

CPRE Staffordshire response to Newcastle-under-Lyme First Draft Local Plan 2020-2040

This representation relates only to our key issues of concern and uses your Chapter Titles, Objective Codes, Policy References and Paragraph Numbers.

2 Introduction

2.3 bullet point 4. We welcome your commitments to sustainable development which combats climate change and secures carbon reduction.

2.4 and 2.12. No explanation is given for the failure to prepare a Local Plan previously. NULBC is the only Borough or District Council not to have prepared and adopted a Local Plan for well over a decade.

No reason is given for the decision to stop the preparation of a Joint Local Plan in January 2021.

2.15 The existing 'made' local plans will be superseded by the proposed Local Plan, which appears to include clearly conflicting housing proposals, particularly with the Neighbourhood Plans for Loggerheads and Madeley. It might be prudent to point out that, once adopted, the Local Plan policies and proposals will take precedence over all existing Neighbourhood Plans.

Stages of development of the Local Plan

2.15 We have made representations on the two previous stages of your Plan. We recognise that the next stage is crucial.

We have made representations on the soundness and validity on the Regulation 19 documents for the second Local Plans for Lichfield in 2021 and South Staffordshire in 2023 and are aware of the current procedural requirements.

We appreciate that only valid representations made at the Regulation 19 stage in the prescribed format can be heard at the Examination in Public and that both this representation and our previous representations will not be considered by the Inspector although reference may be made to them in the Examination.

4 Vision for the Borough

We will use the Vision in considering and evaluating the proposals.

We agree with paragraph 4.1.

Strategic Objectives

SO-I We acknowledge that this is worthwhile but suggest that ‘where possible’ be replaced by ‘unless demonstrably not possible’.

SO-II We are concerned at the regional reference and the implied scale of development of ‘growth for the region’. We have seen no evidence of the other councils in the Region encouraging the development of NuLB to meet their employment needs, either under the Duty to Co-Operate or in other ways. It is unclear whether the reference is to the West Midlands region in which your Borough falls or the North West region which immediately adjoins the Borough. We think that an unambiguous clarification of these issues in the final draft plan would be important.

SO-IV We think that the final phrase after the word ‘construction’ should be deleted.

SO-V We remain unhappy about the words ‘aspirational housing’. We do not know what is intended. If used in the final document, it should be clearly defined.

SO-VII We are concerned at the encouragement of (undefined) ‘balanced growth’, how affordability will be improved and how choice will be provided. This objective could be seen to encourage the development of new housing in and around all villages.

SO-XII This should stop after the words “Green Belt”.

5 Approach to policies

We accept this approach and the difficulties caused by Michael Gove (the current Secretary of State) and others in central Government giving such confusing mixed messages. Hopefully the policies will be clarified shortly.

6 Planning for Sustainable Development Policy PSD1

1. The use of the current New Standard Method has become standard in most recent plans.
2. We accept the principle but an adequate explanation of the reduction to 50ha. from the existing commitments is of 69ha is lacking, both in this document and the evidence base.
3. We oppose the development of ‘strategic employment sites’ in the Green Belt.
4. We accept the provision of ‘sufficient provision’ to deliver sustainable development but strongly oppose AB2 and TK30 that each envisage the loss of more than 65 hectares of Green Belt - and we also oppose the loss of 18ha in KL75. None of these would meet sustainability tests.

We are opposed to paragraph 4. after the word Borough.

Several of the sites allocated in Section 15 Table 5 would not be sustainable and involve large areas of greenfield and Green Belt land, e.g. AB2 and TK30, each of which envisages the development of more than 65 hectares of Green Belt - and also 18ha in the case of KL75 (see 4. above).

The sites proposed for development outside rural villages also involve the development of greenfield and Green Belt land.

We consider that these proposals are contrary to your Vision and Objectives.

Housing supply information

The most recent NuLBC Monitoring Report shows that in the monitored period from 2006 to 2021 that over 4000 houses have been built.

In Paragraph 4.5 it is recorded that the over 70% of housing completions were from the development of brownfield land. We encourage the development of brownfield rather than greenfield sites and are disappointed that the council now appears to be favouring greenfield and Green Belt sites, which appear to form over 70% of the number of houses included in the proposed allocations.

Paragraph 4.11 records that "... all housing development since 2016 can be classed as windfall... ". Table 12 of the Monitoring Report shows average net completions in the 7 years from 2015/16 to 2012/22 of 2730 homes, an average of 390 new homes a year.

We regret that no account whatever is taken of potential windfall provision in Table 8 of the consultation document. An allowance for windfalls would be wholly appropriate and in accordance with the current National Planning Policy Framework (NPPF). Such an allowance would avoid the major over-allocation currently proposed and significantly reduce the scale of loss of greenfield and Green Belt sites.

(We recognise that 'windfall' is referred to in paragraph 6.4 of the Consultation Document but consider that if the Council continues to regard windfalls simply as a 'buffer for non-delivery' its position will be untenable when challenged at the Examination in Public.)

Policy PSD3

We question the justification for the scale of development proposed for allocation in the Rural Settlements.

Policy PSD4

We have real concerns about 4 because:

- b. Is too vague
- c. This is also too vague
- g. A clear definition is important here



- h. We think that you are going well beyond national or accepted policy here.
- We support 'rural exception housing' to meet an identified and justified local need for social housing to meet the immediate needs of the parish or immediately adjacent parishes, and not regarded as meeting the wider needs of the Borough (or affordable housing where the provision for subsidy is to be retained for occupancy by local people in the future). We consider that this should only apply adjacent to an identified settlement rather than in 'open countryside' (the policy refers solely to open countryside).
 - We have very real concerns about self-build or other housing development in the open countryside.
 - We do not think it desirable to encourage sporadic new housing in the countryside, whether these are for individual houses of undefined size, for groups of individual plots to be sold to interested self builders or for the development of open market housing. Supporting information is completely absent.
 - We recognise that self-build housing schemes have been seen elsewhere but we are not aware of any such developments in open countryside; normally they are within or adjacent to established settlements.
 - If the council wishes to provide for self-build this could be required as part of a larger scheme such as at Graven Hill at Bicester where serviced self build plots have been sold by developers as part of an urban expansion scheme.

Policy PSD5

2. We oppose the proposed alteration of the Green Belt boundary.
3. This part of the policy appears to conflict with PSD 4.
7. We do not understand why this area has not been considered at the current stage - and why safeguarded land has been excluded as an area of search in favour of the development of sites in the Green Belt (this is not explained in Paragraph 6.28).

We regret that you have not indicated the settlements for which you intend to prepare boundaries in the Regulation 19 document - and have found no reason for this omission.

7 Climate and Renewable Energy

It is unclear what the council has done since it declared a climate emergency in 2019 with regard to matters such as:

- Requiring higher standards of insulation in new buildings
- Requiring the use of solar panels on the roofs of new homes and commercial premises,
- Requiring the avoidance of the use of carbon fuels such as gas in new building
- Requiring the use of Sustainable Urban Drainage Systems in new development

We consider that **Policy CRE 2** is unduly weak using words such as 'expects' and 'should' rather than stronger words such as 'shall', 'must', 'will', 'requires' and other more positive words to make it clear that the Council's policies are obligatory rather than optional.' (This also applies to many other proposed policies in the consultation.)

8 Housing

There seems to be a direct conflict between Policy HOU1 and PSD4 which needs to be resolved between their respective authors. We think that PSD4 is seriously flawed.

7. We remain concerned about the inclusion of market housing in association with Rural Exception Housing. If the council accepts a case for market housing it would more appropriately be linked to floorspace or site area for each use rather than numbers of dwellings.

There is a lack of clarity between Rural Exception sites and Entry Level/First Homes Exception Sites which paragraph 9. does not appear to help.

We welcome the clarification given in the Supporting Information.

9 Employment

Policy EMP1

1. We oppose this Policy in respect of the new strategic employment sites in PSD1. We are not opposed to the remainder of the policy.

11 Infrastructure and Transport

The document appears to be silent on whether a Community Infrastructure Levy (CIL) is intended (or not intended) to be introduced.

Transport and Accessibility

The document is apparently totally silent on the major infrastructure proposed in the Borough - HS2 – nor is the route through the Borough indicated on the interactive map.

We recognise that HS2 is not a NuLBC proposal and that the council has no real influence in its development, but surely it merits at least a mention and inclusion on the interactive map? (Experience of districts and residents affected by Phase 1 suggests that implementation causes major disruption).

12 Sustainable Environment

Policy SE5



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1. and 2. The Primary Legislation requiring mandatory Biodiversity Gain becomes effective from September 2023 - although the Environment Act 2021 does not appear to be mentioned at all in your document.

The word 'should' is used inappropriately in the consultation document despite there being a legal requirement which must be met. This really ought to be made clear in your proposed policy and the information supporting the policy.



13 Site Allocations

The Consultation Document Table 1 - Housing supply information shows:

A housing requirement over the plan period of	7160 dwellings
Dwellings Completed 2020-2022	1206
Dwellings with planning permission as at 31 March 2022	2215
Total Commitments	3421
Residual Target	3739

BUT

By adding all of the proposed housing allocations for in Table 5 we found a total of 'around' 4995. This is 'around' 956 over the residual target.

In addition, Strategic Sites KL5 and TK30 are shown to provide 'around' 650 which would take allocations to 5352. This is 'around' 1613 over the residual target.

In addition, no allowance whatever has been made for any future 'windfall' sites in these totals; despite Table 12 of the Monitoring Report which shows average net completions in the 7 years from 2015/16 to 2012/22 of 2730 new homes, an average of 390 new homes a year.

Based on what has happened elsewhere in the county and elsewhere, we consider that windfall housing completions in NuLBC's area will remain significant in the plan period to 2040 and that an allowance should be made for this in Table 1. (See NPPF Paragraphs 69c and 71).



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Andrew Fear, Newcastle-under-Lyme Borough Council's Cabinet member for Strategic Planning, said on the Council's website:-

We are open-minded about which sites are earmarked for a certain use, or for none at all, although we must meet certain levels for housing and employment land.

However, wherever possible we do have a preference for redundant, brownfield sites that can be used again, rather than building somewhere for the first time.

I would urge everyone to get involved and have a say, because although we have to meet the Government's requirements we want to do it in a way that maintains local democratic control over our future."

We support Councillor Fear's sentiments.

In these circumstances we believe that your Council is, unjustifiably, massively over-allocating land for new housing.

We ask the Council to explain this to the public.

We recognise and welcome the importance which the council gives to the preference for, and encouragement of, the development of brownfield rather than greenfield. It appears, however that the overwhelming majority of the allocations are on greenfield sites rather than brownfield land.

We ask the Council to tell the public how many new homes in the proposed allocations are on brownfield land (and how many are on greenfield land). Perhaps in a revised Table 5?

A major element of the housing allocations are on Green Belt Designated Land.

We ask the Council to identify all of the proposed allocated housing sites which are in the Designated Green Belt, the total area of land in the allocations and the number of houses proposed. Perhaps in a revised Table 5?

In addition, all of the currently identified Potential Strategic Sites appear to be in the Green Belt, a total of 154.278ha (over 380 acres) and the majority of the housing proposed around the rural settlements is also in the Green Belt.

Perhaps the amount of Green Belt land within each allocated site could be identified, perhaps by an additional column in Table 5? This would allow the calculation of how much Green Belt land is proposed for development.



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These matters were not reported to councillors in the officers' video presentation to councillors or in the Frequently Asked Questions (both on your website).

Note:

Suggestions have been made to us that the Council has an ownership interest in at least one of the sites proposed for development in the Green Belt. (We do not know whether this is correct.)

It is also apparently believed by some members of the public that officers (and possibly councillors) have been involved in detailed discussions with the promoters of at least one of the potential Strategic Site Allocations. (We do not know whether this is true.)

In these circumstances we would ask that, in the interests of openness and probity, the Council considers making its position clear to the public.

Specific sites

AB2 (Strategic Location), Land adjoining corner of A500 and M6 southbound

We have major concerns about the allocation of a strategic employment site in the Green Belt (AB2) that would see agricultural land, quiet lanes and footpaths turned into huge warehouses.

CT1, Land at Red Street and High Carr Farm, Chesterton

We oppose the development of this agricultural land in the Green Belt. The fields support populations of snipe, an Amber List species that has undergone population decline in the UK.

TK10, Land at Crown Bank, Talke

TK30 (Strategic Location), Land off Talke Road and A500, Talke

TK27, Land off Coppice Road, Talke

Development at these sites is likely to have an adverse impact on the nearby Parrot's Drumble nature reserve, part of the Stoke and Urban Newcastle Living Landscape – both during the construction phase and as a result of increased visitor pressure. The latter could include trampling and vegetation wear, soil compaction and erosion, contamination (including nutrient enrichment (for example from dog fouling), as well as an increase in litter and a greater risk of fire.



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We oppose the development of Green Belt sites and the loss of high-quality agricultural land.

Talke only contains a smaller neighbourhood level centre to serve residents. Large-scale development at this location, particularly for a combination of sites, could be problematic, both in terms of traffic impacts and the landscape impact and openness of the Green Belt.

SP11, Former Keele Municipal Golf Course

We have previously opposed the development of this site due to the valuable wildlife habitats that have developed there since it ceased to be used as a golf course, the potential for further nature recovery, and its value to the community as a site for outdoor recreation. With a combination of established and deliberately planted woodland, the site has a huge variety of different tree species. It provides a wildlife corridor between other open spaces and with very little effort could be developed to become a nature park to attract tourism and for educational purposes.