

LSLATERS STONE ROAD HILL CHORLTON
MR AND MRS SLATER

25/00185/FUL

The application seeks full planning permission for the demolition of the existing fire damaged shopping village building at Slaters, Stone Road, Chorlton, and the construction of six detached dwellings with associated garages.

The site currently comprises the existing fire damaged building which fronts onto Stone Road, its associated car park including overspill parking area, and an enclosed field. It lies within the open countryside and an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map.

The 8-week period for the determination of this application expired on 7th May 2025 but an extension of time has been agreed to 10th October 2025.

RECOMMENDATION

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

- 1. Standard time limit**
- 2. Approved plans and supporting documents**
- 3. Construction Environmental Management Plan**
- 4. Dust mitigation measures**
- 5. Ground contamination report**
- 6. Tree and hedgerow protection measures for retained trees**
- 7. Materials and boundary treatments in accordance with submitted details/schedule**
- 8. Highway related conditions**
- 9. Sustainable drainage systems for the disposal of surface water and foul drainage details**
- 10. Development to be carried out in accordance with the recommendations and mitigation measures in the Preliminary Ecological Appraisal**
- 11. Landscape and Ecological Management Plan**
- 12. Standard biodiversity gain condition**

Reason for Recommendation

While the proposal would not provide a varied mix of housing types as referred to in the Neighbourhood Plan, the residential development of the site would make a contribution to the Council's housing supply which must be attributed substantial weight.

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

Additional information has been sought and provided, and the scheme is now considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

The application is for full planning permission for the demolition of the existing fire damaged shopping village building at Slaters, Stone Road, Chorlton, and the construction of six detached dwellings with associated garages which would be accessed off a new internal access road.

The site currently comprises the existing fire damaged building which fronts onto Stone Road, its associated car park including overspill parking area, and an enclosed field, part of which has an extant planning permission for the erection of a detached dwelling under application Ref: 05/00371/FUL. Given the damage to the existing building, it is no longer viable to re-introduce the former shopping village use, hence the submission of this application.

The land lies within the open countryside and an Area of Landscape Maintenance as indicated on the Local Development Framework Proposals Map.

Amended plans/additional information have been received throughout the application process, reducing the scale of the scheme/spread of the development across the site, and providing revised highways, ecology and drainage details, to address concerns raised by officers and statutory consultees.

Taking account of the above background, the key planning matters in the determination of the application are:

- Principle of proposed residential development
- Character and appearance of the development and potential impacts on the wider landscape
- Housing mix
- Highway Safety and parking implications
- Trees and hedgerows
- Ecology and Biodiversity
- Residential amenity
- Flood Risk and Drainage
- Planning Balance

Principle of the proposed residential development

Policy SP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (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 Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan (NP) states that new housing development will be supported in sustainable locations which include:

- 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 the circumstances set out in paragraph 79 of the NPPF apply.

To be in a sustainable location, the NP confirms that development must:

1. Be supported by adequate infrastructure, or provide any necessary infrastructure improvements as part of the development;
2. Not involve the loss of best and most versatile agricultural land;
3. Avoid encroaching onto or impacting on sensitive landscapes and habitats;
4. 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 cannot currently demonstrate an up to date housing supply.

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 NP was made more than five years ago and 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.

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 NP policies and therefore it is considered reasonable to conclude that the ‘basket of policies’ overall, is out of date.

It is considered that the test in paragraph 11(d) has to be applied to this application given the lack of 5 year housing supply and 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 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, it is acknowledged that the site is situated in the countryside, outside the village envelope of Baldwins Gate which lies around 1.2 miles to the north. Officers also recognise that although local facilities within Baldwins Gate would be within a reasonable cycling distance, given the rural nature of the site it is likely that occupants of the properties would more than likely be reliant on the use of the private motor car to access a number of higher-level services and facilities.

It is also acknowledged that both local and national planning policy seeks to provide new housing development within existing development boundaries where available. Whilst it is accepted that residential development on this site outside the settlement boundary would be contrary to this preferred approach, the brownfield classification lends significant weight in the planning balance. Further to the above, recent appeal decisions on nearby sites such as APP/P3420/W/24/3338220 (self-build dwelling at land adjacent Maerfield Gate Farm) and APP/P3420/W/19/3225154 (12 dwellings at Croft Farm, Stone Road) have demonstrated that Inspectors consider this site and those further to the south and southeast to be sustainable locations for new residential development. Given these appeal decisions, it is not considered that a refusal on sustainability grounds could be sustained. Moreover, outline planning permission has also recently been granted on land at Woodside (Ref:25/00080/OUT) for 4 dwellings which lies around 500m to the north of the current application site. This further demonstrates that this broad location is considered to be a sustainable location for new housing development.

To conclude, the above 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.

Whilst objections have been received from residents and Parish Councils on the basis that the proposal is not in compliance with policies of the emerging Local Plan, as the Inspector's Report following the examination of the ELP is not due until early 2026, only limited weight can be afforded to its policies.

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

Character and appearance of the development and potential impacts on the wider landscape

Paragraph 131 of the National Planning Policy Framework (the Framework) 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 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.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

Policy DC2 of the NP states that development will be supported, provided that it complements local landscape character in terms of urban and built form, spacing, enclosure and definition of streets and spaces; reflects local character in terms of its height, scale and massing; responds to and preserves views and landmarks visible from within sites and creates new green verges as part of the layout. On the edge of the countryside, development will be supported if it creates a transition between built area and open landscape, particularly in the built form, landscaping and boundary treatments.

RE5 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) states that new development in the rural area should amongst other things respond to the typical forms of buildings in the village or locality and that new buildings should respond to the materials, details and colours that may be distinctive to a locality.

R12 of that same document states that residential development should be designed to contribute towards improving the character and quality of the area. Proposals will be required to demonstrate the appropriateness of their approach in each case. Development in or on the edge of existing settlements should respond to the established urban or suburban character where this exists already and has a definite value. Where there is no established urban or suburban character, new development should demonstrate that it is creating a new urban character that is appropriate to the area. R13 states that the assessment of an appropriate site density must be design-led and should consider massing, height and bulk as well as density. R14 states that developments must provide an appropriate balance of variety and consistency.

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.

NLP Policy N19 seek to maintain the high quality and characteristic landscapes in Landscape Maintenance Areas as shown on the Proposals Map. Where development can be permitted, it will be expected to contribute to this aim. Within these areas it will be necessary to demonstrate that development will not erode the character or harm the quality of the landscape.

The application site comprises the former Slaters Shopping Village building and its associated car parking area, together with the adjacent field, part of which has an extant permission for the erection of a single dwelling. This field is separated from the surrounding countryside by boundary hedgerows and tree planting. The proposed internal access road and dwellings will be contained within the previously developed part of the site, with the existing field providing the rear garden for plot 6. As such, the proposed development would not encroach into the surrounding open countryside.

The proposed dwellings would be arranged around a new internal access road and be situated in large, landscaped plots with the properties generously spaced, thereby reducing the visual impact of the development. As the proposed units would be viewed alongside the existing complex of buildings at Slaters Country Inn, the development would not appear as an isolated cluster of dwellings within the countryside. Indeed, as the large portal framed building which currently fronts onto Stone Road would be removed and replaced with more modest buildings which more closely follow the form and scale of adjacent residential dwellings/barns, the scheme has the potential to enhance approaches into the site from the A51. By demolishing this existing building and providing a traditionally designed dwelling fronting onto Stone Road, the development would do just this, with the property on plot 1 complementing the design and form of the adjacent pair of traditional semi-detached cottages to the east and the converted brick barns to the west. This would include the introduction of cill/header detailing, chimneys and a simple pitched roof.

The remaining dwellings (Plots 2-6) would incorporate a mix of traditional detailing, including steep pitched roofs, bay windows, chimneys and porches, combined with more contemporary full height glazed sections. As the contemporary glazed elements are largely concentrated to the rear of properties, the main public views from the A51 and the access road within the site would be of the simple, traditional design of the units which is comparable to surrounding rural dwellings. As such, it is considered that subject to conditions regarding the approval of facing materials and boundary treatments, the design, form and layout of the development would respect its surroundings and maintain the quality and characteristics of the area of landscape maintenance. As such, the proposal would accord with Policy CSP1 of the CSS, Policy DC2 of the NP, guidance in the SPD and the NPPF.

A landscaping plan has been submitted, detailing additional tree planting along the internal access road and within plots. As this indicates that ornamental rather than native tree planting would be used, it is recommended that a landscaping condition is imposed requiring the submission of all new tree and hedgerow planting as part of the biodiversity gain plan. This is necessary as the scheme would involve the loss of some low-quality trees to facilitate the development.

Housing mix

Policy HG2 of the NP confirms that residential developments of 5 or more dwellings must include 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. 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.

The proposed scheme comprises 1 no. 5 bed and, 5 no. 4 bed detached houses. It is acknowledged that the proposal would not therefore provide a mix of housing to meet a variety of housing needs. This counts against the scheme. However, if a mix of different dwellings was provided on the site (i.e. terraced, semi-detached dwellings, bungalows), this would increase the total number and density of properties on the site, giving the development a more suburban appearance and potentially detract from the character and appearance of the countryside.

Highway Safety

NPPF Paragraph 114 notes that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 115 advises 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.

Paragraph 116 states that applications for development should;

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

CSS Policy SP3 addresses the need to secure more choice of, and create better access to, sustainable modes of transport whilst discouraging less sustainable modes. CSP1 expects new development to be accessible to all users and to be safe, uncluttered, varied, and attractive.

NP Policy DC3 expects the form and layout of development to provide ease of movement for pedestrians and cyclists, cater for a people with a range of mobility requirements and avoid severe adverse impacts on the capacity of the highway network.

The site has been historically used as Slaters Shopping Village, which accommodated 15 independent businesses and a restaurant seating over 50 people, all operating six days a week. A significant proportion of the application site is also taken up by the car park associated with this use. Given the scale of the former use, it is not considered that a development of 6 residential dwellings would result in an intensification in the number of vehicle movements into and out of the site, subject to a safe and suitable access being provided off Stone Road. Indeed, the submitted Transport Statement (TS) sets out how the development would only generate a maximum of three, two-way vehicle trips in the AM and PM weekday peak hours which equates to one vehicle movement on the local highway network every 20 minutes. The level of traffic generation that would be associated with the proposals would not therefore have a material impact on safety or traffic delay on the surrounding road network.

The proposal would provide a new vehicular access at the eastern end of the site, adjacent to the existing access serving the neighbouring residential dwellings. An updated layout plan has been provided which details tactile paving at the vehicle crossing on the A51 and appropriate visibility splays on either side of the site access. Sufficient manoeuvring space is also shown within the plots/turning head at the end of the internal access road, to ensure that vehicles can park and turn before exiting the site in a forward gear. This would appear to address the Highway Authority's concerns in respect of potential driver/pedestrian conflict and ensuring that safe and suitable access to the site is provided. The updated comments of the Highway Authority will be reported in a supplementary report.

In terms of on-site parking, each unit would have at least 3 parking spaces which would accord with the Council's parking guidelines for 4 and 5 bedroom dwellings.

The internal access road would be constructed to adoptable standards, meaning that refuse/emergency services vehicles can access the site to empty bins/in emergency situations.

Concerns have been raised by interested parties concerning the potential loss of existing parking facilities on the site. However, the existing parking areas served the fire damaged business which is to be replaced by the new housing. The site is not part of Slaters Country Inn or the bowling club adjacent to the site. The applicant has confirmed that the Country Inn benefits from a minimum of 105 dedicated parking spaces, along with additional overflow parking within their land holding.

Overall, it is considered that a safe and suitable access to the site for all users would be achieved and that any impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety would be mitigated to an acceptable degree.

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

Trees and Hedgerows

CSS Policy CSP4 seeks to protect, maintain and enhance the quality and quantity of the area's natural assets.

The application has been accompanied by an Arboricultural Impact Assessment (AIA) which confirms that, to facilitate the development, 5 trees (T13-T17) will need to be removed. As all of these trees are low quality category C trees the Landscape Officer does not raise any objections to their removal. Replacement tree planting to off-set this impact can be secured as part of the proposed landscaping scheme, which can be secured via condition. A Tree Protection Plan (TPP) has also been submitted which details how all retained trees will be protected during the demolition/construction phase. A condition is also recommended, ensuring that the TPP is in place prior to work commencing.

Ecology and Biodiversity

Paragraph 180 of the NPPF states that planning policies and decision should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) 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;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 186 of the Framework states that when determining planning applications, LPAs should apply the following principles;

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

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.

NP Policy NE1 sets out how development must, where appropriate, preserve or enhance the rural character of the area. This includes consideration of impacts on wildlife habitats, ecology and biodiversity. Development should provide biodiversity net gain. Features of particular sensitivity include veteran trees, and mature hedgerows

The application is accompanied by an updated Preliminary Ecological Appraisal (PEA) and Bat Survey Report (BSR) following initial comments from Staffordshire Wildlife Trust (SWT), requesting that updated bat and grassland surveys were undertaken within the site. The PEA concludes that subject to a number of recommendations, there would be no adverse impact on any habitats or protected species.

A Biodiversity Net Gain Report (BNGR) and Biodiversity Metric (BM) have been provided to evaluate the ecological impact of the proposed development. The baseline biodiversity value of the site, prior to development, is calculated at 2.38 habitat units and 0.00 hedgerow units. Following the completion of the proposed development, the on-site biodiversity value is projected to reduce to 1.99 habitat units despite the suggested on-site enhancements i.e. tree planting, mixed scrub, bat/bird boxes gaps for hedgehogs in fences. This would result in a net loss of 0.38 habitat units, which equates to a 16.4% reduction in habitat units.

Notwithstanding the modest on-site biodiversity enhancements which are proposed within the PEA, the development would result in a significant net loss of BNG. To ensure that the scheme delivers the required 10% net gain in biodiversity, the applicant has confirmed that the offsetting biodiversity units will be secured through the Environmental Bank. 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) for the on-site enhancements can be secured via condition. A landscape and ecological management plan should also be submitted prior to first occupation to ensure that the onsite biodiversity enhancements listed in the BNGR and PEA are correctly established and maintained for the necessary 30- years.

Residential Amenity

Paragraph 180 of the NPPF advises that, planning policies and decisions should contribute to and enhance the natural and local environment by "...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans

Paragraph 191 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 192 states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

Local residents and the Parish Councils have raised concerns regarding potential noise and disturbance, together with the overlooking of neighbouring properties which lie to the east of the site. Whilst vehicles would access the development along its eastern boundary adjacent to an existing dwelling, given the modest size of the development, it is not considered that the type and number of vehicle movements associated with the residential use and occupation of the dwellings would cause undue noise or disturbance to the occupiers of these properties. Moreover, this area has historically been used as a car park for the former commercial use on the site prior to it being damaged by fire. As such, the proposal would not result in a net increase in the level of noise and disturbance from vehicles when compared with the former/last use of the site.

Turning to the potential impact on the privacy of existing dwellings to the east, given the separation distances involved and position of the main habitable room windows in the proposed dwellings, it is not considered that the development would overlook neighbouring properties.

In relation to the living environment for prospective occupiers of the dwellings, the separation distances between the units would ensure that there is no undue overlooking between the properties, and appropriately sized gardens have been provided for these large family dwellings.

In terms of bin collection arrangements, the internal access road would be constructed to adoptable standards, meaning that refuse vehicles can access the site and manoeuvre within the turning area provided. As such, direct access for bin collection would be provided.

Overall, therefore, it is not considered that the proposal would result in any adverse impacts on residential amenity.

Flood Risk and Drainage

NPPF Paragraph 173 outlines that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in

areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

The site lies within flood zone 1, land with a low flood risk, although it is acknowledged that residents have raised concerns regarding flooding/drainage issues on the site. The applicant has confirmed that surface water will be disposed of via soakaways, which is the preferred method of surface water disposal as set out in the drainage hierarchy. As the extent of hardsurfacing on site would be reduced, given that much of the site comprises a large commercial building and its associated car park, it is likely that the level of surface water will be reduced. However, to ensure that the soakaways are sufficient, a condition should be imposed requiring full details of both surface and foul drainage arrangements to be submitted for approval before development commences.

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 6 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 be attributed substantial weight. There would also be economic benefits associated with the construction of the development and the impact from occupiers of the new development utilising local services, facilities and businesses in the area.

In terms of the harms of the development, the proposal would not provide a varied mix of housing types as referred to in the NP. However, given the modest scale of the proposed development, this would be difficult to achieve on this restricted site. If a mix of terraced and semi-detached properties were included in the proposal, this would significantly increase the density of the development, giving it a more suburban character. As such, only moderate weight can be attached to this policy conflict. weight in the planning balance.

Overall, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, and planning permission is therefore recommended, subject to conditions.

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 |
| Policy CSP6: | Affordable Housing |
| Policy CSP10: | Planning Obligations |

Newcastle-under-Lyme Local Plan (NLP) 2011

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|-------------|--|
| 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 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 N19: | Areas of Landscape Maintenance |
| Policy IM1: | Provision of Essential Supporting Infrastructure and Community Facilities. |
| Policy T16: | Development General Parking Requirements |

Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan

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|-------------|------------------------------|
| Policy NE1: | Natural Environment |
| Policy NE2: | Sustainable Drainage |
| Policy DC1: | Local Heritage |
| Policy DC2: | Sustainable Design |
| Policy DC3: | Public Realm and Car Parking |
| Policy DC4: | Connectivity and Spaces |
| Policy DC5: | Impact of Lighting |
| Policy DC6: | Housing Standards |
| Policy DC7: | Renewable Energy |
| Policy HG1: | New Housing |
| Policy HG2: | Housing Mix |

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (as updated)

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

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

[Newcastle-under-Lyme Open Space Strategy](#) – adopted March 2017

Relevant Planning History

14/00875/OUT Residential development of up to 8 dwellings – Refused, Appeal dismissed

05/00371/FUL Detached Dwelling - Approved

Views of Consultees

The **Environmental Health Division** raises no objections subject to conditions relating to land contamination, a Construction Environmental Management Plan and dust mitigation measures.

The **Landscape Development Section** raises no objections, subject to all tree works being carried out in accordance with the submitted Arboricultural Impact Assessment, Method Statement, and Tree Protection document and that a landscaping scheme is provided that allows for replacement tree planting to mitigate the proposed losses.

The **Highway Authority** has requested that additional information is provided, showing the required visibility splays and tactile paving at the site access. They also raise concerns that the site is not in a sustainable location and result in an increase in vehicular movements which could result in potential conflict between vehicles/pedestrians on Stone Road.

NatureSpace confirm that this application is unlikely to have any impact upon great crested newts and/or their habitats but advises that an informative note is added to any decision advising the applicant of the legal requirements, given that there is one small pond within 500m of the site.

Staffordshire Wildlife Trust raises a holding objection, subject to the receipt of updated bat and grassland surveys, updated BNG report and metric, and evidence that the mitigation framework has been followed.

Chapel Hill and Chorlton Parish Council raises the following concerns, specifically in relation to the potential conflict with the Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan (NP) and the Emerging Local Plan (ELP):

- Contrary to Policy HG1 of NP as outside Baldwins Gate and lacks adequate infrastructure and in unsustainable location;
- Contrary to Policy DC2 of NP as design, scale and massing of development out of character with its surroundings and represents over development;
- No on-site affordable housing is proposed, contrary to Policy HOU1 of the ELP ;
- Adversely impact on the living conditions of neighbouring properties, contrary to Policy HOU11 of the ELP ;
- The proposal would be detrimental to the rural economy as it would result in the loss of an existing business, contrary to Policies PSD2 and RUR1 of the ELP;
- Does not meet the tests for development in open countryside, contrary to Policy PSD4 of the MLP
- There has been no effort to market the existing premises for alternative use as required under Policy EMP2 of the ELP.

Maer & Aston Parish Council object on the following grounds:

- The NP is not out of date and is a material consideration;
- The site is outside the settlement of Baldwins Gate and no need for additional housing in the locality;
- No mention of affordable housing or provision for the elderly and disabled;
- Loss of existing car parking for Slaters Country Inn;

- Concerns that insufficient parking provision is provided and vehicles will be forced to park on the A51;
- Consideration should be given to Policy RUR1 of the ELP regarding the rural economy;

Whitmore Parish Council object on the following basis:

- The proposal would result in the loss of an active Business activity which provided an aspect of Rural employment, contrary to Policy EMP2 of the ELP.
- No effort has been made to market the existing business for alternative business use;
- Site in an unsustainable location, with potential future residents reliant on the private car to access facilities/services on a daily basis.

No comments have been received from **United Utilities, Waste Services** or the **Staffordshire Badger Conservation Group**.

Representations

2 letters of objection have been received. A summary of the comments made is as follows:

- Extra housing not needed in the area, particularly large houses, given recent planning approvals;
- Questions how extra cars will be accommodated;
- Loss of parking for Slaters/bowling club;
- Overlooking of neighbouring properties;
- Noise and disturbance from use of access road;
- Highway safety concerns from additional vehicle movements;
- Development would be out of character with surrounding properties.

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/25/00185/FUL>

Background papers

Planning files referred to
 Planning Documents referred to

Date report prepared

25 September 2025