

This is an application for permission in principle for residential development for 1 to 2 dwellings on land east of Hazeley Paddocks, Keele Road, Keele. A second 'permission in principle' application is also before Committee for residential development of 2 to 6 dwellings on land west of Hazeley Paddocks (Ref: 25/00574/PIP).

The site lies outside a defined settlement boundary and is situated in the North Staffordshire Green Belt

The application has been called in to Committee on the grounds that it comprises inappropriate development in the green belt, there is no policy in the emerging Local Plan on grey belt, there is no need for further green belt releases as Madeley is on track to meet its indicative housing targets, and due to concerns regarding highway safety and loss of viable agricultural amenity.

**The 5-week period for the determination of this application expired on 9<sup>th</sup> September 2025 but an extension of time has been agreed to 11<sup>th</sup> September 2025.**

### **RECOMMENDATION**

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

- 1. Technical Details Consent required from the LPA**
- 2. Technical Details Consent submitted within 3 years of this permission**
- 3. Approved Plans**
- 4. Consent restricted to up to 2 dwellings**

### **Reason for Recommendation**

It is considered that the location, type and amount of development proposed is acceptable in principle and these are the only matters which can be assessed in applications for permission in principle. If permission is granted, then an application referred to as a 'technical details consent' would need to be submitted which would consider site specific details.

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

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

### **Key Issues**

The application seeks permission in principle for a residential development for between 1 and 2 dwellings on land east of Hazeley Paddocks, Keele Road, Keele. A second 'permission in principle' application is also before Committee for a residential development of 2 to 6 dwellings on land west of Hazeley Paddocks (Ref: 25/00574/PIP).

The wider land holding comprises a dwelling, stable blocks, riding menage and two paddocks of land to the east and west of the main dwelling. The paddocks have been in use for horse grazing.

The site lies outside a defined settlement boundary and is situated in the North Staffordshire Green Belt.

Outline planning permission was refused and an appeal dismissed in 2018 (Ref: 18/00488/OUT) for the erection of a new dwelling on this site. The appeal was dismissed on the basis that the proposal represented inappropriate development in the Green Belt.

With regard to applications for permission in principle, only the matter of the location of the development and the principle of development can be considered by the Local Planning Authority. If permission is

granted, then a second application referred to as a 'technical details consent' would be required to address site specific details. In addition, applications for permission in principle are exempt from providing a biodiversity net gain assessment, with such assessments to be submitted at technical details consent stage.

Therefore, the only matters for consideration are as follows: -

- Is the site a sustainable location for housing development?
- Is the development an appropriate form of development within the Green Belt?

### **Is the site a sustainable location for housing development?**

The application site comprises greenfield agricultural land that is located beyond, but adjacent to, the defined village envelope for Madeley.

Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say 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.

Policy SP3 of the CSS seeks to maximise the accessibility of new residential development by walking, cycling and public transport.

CSS Policy ASP6 states that in the Rural Area there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

Furthermore, Policy H1 of the Newcastle Local Plan (NLP) seeks to support housing within the urban area of Newcastle or Kids Grove or one of the village envelopes.

Paragraph 11 of the NPPF states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

(Para 11(d))

The Council submitted its emerging Local Plan for examination on the 20 December 2024. The Council is now preparing a response to a number of action points raised during the examination hearing sessions before the Inspector issues her interim views on next steps on the Local Plan. There are outstanding objections to the Local Plan and as such, the weight to be afforded to the Plan is limited to moderate weight, in the terms of paragraph 49 of the NPPF (2024).

The Council cannot currently demonstrate an appropriate supply of specific, deliverable housing sites.

Paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 67-68).

Although the MNP was made less than five years ago, it does not contain policies and allocations to meet its identified housing requirement. As a result, it does not comply with the relevant measures outlined within Paragraph 14 and so it cannot be concluded that the adverse impact of allowing development that conflicts with the neighbourhood plan is, in itself, likely to significantly and demonstrably outweigh the benefits.

Whilst CSS Policies SP1 and ASP6, and Local Plan Policy H1 are concerned with meeting housing requirements, and Inspectors in a number of previous appeal decisions, have found that these policies do not reflect an up-to-date assessment of housing needs, and as such are out of date in respect of detailed housing requirements by virtue of the evidence base upon which they are based.

In *Paul Newman New Homes Ltd v SSHCLG & Aylesbury Vale DC* [2019] EWHC 2367 (Admin) the judgement looks at how decision makers should assess whether “the policies which are most important for determining the application are out-of-date”. It states that the first step is to identify the “basket of policies from the development plan which constitute those most important for determining the application”. The second task is to “decide whether that basket, viewed overall, is out of date”. The basket of policies can be out of date for reasons set out in the NPPF to do with housing supply and delivery, but also if (as a matter of planning judgement) the basket of policies has been overtaken by things that have happened since the plan was adopted, either on the ground or through a change in national policy, or for some other reason.

The basket of policies from the development plan most important for determining this application are considered to be LP Policy H1, CSS Policies SP1 and ASP6 and Policy HOU1 of the MNP. As stated above, it has been accepted that the LP and CSS policies are out of date. The MNP was prepared based upon the requirements of the now out of date position set out within Policies H1 and ASP6. This change in the local planning context has a bearing on the weight to be applied to the MNP policies and therefore it is considered reasonable to conclude that the ‘basket of policies’ overall, is out of date.

In the absence of a required housing land supply, and lack of up to date policies in relation to the provision of housing, the tilted balance outlined within Paragraph 11(d) of the framework is considered to be engaged and an assessment of whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole is required.

In sustainability terms, the site is situated in the countryside, outside the settlement envelope of both Madeley and Madeley Heath. The latter, which is around 500m from the site, has a primary school and public house which can be accessed via a footway with street lighting. The centre of Madeley with its variety of services and facilities including shops, doctor’s surgery and secondary school is around 1 mile away. As such, many of these facilities and services are within a reasonable walking/cycling distance of the site. Moreover, there is a bus stop to the west of the site which provides a regular service between Newcastle and Nantwich, enabling potential future occupiers of the development to access employment opportunities, hospitals and a range of services in these larger centres by other means than the private motor vehicle. For these reasons and notwithstanding the concerns raised by the Parish Council and local residents, officers consider that the site lies in a sustainable location for a housing development of between 1 and 2 dwellings.

It is also important to note that in dismissing the appeal for a new dwelling on the site in 2018, the Inspector concluded that the site represented a sustainable location for residential development, concluding that:

*Although the appeal site is located outside the settlement of Madeley Heath, it is sufficiently close, with a footpath which runs along the A525 with street lighting, that future occupants of the proposed dwelling could choose to walk into the village to use services and facilities, including access to public transport links.*

*The Framework (2019) encourages homes with accessible services which limit the need to travel, especially by car, although it also recognises that opportunities to maximise sustainable transport*

*solutions will vary between urban and rural areas. Whilst I acknowledge that public transport is unlikely to meet all of the needs of the future occupants, sustainable transport options would be a realistic option for some journeys.*

It is acknowledged that both local and national planning policy seeks to provide new housing development within existing development boundaries on previously developed land where available. It is accepted that residential development on this greenfield site outside the settlement boundary would be contrary to this preferred approach and concerns have been raised by the Parish Council in relation to the release of a further greenfield site for housing. Nevertheless, this site would contribute to meeting the housing need for the borough over the emerging plan period in a sustainable and accessible location which would help to boost the supply of homes in the borough.

### **Is the development an appropriate form of development within the Green Belt?**

Paragraph 143 of the NPPF indicates that the Green Belt serves five purposes, one of which is to assist in safeguarding the countryside from encroachment.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 of the NPPF states that other than in the case of a number of specified exceptions the construction of new buildings should be regarded as inappropriate in the Green Belt.

Since the previous appeal decision for this site, there has been a material change in planning policy, with the National Planning Policy Framework (NPPF) revised to include the potential for 'grey belt' land to not represent inappropriate development in the Green Belt. Paragraph 155 sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where:

- (a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- (b) There is a demonstrable unmet need for the type of development proposed ;*
- (c) The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework; and*
- (d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-15.*

The applicant's agent has submitted supporting information to demonstrate that the proposal complies with criteria (a) above, which relates to the utilisation of 'Grey Belt' land and an assessment as to whether the proposal meets the above criteria is set out below.

'Grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

The three criteria in paragraph 143 are as follows:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (d) to preserve the setting and special character of historic towns.

The application site falls outside of any recognised settlement boundary. National Guidance notes that villages should not be classed as 'large built-up areas' and this definition should only be applied to towns or larger settlements. Furthermore, the application site is bounded by an existing dwelling to the west, Keele Road to the north and sporadic residential development to the east, and would therefore would not be at risk of creating 'unrestricted sprawl'. For these reasons, the proposal meets the definition of grey belt when assessed against the first of the criterion set out above.

With regards to criterion (b), there are no nearby towns within close proximity to the site which would be at risk of merging with the settlement. Due to its location to the east of both the nearby villages of Madeley Heath and Madeley, it would not result in the merger of these two settlements. Concerns have also been raised by the Parish Council that the proposal would lead to development merging with Keele village further to the east. However, given its distance from Keele and the limited scale of the proposed development, it is not considered that this would be possible. As such, the second criterion is also met.

Regarding criterion (c), given its location, the proposal would not impact on the setting and special character of historic towns.

The site does not fall within any of the criteria set out in footnote 7 of paragraph 143 of the NPPF.

To conclude, the site comprises Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan as it does not make a significant contribution to purposes a), b) and d) of paragraph 143 of the Framework, nor are there any policies listed at footnote 7 of the Framework that suggest that development of the application site should be refused or restricted. There is a demonstrable need for the development given the absence of a 5-year housing land supply and the site is otherwise located in a sustainable location.

In light of these conclusions, the proposal comprises appropriate development in the Green Belt and the principle of development is considered to be acceptable.

### **Other issues**

Concerns have been raised regarding the impact of the development on highway safety and residential amenity but these are technical matters which would be assessed under a separate application for 'technical details consent' if Members were minded to approve the current application.

### **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

The development 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 ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP4: Natural Assets  
Policy CSP5: Open Space/Sport/Recreation

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy S3: Development in the Green Belt  
Policy H1: Residential Development: Sustainable Location and Protection of the Countryside.  
Policy C4: Open Space in New Housing Areas.  
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures.  
Policy N4: Development and Nature Conservation – Use of Local Species.  
Policy N8: Protection of Key Habitats.  
Policy N10: New Woodland Considerations  
Policy N12: Development and the Protection of Trees.  
Policy N13: Felling and Pruning of Trees.  
Policy N14: Protection of Landscape Features of Major Importance to Flora and Fauna.  
Policy N17: Landscape Character - General Considerations.  
Policy N20: Areas of Landscape Enhancement

#### Madley Neighbourhood Development Plan

Policy HOU1: Housing Development  
Policy HOU2: Housing Mix  
Policy DES1: Design  
Policy NE1: Natural Environment  
Policy TRA1: Critical Road Junctions

### **Other Material Considerations include:**

#### National Planning Policy Framework (2024)

#### Planning Practice Guidance (as updated)

#### Relevant Planning History

24/00756/FUL - Conversion of existing horse box into a bedroom and the re-use of the existing welfare facilities to create a residential annexe – Approved

20/00649/FUL – Rear single-storey extension – Approved

20/00649/NMA - Application for a non-material amendment relating to alterations to planning permission 20/00649/FUL - Rear single-storey extension – Approved

19/00021/FUL - Variation of condition 2 (amendment to the approved plans to allow for some rebuilding/structural works) of planning permission 17/00073/FUL - Conversion of Barn to Create Single Family Dwelling - Refused

18/00488/OUT - Outline application for infill site for a single dwelling with detailed approval sought for access and siting/layout – Refused, appeal dismissed

17/00434/FUL - Replacement Stable Block and New ménage – Approved

17/00073/FUL - Conversion of Barn to Create Single Family Dwelling - Approved

#### Views of Consultees

The **Highway Authority** confirms that full details of access/highway arrangements should be submitted at technical details stage.

**NatureSpace** recommend that at the Technical Details Consent stage, that suitable assessment of potential impacts to great crested newts and their habitat is provided. A Preliminary Ecological Appraisal is recommended.

**Staffordshire CC Archaeology** – No archaeological concerns.

**United Utilities** – It is strongly recommended that the applicant or any subsequent developer contacts United Utilities to discuss their proposals.

No comments have been received from the **Landscape Development Section, Madeley Parish Council** or the **Environmental Health Division**.

#### Representations

1 letter of objection has been received, raising the following concerns:

- Additional traffic movements adversely impact on highway safety
- Loss of light, view and noise and disruption to neighbouring dwelling.

#### Applicant's/Agent's submission

The submitted documents and plans are available for inspection on the Council's website via the following link: -

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00575/PIP>

#### **Background papers**

Planning files referred to  
Planning Documents referred to

#### **Date report prepared**

27 August 2025