

PUBLIC REALM AND CAR PARK TO EAST AND WEST OF KING STREET, INCLUDING FORMER GARAGE, KING STREET, KIDSGROVE.
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

25/00570/DEEM3

Full planning permission is sought for extensions and improvements to existing car parks and public realm, including demolition of former service garage and creation of additional temporary parking at King Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The 8 week period for the determination of this application expired on 24th September 2025. An extension of time has been agreed until 11th November 2025.

RECOMMENDATIONS

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

1. Time limit condition
2. Approved plans
3. Approved materials
4. Permitted construction site hours
5. Dust mitigation during demolition and construction
6. Submission of a Construction Environmental Management Plan (CEMP)
7. Cycle parking
8. Highway surfacing and lighting
9. Site access to be made redundant
10. Tree protection
11. Storage of materials outside root protection areas
12. Biodiversity Net Gain Habitat Monitoring Plan

Reason for recommendations

The proposed development would not have any significant impacts on nearby land uses or on the character and appearance of the area and the design of the proposal would accord with the policies of the development plan and the aims and objectives of the NPPF.

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

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

KEY ISSUES

Full planning permission is sought for extensions and improvements to existing car parks and areas of public realm, including the demolition of a former service garage and creation of additional temporary parking at King Street, Kidsgrove.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map. The application site is located within the built-up area of Kidsgrove and comprises an area of public realm and car parking that is located on the western and eastern sides of King Street, north of its junction with Heathcote Street and southwest / south of its junction with Queen Street.

The application site currently forms part of the public realm of Kidsgrove town centre and also provides two bus stops and shelters, a taxi rank and two separate parking areas comprising of 10 no. and 25 no. parking spaces respectively.

The works proposed can be summarised as follows:

- Public realm improvements consisting of replacement seating, provision of raised brick planters, and replacement steps.
- Reconfiguration and resurfacing of the existing car parking area on the western side of King Street to provide 9no. car parking spaces (of which 2no. will be accessible spaces). The existing taxi rank will be removed and the island extended.
- Reconfiguration and extension of the existing car park on the eastern portion of the site to provide a total of 48no. parking spaces (including 2no. EV charging points), served by a reconfigured vehicular access, and associated resurfacing works.
- The provision of 2no. replacement bus shelters.
- Provision of replacement streetlighting
- Provision of pedestrian crossing connecting the car park on the eastern side of King Street with the shopping parade on the western side of King Street.

In addition, the application also proposes the demolition of a part single storey, part two storey flat roofed building in the northwest corner of the site, and the reconfiguration of that area to provide for a temporary car parking facility whilst the wider public realm and car park extension works are undertaken.

The main issues for consideration are as follows:

1. Whether the principle of the proposed development on the site is acceptable.
2. Whether the design and layout of the proposed development is acceptable.
3. Whether the impact on trees is acceptable.
4. Whether the impact on amenity is acceptable
5. Whether the impact on highway safety and parking facilities is acceptable.
6. Biodiversity Net Gain.

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

Paragraph 90 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Paragraph 98 of the NPPF seeks to provide amongst other things, services that the community needs, and states that planning policies and decisions should seek to enhance the sustainability of communities.

The principle of the development is considered to be acceptable as the works would support the vitality, viability and modernisation of Kildgrove Town Centre, in accordance with aims and objectives of the NPPF. The improvements to the public car park would provide enhanced community facilities and support the policy aims of improved accessibility, road safety, and promotion of sustainable modes of transportation.

2. Is the design of the proposed development acceptable?

Paragraph 131 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change. Paragraph 136 of the NPPF confirms that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that that existing trees are retained wherever possible.

Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into

account any local design guidance and supplementary planning documents such as design guides and codes.

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

The site currently forms part of the public realm along King Street, and comprises an area of block paving, along with a linear parking area, taxi rank, raised island which provides for a bus stop, and a public car park.

The surrounding area is comprised of a mixture of different building types, including residential and commercial properties of various design styles. The area currently provides little in the way of a high-quality appearance or positive contribution to the character and appearance of the area.

The design and scale of the proposed development set out in the submitted plans would complement the existing built form of the area by providing a landscape based design and would help to improve the overall quality of this part of the town centre.

3. Would the impact of the proposal upon trees be acceptable?

Saved Policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design. Where permission can be given and trees are to be lost through development, replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

An Arboricultural Method Statement has been submitted as part of the application.

The proposed formation of the extended car park will result in the loss of an existing area of greenery and trees adjacent to the existing car park. Of the 23 trees included within the survey, a total of 9 are proposed to be removed. The development proposes to mitigate for the loss of those trees, with new tree and shrub planting to be undertaken throughout the site as shown on the submitted plans, in addition to the provision of some off-site biodiversity enhancements.

Whilst the loss of trees from the site is not ideal, the provision of new landscaping throughout the wider public realm will serve to soften the appearance of the site compared to its current condition.

4. Is the impact on amenity acceptable?

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

The nearest residential properties are those at the terraced houses at the entrance to Queen Street to the north of the site, and just beyond that the semi-detached houses of King Street and Whitehall Avenue.

It is not considered that the proposed development would adversely impact on the outlook from, privacy of, or daylight/sunlight received to these properties.

Subject to the conditions required by the Council's Environmental Health Team and given the scope and nature of the proposal, it is not considered that a refusal on amenity grounds could be sustained. On this basis the proposals comply with the guidance and requirements of the NPPF.

5. Would the impact on highways safety and parking facilities be acceptable?

Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking

or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

Paragraph 115 of the NPPF states that development should provide a safe and suitable access to the site for all users.

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

At present, the existing car park provides 34 car parking spaces within both the western and eastern parking areas. The number of car parking spaces would increase to 57, with accessible car parking spaces where presently there are none, and EV charging places.

Furthermore, the development would improve access with the widening of the northernmost access point which leads out onto King Street, so that two vehicles can pass one another safely, where presently that is not possible. A pedestrian crossing is proposed between the shopping area to the west, and the car park to the east.

The Highway Authority have raised no objections to the proposal, subject to a number of conditions.

Subject to conditions, the proposal is considered to be in accordance with the policies of the development plan as well as the provisions of the NPPF.

6. Biodiversity Net Gain

Paragraphs 180 & 185 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.

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.

Saved Policy N3 of the Local Plan states that development proposals will be expected to avoid or minimise any adverse effects and, where appropriate, to seek to enhance the natural heritage of the Borough. This includes measure to retain habitats/features of nature conservation and protect them from adverse impacts and to replace habitats/features on at least an equivalent scale where the Council agrees that the loss of wildlife habitats cannot be avoided.

The application has been accompanied by a Biodiversity Net Gain Report, a Biodiversity Net Gain – Outline Strategy, and a BNG metric to evaluate the ecological impact of the proposed development.

A 10% biodiversity net gain would not be achieved on site and therefore the applicant proposes to deliver the required BNG off site along the Greenway, Kidsgrove. This strategy confirms that the proposed development will achieve well in excess of the statutory 10% Biodiversity Net Gain, with a 428% gain in habitat units and 410% gain in hedgerow units.

The results of the assessment demonstrate that more than a 10% gain in biodiversity units when compared with the current baseline can be achieved.

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 Development Plan relevant to this decision:

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (CSS)

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles of Economic Development
Policy SP3: Spatial Principles of Movement and Access

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy N12: Development and the Protection of Trees
Policy R13: Non-retail uses in Kidsgrove Town Centre
Policy T16: Development – General Parking Requirements
Policy T17: Parking in Town and District Centres
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (2024)
Planning Practice Guidance (updated 2024)

Supplementary Planning Guidance:

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

Relevant Planning History

None relevant

Views of Consultees

The Coal Authority – No objections.

The Environment Agency – No bespoke comment to make on contaminated land matters.

Environmental Health Division – No objection to the proposed development subject to conditions.

The Highway Authority – No objection to subject to conditions.

Landscape – No objections in principle subject to all works carried out in accordance with BS 5837:2012.

Naturespace – No objections.

Comments were invited from **Kidsgrove Town Council** and from **Staffordshire Wildlife Trust**, but in the absence of any comments by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Classification: NULBC **UNCLASSIFIED**

Applicant/agent's submission

All of the application documents can be viewed on the Council's website using the following link.

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00570/DEEM3>

Background Papers

Planning File referred to

Development Plan referred to

Date report prepared

21st October 2025

Classification: NULBC **UNCLASSIFIED**