee:</b></p> <p><b>1.    Members note the update on the progress of developing a Borough Local Plan</b></p>	
<p><b><u>Reasons</u></b></p> <p>To provide an update on the progress of developing a Local Plan. To ensure that the process of adopting a 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).</p>	

**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, at its meeting on the 12 December 2022, requested that a standing item be added to future meeting agendas to provide an update on the current position with regards to the emerging Borough Local Plan.
- 1.3**    As was previously reported, consultation on the First Draft Local Plan ended on the 14th of August 2023. At the last Economy & Place Scrutiny Committee (21 September), a report was received on the consultation process undertaken and the main headline topics that have been commented on by respondents.

## 2. Issues

- 2.1 During the consultation on the First Draft Local Plan, the Council received: -
- 5,159 comments from 1,378 consultees registered on our consultation portal
  - 13 comments on the Sustainability Appraisal from 11 consultees registered on our consultation portal
  - 18 comments on the Habitats Regulation Assessment from 14 consultees registered on our consultation portal

- 2.2 There have also been four recorded petitions submitted to the consultation, these include: -

- “Request NULBC to Review Housing Targets for Local Plan”. As at the 14 November, 1,857 people have signed the online petition (this petition was considered at Full Council on the 26 July 2023).
- ‘Save your Newchapel and Harriseahead Green Belt from housing development’ (sites NC77 and NC13) with 88 signatures currently.
- “Housing proposals at Red Street, High Carr Farm, Talke Pitts, Butt Lane, West Avenue and Congleton Road”. This petition claims that infrastructure cannot take that level of development in such a small area and alleges that there are no plans for additional schools or GP surgeries with over 500 signatures.
- ‘Save Hassell Street Car Park’ submitted by several local businesses on Hassell Street, Newcastle entitled with over 450 signatures

- 2.3 Several key themes have been identified through the consultation responses although it should be noted that detailed analysis of consultation responses will be reported to Cabinet in early 2024. These include: -

- That the overall housing numbers should be re-calculated and are either too high or too low
- That brownfield sites should be prioritised in the Plan
- That further work is needed to understand the infrastructure requirements of the Local Plan
- Concerns expressed over the need and justification for Green Belt release

Further feedback on the strategic employment sites. The outcome of the consultation will now inform the next stages of Local Plan preparation.

- 2.4 Cabinet considered a report on the Draft Borough Local Plan on the 17 October 2023 and resolved the following: -

- That the update following consultation on the First Draft of the Borough Local Plan be noted;
- That the Local Development Scheme 2023-2026 be published to confirm that the Council intends to prepare a Final Draft (Regulation 19 stage) of the Local Plan by Summer 2024;
- That approval be given to allocate £300,000 from the Budget Support Fund to fund the Local Plan programme.

- 2.5 The update on the consultation provided to Cabinet on the 17 October was similar in content to that provided to this Committee on the 21 September 2023.
- 2.6 The Local Development Scheme sets out the timetable for Local Plan making in the Borough. The report to Cabinet on the 17 October 2023 notes that the intention is to move to the final draft of the Local Plan (called the Regulation 19 version) and seek approval, to consult on the Final Draft Local Plan in the summer of 2024 (indicatively at Full Council on the 24 July 2024). This is with the aim of submitting the Local Plan for examination by the end of 2024.
- 2.7 Cabinet also approved funds to support the continuation of Local Plan programme (to the order of £300,000) through to July 2024. The intention of the funds is to provide additional consultancy support on items associated with the completion of a Local Plan. This will include updates to our existing evidence base and / or commissioning of further evidence in the light of consultation responses received.
- 2.8 An item has also been added to the forward plan for Cabinet to consider a report on the 16 January 2024 on the consultation outcomes from the First Draft Local Plan.

### 3. **Recommendation**

- 3.1 To provide an update on the progress of developing a Borough Local Plan.

### 4. **Reasons**

- 4.1 To provide an update on the progress of developing a Local Plan. To ensure that the process of adopting a 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 progress of a 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 a Local Plan and to cease work is not considered a reasonable option as;
- i. the Council has a statutory duty to prepare development plan documents.
  - ii. to ensure that the existing development plan is updated so that our planning decisions reflect current policies and best practice
  - iii. 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. The report taken to Cabinet on the 17 October 2023 noted how further funding was required to support the development of the Local Plan. This has been agreed with an additional £300,000 from the budget support fund to deliver the Local Plan.

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

- 9.1 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Act now has Royal Assent. The Act will have implications for the formulation of Local Plans. 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 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 several 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 on the Borough 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 - [Agenda for Cabinet on Tuesday, 6th June, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/agenda/2023/06/06/)

12.2 Cabinet – 17 October 2023 – update following consultation on the First Draft Local Plan and consideration of Local Development Scheme - [Agenda for Cabinet on Tuesday, 17th October, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/agenda/2023/10/17/)

## 13. List of Appendices

13.1 N/A

## 14. Background Papers

14.1 Local Development Scheme (2023 – 2026) - [Local Development Scheme 2023-2026 \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/agenda/2023/06/06/)