

Full planning permission is sought for the redesign of the existing public car park off Meadows Road, Kidsgrove and erection of new enterprise units (E(g) use).

Planning permission was granted last year for the erection of a community hub building, new garage with first floor mezzanine and reconfiguration of existing car parking on the site (Ref: 23/00891/DEEM3).

The site lies within the urban area of Kidsgrove as indicated on the Local Development Framework Proposals Map. The site also falls within a High Coal Mining Area and is immediately adjacent to Kidsgrove Town Centre.

The statutory 8-week period for the determination of this application expired on 7 July 2025. An extension of time until 15 September has been agreed with the applicant.

RECOMMENDATIONS

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

- 1. Time limit condition**
- 2. Standard time limit for commencement of development**
- 3. Approved plans**
- 4. Material samples**
- 5. Provision of cycle parking facilities**
- 6. Submission and approval of a Demolition and Construction Environmental Management Plan**
- 7. Details of external lighting to be submitted**
- 8. Details of any external plant/equipment to be submitted**
- 9. Works to be completed in accordance with parking details**
- 10. Operating/delivery hours**
- 11. Contaminated Land**
- 12. Foul and surface water drainage**
- 13. Any external lighting**
- 14. Habitat management plan**
- 15. Biodiversity gain plan**

Reason for recommendations

The redevelopment of this site is a sustainable form of development supported by the National Planning Policy Framework. The design, scale and appearance of the proposed development is considered appropriate, and the proposal would not result in any adverse impact on residential amenity or highway safety matters. Subject to appropriate conditions the proposal is considered to be an acceptable form of development.

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

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

KEY ISSUES

Full planning permission is sought for the redesign of the existing public car park off Meadows Road, Kidsgrove and erection of 3 new enterprise units. The proposed enterprise units would comprise an E(g) use under the Town and Country Planning (Use Classes) Order which includes offices, research, development and industrial processes which can be carried out in a residential area without detriment to its amenity.

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Members may recall that the Planning Committee approved an application in 2024 (Ref: 23/00891/DEEM3) for the erection of a community hub building, new garage with first floor mezzanine and reconfiguration of existing car parking on the site. Whilst this permission remains extant, the Borough Council has decided to consider alternative options for the development of the site.

The site lies on the edge of Kidsgrove Town Centre and falls within the Urban Area of Borough as indicated on the Local Development Framework Proposals Map.

The key issues in the determination of the application are as follows:

- Is the principle of the proposed development on the site acceptable?
- Is the design and massing of the proposal acceptable and the impact from the loss of existing trees?
- Impact on amenity,
- Is the proposal acceptable in terms of highway safety/parking facilities?
- Biodiversity Net Gain

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

Paragraph 90 of the National Planning Policy Framework (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.

Saved Policy R12 of the Newcastle Under Lyme Local Plan (LP) confirms that within and close to Kidsgrove Town Centre, development for retail or leisure uses will be encouraged, so long as they do not harm the vitality and viability of the centre.

Policy SP1 of the Core Spatial Strategy (CSS) indicates 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. It also states that employment provision will be focused on sites accessible to and within the North Staffordshire Regeneration Zone. Policy SP2 of the CSS also supports the modernisation of the centres for new business investment, particularly in terms of retailing, education, leisure, entertainment, culture, office development.

The proposal seeks permission for 3 new enterprise units which comprise an E(g) use which involves either:

- (i) Offices to carry out any operational or administrative functions,
- (ii) Research and development of products or processes,
- (iii) Industrial processes.

Concerns have been raised by some local residents/business regarding the potential adverse impact of the proposed development on the vitality and viability of the town centre. However, the proposed enterprise units would provide start up units for small businesses or offices carrying out operational or administrative functions for businesses and therefore have a different function to main town centre uses within the centre such as retail and service sector businesses. As such, it would not have a detrimental impact on the viability or viability of the town centre or reduce footfall/visitors to the town. Indeed, by providing an active use on this edge of town centre site, the scheme would in fact enhance the entrance to the town centre from this direction.

Representations have also been received from businesses/residents indicating that there is no demand for the type of units proposed, that no consultation was undertaken by the Council regarding the proposals, and that there are existing vacant premises within the town centre/local area which could be used to accommodate the enterprise units. It is understood that the Council has undertaken an assessment of need in the local area and consultation with existing businesses for different uses on the site, which has confirmed that there is a demand for enterprise units locally. Although there are some vacant units within/adjoining the town centre, these premises do not provide the required space/appropriate layouts for enterprise units.

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Given the above, it is considered that the site is considered a suitable location for new enterprise units which would enhance the vitality and viability of the adjacent town centre. It would therefore accord with paragraph 85 of the NPPF which seek to ensure that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, with significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. As such, the principle of development is considered to be acceptable in this case.

Is the design and massing of the proposal acceptable/loss of existing trees?

Paragraph 131 of the NPPF 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 NPPF 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. Paragraph 136 of the NPPF confirms that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that that existing trees are retained wherever possible.

Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Policy CSP1 of the adopted Newcastle under Lyme and Stoke on Trent Core Spatial Strategy (CSS) details that new development should be well designed to respect the character, identity and context of the area.

The surrounding area comprises a mixture of different building types, including residential and commercial properties of various design styles, however the majority of nearby structures are two storey in height and are constructed of redbrick and white render. There are also a number of gable fronted buildings in the locality which are clearly visible from public views along the Meadows and Station Road. The built form is also varied in the area with certain buildings fronting directly onto the footway and others set back from the highway.

This application would provide a gable fronted building on the existing car park which faces onto The Meadows. Although the site is currently open, existing buildings directly to the east are positioned immediately adjacent to the highway. Therefore, whilst the new building would extend forward on the plot, it would not detract from the established structure and layout of development on this side of the street. The scale and design of the new building would also complement the existing built form in this area. Thus, the scale, form, design and layout of the development would preserve the character and appearance of the area and accord with the NPPF and Policy CSP1 of the CSS.

As was the case with the extant permission on this site, the current proposal would involve the removal of 2 existing category C trees (Ash tree T4 and Whitebeam T1) where the new building is to be located and at the site entrance off Station Road. A further 2 category B trees (Sycamore and Whitebeam) along the southern boundary of the site would also be removed. Although these trees are of limited/moderate quality, they do in combination, provide an attractive approach to the site and soften the impact of the surrounding buildings in this urban environment. The applicant has subsequently confirmed that the County Council road improvement scheme would prevent any new tree planting as was initially proposed. Although this is regrettable, given their limited/moderate quality, the loss of these trees does not warrant refusal of the application.

Subject to a condition requiring the submission of details of the proposed external materials, the overall design of the proposals and their impact on the surrounding area and street scene are on balance considered to be acceptable. The proposal is therefore in compliance with policy CSP1 of the Core Spatial Strategy, and the relevant sections of the NPPF which support good design.

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Impact on Amenity

Criterion (f) within paragraph 135 of the NPPF states that planning decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, for not undermine the quality of life or community cohesion and resilience.

The nearest residential properties known as 'The Meadows' are situated to the south of the site on the opposite side of Meadows Road. Although the new building would only be set back a couple of metres from the road frontage, appropriate separation distance would be maintained between existing residential units in The Meadows and the new building to ensure that it does not adversely impact on the outlook from, or daylight/sunlight received to these properties. As the proposed enterprise units would be small in scale and used for low key E(g) uses which can be carried out in a residential area without detriment to its amenity, the use and occupation of these premises are unlikely to generate a significant level of noise or disturbance which could impact on the amenities of nearby residents.

Subject to conditions regarding working hours and the submission of a construction environmental management plan, it is considered that the proposal would provide a high standard of amenity for existing and future users and would therefore accord with the NPPF in this regard.

Is the proposal acceptable in terms of highway safety and sustainable travel initiatives?

Policy T16 of the LP 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.

The NPPF, at paragraph 116, 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.

The access arrangements to the site would be amended, with a new entry point off Station Road and exit onto 'The Meadows' to ensure there is no conflict with the future County Council road improvement scheme. The proposed parking layout for the car park has also been received following comments from the highway authority and amended plans have also been received setting the proposed building back slightly from 'The Meadows' road frontage, ensuring that it does not encroach onto highway land.

The proposed car park would provide 18 spaces including 1 disabled space. The existing car park on the site currently provides space for 18 cars and as such there would be no loss of parking provision on site for visitors to Kidsgrove. Although the parking standards in the Local Plan do not provide specific guidance for this type of development, given that the site lies within a highly sustainable location and there are other car parking areas that can be utilised nearby, it is concluded that the parking provision on site is proportionate in this case. The Highway Authority raises no objections to the application on this basis.

The proposed car park would utilise a one-way system which would result in a new access point being created along Station Road whilst the existing access point leading onto 'The Meadows' would be used as an exit only. This would ensure that the proposal accords with the highway improvements to be made to the surrounding road network by the County Council. Following concerns raised by the Highway Authority, additional information/amended plans have been submitted, including vehicle tracking, parking space assignment, and the re-alignment of the units so that they do not encroach on highway land. The further comments of the Highway Authority will be reported to Members in a supplementary report.

Subject to updated comments being received from the Highway Authority, it is considered that there would be no adverse impact on highway safety and that the development would accord with the guidance of the NPPF.

Biodiversity Net Gain

The application has been accompanied by a Biodiversity Net Gain Outline Strategy (BNGOS) and a Biodiversity Metric (BM) to evaluate the ecological impact of the proposed development. The baseline biodiversity value of the site, prior to development, was calculated at 0.6211 habitat units and zero hedgerow units. As the 4 existing trees on the site would be felled to facilitate the development, with no new on-site replacement planting, the proposal would result in a loss of 0.6211 habitat units or a 100% reduction in BNG on site.

Notwithstanding the above, the BNGOS sets out how off-site habitat units would be delivered at 'The Greenway' Kidsgrove, a 610m section of footpath/cycleway laid upon the former N.S.R Potteries Loop Line railway track. The track has since been landscaped and made into a greenway. The southern sections of the site are situated within the railway cutting and are fenced off with pedestrian usage diverted around the edge of the cut. These areas have developed into deciduous woodland with areas of grassland along the pathway. The site likely provides an ecological commuting route through the centre of Kidsgrove and appears to be an essential ecological asset for maintaining local ecosystem connectivity. This project is on Council owned land, with The Greenway maintained by the Council. The proposed off-site enhancements would involve the enhancement of modified grassland to species rich grassland, management of woodland/ivy growth, introduction of native understorey species, bats boxes, litter bins, removal of non-native invasive species and native planting, resulting in a 64.74% increase in habitat units and 62.93% uplift in hedgerow units in this area. This would more than offset the net loss in BNG on the application site.

As this is a post-determination matter which will be resolved through submission of the Biodiversity Gain Plan prior to commencement, this, together with a habitat management plan (HMP) can be secured via condition. A landscape and ecological management plan should also be submitted prior to first occupation to ensure that the biodiversity enhancements are correctly established and maintained for the necessary 30 years.

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

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- 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.

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APPENDIX

Policies and proposals in the 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 CSP3:	Sustainability and Climate Change

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy R13:	Non-retail uses in Kidsgrove Town Centre
Policy T16:	Development – General Parking Requirements
Policy T17:	Parking in Town and District Centres
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (2019 as updated)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

23/00638/DEEM3 Demolition of existing garage, erection of community hub and garage with first floor mezzanine. Alterations to existing car parking provision – Application permitted.

23/00891/DEEM3 Demolition of existing garage, erection of community hub and erection of garage with first floor mezzanine, reconfiguration of existing car parking (Resubmission of 23/00638/DEEM3) – Application permitted.

Views of Consultees

The **Highway Authority** requests that the access arrangements are revised to ensure that the proposal does not conflict with the County Council road improvements scheme in 'The Meadows'. Additional vehicle tracking and parking assignment details are requested, and the units should be re-positioned to be outside of highway land.

The **Canals and River Trust** state that consideration should be given to whether the removal of existing trees and their replacement with 4 new trees is an appropriate approach when viewed from the canal corridor towpath and water space. They also comment that although the Coal Mining Risk Assessment refers to the canal, it is unclear if the canal is considered a sensitive receptor with regard to the former uses on site. A previous application (Ref: 23/00638/DEEM3) on the same site included a CEMP condition and should be repeated here.

Naturespace has no comments to make on this application.

The **Coal Authority** have confirmed that the part of the site where the built development is proposed (i.e. the new enterprise unit) lies outside of the defined High Risk Area. Therefore, a Coal Mining Risk Assessment is not required, and no objections are raised to this application.

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The **Landscape Development Section** raises no objections, but comments that consideration should be given to the retention of existing trees.

Staffordshire Police Crime Prevention raises no objections and recommends that a high level of physical security is incorporated into the scheme including the means of external lighting, design of the units etc, which should accord with secure by design standards.

United Utilities request that a condition is imposed regarding the provision of sustainable drainage systems on site.

No comments have been received from the **Environmental Heath Division, Kidsgrove Town Council** or **Staffordshire Wildlife Trust**.

Representations

6 representations have been received from interested parties, raising the following concerns/objections:

- Adverse impact on the vitality and viability of the town centre/other nearby businesses;
- Loss of existing parking facilities will detrimentally impact on local businesses and footfall within the town centre;
- The Council should have consulted more widely with local businesses/the local community;
- Plenty of existing buildings in the town centre which could be used for this purpose;
- No demand for enterprise units in the area.

Applicant/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/25/00345/DEEM3>

Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

27 August 2025

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