

The application is for outline planning permission for the erection of up to 150 dwellings, with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access on land to the south of Eccleshall Road, Loggerheads. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale) reserved for subsequent approval.

The application site lies on the southern side of Eccleshall Road, outside the village envelope of Loggerheads and within the open countryside and an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The 13-week period for the determination of this application expired on the 19th June 2023 and despite the applicant indicating a willingness to agree a suitable extension of time given the discussions that were taking place, an appeal against non-determination has been lodged with the Planning Inspectorate.

RECOMMENDATION

That the Committee endorses the following reasons for refusal that will be presented to the Planning Inspectorate in the Council's Statement of Case:

- 1. The proposed development would have an adverse impact on the character and appearance of the open countryside and the rural setting and character of this part of Eccleshall Road. The development is therefore contrary to Policies CSP1 and CSP4 of the Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy (2006-2026), Policies N17 and N21 of the Newcastle-under-Lyme Local Plan (2011), Policy LNPP1 of the Loggerheads Neighbourhood Plan and the aims and objectives of the National Planning Policy Framework (2023).**
- 2. The proposed development would result in the loss of best and most versatile agricultural land contrary to the National Planning Policy Framework (2023).**
- 3. Insufficient information has been provided to enable a full assessment of the impact of the development on dormice and bats and therefore, it cannot be concluded that the development would be acceptable in terms of its impact on protected species and their habitats. The development is therefore contrary to Policy CSP4 of the Newcastle-under-Lyme and Stoke on Trent Core Spatial Strategy (2006-2026), Policies N3 and N4 of the Newcastle-under-Lyme Local Plan (2011) and the aims and objectives of the National Planning Policy Framework (2023).**
- 4. The adverse impacts of the development, namely the harm to the character and appearance of the countryside, the loss of best and most versatile agricultural land and the lack of sufficient information to demonstrate that there would be no adverse impact on protected species, significantly and demonstrably outweigh the benefits of the development. The proposal therefore represents an unsustainable development that is contrary to the guidance of the National Planning Policy Framework (2021).**

Reason for Recommendation

The proposed development would have an adverse impact on the character and appearance of the open countryside and the rural setting and character of this part of Eccleshall Road. The development would result in the loss of best and most versatile agricultural land and insufficient information has been provided to conclude that the development would be acceptable in terms of its impact on protected species and their habitats. For these reasons, the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

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

Despite efforts to work with the applicant to address outstanding issues, the applicant has submitted an appeal against non-determination of the current planning application. Prior to the appeal being submitted officers advised that a refusal of permission would be the likely recommendation for the reasons set out above.

Key Issues

The application is for outline planning permission for the construction of up to 150 dwellings. All matters except for access (appearance, landscaping, layout and scale) are reserved for subsequent approval.

The site, which comprises agricultural land, lies within the open countryside and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

The key planning matters in the determination of the application are:

- Principle of proposed residential development
- Landscape and visual impact
- Affordable Housing
- Highway Safety
- Ecology and Biodiversity
- Landscape and Open Space
- Trees and Hedgerows
- Residential amenity
- Flood Risk and Drainage
- Agricultural Land
- Planning Obligations
- Planning Balance

Principle of the proposed residential development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”

Paragraph 12 of the NPPF states that “Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

The site comprises greenfield land that is located beyond, but adjacent to, the defined village envelope for Loggerheads.

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.

Policy LNPG1 of the Loggerheads Neighbourhood Plan (LNP) states that new housing development will be supported within the village envelope of Loggerheads Village, as defined in the Neighbourhood Plan.

Outside of the village envelope, housing development will be supported where:

- It is a replacement dwelling, or limited infill housing, or within a built frontage of existing dwellings; and
- It will reflect the character of surrounding dwellings and will not lead to significant loss of garden space; and
- It will not cause significant harm to residential amenity; or
- It is a new isolated home in the countryside that meets the special circumstances described in paragraph 55 of the Framework.

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's adopted housing land supply position is that it is able to demonstrate a housing land supply of 5.26 years.

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 Loggerheads Neighbourhood Plan was made on the 15th February 2019 and with that the neighbourhood plan is now more than five years old. As a result, the neighbourhood plan 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 LNPG1 of the LNP. As stated above, it has been accepted that the LP and CSS policies are out of date. The LNP 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 Neighbourhood Plan policies and therefore it is considered reasonable to conclude that the 'basket of policies' overall, is out of date.

Notwithstanding the five year housing land supply position, it is considered that the test in paragraph 11(d) has to be applied to this application given the 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 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 village envelope of Loggerheads, the village is considered to represent a relatively sustainable location. It has a primary school, post office and pharmacy, library, butchers, convenience store, pub/restaurant, Indian restaurant/takeaway, fish and chip takeaway, barbers, community fire station with rooms to hire, hairdressers and dance studio. There are no churches within the village envelope of Loggerheads itself, but it is recognised that within the nearby village of Ashley there are three churches along with a doctors surgery and village hall. Recent appeal decisions would also draw conclusion that this location could be considered as a relatively sustainable location.

Objections from local residents do not consider that the infrastructure within Loggerheads is sufficient to sustain the level of housing proposed. Concerns are raised in relation to health and school provision, with reference to these facilities being at capacity, as well as the limited shopping facilities within the village centre.

There is a bus service that runs through the village linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury. The timetable, correct from 1st June 2024, identifies that on Monday to Friday there would be six services that run through loggerheads, five of which would then proceed to Newcastle and Hanley town centres. The final service of the day would terminate at Newcastle Town Centre. There would on the same days be six services offered from Loggerheads to Market Drayton and then Shrewsbury.

On Saturdays there are five services from Loggerheads, four of which go on to both Newcastle Town Centre and Hanley, however the last service of the day here would terminate at Newcastle. On this same day five services to Market Drayton. There are no services running on Sundays.

Objections from local residents consider that the existing bus service is not fit for purpose, and that any journeys made to other employment centres have to begin hours in advance in light of the limited timetable. As a result residents are forced to make essential journeys by car and the objections consider that the development would exacerbate this issue, ultimately resulting in environmental harm.

In considering the accessibility of this bus route in relation to the Public Inquiry for development at Baldwins Gate Farm (21/01041/OUT) the inspector considered that the services available via this bus route would allow same day return trips to settlements and would enable opportunities to access employment, shopping and leisure facilities. The inspector also accepted that opportunities to maximise sustainable transport will vary between urban and rural areas, and whilst the service from the No. 64 is less frequent than larger urban areas, in the context of a rural village the service provides the choice to utilise a non-car mode of transport. Therefore he concluded that the existing services offered a genuine choice of transport for future occupiers.

Since the determination of the above appeal whilst there have been some minor changes to the times of services offered, there are not considered to have been any material changes to the number of services offered across the week in relation to the No. 64 service. Given that there have been no material changes in the number or type of bus services being offered by the No. 64 bus services, significant weight must be attached to the inspectors conclusions in this case. Therefore on balance, the bus service through Loggerheads is considered to offer occupants of the proposed development a genuine non-car mode of transport.

It is the case that the occupiers of the proposed dwellings will be able to access certain services and facilities within walking distance and will also have a choice of modes of transport. Top-up shopping for example, would be obtainable from within the village and accessible from the application site by foot or cycle. It is acknowledged that the bus service does not operate in the evenings or on Sundays but it is considered that the bus service would provide an alternative for those without access to a car for certain trips. There are bus stops within walking distance of the application site.

The majority of representations received in objecting to the proposal refer to the lack of appropriate supporting infrastructure and services to serve the existing population, let alone the potential new occupants of the proposed development. Issues relating to healthcare and education provision will be dealt with later in this report.

Loggerheads has over the years been the subject of several planning appeals where the Local Planning Authority's position as to whether or not it is a sustainable location for residential development has been considered. The decision of these appeals must be afforded significant weight in the consideration of this application.

In considering an appeal for the development of the former Tagedale Quarry, which is sited opposite the application site, the Inspector discussed the high reliance that occupants would have on the use of the private motor vehicle to access services and facilities, particularly for bulk food and comparison goods shopping, evening entertainment, secondary and further education and hospital trips. The inspector therefore concluded that there would be a heavy reliance on the private car for access to certain services.

In determining the sustainability of residential development on Gravel Bank (17/00787/OUT) which is sited to the west of the application site, the inspector noted that the only local services and facilities that would exceed the guidance within Manual for Streets would be the primary school and church in Muckleston and that it would be possible to occupants to access the local facilities on foot or via bicycle. However, it was still maintained that the majority of trips to higher order services would need to be made by car. Despite this, the inspector concluded that given the rural location of the site the development would occupy a sustainable location.

Inspectors have therefore taken the view that whilst there are sufficient facilities and services within Loggerheads itself to provide prospective residents with sufficient day-to-day services, residents would be heavily reliant on the use of the private motor car to access higher level goods and services. This scenario would still be applicable to the application site, and so this reliance on the car for community and higher education must be afforded harm within the planning balance.

Although this site is outside the village envelope, it would still be close to existing facilities. It is located approximately 500m from the village centre where the nearest bus stops are also situated. Manual for Streets advises that walkable neighbourhoods are typically characterised as having facilities within 10 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot. This, in addition to the level of services provided within the existing village centre means that there is a good level of facilities available for the day to day needs of prospective residents of the development site.

These points undoubtedly weigh in favour of a conclusion that in terms of access to some facilities and a choice of mode of transport, the site can be described as being in a sustainable location.

Paragraph 8 of the NPPF states that there are three overarching objectives to achieving sustainable development: economic, social and environmental. It is acknowledged that in particular, the development would fulfil a social role by delivering a mix of market housing and affordable housing.

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

Landscape and visual impacts

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 LNPP1 of the LNP states that to be supported, new development must demonstrate high standards of design. This includes, amongst other points, comprising site-specific design solutions to complement, but not necessarily imitate, the surrounding context; Complementing the established character of the surrounding context in terms of scale, density, massing, height and degree of setback from streets and spaces and responding positively to local topography.

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.

With regards to impact on the landscape, CSS Policy CSP4 indicates that the location, scale, and nature of all development should avoid and mitigate adverse impacts (on) the area's distinctive natural assets and landscape character. This policy is considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

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 N21 states that within Areas of Landscape Restoration, the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

Although an indicative layout has been submitted to show how the site may be developed, layout, scale, appearance and internal access arrangements are all matters reserved for subsequent approval, and therefore, it is not considered necessary to comment in detail on or consider the layout submitted other than to acknowledge the proposal would comprise a significant level of development within a site currently rural in character.

Representations received have raised concerns with the harm that the development would have on the character and appearance of the rural landscape. It is relevant to note that in the current draft Local Plan process, the site was rejected as a preferred site for housing with one of the reasons being the adverse impact on the character and appearance of the area.

The application site covers 9.11 hectares of arable farmland and is sited on the western edge of Loggerheads. Beyond the northern boundary of the site lies Eccleshall Road from which the site would be accessed. There is currently a hedgerow and shrub boundary that defines this northern edge of the site. The eastern edge of the site lies adjacent to the built edge of the Loggerheads Village Envelope. Beyond the eastern boundary of the site the land continues to reflect the edge of village location of the site and comprises open, arable landscape, with one dwelling sited in relative close proximity this boundary of the site. Such an arrangement is reflective of the more sporadic pattern of development seen within the rural area. Beyond the southern boundary of the site lies a belt of dense woodland and planting.

On the opposite side of Eccleshall Road there is an extant permission for residential development that is currently under construction, on land formerly known as Tadgedale Quarry and now referred to as Shropshire Heights.

A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application. The LVIA states that overall the site is assessed as being of medium value, sensitivity and susceptibility but it notes that the southern stream corridor of the site is of medium-high sensitivity. The LVIA accepts that the open arable fields will be lost, but notes that as much of the structural vegetation to the south of the site will be retained and enhanced, and 47% of the site would be comprised of Green Infrastructure. In particular it considers that the development will appear visually well related to the existing adjoining settlement to the north and east of the site. The LVIA includes an assessment of key views from a number of wider vantage points, both immediately adjacent to the site and wider reaching, and from this it concludes that the *“effects on the character of the immediate surroundings will be limited due to the existing surrounding housing development, the intervening existing and proposed vegetation, and the landform, and the new homes will not appear discordant within its immediate surroundings.”*

The application has been before an independent Design Review Panel, as encouraged by the NPPF. Some of the comments taken from the panel are summarised as follows;

- The site's sloping nature makes it visually open and so the east-west corridor may not be adequate to effectively filter views and it is suggested that further design development that integrates the contours more effectively could enhance this aspect
- The current iteration of the development blocks appears overly rigid, suggesting a more urban character than may be necessary or desirable
- The current block design appears somewhat rudimentary, particularly regarding their interaction with the site's topography

In landscape character terms the fields comprising the application site are open and form the southern side of the Eccleshall Road corridor when heading west out of Loggerheads towards Mucklestone. They are part of the rural gateway and established settlement edge to the village and they display the intrinsic qualities of the countryside, contributing to a scenic landscape to the south of Eccleshall Road.

In contrast, the Shropshire Heights development to the north is set well back from the edge of Eccleshall Road and benefits from mature trees to its frontage resulting in it having little visual presence in the view along Eccleshall Road. Shropshire Heights, given its planning history and narrow 'point' of contact with Loggerheads, currently appears more as an annex to the village than a development that is strongly joined to it.

The character of the landscape would be adversely affected through the loss of one side of the attractive valley form, reducing the appeal of the Eccleshall Road corridor and forming a more prominent intrusion out into the open countryside than the more retreated Shropshire Heights development. The development would form a new and less well-defined gateway into the village. The presence of a large area of contemporary housing in the immediate foreground would significantly reduce the appreciation of the scenic landscape that lies to the west of Eccleshall Road.

In terms of visual impact, the proposed development would impact users of Eccleshall Road as it would replace the open, longer view down the valley and out to the hills beyond. There would be a major change to the sense of entering the countryside or arriving at Loggerheads. The proposals would reduce the visual amenity of the predominately rural road corridor. From Mucklestone Wood Lane, road users currently enjoy a framed, long scenic view west out over the site towards the Wrekin hills across the Shropshire Plain. The proposals would place obvious built form in the view and would either remove the long view or allow sight over the roof tops to the distant hills. Either way the appeal of the view would be diminished with the new houses in the foreground.

As explained in the LVIA, from the A53, the site would be backed by the houses of Shropshire Heights. The visual difference between the site and Shropshire Heights in this view is that the proposed houses are set on sloping ground facing south so would be more evident to A53 users as they approach Loggerheads combining with Shropshire Heights to make a visually larger area of contemporary housing and making the village appear to extend to the west.

The open nature of the site, its undulating landscape and woodland backdrop are all features that are considered to make a positive contribution to the character and appearance of the wider landscape. The site is clearly distinct from the built development opposite and reads as part of the wider rural valley landscape, and the introduction of residential development, would intervene and disrupt these views and the appreciation of the landscape.

The proposed development would result in harm to the landscape and this will be taken into consideration within the tilted balance assessment later in the report.

Affordable Housing

CSS Policy CSP6 sets out that within the rural areas, on sites of 5 dwellings or more, 25% of the total dwellings must be affordable housing units and be fully integrated with the market housing, be built to the same design, quality and space standards and should not be visually distinguishable from other development on the site.

The proposed scheme would provide 25% affordable housing on site which would be policy compliant and secured via a Section 106 agreement.

The proposed development is considered to be acceptable in this regard and would accord with the relevant policies of the development plan as well as the aims and objectives of the NPPF.

Landscape and Open Space

CSS Strategic Aim 2 seeks to facilitate the delivery of the best of healthy urban living in the development of the conurbation and to ensure that new development makes adequate provision for all necessary community facilities, including health care, education, sports, recreation and leisure.

CSS Policy CSP1 expects new development to contribute positively to healthy lifestyles.

NLP Policy C4 states that an appropriate amount of publicly accessible open space must be provided in areas of new housing, and its maintenance must be secured. The design and location of new play areas must take into account community safety issues.

Policy LNPP1 of the Neighbourhood Plan states that to be supported new development must, amongst other points, create a strong green infrastructure buffer on the interface between urban and rural to

bugger surrounding landscaping from development and design open spaces to be safe, attractive and functional as an integral part of layout.

Within the development there would be the provision of 4.31ha of new green infrastructure, including informal and formal public open space which would include a Locally Equipped Area of Play (LEAP), community orchard seating areas, trim trail, wildflower meadow and structural landscape planting. The Landscape Development Section have confirmed that the level of open space within the site accords with the requirements of the Council's Open Space Assessment, and it also meets with the relevant Fields in Trust guidance. Therefore, the development would make a successful contribution in the creation of healthy lifestyles for occupants of the proposed development as well as existing residents within the village.

In addition to the aforementioned on-site provision, developments of between 10 and 200 dwellings require a contribution for a multi-use games area (MUGA). This can be secured as part of the S106 agreement.

The Landscape Development Section has no objection in principle to the proposed development and is supportive of the open space proposals. They have made reference to the provision of additional information in relation to retained trees on the site, and this information could be appropriately secured at the reserved matters stage.

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

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.

Paragraph 117 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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.

Policy LNPT1 of the LNP states that new development comprising new homes must demonstrate a balanced and sustainable approach to transport, including:

- Providing for different modes of transport, including walking and cycling including incorporating secure, covered storage space for cycles
- Providing electric car charging points
- Ensuring there is no significant negative impact on road safety and severe traffic congestion
- Providing safe and suitable access for both vehicles and pedestrians
- Incorporating well-connected and permeable pedestrian networks; where not already in place, footways (pavements) are provided to link the site to the existing footway network

Regarding the application as originally submitted, the Highway Authority raised concerns in regard to the vehicle and pedestrian access proposals, pedestrian connectivity towards Loggerheads centre, capacity and safety impact at off-site highway junctions and accessibility to public transport.

A revised Transport Assessment and Travel Plan have been submitted to address concerns and the access and off-site highway works proposals have been independently assessed via a Stage 1 Road Safety Audit. Subject to a Section 106 agreement to secure, amongst other things, a financial contribution towards enhancements to bus services in Loggerheads, and subject to the imposition of conditions, the Highway Authority is now satisfied that the development is acceptable.

On this basis, it is not considered that an objection could be sustained on highway safety grounds.

Trees and Hedgerows

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

NLP Policy N12 seeks to 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, exceptionally, 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.

No trees on the site are protected by Tree Preservation Orders. The site is bounded by maintained field hedgerows on the northern and eastern boundaries, while an unmaintained mature hedgerow marks the western boundary. Straddling the southern boundary of the site is a belt of woodland.

The Arboricultural Impact Assessment Report (AIAR) identifies a number of quality trees (individual and groups) within and adjacent to the site. This includes a veteran oak tree (T3) which is sited on the south western edge of the application site; a category A and two category B Oak Trees, all positioned on the northern boundary of the site with Eccleshall Road and a high quality woodland belt (W1) growing along the Tagedale Brook valley, along with the wet woodland and scrub habitats within G1 at its northern edge.

In order to provide the site access and associated visibility splays, it is proposed to remove approximately 116m of hedgerow along the northern boundary of the site. The AIAR identifies that 56m would be removed from hedgerow H4 (Category B) and a combined 60 from hedgerow H6 (category B) and H5 (category C). In respect of the latter, this hedgerow is identified as more scrubby and partially swamped with bracken and bramble with likely significant gaps below the bracken along

its length. It is proposed to replant a new native hedgerow and tree planting behind the visibility splays to compensate for the removal of these sections of hedgerow.

A further short section of hedgerow H4 and a group of seven silver birch trees (Category B) are also proposed to be removed in order to provide a footway/cycleway link to connect the site to Loggerheads. These trees are located in the northeastern corner of the application site. In this case it is proposed to replace this tree group with new tree planting along the site boundary and highway bank.

The part removal of the hedgerow along Eccleshall Road to provide the new point of access is unavoidable and otherwise, it is proposed to maintain and enhance the trees and vegetation on site. A detailed landscaping and green infrastructure plan would be considered as part of any reserved matters application.

Whilst it is accepted that this application is for outline consent, with matters of detail to be agreed at a later date, it is considered that such indicative details emphasise that appropriate landscaping would safeguard any long-term harm resulting from the removal of the hedge. Conditions can appropriately secure the species and maturity of the planting to ensure that the replanted hedgerow has an immediate visual impact. The Landscape Development Section raise no objections to the principle of the development subject to the detailed design phase following the principles of the submitted Arboricultural Impact Assessment and Open Space assessment. Information regarding tree protection and landscaping is required by conditions.

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

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.

An Ecological Appraisal (EA) which accompanies the application identifies that Leightons Drumble Local Wildlife Site (LWS) is partially located within the site at the south-east corner. It notes that the LWS will need to be buffered from the development edge effects and from increased recreational pressure. A Landscape Ecological Management Plan is recommended to secure the ongoing management for the site as part of the planning proposals. proposals which has been reviewed accordingly.

The EA advises that further surveys will be undertaken to confirm the likely presence or absence of dormice at the site. That information has not yet been received. In addition, Staffordshire Wildlife Trust objects to the proposal on the basis that they require further clarification on the bat surveys.

Until an updated EA has been received it is considered that insufficient information is available to be able to fully assess the impact of the development on dormice and bats and therefore, it is not currently possible to conclude whether the development would be acceptable in terms of its impact on protected species.

There are also outstanding issues relating to Biodiversity Net Gain (BNG). Based on the Statutory Biodiversity Metric calculation, an on-site net gain of 2.47 habitat units (7.32%), + 2.24 hedgerow units (+29.82%) and a no net loss of watercourse units (0.00%) through retention and creation of habitats on-site. of watercourse units has been reported. The applicant has therefore advised that an off-site solution will be identified to secure off-site compensation to offset the on-site loss. Biodiversity units will be purchased to make up the shortfall on-site and to achieve the mandatory 10% net gain from a habitats bank or provide a bespoke off-site compensation at the detailed design stage.

At the time of writing, this shortfall has not been adequately addressed and the LPA considers that given the nature of the site, there should be scope to achieve the 10% net gain within the site boundary.

For the reasons outlined above, the proposals are not considered to accord with development plan policy and the guidance set out within the NPPF in terms of ecological impact.

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.

The application is supported by an Air Quality Assessment which concludes that the resulting air quality effect of the proposed development during both the construction and operational phase on the surrounding area is not considered to be significant.

A Noise Assessment has also been submitted which acknowledges that road traffic is the main source of noise across the majority of the site. Mitigation measures including enhanced ventilation to reduce the need for open windows in the most noise sensitive location of the development area are recommended. It also concludes that noise from the plant located at the nearby Loggerheads Severn Trent Water site, is inaudible on the site and would not result in an unacceptable noise impact.

The Council's Environmental Health Officer has considered the information submitted to the Council in relation to noise impacts and considers that the site is suitable for noise-sensitive residential development, provided that a commensurate level of protection against noise is incorporated into the design. This can be appropriately secured via a condition and should also be required to be supported by an extended and updated weeklong noise survey.

A consultation response has been received from the Ministry of Defence (MOD) which indicates that the site is located within an area affected by noise generated from military aircraft and that an area of land known as The Follies, less than 1km from the application is used frequently by No 1 Flying Training School based at RAF Shawbury) for Confined Area Landing Training – both during daytime and night-time hours. The MOD initially considered that the noise assessment submitted in support of the application did not fully consider the impacts of these sources of noise on the occupants of the proposed development. Updated information was subsequently provided and deemed satisfactory by both the MOD and also Environmental Health officers subject to conditions providing appropriate.

An Odour Assessment has also been submitted alongside the application. This assessment has concluded that the potential for odour effects at the proposed residential development from the Waste Water Treatment Works is not significant, and in accordance with national guidance.

Conditions have also been requested to control the hours of construction and for the submission of a Construction Environmental Management Plan (CEMP). It is considered that these measures would suitably control any disturbance to existing residents during the construction phase of the development.

In light of the above, it is considered that the air quality for the development is acceptable and subject to conditions, the proposed development can be attenuated to achieve acceptable external and internal sound levels. For the reasons outlined above, the proposals are considered to accord with development plan policy and the guidance set out within the NPPF.

With respect to the interrelationship of the proposed dwellings with the neighbouring properties, the outline nature of the application requires the decision-maker to anticipate the likely form of development. It is considered that subject to careful control over positioning of windows, sufficient distance can be achieved between both existing and proposed dwellings and that sufficient private amenity space would be provided to comply with the Council's Space Around Dwellings SPG.

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 application is supported by a Flood Risk Assessment (FRA). The site lies in Flood Zone 1 which is land/property with the lowest risk of flooding.

The FRA indicates that all of the proposed dwellings are sited well away from the aforementioned watercourse and the implementation of minimum Finished Floor Levels would sit comfortably above any predicted flood levels. The FRA has also confirmed that with the sensitive layout design and the watercourse corridor kept free from inappropriate development there will be no adverse impacts downstream due to the development.

In terms of surface water drainage, the FRA indicates that Sustainable Drainage Systems (SuDS) will be utilised on the site. This will include the use of permeable surfacing for direct infiltration, and small catchments may be able to soakaway within a shallow SuDS feature such as a roadside rain garden. Such methods would deal with 25% of the development's hard surface area. For the remaining catchment areas, off-site discharge will be required. This would be via a swale outfall into the Leighton Brook with a restricted run-off rate. Attenuation storage will be provided within a strategic SuDS pond in the south-west corner of the site which would be of a sufficient volume.

The Lead Local Flood Authority have no objections to the application subject to pre-commencement conditions being attached to any permission granted, to ensure that the full detailed drainage design is submitted for review and that sufficient measures will be put in place to ensure no increase in flood risk occurs during the construction phase.

Severn Trent Water have also raised no objections to the proposals.

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

Agricultural Land Quality

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

The NPPF identifies that best and most versatile agricultural land in grades 1, 2 and 3a of the Agricultural Land Classification.

An Agricultural Land Quality Assessment (ALQA) submitted with the application identifies that the application site comprises 1.24ha of Grade 2 'Very Good' quality agricultural land, 5.17ha of Subgrade 3a, 'Good' quality agricultural land and 1.51ha of Grade 3b 'Moderate' quality agricultural land. Consequently, the development would result in a loss of approximately 7.92ha of Best and Most Versatile Agricultural Land (BMVAL).

The applicant has detailed that they are the owners of Tadgedale Farm which comprises approximately 43 acres of land which is used as grazing. They note that three quarters of the land is hill, and so is limited in term of the ability to be ploughed. Dairy cows graze the land on a yearly tenancy, and this would continue to be the case.

In considering the loss of BMVAL during an appeal at Baldwins Gate Farm, the Inspector noted that the land quality was not unusual for this area of the Borough and that many sites adjacent to the community are likely to contain a portion of BMVAL. There was also no evidence that the bulk of the BMVAL in the holding would be lost, however, it was acknowledged that the proportions of the loss would represent a significant proportion of the overall site area and afforded them some harm.

The applicant refers to that appeal and states that this grading of land is typical of land which adjoins the settlement boundaries of Loggerheads and indeed within the western part of the Newcastle-under-Lyme borough where the majority of agricultural land is graded as good.

Notwithstanding this, it must be concluded that the loss of this land is a material consideration which weighs against the proposal. Whether this and any other adverse impact would significantly and demonstrably outweigh the benefits will be considered at the end of this report.

Planning Obligations

CSP10 'Planning Obligations' requires developers to have regard to the consequences that may arise from development. The policy sets out a number of areas which should be considered including transport, infrastructure, affordable housing, education and community facilities, open spaces, sports and recreation facilities and environmental improvements and mitigation.

Section 122 of the Community Infrastructure Levy (CIL) Regulations states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The applicant has confirmed their willingness to agree to the provision of 25% on-site affordable housing which would be policy compliant and can be appropriately secured through a S106 agreement.

The application site also provides the requisite levels of on-site open space. The appropriate provision and managements of these spaces can be secured through a S106 agreement.

Other financial contributions have been requested: -

- Staffordshire County Council as the Education Authority has requested a sum of £589,904 for secondary school places
- Staffordshire and Stoke on Trent Clinical Commissioning Groups has requested a sum of £134,485 towards local health infrastructure
- The Councils Landscape Development Section has requested a contribution of £100,000 towards an off-site Multi-Use Games Area.
- Staffordshire County Council as the Highway Authority has requested a contribution of £150,000 towards improving the No. 64 Bus service in Loggerheads.
- Additionally the Highway Authority has requested a sum of £6000 to assist with Travel Plan monitoring and £5000 toward the delivery of a school monitoring plan.

It is acknowledged that the objections from residents raise a number of concerns regarding the capacity of the school and health infrastructure in the area. From consulting the relative statutory bodies, these parties consider that the additional need from the development in terms of school places and doctor's surgeries can be appropriately mitigated against through appropriate financial contributions. Which would aim to ease some the concerns raised.

With regards to the financial contribution relating to the bus service, the Highway Authority consider that the current level of access to public transport is poor, particularly for commuters. It also notes that with the limited amenities, facilities and employment opportunities within Loggerheads itself, the enhancement of the bus service is essential to reduce the reliance on the private car.

A similar request was made by the County Highway Authority for a financial contribution towards securing the longevity of the exiting bus service when considering the planning application for up to 200 houses at Baldwins Gate Farm (21/01041/OUT). In considering such a request, the inspector concluded that the service already provided a commutable service to Market Drayton and Newcastle Under Lyme and that this provided a genuine non-car mode of transport. At the time of determining this appeal the No. 64 service in Baldwins Gate consisted of 6 buses per day to Newcastle-under-Lyme and Market Drayton on weekdays, with 5 per day on weekends. This level of provision is directly comparable to that now available via the same service through Loggerheads. Given that this previous decision found the request for such a contribution to be unnecessary based on the existing level of service, it would not be considered reasonable again in the scenario presented with this application to request such a contribution.

These are all considered to meet the tests identified in the NPPF and are compliant with Section 122 of the CIL Regulations.

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 planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole is required.

It is considered that the development of the site would have a significant adverse impact on the character and appearance of the landscape. It would result in the loss of nearly 8 hectares of Best and Most Versatile Agricultural Land and insufficient information is available to conclude that there would not be harm to protected species.

In terms of benefits, the provision of 150 houses on the site would make a substantial contribution towards the Borough's housing land supply. In addition, the application would provide 25% affordable housing which would make a meaningful contribution towards the provision within the Borough.

Overall, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

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](#)

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures
Policy N4: Development and Nature Conservation – Use of Local Species
Policy N17: Landscape Character – General Considerations
Policy N21: Areas of Landscape Restoration
Policy T16: Development – General Parking Requirements
Policy C4: Open Space in New Housing Areas
Policy B3: Other Archaeological Sites
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

[Loggerheads Neighbourhood Plan 2013 - 2033](#)

Policy LNPG1: New Housing Growth
Policy LNPG2: Housing Mix
Policy LNPP1: Urban Design and Environment
Policy LNPP2: Local Character and Heritage
Policy LNPT1: Sustainable Transport
Policy LNPS1: Community Infrastructure
Policy LNPE3: Broadband

Other Material Considerations include:

[National Planning Policy Framework](#) (2023)

[Planning Practice Guidance](#) (as updated)

[Community Infrastructure Levy Regulations](#) (2010) as amended and related statutory guidance

[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

There is no relevant planning history for the site.

Views of Consultees

Cadent Gas raise no objections.

The **Ministry of Defence** has no objections with respect to internal noise levels.

The **Highway Authority** has no objections subject to conditions regarding reserved matters details, provision of access, off-site highway works, closure of field accesses, Travel Plan and Construction Environment Management Plan.

Additionally, planning obligations are sought for the following:

- £6,000 towards Travel Plan monitoring
- £5,000 towards delivery of School Travel Plan measures and initiatives
- £150,000 towards enhancement to Bus Services

Staffordshire Wildlife Trust object on the grounds that further surveys are required along with clarification regarding Biodiversity Net Gain.

Loggerheads Parish Council objects to the proposed scheme raising the following concerns;

- Contrary to Policies LNPP1 and LNPT1
- Site was rejected in the first draft of the local plan through the sustainability assessment
- Harm to character and appearance of the area
- Harm to biodiversity
- Flood risk
- Insufficient public transport services
- Overdevelopment of housing against an assessed need

The **Environmental Health Division** raise no objections subject to conditions regarding a Construction Environment Management Plan, noise report and land contamination.

Housing Strategy note that the provision of affordable housing would be in compliance with the Affordable Housing Policy.

Lead Local Flood Authority raise no objections subject to conditions to secure a final detailed surface water drainage design.

The **County Council Archaeologist** raise no objections subject to conditions to secure a scheme of archaeological investigations and supporting post field-work assessments.

Severn Trent Water raise no objections subject to conditions regarding drainage plans for the disposal of foul and surface water flows.

Staffordshire County Council Education Authority advise that there are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at the secondary phase of education and therefore a financial contribution of £589,904 should be sought.

Natural England offer no comments on the proposal and refer to standing advice.

Staffordshire Police raise no objections and make a number of comments and recommendations on the indicative layout.

Mineral and Waste Planning Authority raise no objections subject to a requirement for any 'incidental extraction' of sand to be used within the construction of the proposed development.

Active Travel England revert to the consideration of their standing advice.

With regards to great crested newts, **Naturespace** raise no objections subject to the applicant either providing further survey information to rule out impacts to great crested newts or join the Great Crested Newt District License Scheme.

Staffordshire and Stoke on Trent Clinical Commissioning Group requires £134,485 to be targeted towards supporting the future development/adaptation/expansion of primary care facilities within the Newcastle South PCN.

The **Landscape Development Section** raise no objections to the principle of the development subject to the detailed design phase following the principles of the submitted Arboricultural Impact Assessment and Open Space assessment. Information regarding tree protection and landscaping is required. They note that the open space meets the requirements set out within the Council's Open Space Assessment but advise that natural overlooking of the play area is preferred and a management agreement is required.

No comments have been received from the **Environment Agency** or the Council's **Waste Services Section** by the given deadline and so it is assumed that they have no comments to make regarding the application.

Representations

208 letters of objection have been received raising concerns on the following grounds:

- Contrary to policies of the development plan
- Unsustainable location for development
- Reliance on the private car
- Does not confirm with policies of the Neighbourhood Plan
- Lack of employment opportunities
- Substantial environmental harm
- Loss of greenfield land
- Encroachment into open countryside
- Landscape and visual harm
- Overdevelopment of Loggerheads village
- Lack of appropriate supporting infrastructure
- Increase in traffic and congestion
- Highway safety concerns
- Lack of appropriate ecology surveys
- Unsustainable and unsuitable public transport service
- Poor accessibility to services, facilities and public transport via pedestrian routes
- Harm to biodiversity
- No need for additional housing in Loggerheads
- Air pollution
- Noise pollution
- Lighting pollution
- Harm to local residents' quality of life
- Precedent for other development if approved

Applicant's/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/24/00162/OUT>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

27th November 2024