

LAND ADJACENT FAIRGREEN ROAD, BALDWINS GATE
HENCIE HOMES LTD

24/00833/OUT

The application seeks outline planning permission for a residential development of up to 9 serviced plots for self-build and custom housebuilding at land adjacent to Fairgreen Road, Baldwins Gate. Access is for consideration as part of the proposal but all other matters of detail are reserved for subsequent approval.

The site is situated beyond, but adjacent to the village envelope of Baldwin's Gate. The site is situated within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The application has been called in to Committee due to concerns regarding the potential impact of the development on the nearby wetland of Chorlton Moss.

The 8-week period for the determination of this application expired on 27 January 2025, however an extension of time has been agreed until the 12 September.

RECOMMENDATION

Permit subject to conditions regarding the following matters:

- 1. Standard time limits for submission of reserved matters and commencement of development**
- 2. Approved plans**
- 3. Contaminated land**
- 4. Construction Environmental Management Plan**
- 5. Habitat and maintenance plan**
- 6. Surface water drainage scheme**
- 7. Works to be completed in accordance with recommendations of Ecological Appraisal**
- 8. Works to be completed in accordance with recommendations of Hydrological Report**
- 9. Works to be completed in accordance with recommendations of Botanical Report**
- 10. Programme of archaeological mitigation**

Reason for Recommendation

While there would be some local impact on the character and appearance of the area and some loss of best and most versatile agricultural land, the residential development of the site would make a contribution to the Council's housing supply and supply of self-build dwellings.

It is considered therefore that the adverse impacts do not significantly and demonstrably outweigh the benefits of the proposal and accordingly, planning permission should be granted provided appropriate conditions are imposed, as recommended.

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

Following the submission of additional information, the proposed development 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 outline planning permission for a residential development of up to 9 serviced plots for self-build and custom housebuilding at land adjacent to Fairgreen Road, Baldwins Gate. Access is for consideration as part of the proposal, but all other matters of detail are reserved for subsequent approval.

The site is situated beyond, but adjacent to the village envelope of Baldwin's Gate. The site is situated within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The main issues for consideration of the full planning application are therefore;

- The principle of residential development in this location,
- Visual impacts of the proposal,
- Residential amenity,
- Highway safety,
- Agricultural land,
- Ecology and biodiversity
- Biodiversity Net Gain

The principle of residential development and its location

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 CSS 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.

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.

Policy HG1 of the CHCMAW Neighbourhood Plan states that new housing development will be supported in sustainable locations. These are;

- Within the village envelope of Baldwin's Gate
- As a replacement dwelling, or limited infill housing or within a built frontage of existing dwellings; or
- In isolated locations in the countryside only where circumstances set out in paragraph 79 of the NPPF apply.

It also goes on to state that to be in a sustainable location, development must;

- Be supported by adequate infrastructure, or provide necessary infrastructure improvements as part of the development
- Not involve the loss of best and most versatile agricultural land;
- Avoid encroaching onto or impacting on sensitive landscape and habitats;

- Not involve the loss of any important community facility

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).

The CHCMWA Neighbourhood Plan was made on the 21st January 2020 and so the plan is more than five years old, in addition the neighbourhood plan does not contain policies and allocations to meet its identified housing requirement. As a result, the neighbourhood plan 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.

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 HG1 of the NP. As stated above, it has been accepted that the LP and CSS policies are out of date. The NP 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 Neighbourhood Plan policies and therefore it is considered reasonable to conclude that the 'basket of policies' overall, is out of date.

Given the above it is considered that the test in paragraph 11(d) has to be applied to this application given the lack of up to date policies in relation to the provision of housing. Therefore, 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, although the site is outside the village envelope of Baldwins Gate, it is considered that the village represents a sustainable location for new residential development. In allowing an appeal in July 2023 for 200 dwellings at Baldwin's Gate Farm, the Inspector noted that "the Village of Baldwins Gate contains a range of facilities including a Primary School, petrol filling station, shop, village hall, doctors surgery and a public house. As such there is an acceptable level of services available for meeting the majority of day-to-day needs".

It is the case that the occupiers of the proposed dwellings would be able to access certain services and facilities within walking distance and would also have a choice of modes of transport. Top-up shopping for example, would be obtainable from within the village and accessible from the application site by foot or cycle.

Baldwin's Gate is served by a bus service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury and there are bus stops within walking distance of the application site. While it is acknowledged that the bus service does not operate in the evenings or on Sundays, it is considered that the bus service would provide an alternative for those without access to a car for certain trips.

In allowing the Baldwin's Gate Farm appeal, the Inspector acknowledged that the scheme would undoubtedly result in some additional private vehicle trips for employment, larger weekly shopping trips and leisure activities because the bus services would not be able to meet every individual's particular needs. However, he stated that the existing level of bus service would provide a genuine choice for future occupiers, highlighting that the Framework does not require public transport options to be as convenient as private cars, but to offer a genuine choice as well as maximising sustainable transport solutions.

These points undoubtedly weigh in favour of a conclusion that in terms of access to facilities and a choice of mode of transport, the site can be described as being in a sustainable location in accordance with paragraph 11d of the Framework.

The consideration of whether any adverse impacts exist that would outweigh the benefits of the proposed scheme shall be considered later in this report.

Visual impacts of the proposal

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. Furthermore, 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 broadly reflects the requirements for good design contained within the NPPF, and the Urban Design Supplementary Planning Document provides detailed policies on design and layout of new housing development.

Policy R3 of the Urban Design Supplementary Planning Document (SPD) states that new housing must relate well to its surroundings, it should not ignore the existing environment but should respond to and enhance it, exploiting site characteristics. Policy R5 goes on to state that “buildings must define the street space with a coherent building line that relates to existing building lines where they form a positive characteristic of the area [and] infill development should generally follow the existing building line”. R12 states that residential development should be designed to contribute towards improving the character and quality of the area.

LNP Policy HG2 requires a balanced mix of dwelling types to meet requirements identified in the latest assessment of local housing needs. This includes dwellings suitable for those wishing to downsize, young families and first-time buyers and specialist accommodation suitable for the elderly, vulnerable or disabled persons. The proportions of different dwelling types and sizes must be based on evidence of local housing need and this should be demonstrated as part of any planning application.

Policy DC2 of the NP states that development proposals must, amongst other things, complement the local landscape in terms of urban and built form, maintains and enhances the character and appearance of the landscape and reflect local character in terms of height, scale and massing.

NLP Policy N17 expects development to be informed by and be sympathetic to landscape character and quality which should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected.

The site is designated as being an Area of Landscape Restoration and Policy N21 of the Local Plan seeks development that will restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

The proposed development is for outline planning permission with all matters save for access reserved for subsequent approval. An indicative plot layout plan has however been submitted to demonstrate how the proposal may broadly be arranged on site. The layout plan shows that the proposed dwellings would be positioned in a linear arrangement, which would run adjacent to the rear of properties found on the south side of Fairgreen Road.

The new dwellings would not be easily visible from nearby highways due to the surrounding built form, however the views from the adjacent public rights of way would be significantly altered. The visual impact would be most prominent from the rear windows of dwellings that are located on Fairgreen Road, but some limited views of the site would also be available from Meadow Road to the southwest.

In respect of impacts on the wider landscape, the woodland to the south and the existing properties to the north of the site in combination with the low topography would limit the visual impacts of the proposal. Furthermore, it is considered that the proposal would be seen in

context with the settlement of Baldwins Gate rather than appearing as an isolated feature within the locality.

It is considered that 9 dwellings could satisfactorily be accommodated on the site with ample room for car parking, turning areas and private rear garden areas and it is accepted that a design can be achieved that would provide a suitable level of landscaping.

Given the above it is considered that any harm from the proposed development would be localised, however there will ultimately still be some harm to the character and appearance of the immediate area due to the introduction of new built form into an area of currently undeveloped agricultural land. Whether this and any other adverse impact would significantly and demonstrably outweigh the benefits of the development will be considered at the end of this report.

Residential Amenity

Criterion f) within Paragraph 135 of the National Planning Policy Framework states that development should create places that are safe, with a high standard of amenity for existing and future users.

SPG (Space around Dwelling) provides guidance on privacy, daylight standards and environmental considerations.

All rooms for the new dwellings could be designed in a way that would accord with the guidance outlined in the SPG and so there is not at this stage considered to be any detrimental impact on the amenity of neighbouring properties as a result of the proposal.

The Environmental Health Team have raised no objections to the proposal subject to a limitation on construction hours and measures to safeguard the site from unknown contamination.

Subject to the recommendations set out above, the proposal is considered acceptable in respect to residential amenity and so accords with the provisions of the Framework.

Parking and Highway Safety

Paragraph 115 of the NPPF ensures that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location and that safe and suitable access to the site can be achieved for all users.

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Local Plan Policy T16 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 or parking problem.

The proposal would result in the creation of a new access road that joins Fairgreen Road which is a 30mph road. Improvements are proposed to the access road to ensure that it is wide enough to allow for two vehicles to pass whilst also providing a pavement for pedestrians. The Highway Authority raises no objections to the proposal.

While the concerns of local residents regarding increased traffic movements from future occupants and construction vehicles are noted, in the absence of any objections from the Highway Authority, it is not considered that a refusal on highways grounds could be sustained.

The applicant has confirmed that the new access highway would be built to an adoptable standard.

Therefore, in light of the above and subject to conditions, the development is considered to accord with the relevant policies of the development plan as well as the aims and objectives of the NPPF.

Agricultural Land Quality

Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Policy HG1 of the CHCMAW Neighbourhood Plan states that to be in a sustainable location, development must, amongst other things, not involve the loss of best and most versatile agricultural land.

Best and most versatile agricultural land (BMVAL) is defined as that which lies within Grades 1, 2 and 3a. The Agricultural Land Classification Assessment (ALCA) submitted with the application identifies that the site contains 0.8ha of Grade 3b, 'Good' quality agricultural land. Consequently, the development results in a loss of approximately 0.8ha of Best and Most Versatile Agricultural Land (BMVAL).

In considering the loss of BMVAL during an appeal at Baldwins Gate Farm, the inspector noted that the land quality was not unusual for this area of the Borough and that many sites adjacent to the community are likely to contain a portion of BMVAL. There was also no evidence that the bulk of the BMVAL in the holding would be lost, however, the inspector acknowledged that the proportions of the loss would represent a significant proportion of the overall site area and affords them some harm.

Information submitted in support of the application notes that the parcel of land which forms the application site has not been actively in use for agricultural purposes since 2014. It was recognised in a previous application for this site (16/01101/FUL) that the waterlogged soil within this site limits the choices of cropping and agricultural land use and that the site contains only a small quantity of best and most versatile agricultural land.

Your officer considers that given the limited amount of the site that comprises best and most versatile agricultural land and given its dispersed nature, it cannot be concluded that its loss would have any significant adverse impact.

Ecology and Biodiversity Net Gain

Paragraphs 187 & 192 of the NPPF set out that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If development cannot avoid significant harm to biodiversity by adequate mitigation then planning permission should be refused.

CSS Policy CSP4 seeks to protect, maintain and enhance the quality and quantity of the area's natural assets including enhancing the areas natural habitats and biodiversity to achieve the

outcomes and targets set out within the UK and Staffordshire Biodiversity Action Plans and Staffordshire Geodiversity Action Plan. Development should avoid and/or mitigate adverse impacts, and wherever possible, enhance the area's natural assets, landscape character, waterways, green corridors and priority species and habitats.

NLP Policy N3 expects development to take account of the potential effects of development proposals upon wildlife and geological features and avoid or minimise any adverse effects and, where appropriate, to seek to enhance the natural heritage. Habitats/features of nature conservation or geological value will be retained in situ and protected from adverse impact. Replacement habitats/features will be provided on at least an equivalent scale where the Council agrees that the loss of wildlife habitats or geological features is unavoidable.

NLP Policy N8 seeks to resist development that may, directly or indirectly habitats, unless the applicant can demonstrate that the need for the development clearly outweighs the need to safeguard the habitat. Where development affecting such habitats can be approved, appropriate measures will be required to minimise damage, to provide for appropriate habitat restoration and/or re-creation to compensate for any loss.

LNP Policy NE1 supports new development that complements the landscape setting and character of the area, preserves or enhances and does not cause significant harm or degradation to the intrinsic rural character and ecological and environmental features of the area.

Biodiversity Net Gain (BNG) is "an approach to development that leaves biodiversity in a better state than before". When applying biodiversity net gain principles, developers are encouraged to bring forward schemes that provide an overall increase in natural habitat and ecological features. The aim of BNG is to minimise losses of biodiversity and help to restore ecological networks. Sites must demonstrate a minimum of a 10% Biodiversity Net Gain as calculated using a Biodiversity Metric and a Biodiversity Gain Plan, with habitat used for net gain to be secured for a minimum of 30 years.

The site comprises a strip of an open agricultural field that is of limited ecological value and is not subject to any ecological designations, however to the south of the site is Chorlton Moss Local Wildlife Site, an area of ecological importance.

While a previous application for development of land in close proximity to this site has been refused due to impact on the Chorlton Moss wetland site, it is Important to note that the site in this case is not directly adjacent to Chorlton Moss but rather is separated from it by a strip of agricultural land.

The application is supported by a number of technical reports, including Hydrology reports, an Ecological Appraisal, a Botanical Survey Report, a Geo Environmental Assessment and a Biodiversity Net Gain Statement and matrix. These reports conclude that the development will not have any significant impact on the Chorlton Moss wetland site but do set out a number of recommendations which could be controlled through condition. Staffordshire Wildlife Trust initially objected to the proposal on the basis that the development could result in adverse impact on the Chorlton Moss site, however this objection was withdrawn following clarification and additional information from the applicant.

Whilst the concerns of residents and the Parish Council regarding impact on Chorlton Moss are noted, in the absence of any objection from SWT on such grounds and subject to the imposition of a number of conditions, it is not considered that an objection could be sustained.

SWT have raised concerns regarding the proposed BNG scheme for the site. Their concerns principally relate to a historical aerial photograph which they consider suggests that part of the

site appears to have been Intentionally degraded in the past. On this basis, they argue that this needs to be factored into any BNG assessment.

The applicant's Ecologist has provided a response which seeks to refute this.

Having reviewed the submissions, the opinion of your Officers is that there is insufficient evidence to conclude that habitat degradation has taken place on the site and as such, it does not need to be considered within the BNG assessment. An updated BNG assessment has also been submitted in response to the concerns raised by the SWT which demonstrates that there would be a total increase to habitats of 12.35% and in linear habitats by 770.3%, both of which are above the statutory minimum of 10%.

Officers are satisfied that the BNG requirements of 10% could be achieved within the site without having to provide enhancement to any off-site locations.

For the reasons outlined above, the proposal is considered to accord with development plan policy and the guidance set out within the NPPF.

Planning Balance

As stated above, it is considered that the test in paragraph 11(d) of the NPPF has to be applied and an assessment of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole, is required.

The provision of 9 dwellings would make a contribution towards the Borough's housing supply, particularly in the context of a development plan that is not up to date in terms of housing need and where a suitable supply of housing cannot be demonstrated. This benefit therefore must also be attributed with substantial weight. In addition, the provision of self-build and custom housebuilding plots must be attributed significant weight.

Now turning to the harms of the development, it is accepted that the proposal would have some localised visual harm which can be given moderate weight in the planning balance. The loss of a small strip of agricultural land also weighs against the proposal, however as noted in the report, due to the size and quality of this parcel of land only limited weight can be given to this loss.

The aforementioned harms are acknowledged, however it is considered that they are not sufficient to significantly and demonstrably outweigh the identified benefits of the scheme. On this basis planning permission should be granted subject to the imposition of appropriate conditions, as recommended.

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 2006 - 2026 (Adopted 2009)

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

Newcastle-Under-Lyme Local Plan 2011

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside.
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 N12:	Development and the Protection of Trees.
Policy N17:	Landscape Character - General Considerations.
Policy N21:	Areas of Landscape Restoration
Policy T16:	Development – General Parking Requirements

Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Area

Policy HG1:	New Housing
Policy NE1:	Natural Environment
Policy N2:	Sustainable Drainage
Policy DC2:	Sustainable Design

Other Material Considerations

National Planning Policy Framework (2024)

Planning Practice Guidance (PPG) (2024)

Supplementary Planning Documents/Guidance

Space around Dwellings SPG (SAD) (July 2004)

Planning History

16/01101/FUL - Demolition of existing buildings, erection of 97 houses and 2 bungalows, access, parking and amenity space – refused

17/01024/FUL - Demolition of existing buildings, erection of 97 houses, access, parking and amenity space (Revised Proposal) – refused

Views of Consultees

NatureSpace recommend that non-licenced working methods would be adequate for any development works and the details of these can be submitted at reserved matters application stage for the individual plots.

Following the submission of additional details, **Staffordshire Wildlife Trust** have no further objections to the impact on the Chorlton Moss site, however maintain concerns that the application site may have been intentionally degraded in the past which would affect the BNG matrix calculations.

Following the submission of additional details, **the Public Rights of Way Officer** notes that whilst SCC would be unlikely to adopt any footpath as a PROW, they would be willing to discuss the creation of a new PROW.

Whitmore Parish Council object to the proposal for the following reasons:

- The site has had two previous refusals
- Policy PSD3 (Distribution of Development) of the July 2024 Final Draft of the NuLBC Local Plan 2020- 2040, states that Baldwins Gate is expected to accommodate in the order of 250 new dwellings in the period 2020 – 2040. This requirement is already met with current developments
- The site falls outside of the village envelope
- Impact on nearby Chorlton Moss site

The **County Archaeologist** raises no objections to the proposal subject to a condition requiring the submission of a programme of archaeological mitigation.

Network Rail notes that the proposal is 51m from the railway boundary, the applicant should therefore ensure that all surface waters from the dwellings is directed away from the railway boundary and that the applicant should take into account noise & vibration from the existing operational railway

The **Highway Authority** raise no objections to the development subject to a condition requiring that additional details of highways details be submitted to the LPA for approval prior to the first commencement of the scheme.

The **Environmental Health Division** have no objections in principle to the development, subject to conditions relating to construction hours and ground contamination.

No comments have been received from the **Landscape Development Team** or from **Waste Services**.

Representations

64 letters of objection have been received as well as 64 letters of support.

The objectors to the scheme raise the following concerns:

- Previous applications have been refused on site for reasons that remain valid
- Construction traffic
- Impact on drainage and flood risk
- Impact on Chorlton Moss and ecology
- Conflict the policies set out within the Neighbourhood Plan
- Lack of housing need
- Lack of infrastructure
- Impact on school
- Impact on amenity
- Impact on public rights of way

- Visual harm caused by encroachment into the countryside

The supporting letters note the following points:

- The scheme will diversify the housing options within Baldwins Gate whilst providing development in a suitable location.
- The proposal will provide opportunities to improve the adjacent Public Right of Way.
- The proposal will help to support the ecological value of the Chorlton Moss site.

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/24/00833/OUT>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

28 August 2025