

**ASHFIELDS GRANGE, HALL STREET, NEWCASTLE**  
**ASPIRE HOUSING**

**25/00012/FUL**

Full planning permission is sought for the variation of condition 12 of planning permission 22/00759/FUL to enable the relocation of the cycle shelter on the site.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map.

**The 13-week period for the determination of this application expires on 15<sup>th</sup> April.**

**RECOMMENDATION**

**PERMIT the application subject to conditions relating to the following matters: -**

- 1. Variation of condition 12 to refer to the revised plan**
- 2. Any other conditions which are still relevant to the original decision**

**Reason for Recommendation**

The proposed variation would have no adverse impact on either highway safety or sustainable travel objectives.

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

The application is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

**Key Issues**

Full planning permission was granted in 2020 for the demolition of the existing buildings on this site and the development of 89 supported living apartments (Ref. 19/00614/FUL). Several applications have subsequently been granted for variation of conditions.

Full planning permission is now sought for the variation of condition 12 of the most recent planning permission (Ref. 22/00759/FUL) to enable the relocation of the cycle shelter on the site. Currently, condition 12 states as follows:

*The development shall proceed in accordance with Galvanised Cycle Shelter document, as approved by Local Planning Authority letter dated 23rd March 2022. The approved cycle parking facility shall thereafter be installed in accordance with the approved details prior to the development being first brought into use and shall thereafter be retained for the life of the development.*

An application such as this can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

In deciding an application under section 73 the local planning authority must only consider the condition/s that are the subject of the application, it is not a complete re-consideration of the application.

Currently, the cycle store is located adjacent to the northern boundary of the site, just east of the scooter store access. The application is seeking to move the existing cycle provision to two alternative locations in response to anti-social behaviour issues that are arising due to people congregating in and around the current covered cycle store on site. The revised proposals will provide a safer and more secure cycle parking arrangement while still maintaining a suitable level of cycle parking for residents and visitors.

The consented scheme provides 10 cycle parking spaces for residents and visitors which was considered a suitable level of provision by the Highway Authority. The current proposal would retain that same level of provision.

It is proposed to install 6 cycle parking spaces for visitors outside the main entrance to the apartments and to form 4 secure cycle parking spaces for residents and staff within the existing internal disability scooter parking area.

The Highway Authority has no objections to the proposal and in conclusion, it is not considered that the proposed variation would have any adverse impact on either highway safety or sustainable travel objectives.

### 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

With regard to this proposal it is considered that it will have a positive 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 SP3: Spatial Principles of Movement and Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy CSP3: Sustainability and Climate Change

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy T16: Development – General Parking Requirements

**Other Material Considerations include:**

[National Planning Policy](#)

[National Planning Policy Framework \(NPPF\) \(2024\)](#)

[Planning Practice Guidance](#)

**Relevant Planning History**

19/00614/FUL Demolition of all existing buildings and the development of 89 supported living apartments (C3 use class), along with communal facilities, car parking, landscaping and amenity space reference – Approved

20/00609/FUL Variation of condition 2 of planning permission 19/00614/FUL to substitute the approved plans with revised plans that show a proposed substation, generator and bin store – Approved

22/00126/FUL Variation of conditions 1 and 24 of planning permission 20/00609/FUL for amendments to the lower roof garden parapet, main roof parapet, landscape design and electric vehicle charging provision – Approved

22/00759/FUL Variation of condition 4 amendments to boundary treatments, the variation of condition 5 landscaping proposals and the variation of condition 12 timing of off-site highway works of planning application 22/00126/FUL – Approved

**Views of Consultees**

The **Highway Authority** has no objections.

**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/25/00012/FUL>

**Background papers**

Planning files referred to  
Planning Documents referred to

**Date report prepared**

12 February 2025