

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL



CORPORATE LEADERSHIP TEAM'S REPORT TO CABINET

2nd September 2025

Report Title: Newcastle under Lyme Local Plan (2020-2040) Update

Submitted by: Deputy Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All Wards

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes ☒	No ☐
To update Cabinet on the progress being made with the Borough Local Plan and to approve next steps required prior to Full Council considering the adoption of the Local Plan.			
<u>Recommendation</u> That Cabinet: 1. Notes the progress made with the Borough Local Plan to date. 2. Notes the updates on the issues raised in response to the Inspectors Post Examination Hearing Feedback. 3. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning to progress the next steps necessary on the Local Plan ahead of the Plan being considered for adoption at a future Full Council. 4. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning, to approve a list of Main and Additional Modifications to the Local Plan and Policies Map, that arise from the Local Plan Examination process, alongside the necessary Sustainability Appraisal and Habitats Regulations Assessment for public consultation for a period of six weeks. 5. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning, to forward responses from the Main Modifications consultation directly to the Inspector to allow the preparation of a final report on the Local Plan and undertake the necessary steps to take a report to Full Council to consider the adoption of the Local Plan.			
<u>Reasons</u> To keep Cabinet informed of progress made to date with the Borough Local Plan, the outcomes of the recent Examination Hearing Sessions and the necessary next steps required to reach adoption of the Plan.			

1. Background

- 1.1 The Local Plan establishes a vision and policy 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 for an overarching spatial strategy to guide development

to sustainable locations. At its adoption, the Plan will form part of the statutory Development Plan for the Borough.



- 1.2 Council formally agreed in July 2024 that the Final Draft Borough Local Plan 2040 be consulted upon between August and October 2024. Following this consultation, the Council submitted the Final Draft Borough Local Plan, comments received (at Regulation 19 Stage) and the related evidence base to the Secretary of State in December 2024 for public examination and that examination is ongoing.
- 1.3 Inspector Anne Jordan (BA Hons) MRTPI has been appointed to examine the Local Plan. On her appointment and following review of the Local Plan and evidence, in February 2025, the Inspector asked several initial questions. These questions were to seek clarification and/or to help direct the Inspector to where she would be able to find relevant information to aid her understanding of a topic/s. The Council responded to all questions at the end of March 2025.
- 1.4 On 4th April, the Inspector formally notified all parties of her intention to proceed with hearing sessions into the submitted Local Plan. The Inspector also published guidance on how the examination hearing sessions were to operate and a list of issues, matters and questions which would form the basis for the discussion and debate. The Inspector set a deadline for the 1st May for the Council to respond to all the questions posed (121 in total) and for Reg 19 respondents, those questions that related to their original representations. The Council duly prepared and submitted by the stated deadline, several statements relating to the matters and individual questions. Reg 19 respondents also submitted their own statements.
- 1.5 Local Plan examination hearing sessions were held between the 20 May 2025 and the 26 June 2025, at Castle House, chaired by the Planning Inspector. The examination hearing sessions included structured discussions held around the key topics of the Plan. The first week of hearing sessions focused on the compliance of the Plan with legal and soundness matters, the spatial strategy, Green Belt and housing requirements. The following weeks considered detailed policy matters and a consideration of site allocations in the Local Plan and the corresponding impacts on housing supply and other matters.
- 1.6 During the examination hearing sessions, the Council undertook to prepare responses to several action points raised at the sessions. The Council has now responded to the action points raised during the initial hearing stage of the Local Plan and these action points are all published on the Local Plan examination library which hosts all the documentation and provides regular updates on the Local Plan examination.

2. Update

- 2.1 In August 2025, the Inspector set out her initial thoughts and findings following the conclusion of the initial Local Plan examination hearing sessions and thanked the Council for the constructive and helpful approach during the examination hearing sessions and in the post hearing engagement, responding to action points and supplementary questions. The Inspector has indicated that the Local Plan, subject to modifications, can be taken forward to adoption in a reasonable timescale subject to further work being required on a number of topic areas which are outlined, in summary, below:-
- 2.2 **Duty-to-Co-operate** – the Inspector is satisfied that the Council has complied with the Duty-to-Co-operate. This is a positive finding as the duty is a legal (stop / go) test that can lead to Local Plan examinations being stopped by an Inspector. It demonstrates that the Council, neighbouring local planning authorities and other

public bodies have engaged constructively and on an ongoing basis in relation to the Local Plan.



- 2.3 **Accessibility and the Transport Implications of the Plan** – the Inspector has agreed with the Council that a link road between the A525 Keele Road to the A53 Whitmore Road is justified and necessary. Following receipt of the post hearing feedback, the Council, Staffordshire County Council and the respective site promoters have agreed to a safeguarded transport route that will be referenced in the Local Plan and shown on the Local Plan Policies Map. This position has been shared with the Inspector.
- 2.4 **Town Centre Sites** - the Council has submitted information to the Inspector, following the examination hearings in relation to town centre developments and the provision of surface level car parks in the town centre. The Council awaits further instructions in the coming weeks from the Inspector, pending the outcomes of her ongoing review of that information that has sought to provide assurance that the town centre will be adequately served by sufficient car parking provision in the future.
- 2.5 **Minerals Safeguarding** – the Council is working with Staffordshire County Council to provide further assurance to the Inspector on the impact of mineral resources on several allocations proposed in the Local Plan. A response has been prepared following engagement with the County Council and is to be provided to the Inspector in the w/c 18th August 2025.
- 2.6 **Site Selection Flood Risk** – the Council completed a level 2 Strategic Flood Risk Assessment report and submitted this during the examination of the Local Plan. The Inspector has asked for more information about flood risk for several allocations in the Local Plan.
- 2.7 **Exceptional Circumstances** - the Inspector has accepted that exceptional circumstances for Green Belt changes are justified and necessary for employment and housing allocations in the Local Plan.
- 2.8 **Keele University** – the Inspector has asked for more information about the timetable for delivery for the University sites proposed as allocations in the Plan and whether changes are necessary to the Policy wording for the allocation.
- 2.9 **BW1 Chatterley Valley** – this is an employment site. The Inspector has raised the issue of Minerals Safeguarding which is described above.
- 2.10 **Land at Junction 16 (AB2)** - The Inspector has asked for more information relating to the size of the site and whether alternative options were considered in this location, potentially for less employment space and involving a release of less Green Belt land. Minerals safeguarding is also highlighted. This will be addressed by the Council in consultation with the site promotor.
- 2.11 **Housing Site Allocations** - the Council notes that the Inspector is satisfied that the housing requirement is justified, and exceptional circumstances exist for Green Belt release to meet the borough's housing requirement. There are several comments on site allocations where further work is required or the Inspector has asked for more information (including an updated housing trajectory) to reflect the changes outlined below:-
- a) **AB12 Diglake Street and AB33 Land off Nantwich Road** (Audley sites) – The Inspector recommends removal of these sites from the Local Plan alongside sites **CH13 (land at Castletown Grange)** and **KS3 (Land at Blackbank Road)**.

- b) **CT1 Land at Red Street, Chesterton** – The Inspector has asked for more information on Green Belt impacts, the need for traffic calming, the makeup of a local retail centre on the site and issues of historic mining and contamination. The Council will address these points in a response to the Inspector following engagement with the site promotor.
 - c) **SP11 Lyme Park Silverdale** – The Inspector has asked for further consideration to be given to the site masterplan for SP11. The Council's view is that the County Park element of SP11 Lyme Park, Silverdale is retained in the Green Belt and will be preparing a response to the Inspector on that basis.
 - d) **BL18 Land at Clough Hall** – The Inspector has asked the Council to provide an assessment of impacts on a Site of Biological Importance.
 - e) **TB19 – Land South of Newcastle Golf Club** – Alongside the issue of the link road (set out above), further consideration is required of the Green Belt boundary for the site which currently includes areas of landscaped open space. This will be addressed by the Council in consultation with the site promotor.
 - f) **Removal of site G&T8 Land West of Silverdale Business Park** – The Inspector has requested removal of the Gypsy and Traveller site proposed at Silverdale. The Council notes this request and has not been asked to provide an alternative site at this time.
- 2.12 **Compensatory Improvements** – are ways, set out in the Local Plan to provide compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land to offset the loss of Green Belt. The Inspector has asked for further information that compensatory improvements for Green Belt sites are deliverable through the Local Plan.
- 2.13 **Neighbourhood Planning Requirements** – The Council submitted further information, following the examination hearing sessions, on how neighbourhood plan housing requirements could be defined. The Council awaits further instructions in the coming weeks from the Inspector, pending the outcomes of her ongoing review of that information.
- 2.14 **Other policy wording** – The Council notes the Inspector's intention to make comments in due course on suggested changes to policies, such as Policy SA1 General Development Principles & SE9 Historic Environment, as well as those presented in the Schedule of Modifications.
- 2.15 The Council has responded to the Inspector and stated that it intends to provide the newly requested information on the matters raised above by the 30 September 2025 at the latest.

Main Modifications

- 2.16 Subject to the Council's response to the matters outlined above and the Inspector's consideration of them, the next formal stage of the examination would be the Main Modifications consultation stage. Throughout the examination process, the Council has prepared and maintained a table of proposed modifications to the Local Plan. Modifications are proposed during the examination process to the Local Plan to secure its 'soundness' against the tests set out in national planning policy and are agreed with the Inspector before being consulted upon. The production of main modifications to a Local Plan are a common feature of the examination process.
- 2.17 Proposed modifications to Local Plans fall into two categories. The first are "Main Modifications" which are amendments that have an impact on strategy and / or how planning policies, and site allocations will be applied through decision-taking. The second category are called "Additional Modifications". These are sometimes referred

to as minor modifications, as they are normally corrections to be made to the Plan including to spelling, grammar, formatting, or factual data etc.



- 2.18 Main Modifications are proposed without prejudice to the Inspector's report on the Local Plan which will take account of all representations submitted in response to the consultation on Main Modifications. At this stage, the Inspector will only consider representations on 'soundness' made upon the Main Modifications, its accompanying Sustainability Appraisal and Habitats Regulations Assessment, and nothing else. The consultation on the Main Modifications is not an opportunity to raise matters relating to other parts of the Local Plan (as submitted) that have already been considered by the Inspector during the examination or to identify new modifications.
- 2.19 All representations made to the Main Modifications will be provided to the Inspector, who will either ask the Council to consider preparing further modifications or recommend that the Council proceed with the modifications (as proposed), which would allow for the adoption of the Plan. The modifications are fundamental to the overall soundness of the Local Plan there is no opportunity to adjust them further.
- 2.20 Consultation on the modifications (when published), will run for six weeks. Those who have participated in the examination will be notified and will have an opportunity to comment on the proposed modifications. The process is open to others, with an interest in the Local Plan, to respond, albeit that any comments will be entirely limited to the modifications. Upon the conclusion of the consultation, all comments received will be passed to the Inspector for her consideration.
- 2.21 The Council will manage the consultation process in accordance with its adopted Statement of Community Involvement. The Statement of Community Involvement includes a requirement to publish details on the Council's website and in relevant areas, including Libraries across the Borough. However, as a technical stage of the examination, the consultation is unlikely to include workshops or consultation events in the Borough as the consultation stage is a technical one, focused on the outcomes of the examination process.

3. Recommendation

3.1 That Cabinet:

- Notes the progress made with the Borough Local Plan to date.
- Notes the updates on the issues raised in response to the Inspectors Post Examination Hearing Feedback.
- Authorises that the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning to progress the next steps necessary on the Local Plan ahead of being considered for adoption at a future Full Council meeting.
- Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning to approve a list of Main and Additional Modifications to the Local Plan and Policies Map, that arise from the Local Plan Examination process, alongside the necessary Sustainability Appraisal and Habitats Regulations Assessment for public consultation for a period of not less than six weeks.
- Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning to forward responses from the consultation on Main Modifications directly to the Inspector to allow the preparation of a final report on the Local Plan, prior to consideration for adoption at Full Council.

4. Reasons

- 4.1** 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 Local Plan is under examination currently. The Council has 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 and examination of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.3** When local authorities prepare local plans the Government's National Planning Policy Framework (NPPF) must be considered. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It is highlighted that a revised version of the NPPF was published during December 2024. Transitional arrangements contained within the 2024 version of the NPPF allowed for the Local Plan to be submitted and considered under the December 2023 version of the NPPF. Consequently, all (paragraph) references to national planning policy made throughout the examination process are to the NPPF (December 2023). In line with the transitional requirements of the NPPF (2024 version) the Council will be expected to start work on a new Plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 once the Local Plan (2020 – 2040) is adopted.

9. Equality Impact Assessment

- 9.1** 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.

10. Financial and Resource Implications

- 10.1** The preparation of the Local Plan is resourced through the Planning Policy budget and full use of the Local Plan reserve.

11. Major Risks & Mitigation

- 11.1** 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. The Government has stated that Councils have until 31 December 2026 for 'old style' Plans to be adopted.

12. UN Sustainable Development Goals (UNSDG)



13. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

We will make investment to diversify our income and think entrepreneurially.

- Site allocations in the Local Plan will support sustainable development in the Local Plan up to 2040, including sites in the Council's ownership.

One Digital Council

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

- Consultation on the Local Plan will include appropriate references to online and digital platforms to engage with the consultation

One Sustainable Council

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle.

- The Local Plan includes policies to support the Council's urban tree planting schemes and policies in relation to energy efficiency and renewable energy.

14. Key Decision Information

14.1 This report and the recommendations contained within it relate to the preparation of a new Borough Local Plan. This report is a key decision as it affects all wards in the Borough.

15. Earlier Cabinet/Committee Resolutions

- a. Council Report July 2024
- b. Cabinet Report January 2024
- c. Cabinet Report October 2023
- d. Cabinet Report June 2023

16. List of Appendices

16.1 None

17. Background Papers

17.1 None