

Full planning permission is sought for the repurposing of the existing car park structure into new residential accommodation consisting of 111 apartments and associated communal facilities.

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

The 13-week period for the determination of this application expired on 22 January but an extension of time has been agreed to 2 May 2025.

RECOMMENDATION

Permit, subject to conditions relating to the following matters: -

1. **Standard time limit for commencement of development**
2. **Approved plans**
3. **Off-site highway improvements to The Midway and Lower Street**
4. **Details of the internal access ramp**
5. **Cycle parking facilities**
6. **Details of servicing**
7. **Construction environmental management plan**
8. **Land contamination**
9. **Sustainable heating**
10. **Noise attenuation scheme**
11. **Lighting**
12. **Landscaping scheme**
13. **Detailed drainage design**
14. **Material samples**
15. **Construction hours**

Reason for Recommendation

The redevelopment of this prominent town centre site is a sustainable form of development supported by the National Planning Policy Framework. The design, scale and appearance of the proposed development would protect and enhance, and as such would not harm, the character and appearance of the Conservation Area or the setting of the nearby Listed Buildings. The development would provide acceptable living conditions for its occupiers and it is not considered that there would be any adverse impact on highway safety.

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

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 the repurposing of the existing car park structure into new residential accommodation consisting of 111 apartments and associated communal facilities.

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

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?
- Are acceptable residential amenity levels achieved for the occupiers?
- Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?
- 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.

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 Town Centre which has many shops and services 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 application site lies within the Newcastle Town Centre Conservation Area.

The LPA has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 to 'pay special attention' to the desirability of preserving or enhancing the character or appearance of the conservation area and to 'have special regard' to the desirability of preserving the special interest and setting of nearby listed buildings.

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.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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.

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.

The Town Centre SPD states that the Town Centre's historic character and identity, with its special distinctiveness as a market town, is an asset that needs to be conserved and enhanced. Development must be designed to respect, and where possible enhance, its surroundings and contribute positively to the character of the Town Centre, helping to improve its image and identity, having particular regard to the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials.

A Heritage Statement that accompanies the application concludes that there would be no harm to the significance of designated or non-designated heritage assets stating that the proposed development would repurpose and enhance the existing Midway car park, a building that is recognised as currently making a negative contribution to the Conservation Area, requiring further improvements.

The Council's Conservation Officer agrees, stating that the development would not cause any harm to the significance of any of the heritage assets within the town centre and is likely to make a positive contribution to the area.

The introduction of a residential use in this area should benefit the Town Centre, making it a more vibrant place, providing more activity and natural surveillance, and should help to "lift" the area.

On this basis the proposed development accords with the NPPF and the local planning policies and guidance set out above.

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 scheme would comprise 78 no. 1-bedroom and 33 no. 2-bedroom apartments across five floors. Significant elements of the existing structure of the car park would be retained and repurposed and the footprint of the building would remain the same. Cuts to the existing slabs and central spine wall would create a central void and open up the existing interior to create new internal circulation spaces. A new roof structure would be added to the roof level to provide additional residential accommodation.

A main triple height entrance courtyard to the building would be located at level 02, in a centralised location providing level access from The Midway. This would utilise the existing vehicular entrance to the car park. From this main entrance, apartments would be accessed via open air walkways framing the new void space between the rows of accommodation. There would be additional access to the upper floors on level 00, utilising the existing vehicular access from Lower Street. The proposed development would remove the existing pedestrian link to the Roebuck Centre.

All accommodation would be provided with a recessed balcony or terrace providing significant elements of private amenity within the scheme. The main elements of plant equipment would be located on level 00 with access off Lower Street. This floor would also provide flexible community amenity spaces. Further amenity space would be proposed with a communal roof terrace at level 05. Car parking would be provided across level 00 and level 01a. Integral domestic and community waste and recycling stores would be incorporated at level 02 and accessed directly from The Midway.

The proposed materials would predominantly be a combination of the existing grey concrete structure with red, black, and charcoal toned cladding. The new roof structure would be expressed as a series of pitches with a vertical articulation. The gable ends to the pitches would be clad in red square profile metal. Columns of black perforated corrugated cladding would feature at regular intervals along the frontages to Lower Street and Midway (street). Windows would have charcoal toned frames and galvanised steel flat bar balustrades would line the private balconies. The materials palette is designed to celebrate the retained elements of the existing structure whilst providing a bold and clear language, tying the new build elements together.

Prior to submission of the application, the scheme was presented to a Design Review Panel (DRP), as encouraged by the NPPF. The Panel felt that the proposals are ambitious and much needed, and that the Town Centre would benefit from regeneration. The approach to materiality was understood and received positively. Recommendations were made for how the submission of additional information would be helpful and the applicant has provided information in response. Some amendments were recommended and although the applicant has considered those suggestions, some have been dismissed for reasons explained in the submission. One such recommendation was to explore the opportunity for communal spaces at the rooftop level and that has been taken on board with the provision of a communal roof terrace at level 05.

The proposed new façades are designed to be contemporary, yet contextual, and draw reference from the architectural features and tones of the area. It is considered that the articulation of the roof pitches would reflect elements of the fine urban grain of the town and add variety to a mixed roofscape, in contrast to the existing expansive area of flat roof.

In conclusion, 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.

Are acceptable residential amenity levels achieved for the occupiers?

The area is mixed use in nature with commercial uses alongside residential apartments.

An Air Quality Assessment has been submitted which concludes that the impact of the proposed development on local air quality with regards to the current relevant air quality objectives would not be significant.

A Noise Impact Assessment that accompanies the application has considered in full the potential impact of local noise sources from road traffic and fixed plant as well as from new internal sources of noise from new mechanical plant associated with the development. A number of mitigation measures are recommended.

The Environmental Health Division (EHD) raises no objections subject to the imposition of conditions.

It is considered that the residents of all apartments would have an acceptable outlook and level of amenity, and some outside amenity space would be available in addition to a number of open spaces and parks within and around the town.

Overall, it is considered that the development would provide acceptable living conditions for its occupiers.

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.

Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

Saved Policy T17 of the Local Plan states that development in Newcastle Town Centre within the ring road will not be permitted to provide new private parking but will be required, where appropriate, to contribute to appropriate improvements to travel to the development. The policy identifies what such improvements may include.

A new vehicular access would be formed at the eastern end of the Midway site frontage. The vehicular accesses on Lower Street would be retained as existing and the western junction would continue to provide access to the substation and the eastern junction will continue to provide access to a very small parking area. A drop-off layby is proposed on the Midway frontage outside the main entrance.

The proposed development would include 49 car parking spaces, comprising 45 standard spaces and four accessible spaces. The majority of the spaces would be provided at level 01 with a small number at Level 00.

116 cycle spaces would also be incorporated across the development. Refuse collection and other servicing would be focused on the Midway with the bin store also on that frontage. Loading bay areas would be provided on the site frontage as part of a new landscaped area for use by refuse collection and other delivery vehicles. The site management team would move the bins to this area for collection.

A Transport Assessment that accompanies the application confirms that the site occupies an accessible, town centre location and concludes that the development would not generate a significant level of traffic or have an adverse impact on highway operation.

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.

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 £6,000 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 Town Centre schemes, the standard figure of £5,579 per unit has been reduced for the 1-bed properties on the basis that they would be unlikely to accommodate children. On this basis, £4,933 per 1-bed unit and £5,579 per 2-bed unit is sought. This equates to £568,881.

Finally, Staffordshire and Stoke-on-Trent Integrated Care Board requires a financial contribution of £76,320 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 SP2:	Spatial Principles of Economic Development
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 CSP6:	Affordable Housing
Policy CSP10:	Planning Obligations

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

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy B5:	Control of Development Affecting the Setting of a Listed Building
Policy B9:	Prevention of Harm to Conservation Areas
Policy B10:	The Requirement to Preserve or Enhance the Character or Appearance of a Conservation Area
Policy B13:	Design and Development in Conservation Areas
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](#) (2014 as updated)

[Supplementary Planning Guidance/Documents](#)

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

[Affordable Housing SPD](#) (2009)

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

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

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

[Newcastle Town Centre Conservation Area Appraisal](#) (August 2008)

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

Relevant Planning History

None

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding off-site highway improvements to The Midway and Lower Street, details of the internal access ramp, cycle parking facilities, a Construction Environmental Management Plan and servicing.

A Section 106 contribution of £6,000 is sought towards Travel Plan monitoring.

The **Conservation Officer** states that the building sits outside the key town centre streets and is just within the inner ring road and the Conservation Area. The Midway multi-storey car park is a brutalist 1960s structure which looks like a car park and sits within an area of other 1960s modern development. The buildings are large scale, all of some considerable height and massing against the ring road, which is also built at this time. Many buildings adjacent to this site have been modified or are new build and the historic tight grain of the street pattern has been lost in this part of the town centre.

While the conclusion of the heritage statement is that this part of town is not sensitive to change, it is considered that it is not as sensitive to change as the wider setting of heritage assets but should still be considered. Most town centres are made up of many building styles and materials and designs and layout. This is detailed in the statement. There is varied roofscape and townscape in Newcastle and the topography of the town is also varied and greatly affects the impact any development has in the town. Views are also sometimes limited.

As this building is essentially being retained, the horizontal emphasis will be retained. The Conservation Area Character Appraisal identifies negative features in this part of the town centre and the proposal looks to certainly make the building and area more pleasant and less threatening. The proposed materials are a good choice for this brutal building.

The softening and greening of the building with the landscaping scheme will be a positive change to the conservation area. The most significant change structurally is the addition of a new roof structure added to level 5 for some rooftop accommodation. The roof is a series of small pitched roofs with recessed balconies. It is considered that the roofs would be an interesting addition to the building. The development is unlikely to cause any harm to the significance of any of the heritage assets within the town centre and will more than likely make a positive contribution to the area.

The **Conservation Advisory Working Party** had no objections to the principle of repurposing the building. They thought the design was brave and celebrated the existing structure. They supported the colour of the red roof but overall thought that it was bold and should stay as a bright colour. The design of the landscaping would be transformative for the environment in a positive way, especially on the Midway elevation. Members wondered if the opportunity would be taken to add solar panels onto all roofs rather than just a few in the centre.

The **Environmental Health Division** has no objections subject to conditions regarding land contamination, sustainable heating, noise attenuation scheme, light trespass and submission of a Construction Environmental Management Plan.

The **Landscape Development Section** has no objections in principle subject to all works being carried out in accordance with BS 5837:2012. A Section 106 for Public Open Space would be required.

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

Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) requires a sum of £76,320 towards supporting the future development/adaptation/expansion of premises within the Primary Care Networks in alignment with strategic estates planning, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Staffordshire County Council as **Education Authority** does not seek an education contribution from this development for primary or secondary school provision.

Staffordshire Police **Early Intervention & Prevention Unit** states that the principle of the proposed repurposing of the tired, unattractive and underutilised multi-storey car park is warmly welcomed. The applicant has responded positively to the previous queries raised and the addendum report includes some very positive comments in terms of design amendments and incorporated measures which seek to reduce criminal and anti-social opportunity and provide a safer living environment. A number of aspects retain potential vulnerabilities which might undermine security and personal safety and as such, the applicant should give further consideration to these, with a view to minimising vulnerabilities and risk as far as is possible.

Cadent has no objection.

The **Mining Remediation Authority** makes no comment on the application.

No comments have been received from **Housing Strategy, Newcastle South LAP** and the **Waste Management Section** 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/24/00678/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17 April 2025