

PUBLIC REALM AND CAR PARK TO EAST AND WEST OF KING STREET, INCLUDING FORMER GARAGE, KING STREET, KIDSGROVE.
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL **26/00024/DEEM3**

Planning permission is sought to vary conditions 2, 3, 8 and 9 of planning permission 25/00570/DEEM3, which relates to public realm improvements at King Street Kidsgrove, granted permission last year.

The variation of conditions would allow for various changes to the layout of the site, including the creation of a new cycle shelter; the removal of the northbound bus stop, amended surfacing materials and zebra crossings positions as well as alterations to the parking layout and planters.

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 determination of the planning application expires on 10th March 2026.

RECOMMENDATIONS

PERMIT subject to the following:

- 1. Update the wording of conditions 2, 3, 8 and 9 to reflect the amended plans**
- 2. All other conditions from 25/00570/DEEM3 that remain relevant**

Reason for recommendations

The minor design changes are acceptable and would not adversely affect the character and appearance of the area nor would they have any additional impact on residential amenity or highways safety.

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

Planning permission is sought to vary conditions 2, 3, 8 and 9 of permission Ref. 25/00570/DEEM3, which was approved last year and which was for extensions and improvements to existing car parks and public realm, including the demolition of a former service garage and for the creation of additional temporary parking 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, Kidsgrove.

Condition 2 lists the approved drawings, condition 3 concerns approved materials, condition 8 relates to the provision of cycle parking facilities, and condition 9 relates to hard surfacing throughout the site. Conditions 3 and 8 are required to be varied because they refer to drawing numbers that are to be changed.

The Newcastle-under-Lyme Borough Council Final Draft Local Plan (Regulation 19 version) and its supporting documents were submitted for public examination on 20th December 2024. Following the examination hearings, the Council consulted on several main modifications to the emerging Local Plan in late 2025. Responses to the consultation on the modifications proposed have now been shared with the Inspector and the Council awaits further information on the next steps of the examination process.

Policies, alongside the schedule of Main Modifications, in the emerging Local Plan are a material consideration in decision taking on planning applications. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 49 of the National Planning Policy Framework, as follows:-

“49. Local planning authorities may give weight to relevant policies in emerging plans according to:

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- a) *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) *the degree of consistency of the relevant policies in the emerging to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

As the Local Plan is at an advanced stage with a focused consultation on Main Modifications from the examination process then moderate to significant weight can be attributed to individual policies dependent on the extent of changes to the Local Plan. The policies and their weight shall be addressed in turn, in the relevant sections of this report.

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.

The proposed changes to the approved plans comprise the following:

- Adjustments throughout areas A and B as marked on the approved plans.
- Cycle parking facilities added to area A.
- Northbound bus stop omitted from scheme.
- Surfacing details.
- Zebra crossings, parking, and planters adjusted.

The principle of development has been established by the granting of the previous planning permission, and the impact on trees and the ecological/ BNG situation is unaltered from the previous permission. Therefore, the main issues for consideration are as follows:

1. Whether the design and layout of the proposed development remains acceptable.
2. Whether the impact on highway safety and parking facilities remains acceptable.

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.

Policy PSD7 (Design) or the Emerging Draft Local Plan states that, amongst other things, Developments should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness and sense of place in terms of:

- a) Height, scale, form and grouping;

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- b) Choice of materials;
- c) External design features
- d) Massing of development
- e) Green infrastructure; and
- f) Relationship to neighbouring properties, street scene, and the wider neighbourhood

Parts of this policy have been altered, however the above criterion is not subject to any amendments and so can be afforded moderate to significant weight.

The changes to the site proposed are the inclusion of a cycle shelter and storage facilities within area A to partially satisfy condition 8 of the original permission, omission of the northbound bus stop from the scheme on account of it being redundant, choice of surfacing details included within the plans; which now includes tarmac, and the adjustment of the positions of zebra crossings, parking, and planters.

In place of the northbound bus stop the scheme would now have a taxi rank. The number of permanent car parking spaces would remain as 57, with accessible car parking spaces and EV charging places included. The proposed changes would result in a minor visual change to the site which would not have a greater impact than the scheme approved under original permission. The proposal would however help to improve the functionality of the development site for both pedestrians and vehicles.

On the basis of the above, it is considered that the design and scale of the proposed development set out in the submitted plans remains appropriate within the context of the existing built form of the area.

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

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.

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.

Policy IN3 of the emerging Plan, Access and Parking, states:

1. Appropriate levels of parking provision should be made in accordance with the standards contained within Appendix 3 (Parking Standards). A departure from these standards may be justified on a case by case basis. Developments should also include provision for electric vehicle charging points in accordance with building regulations, with fast charging infrastructure provided for use by short stay users where appropriate.
2. In terms of car parking, layouts should be designed to:
 - a. reduce the visual impacts of parking on the street-scene and provide defined visitor parking on-street;
 - b. discourage the obstruction of footways by kerb parking, and parking that compromises the operation of the highway and exacerbates safety and residential amenity impacts;
 - c. ensure in-curtilage / on plot parking does not result in streets dominated by parking platforms to the front of the property or large expanses of garage doors fronting the street.
 - d. ensure any non-residential schemes have considered appropriate, fit for purpose parking measures for staff, deliveries, customers and visitors, including secure facilities for alternate transport modes, such as cycling, as well as adequate and appropriate surfacing and landscaping.

This policy is not subject to any modifications and so can be afforded significant weight.

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As mentioned previously, the number of car parking spaces would be unaltered, and the Northbound bus stop has been omitted from the scheme, the reason being that it is no longer used, and is therefore redundant. The Highway Authority have raised no objections to the proposed changes.

To conclude, in the absence of any objections from the Highways Authority, the proposal is considered to be in accordance with the policies of the development plan as well as the provisions of the NPPF.

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 (2025)
Planning Practice Guidance (updated 2024)

Emerging Newcastle Under Lyme Local Plan 2020-2040 (at Main Modifications)

Policy PSD7: Design
Policy IN2: Transport and Accessibility
Policy IN3: Access and Parking
Policy SE12: Amenity

Supplementary Planning Guidance:

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

Relevant Planning History

25/00570/DEEM3 – Extensions and improvements to existing car parks and public realm, including demolition of former service garage and creation of additional temporary parking. (Permitted).

Views of Consultees

The Highway Authority – No objection.

Comments were invited from **Kidsgrove Town Council** and from **Landscape**, 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.

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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/26/00024/DEEM3>

Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

23 February 2026

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