

Full planning permission is sought for a development of 53 no. retirement apartments (Use Class C3), including a new vehicular access, car parking, landscaping and associated infrastructure. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The 13-week period for the determination of this application expired on 7 February but an extension of time has been agreed to 2 May 2025.

RECOMMENDATION

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

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Off-site highway improvements**
- 4. Hard surfaces to be sustainably drained, surfaced in a bound material, lit and marked out**
- 5. Submission of a Traffic Management Plan**
- 6. Provision of cycle parking facilities**
- 7. Construction Environmental Management Plan**
- 8. Residential Travel Plan**
- 9. Installation of a Real Time Passenger Information screen**
- 10. Tree protection**
- 11. Landscaping scheme**
- 12. Detailed drainage design**
- 13. Material samples**
- 14. Boundary treatments**
- 15. Contaminated land**
- 16. Noise attenuation scheme**
- 17. Limit on external noise levels produced by fixed external plant**

Reason for Recommendation

The scheme would regenerate a previously developed site and contribute to the vitality and viability of the town centre. There would be no adverse impact on the setting of any listed buildings or on the character of the Conservation Area and the scale and design of the development would be appropriate. There would be no adverse impact on the local highway network in terms of safety and/or capacity and subject to appropriate conditions to ensure sustainable transport objectives, it is not considered that an objection could be sustained.

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

Amended/additional information has been sought and received and the proposal is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for a development of 53 no. retirement apartments for residents aged 60 and over, including a new vehicular access, car parking, landscaping and associated infrastructure. The site is part of a wider masterplan aspiration for Ryecroft.

The site lies within the Urban Area of Newcastle as indicated on the Local Development Framework Proposals Map and adjoins Newcastle Conservation Area. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the Northern Quarter.

The key issues in the determination of the application are:

- Is the principle of the proposed development on the site acceptable?
- Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area?
- Would there be any adverse impact on the character and appearance of the area?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- Are acceptable residential amenity levels achieved for the occupiers?
- Does the development provide an appropriate level of Biodiversity Net Gain?
- What, if any, planning obligations are necessary to make the development policy compliant?

Is the principle of the proposed development on the site acceptable?

Paragraph 90 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Local and national planning policy seeks to provide new housing development within existing urban development boundaries on previously developed land. The site is located within the Urban Area of Newcastle.

Policy ASP5 of the Core Spatial Strategy (CSS) – the most up-to-date and relevant part of the development plan - sets a requirement for at least 4,800 net additional dwellings in the urban area of Newcastle-under-Lyme by 2026 and a target of at least 3,200 dwellings within Newcastle Urban Central (within which the site lies).

Policy SP1 of the CSS states that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. The Core Strategy goes on to state that sustainable transformation can only be achieved if a brownfield site offers the best overall sustainable solution and its development will work to promote key spatial considerations. Priority will be given to developing sites which are well located in relation to existing neighbourhoods, employment, services and infrastructure and also taking into account how the site connects to and impacts positively on the growth of the locality.

Paragraph 61 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

The SPD places the application site within the Northern Quarter which is a mixed zone which has been defined in recognition of its shared potential for significant redevelopment. Redevelopment opportunities could lead to a greater mix and intensity of uses. Additional residential development could be appropriate here, as well as leisure, offices and hotel development, so long as the main function of the Primary Shopping Area is maintained and enhanced.

The Newcastle Town Centre SPD states that encouraging mixed-use development increases the diversity of uses within a locality. As a result, such development would enhance the vitality and viability of the Town Centre by encouraging its use by a greater range of people for different purposes, possibly at different times of the day and night. This helps to strengthen the social fabric and economic viability of the Town Centre. It also has positive implications in terms of sustainable development as it encourages proximity of uses, reducing the need to travel.

This is a previously developed site in a highly sustainable location within the urban area. The site is in easy walking distance of the shops and services of Newcastle Town Centre with regular bus services to destinations around the borough and beyond. It is considered that the site provides a sustainable location for additional residential development that would accord with the Town Centre SPD.

Is the proposal acceptable in terms of its impact on the form and character of the Conservation Area?

The site is not located in a Conservation Area, however, Newcastle Town Centre Conservation Area lies adjacent to the south-east. There are no listed buildings within the site, but there are a number nearby.

In considering development affecting Listed Buildings, special regard will be given to the desirability of preserving the building, its setting or any features of special architectural or historic interest (Section 66, Planning [Listed Buildings and Conservation Areas] Act 1990).

Local and national planning policies seek to protect and enhance the character and appearance of Conservation Areas and development that is contrary to those aims will be resisted. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas in the exercise of planning functions.

The NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Saved NLP Policy B9 states that the Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

Saved Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a listed building.

The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance (2010) states in HE4 that new development in a Conservation Area must preserve or enhance its character or appearance. It must: -

- a. Where redevelopment is proposed, assess the contribution made by the existing building to the character or appearance of the Conservation Area and ensure that the new development contributes equally or more.
- b. Strengthen either the variety or the consistency of a Conservation Area, depending upon which of these is characteristic of the area.
- c. The development must not adversely affect the setting or detract from the qualities and significance that contribute to its character and appearance.

A Heritage Statement that accompanies the application concludes that the proposed development will cause no harm to how the significance of the Conservation Area is understood and that there are no other designated or non-designated heritage assets which will be adversely affected by the development.

The Conservation Officer agrees with the findings of the Heritage Statement and raises no objections to the scheme.

To conclude, it is not considered that there would be any adverse impact on the setting of any listed buildings or on the character of the Conservation Area.

Would there be any adverse impact on the character and appearance of the area?

Paragraph 131 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the Framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The proposed 4-storey development would comprise 16 no. 2-bedroom and 37 no. 1-bedroom apartments, all of which would be self-contained with communal facilities including a shared residents' lounge, mobility scooter store, attached refuse store and communal garden.

The location of the new retirement living development has been dictated by the existing site constraints and the shape of the available plot. The building would be L-shaped with the longer elevations facing the wider Ryecroft site, whilst the shorter elevations would face Ryecroft and the rear elevations of buildings along Merrial Street.

The existing levels within the site have been reduced, allowing the height of the building to be consistent with the surrounding developments along Merrial Street. The building would be flat roofed, also to minimise its overall height.

The primary materials would comprise two different tones of red brick, with contrasting buff brickwork to add architectural interest to the facades and respond to the surrounding context. Window reveals would provide articulation and depth to the façades. The language would be simple but contemporary and clean.

A residents' garden is proposed with direct access from the communal lounge of the building. The landscape design, boundary treatment and planting of new trees along the site boundaries would help to soften the appearance of the development and associated parking.

Prior to submission of the application, the scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The Panel welcomed the proposal to provide affordable retirement living within the Town Centre, but they made several recommendations for how the scheme could be improved. Following receipt of the DRP comments, the applicant has made several amendments to the scheme to address the matters identified. In particular, the building has been reorientated to run parallel with the 'green spine' element of the wider masterplan to the north and a direct pedestrian link has been included from the northern elevation of the building to the 'green spine' which leads to Ryecroft. Amendments have also been made to the car parking to remove a former 'gap' fronting the Merrial Street boundary to ensure that this part of the site is purposefully used.

It is considered that the design and massing of the proposed building would be consistent with both existing development and that proposed on the remainder of the wider Ryecroft site. Overall, it is considered that the scale and design of the development would be appropriate and with the implementation of an appropriate landscaping scheme to soften the building, there would be no adverse impact on the character and appearance of the surrounding area.

Is the proposal acceptable in terms of highway safety?

The NPPF, at paragraph 111, states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

There are three existing vehicular access points to the site, which are located on Rye Bank, Merrial Street and Corporation Street. The development proposals would result in the vehicular accesses on Merrial Street and Corporation Street being stopped up, with a single point of access retained on Rye Bank which is accessed via a give-way junction with Ryecroft,

The proposed development would provide 22 spaces (including two accessible spaces) for residents.

The maximum parking standards in the Local Plan for C3 Sheltered Housing developments require a maximum of 1 space per 3 dwellings which equates to a maximum requirement of 18 car parking spaces for the proposed 53-units. A Transport Statement submitted with the application looks at other McCarthy Stone schemes in comparable locations and concludes that 22 car parking spaces would be suitable for the proposed development. It states that no overspill parking is anticipated to occur, with suitable on-site provision provided in balance with the expected demand and local standards.

Mobility scooter storage is proposed, with space for up to 7 buggies and this facility would also accommodate space for bicycles, if required.

The Transport Statement demonstrates that the traffic impact of the development on the local highway network would be negligible.

The Highway Authority (HA) has raised no objections to the application subject to conditions. Subject to the imposition of such conditions, it is accepted that the proposed development would not have any adverse impact on highway safety.

Are acceptable residential amenity levels achieved for the occupiers?

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The Council's Supplementary Planning Guidance (SPG) - Space Around Dwelling provides more detailed guidance on privacy and daylight standards including separation distances between proposed dwellings and new development in relation to existing dwellings.

The application is supported by an Air Quality Assessment which raises no concerns and a Noise Assessment which recommends mitigation measures in the form of building façade constructions, minimum window performance and minimum sound level differences for the proposed mechanical ventilation system. These documents have been considered by the Environmental Health Division who have raised no objections to the application subject to conditions.

Acceptable separation distances are proposed between the proposed development and both existing dwellings and those proposed on the adjacent development site.

In conclusion, subject to the imposition of conditions, it is not considered that the proposed development would result in any significant adverse impact on the amenity of the occupiers of existing or proposed dwellings. The proposed development therefore accords with the Council's SPG and the guidance and requirements of the NPPF.

Does the development provide an appropriate level of Biodiversity Net Gain?

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This is a way of ensuring that

development has a measurable positive impact ('net gain') on biodiversity, compared to what was there. It requires developers to deliver a BNG of 10%.

The application is accompanied by a Biodiversity Statement and Metric Assessment (dated October 2024), which concludes that the proposal would deliver a net percentage change (including all on-site habitat retention, creation and enhancement) above the required 10%.

What, if any, planning obligations are necessary to make the development policy compliant?

Section 122 of the Community Infrastructure Levy Regulations states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The Highway Authority has requested a financial contribution of £3,000 towards travel plan monitoring.

The Landscape Development Section has requested a contribution towards public realm improvements and open space improvements in the nearby Brampton Park. No figure has been detailed but for other similar schemes, the standard figure of £5,579 per unit has been reduced to omit the element for play to reflect that the units will be for people aged 60 and over. On this basis, £4,933 per unit is sought which equates to £261,449.

Finally, Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £22,788 to be targeted towards supporting the future development/adaptation/expansion of premises within the Newcastle Central and Newcastle South Primary Care Networks.

These are considered to meet the tests identified in the NPPF and are compliant with Section 122 of the CIL Regulations.

The applicant has submitted a Viability Assessment which seeks to demonstrate that the above financial contributions would render the scheme unviable. The viability case has been considered by independent and suitably qualified valuers and it is accepted that the scheme cannot meet the requisite planning obligations.

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 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 SP1: Spatial Principles of Targeted Regeneration
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP5: Open Space/Sport/Recreation
Policy CSP10: Planning Obligations

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

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy H13: Supported Housing
Policy T16: Development – General Parking Requirements
Policy T17: Parking in Town and District Centres
Policy B14: Development in or Adjoining the Boundary of Conservation Areas
Policy C4: Open Space in New Housing Areas
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

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

[Planning Practice Guidance](#)

[Supplementary Planning Guidance/Documents](#)

[Developer contributions SPD \(September 2007\)](#)

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

[Newcastle Town Centre SPD \(2009\)](#)

[Newcastle-under-Lyme Open Space Strategy](#) – adopted March 2017

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Relevant Planning History](#)

06/01181/OUT	Demolition of existing buildings and erection of 6 non-food retail units (Class A1) with associated car parking, access and landscaping works – Approved
14/00657/FUL	Temporary Winter Wonderland consisting of an ice rink, bar, German market units and fair – Approved
17/00959/FUL	Temporary circus consisting of three big tops, box office/bar tent, café tent, company catering tent, toilets and showers and space for caravans and trailers – Approved
19/00470/DEEM3	Temporary ad-hoc use of cleared site of former supermarket for the holding of licenced events such as circuses, fairgrounds, ice rinks etc. – Approved

21/00908/DEM	Application for prior notification of proposed demolition of former offices and associated structures – Approved
23/00192/DEEM3	Erection of a Multi-Storey Car Park (MSCP) with associated access, servicing and landscape works – Approved
24/00017/DEEM3	Full planning application for the temporary transfer and storage of excavated materials from the multi-storey car park (MSCP) development site to the adjacent civic building demolition plot for a period of 2 years - Approved
24/00840/FUL	Residential development comprising 175 dwellings and associated landscaping – Pending consideration

Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding contaminated land, a noise attenuation scheme, limit on external noise levels produced by fixed external plant and a construction environmental management plan.

The **Highway Authority** has no objections subject to conditions regarding off-site highway improvements, hard surfaces to be sustainably drained, surfaced in a bound material, lit and marked out, submission of a Traffic Management Plan, provision of cycle parking facilities, a Construction Environmental Management Plan, a Residential Travel Plan and installation of a Real Time Passenger Information screen.

A Travel Plan monitoring fee of £3,000 is also required.

Staffordshire County Council as **Lead Local Flood Authority (LLFA)** has no objections subject to the approval of the final detailed surface water drainage design.

Staffordshire and Stoke-on-Trent Integrated Care Board have no objections subject to a financial contribution of £22,788 to support the future development/adaptation/expansion of premises within the Primary Care Networks, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

The **Conservation Officer** states that the site is outside the Conservation Area but close to its northern boundary and a key location to this gateway into the town. The application for the retirement living complex has come as a preapplication enquiry and some changes have been considered and made as a result of the design review panel. It is very clear that this has been design engineered to fit this specific model, but on balance it is considered that the massing and the materials are appropriate to the location and will generally reflect the rest of the development on Ryecroft, providing a joint gateway into the green urban walkway proposed by the masterplan. An aluminium window material would be preferred to make the openings more lightweight. The main concern is the boundary treatments for the site and how this will interface with the public walkways. There are no materials specified for the low fence.

The **Conservation Advisory Working Party** had a general consensus that the development would improve and enhance the area but that the design was uninspiring and that it was imperative that it integrated with the rest of the place and the linear park. The boundaries were a key part of this and there was some concern regarding the choice of boundary treatment and they should continue to work with the council and the adjacent developer. Concern was raised over insufficient parking especially for staff and carers.

The **Housing Strategy Section** notes that affordable housing would not be provided based on a viability appraisal. It is stated that it should be independently validated.

The **Landscape Development Section** has no objections subject to tree protection for the existing trees located on the edge of and outside of the development area, the provision of detailed information regarding the construction of any new paving in the vicinity of the trees and details of the design and landscaping of the proposed courtyard area and wider site.

The proposed development would also require a S106 contribution towards public realm improvements and the open space improvements in the nearby Brampton Park.

Cadent Gas has no objections.

Staffordshire County Council as the **Mineral and Waste Planning Authority** makes no comment.

NatureSpace makes no comment on the application.

Staffordshire Police **Early Intervention & Prevention Unit** considers that the configuration of apartments within the proposed development should allow a high level of natural surveillance out from the building in most directions. The provision of the external communal residents' terrace in the corner of L-shaped building should result in a relatively private space, which is well overlooked. A number of recommendations are made regarding security.

No comments have been received from **Staffordshire Wildlife Trust** or **United Utilities** and given that the period for comment has passed, it must be assumed that they have no comments to make.

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/24/00792/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025