

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
CORPORATE LEADERSHIP TEAM'S
REPORT TO ECONOMY & PLACE SCRUTINY COMMITTEE

DATE: 11 September 2025

Report Title: Newcastle-under-Lyme Borough Local Plan 2040

Submitted by: Deputy Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To provide an update on the emerging Borough Local Plan.			
<u>Recommendation</u>			
That the Committee notes the update on the progress of developing a new Local Plan for the Borough.			
<u>Reasons</u>			
To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).			

1. Background

1.1 The Local Plan sets the vision and 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 a spatial strategy to guide development to the most sustainable locations. On its adoption, the Plan will form part of the statutory Development Plan for the Borough.

1.2 The Economy and Place Scrutiny Committee, at its meeting on the 12 December 2022, requested that a standing item be added to future meeting agendas to provide an update on the current position with regards to the preparation of the emerging Borough Local Plan.

1.3 The Borough Council submitted the Local Plan for examination on the 20 December 2024. Inspector Anne Jordan (BA Hons) MRTPI has been appointed to examine the Local Plan.

1.4 All comments received at the Regulation 19 stage were sent to the Secretary of State on the submission of the Plan for consideration. The Inspector holding the examination considers the evidence provided by the Council to support the Plan and any representations which have been put forward by local people and interested parties.

1.5 There are three potential outcomes to the examination process:

- a) The Plan as submitted by the Council is found to be sound and legally compliant.
- b) Changes (known as 'main modifications') to the Plan are considered necessary to make it legally compliant and sound; or
- c) The Plan is deemed unsound and/or not legally compliant with any deficiency (ies) unable to be remedied through main modifications. In this outcome, the Council is asked to withdraw the Plan from examination.

1.6 The outcome for a large proportion of plan examinations is (b), involving 'main modifications'. Proposed main modifications that the Inspector considers necessary are subject to public consultation for a period of six weeks during the examination. The Council has asked the Inspector appointed to examine the emerging Local Plan to consider main modifications in her consideration of the Local Plan. At the end of the examination, the Inspector will send a report to the Council with their findings including final, recommended main modifications. After that, the Plan, incorporating the main modifications, can be adopted by the Council. Upon adoption the Plan would become part of the statutory development plan for the Borough and would replace most policies in the Joint Core Strategy 2009 and legacy Newcastle-under-Lyme Local Plan 2003.

1.7 A revised version of the National Planning Policy Framework ("NPPF") was published by the Government in December 2024. In line with the transitional provisions of the December 2024 National Planning Policy Framework (paragraphs 234b & 236 respectively) for Local Plan making, where a Local Plan has been submitted for examination on or before the 12 March 2025 and the emerging Plan provides for less than 80% of local housing need, the Local Planning Authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force in 2025) in order to address any shortfall in housing need. This is the position faced by the Council following the publication of the NPPF in December 2024.

1.8 As part of a package of announcements made at the launch of the revised NPPF in December 2024, the Deputy Prime Minister asked all local planning authorities to produce an updated Local Development Scheme ("LDS") within 12 weeks of the publication of the NPPF (i.e. by no later than 6 March 2025). The LDS sets out the programme for producing a Local Plan. In line with this request, the Council's Cabinet on the 4 February 2025 considered and approved an LDS for the period 2025 – 2028. The LDS has been submitted to government and is published on the Council's website.

1.9 The LDS sets out the Council's indicative programme for producing a new Local Plan on adoption of the submitted Local Plan. The need for and progress on a new Local Plan, beyond the Plan submitted for examination, will be dependent on the outcomes of the examination and the content of the regulations provided for under the Levelling Up and Regeneration Act 2023.

2. **Issues**

2.1 A Local Plan 'examination library' webpage has been created: - [Local plan examination – Newcastle-under-Lyme Borough Council](#). The examination library provides regular updates on the examination. The Inspector and Programme Officer, appointed to assist the Inspector with the running of the examination maintain the library. Any updates to the website are facilitated by the Council. The examination library contains documents submitted to the Inspector on the submission of the Local Plan and then regular updates on the Local Plan examination, including letters and correspondence that the Inspector issues to the Council and formal responses by the Council in return.

2.2 On her appointment and following review of the submitted draft Local Plan and evidence, in February the Inspector asked several initial questions. The Council responded to all questions by the end of March 2025. On 4th April, the Inspector formally notified all parties of her intention to proceed with hearing sessions into the submitted Local Plan.

2.3 Alongside the notification, 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 Council responded to the questions (121 in total) in line with the deadline set by the Inspector.

2.4 The Local Plan examination hearing sessions took place at Castle House and commenced on 20th May and ended on the 26 June 2025. The hearing sessions were held in the Astley Room with Council officers attending supported by an appointed barrister to assist in advocating the Borough Council's case. All hearing sessions were open to the public and were also live streamed.

2.5 During the examination hearing sessions, the Council undertook to prepare responses to several action points raised by the Inspector. The Council has responded to the action points raised and these are all published in the Local Plan examination library.

2.6 In August 2025, the Inspector in a letter to the Borough Council set out her initial thoughts and findings following the conclusion of the initial Local Plan examination hearing sessions. She 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 indicated that the Local Plan complies with the legal Duty to Cooperate test and further that a case for taking land out of the Green

Belt to meet housing and employment needs had been made. Subject to the carrying out by the Council of some additional work to justify the plan's approach and various specified modifications, the Inspector stated that the Plan could be taken forward to adoption. The further work required is set out below:

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- 2.7 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 as Highway Authority and the respective site promoters have prepared and agreed details of 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.
- 2.8 Town Centre Sites** – in response to a request, 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 comment from the Inspector as to whether further information is required, particularly on the level of car parking provided for in the town centre.
- 2.9 Minerals Safeguarding** – the Council is working with Staffordshire County Council as Minerals Planning Authority 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 and shared with the Inspector.
- 2.10 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.
- 2.11 Keele University** – the Inspector has asked for more information about the timetable for delivery of the University sites proposed as allocations in the Plan and whether changes are necessary to policy wording.
- 2.12 BW1 Chatterley Valley** – this is an employment site. The Inspector has raised the issue of Minerals Safeguarding as described above.
- 2.13 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. These matters will be addressed by the Council in consultation with the site promoter and a response sent to the Inspector.
- 2.14 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. The Inspector has provided her views on the suitability of certain individual site. She has also asked for further work to be undertaken to justify other sites: -

- 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.

- 2.15 **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.
- 2.16 **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.
- 2.17 **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 and SE9 Historic Environment, as well as those presented in the Schedule of Modifications.
- 2.18 The Council has responded to the Inspector and stated that it intends to provide all the newly requested information on the matters raised above by the 30 September 2025 at the latest.

2.19 A report was considered by the Council's Cabinet on the 2 September 2025 on the Local Plan. This report delegates approval of the next stage of the examination to the Deputy Chief Executive, in consultation with the Portfolio Holder for Strategic Planning. Subject to the Council's response to the matters outlined above then this stage is called the main modifications stage of the examination. Throughout the examination process, the Council has prepared and maintained a table of proposed modifications (changes) 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.

2.20 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 "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.

2.21 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.

2.22 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.

2.23 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.

2.24 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, the consultation will not 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 the Committee notes the update on the progress of developing a new Local Plan for the Borough.

4. **Reasons**

4.1 To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. **Options Considered**

5.1 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 of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. **Equality Impact Assessment**

7.1 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

8. **Financial and Resource Implications**

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

9. **Major Risks & Mitigation**

9.1 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 Council is awaiting the publication of

secondary legislation and regulations in relation to the Levelling Up and Regeneration Act that may have an impact upon future Plan making.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then several of the UN Sustainable Development Goals will overlap with the aims of the Plan.

11. **One Council**

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

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 Green 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

12. **Key Decision Information**

12.1 This report and the recommendations contained within it relate to the preparation of a new Borough Local Plan. Decision reports associated with the

formal consultation and submission of the Local Plan will affect all wards in the Borough

13. **Earlier Cabinet/Committee Resolutions**

13.1 Cabinet – 02 September 2025 - [Agenda for Cabinet on Tuesday, 2nd September, 2025, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

13.2 Cabinet – 4 February 2025 – Local Development Scheme - [Agenda for Cabinet on Tuesday, 4th February, 2025, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

13.3 Cabinet – 15 October 2024 – Cabinet Decision Funding the Local Plan Examination - [Agenda for Cabinet on Tuesday, 15th October, 2024, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

13.4 Council – 24 July – Council decision to consult on the Final Draft Local Plan - [Agenda for Council on Wednesday, 24th July, 2024, 7.00 pm – Newcastle-under-Lyme Borough Council](#)

14. **List of Appendices**

14.1 N/A

15. **Background Papers**

15.1 The Local Plan examination website can be viewed here: - [Local plan examination – Newcastle-under-Lyme Borough Council](#)