

The application seeks permission in principle for 6 to 9 dwellings at land south of Pepper Street, Keele. The application site is within the rural area of the borough, falls within an Area of Landscape Restoration and is designated as Green Belt as indicated on the Local Development Framework Proposals Map.

The application has been called in to Committee on the grounds that the development comprises inappropriate development in the Green Belt and would result in loss of viable agricultural land.

The 5-week period for the determination of this application expired on 24th September 2025 but an extension of time has been agreed to 7th November 2025.

RECOMMENDATION

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

- 1. Technical Details Consent required from the LPA**
- 2. Technical Details Consent submitted within 3 years of this permission**
- 3. Approved Plans**
- 4. Consent restricted to no less than 6 and no more than 9 dwellings**

Reason for Recommendation

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

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

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

Key Issues

The application seeks permission in principle for 6 to 9 dwellings at land south of Pepper Street, Keele. The application site is within the rural area of the borough, falls within an Area of Landscape Restoration and is designated as Green Belt as indicated on the Local Development Framework Proposals Map.

With regard to applications for permission in principle, only the matter of the location of the development and the principle of development can be considered by the Local Planning Authority. If permission is granted then a second application referred to as a 'technical details consent' would need to be submitted to address site specific details such as highways, amenity, ground conditions, biodiversity, visual impact, arboriculture, etc. In addition, applications for permission in principle are exempt from providing a biodiversity net gain assessment, with such assessments to be submitted at technical details consent stage.

Therefore, the only matters in the consideration of the application are as follows;

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

Is the site a sustainable location for housing development?

The application site comprises greenfield agricultural land that is located beyond the defined village envelopes for Keele and Silverdale.

Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

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

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

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

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

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

(Para 11(d))

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

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

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. As stated above, it has been accepted that the LP and CSS policies are out of date.

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

In sustainability terms, although the site is outside the settlement boundary of Silverdale or Keele, the site is considered to represent a relatively sustainable location. Nearby are two primary schools and a selection of retail and food outlets. The site is also within easy walking distance to a nearby bus stop located to the southwest which provides regular services to Newcastle via Silverdale, being only 200m from the edge of Silverdale.

Manual for Streets advises that walkable neighbourhoods are typically characterised as having facilities within 15 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot. In this case, some services are within this 800m distance such as a school and public house however the other services location within the central part of Silverdale would take some additional walking time to get to. Notwithstanding the above it is considered there is a good level of facilities available for the day-to-day needs of prospective residents of the development site and the site can be described as being in a sustainable location.

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

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

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

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

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

Paragraph 155 sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where:

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

The applicant has submitted supporting information to seek to demonstrate that the proposal complies with criterion (a) above, which relates to the utilisation of 'Grey Belt' land.

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

As per the definition above, Grey Belt can include previously developed land or any other land that does not contribute to purposes a), b) or d) of the five purposes of including land within the Green Belt listed at paragraph 143 of the Framework.

These three criteria are:

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

With respect to criterion (a), the application site falls outside of any recognised settlement boundary, the 2011 Local Plan and within the councils Green Belt Site Review Consolidated Report, National Guidance notes that villages should not be classed as 'large built up areas' and this definition should only be applied to towns or larger settlements. Furthermore the application site is bounded by existing residential development to the north and west, and a large protected woodland to the south and east and would therefore would not be at risk of creating 'unrestricted sprawl'. For these reasons, the proposal meets the definition of grey belt when assessed against the first of the criteria set out above.

With regards to criterion (b), there are no nearby towns within close proximity of the site which would be at risk of merging with the settlement, the nearest town of Newcastle under Lyme is over 3km to the east.

Regarding criterion (d), Keele is not an historic town but rather is classed as a village and the Council's Green Belt Assessment considered that the wider site makes a 'weak contribution towards this purpose and therefore the LPA's stance on this has already been established.

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

To conclude, the site comprises Grey Belt land as it does not make a significant contribution to purposes a), b) and d) of paragraph 143 of the Framework, nor are there any policies listed

at footnote 7 of the Framework that suggest that development of the application site should be refused or restricted. There is a demonstrable need for the development given the absence of a 5 year housing land supply and the site is otherwise located in a sustainable location.

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

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 (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

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy N9:	Community Woodland Zones
Policy N12:	Development and the Protection of Trees
Policy N17:	Landscape Character – General Considerations
Policy N21:	Areas of Landscape Restoration
Policy S3:	Development in the Green Belt

Other Material Considerations include:

National Planning Policy Framework (2024)

Planning Practice Guidance (as updated)

Relevant Planning History

None.

Views of Consultees

United Utilities recommend that the applicant contacts United Utilities using their pre application service and note that any technical matters application should be subject to conditions relating to drainage.

Keele Parish Council note that no mention of the railway tunnel has been mentioned within the submitted details and that the emerging plan allocated sufficient amounts of housing within the Borough and therefore additional housing sites are not needed. The PC also note that the site proposal erodes the character of the area, risks merging Keele with Newcastle under Lyme, and is inappropriate development within the Green Belt.

The **Coal Authority** wish to be consulted on any future technical details consent application.

Naturespace recommend that any technical details consent include an assessment of the potential impact on Great Crested Newts.

The **Country Archaeological Team** raise no objections to the proposal but note that there is a disused tunnel that runs under part of the site.

No comments have been received from the **Environmental Health Team, Landscape Team** or from **Staffordshire Wildlife Trust**.

Representations

3 letters of objection have been received, raising the following concerns:

- The proposal would interfere with local farming within the Green Belt
- Visual impact
- Lack of infrastructure to support new houses
- The site should not be considered as grey belt
- Discussed tunnel needs to be taken into consideration
- Impact on highway safety
- Potential impact on nearby listed building.

Applicant's/Agent's submission

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

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00620/PIP>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

20 October 2025