

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO ECONOMY & PLACE SCRUTINY COMMITTEE**

DATE: 11 September 2024

Report Title: Newcastle-under-Lyme Borough Local Plan 2040 [OBJ]

Submitted by: Deputy Chief Executive. [OBJ]

Portfolios: Strategic Planning.

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 on the emerging Borough Local Plan.			
<u>Recommendation</u> That Committee: 1. Members note the update on the progress of developing a new Local Plan for the Borough.			
<u>Reasons</u> To provide an update on the progress of developing a new 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 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. At its adoption, the Plan will form part of the statutory Development Plan for the Borough.
- 1.2** The Economy and 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 preparation of the emerging Borough Local Plan.
- 1.3** At the Full Council meeting on the 24 July 2024, Members approved the Final Draft Local Plan (at Regulation 19 stage) and associated documentation for eight weeks consultation. Consultation on the Final Draft Local Plan started on the 12 August 2024 and runs until the 7 October 2024.

- 1.4** Following consultation, subject to paragraph 1.5 (below) the Council would then submit the Final Draft Borough Local Plan, comments received in their entirety (at Regulation 19 Stage) and the related evidence base to the Secretary of State for public examination. This is anticipated to take place by the end of the calendar year. The examination of the Final Draft Borough Local Plan would then be anticipated to take place sometime in early 2025.
- 1.5** However, if representations are received during the Final Draft Borough Local Plan Regulation 19 consultation stage that would materially impact on the overall Plan strategy or have a significant implication for the examination of the Plan, then a further report would be brought back to Full Council to allow Members to consider those representations that have a material impact and consider any impacts upon the Plan.
- 1.6** Consultation on the Final Draft Borough Local Plan, at the Regulation 19 stage, is a more formal stage than that at Regulation 18 stage. The aim of the consultation stage is to seek views on whether the Plan meets legal and procedural requirements and meets the ‘test of soundness’ set out in paragraph 35 of the National Planning Policy Framework (NPPF). The tests of soundness are: -
- Is the plan 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;
 - Is the plan justified – does it reflect an appropriate spatial strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Is the plan effective – are the proposed plans and policies deliverable over the plan period. Is the plan 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
 - Is the plan consistent with national policy – does it enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 1.7** Comments submitted at the Regulation 19 stage are sent in full to the Secretary of State on the submission of the Plan for consideration by the Inspector as part of the Plan examination. The Inspector(s) appointed to hold the examination will consider the evidence provided by the Council to support the Plan and any representations which have been put forward by local people and other interested parties. It is expected that the examination will include hearing sessions which are held in public.
- 1.8** There are three potential outcomes to the examination process:
- a) The Plan is found to be sound and legally compliant;
 - b) Changes (known as ‘main modifications’) to the Plan are considered necessary to make it legally compliant and sound; or
 - c) The Plan is deemed unsound and/or not legally compliant with any deficiency (ies) unable to be remedied through main modifications. In

this outcome, the Council is asked to withdraw the Plan from examination.



1.9 The outcome for a large proportion of plan examinations is (b), involving 'main modifications. Proposed main modifications that the Inspector considers necessary are subject to public consultation for a period of six weeks during the examination. At the end of the examination the Inspector will send a report to the Council with their findings including final, recommended main modifications. After that, the Plan, incorporating the main modifications, can be adopted by the Council. Upon adoption the Plan would become part of the statutory development plan for the Borough and would replace most policies in the Joint Core Strategy 2009 and legacy Newcastle-under-Lyme Local Plan 2003.

2. Issues

2.1 Consultation on the Final Draft Local Plan started on the 12 August and runs until the 07 October 2024. The Council is consulting on the following documents: -

- Final Draft Local Plan (2020-2040)
- Sustainability Appraisal (incorporating Equality Impacts Assessment)
- Habitats Regulations Assessment

2.2 Local Plan evidence-based documents have been placed on the website. A Policies Map booklet has also been produced to outline the changes proposed by the Final Draft Local Plan. Several explainer video's and supporting documents such as frequently asked questions have also been published on the Council website.

2.3 Copies of the main consultation documents has been made available on the Council's website and in libraries across the Borough. Site notices have also been put up in relation to sites proposed for allocation in the Final Draft Local Plan.

2.4 The Council maintains a database of stakeholders who have been responded to the Local Plan previously or have asked to be notified about the Local Plan. E-mails and / or letters have been sent out to notify consultees on the database about the consultation. E-mail notifications were also sent to Borough and relevant County Council Councillors, all Town and Parish Councils in the Borough and Members of Parliament (MPs) whose constituencies lie partly or wholly within Newcastle-under-Lyme Borough Council's administrative area.

2.5 The consultation has been promoted via social media, press releases. There have been items in relation to the Local Plan covered on the Radio.

2.6 There has also been several 'drop in' consultation events held and a number which are scheduled to take place over the next week or so. The 'drop in' events are held between 5pm and 7pm. The exception was the event at Newcastle-under-Lyme Library on 12th August where an appointment could be made to speak to a planning officer between 10am – 6pm. Table 1 (below) includes details in relation to the consultation events including the number of attendees who completed a sign in sheet for the respective events: -

Table 1: Details of Local Plan Consultation Events

Local Plan Consultation Exhibition 'drop in' event	Date of Event	Number of Attendees who completed a 'sign in' sheet
Newcastle-under-Lyme Library (by appointment only)	12 August 2024	0
Bradwell (Bradwell Lodge Community Centre)	14 August 2024	14
Loggerheads (Loggerheads Community Fire Station)	15 August 2024	49
Kidsgrove (Kidsgrove Town Hall)	20 August 2024	23
Madeley (Madeley Centre)	29 August 2024	8
Crackley & Red Street (Red Street Community Centre)	4 September 2024	TBC
Audley (Audley Methodist Church)	12 September 2024	TBC
Silverdale (Methodist Church)	16 September 2024	TBC
Keele (Sneyd Arms)	19 September 2024	TBC
Guildhall (NUL Town Centre)	24 September 2024	TBC

- 2.7** As at the 02 September 2024, a total of
- 40 representations have been made to the Final Draft Local Plan from 26 people;
 - Zero representations, to date, have been made to the Sustainability Appraisal (incorporating Equality Impact Assessment);
 - 1 representation has been made to the Habitats Regulations Assessment.

- 2.8** The key message for the Final Draft Local Plan is that the consultation runs until the 7 October 2024. Comments during the consultation can be made through the following methods: -
- Completing a representation form on our consultation portal which can be accessed here: - [Emerging Newcastle-under-Lyme local plan – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk/emerging-newcastle-under-lyme-local-plan)
 - E-mailing the Planning Policy Team at planningpolicy@newcastle-staffs.gov.uk
 - Writing to us at Planning Policy, Newcastle-under-Lyme Borough Council, Second Floor, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL

3. Recommendation

3.1 That Committee:

- Members note the update on the progress of developing a new Local Plan for the Borough

4. Reasons

- 4.1 To provide an update on the progress of developing a new 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 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. Options Considered

- 5.1 The Council has previously 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.

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.
- 6.2 Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. Equality Impact Assessment

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

8. Financial and Resource Implications

- 8.1 The preparation of the Local Plan is resourced through the Planning Policy budget and full use of the Local Plan reserve. The examination of the Local Plan will incur additional costs which are not currently budgeted for, and a separate report will be prepared for Cabinet, scheduled for October 2024 to seek approval for additional funds to support the future preparation and examination of 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 future Local Plans.
- 9.2 The government have published potential future changes to the planning system including draft revisions to the National Planning Policy Framework. The consultation runs until the 24 September 2024. The implications of any changes will be kept under review during the development of the Local Plan.

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 and the recommendations contained within it relate to the preparation of a new 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 Council – 24 July – 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 \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/agenda-for-council-on-wednesday-24th-july-2024-7-00-pm)

13. List of Appendices

13.1 N/A

14. Background Papers

14.1 Evidence base documents, supporting the Local Plan can be viewed on the Council's website:- <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan-evidence-base>

14.2 The Local Plan consultation pages can be viewed here:- <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan>