

AUDLEY RURAL



PARISH COUNCIL

In the borough of Newcastle-under-Lyme, Staffordshire

Clerk - Mrs C Withington

Mr John Slater BA(Hons) DMS MRTPI FRGS
John Slater Planning Ltd

[Redacted]
[Redacted]
[Redacted]
[Redacted]

BY EMAIL

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

06.02.25

Dear John

Audley Rural Neighbourhood Plan – Examination

Further to your initial comments and questions dated 16th January 2025 regarding the above, please now find enclosed attachments as listed below:

1. Audley Rural Parish Council's response to the Examiner's questions dated 16th January 2025
2. Audley Rural Parish Council's response to the Regulation 16 consultation representations
3. A map of Leddy's Field
4. The updated Local Green Space Audit Report

The Parish Council have also held a productive and helpful meeting with Newcastle under Lyme Borough Council in order to discuss our approach to the responses.

As requested, a copy of this letter and attachments have been sent to the Borough Council and will also be made available on the Parish Council's website. If the Parish Council can be of any further assistance please do not hesitate to contact me.

Yours sincerely

[Redacted Signature]

Mrs C Withington
Parish Clerk

Encs

Audley Rural Neighbourhood Plan

Response to Examiner's Questions

The following is Audley Parish Council's response to the Examiner's letter dated 16th January 2025.

Point 5

Our response to the Regulation 16 representations is attached.

Point 7

The policy rationale(s) could be amended to recognise the possible change to the settlement hierarchy. The LPA should be able to suggest some suitable wording.

Point 9

The possible removal of settlement boundaries for the smaller settlements could be recognised in the policy rationale. To give the policy longevity, should the Local Plan be adopted, the wording of ANP1 could be amended to:

1. Residential development will be supported in the following locations:

**a. Within the defined settlement boundaries
of Audley and Bignall End or within the built settlements of Alsagers Bank, Halmer End,
Miles Green, and Wood Lane;**

Point 11

The AECOM HNA December 2021 is based on an end date of 2042. Therefore, any change to this date would compromise the evidence base. Please note that the Parish Council has maintained a good dialogue with the LPA throughout the Plan preparation.

Point 12

The Parish Council has reservations on making reference to the 'settlement boundaries as set by the most recently adopted local plan' within the policy itself as we would then require the community at the referendum to vote on an unknown quantity. A preferred approach would be that set out under Point 9 above.

Point 13

See response to Points 7 and 9.

Point 14

From recent examinations on other neighbourhood plans, we would suggest that clause 4 in the policy be replaced by an advisory paragraph in the interpretation. For example, this could explain that flexible layouts and ample storage can be useful in supporting homeworking.

Point 16

Clause 8 is really a general statement of support for self-build and community-led housing. The wording highlights that such support would be subject to meeting other policy requirements in the Plan. This would include the locational requirements in Clause 1 of the policy. The interpretation could clarify this, perhaps?

Point 17

We would suggest that the fourth paragraph in the interpretation be amended to include reference to the Audley Rural Parish Design Guidance and Codes. The Parish Council would be very concerned over the Audley Rural Parish Design Guidance and Codes being referenced in the policy itself, given some of its content.

There would be particular concern if the wider content of the policy was related to the design code - some parts of the policy draw on the National Design Guide 2021, so do not necessarily reflect the design code document.

Point 18

The reference in clause 1 to 'meeting the following requirements of this policy, proportionate to the scale and nature of the development' is intended to have similar effect, but without giving a blanket 'get out clause'.

Point 19

The Green guidance note referenced in the clause provides detailed examples of how development could reduce carbon impacts. The policy wording sets a general requirement in response to paragraph 8c, of the NPPF December 2024, which refers to moving to a low carbon economy. Chapter 15 of the NPPF mentions biodiversity throughout. The LPA has

also declared climate emergency. The green guidance note is intended as guidance only. A similar approach has been supported in other neighbourhood plans at the examination stage, with a general requirement in policy, supported by green guidance.

Point 20

This area was found to be protected already due to the conservation area status, and blanket TPO on site. It is also referred to in the NBC Open Space Strategy 2018 as being required to meet local space standards. It was considered to be an extensive tract of land, so it was not shortlisted for the LGS consultation (which consisted of 54 sites). A map of the space is enclosed.

Point 21

We would suggest that reference to the Audley Rural Parish Design Guidance and Codes be added to the interpretation. The Parish Council would be very concerned over making reference to the design code in the policy itself, for the reasons set out in Point 19 above.

Point 22

The Audley Parish Heritage Assets report was given to the LPA for inclusion in the Local List, which was being updated at the time of the Plan preparation.

Point 23

It would be difficult to carry out a detailed survey and assessment to identify historic shopfronts at this stage. We would suggest that the reference to the design code be removed (it contains an unhelpful illustration of a poor-quality shopfront) and replaced with a paragraph that refers to the LPA shopfront guide and conservation area appraisal to help identify historic shopfronts.

In addition, the guidance and diagram on shopfronts in the rationale to the policy could be moved to the interpretation. This approach has been taken in other recent neighbourhood plans.

Point 24

Green belt policy relates to the 5 purposes for green belts, but not landscape quality. The focus of policy ANP9 is quite different. This refers to the landscape setting of settlements so is more a response to Chapters 12, 15 and 16 of the NPPF. Paragraph 135 (c) of the NPPF

2024 refers explicitly to landscape setting. The issue of landscape setting would not be addressed by green belt policy.

The policy is underpinned by the detailed wildlife and habitat mapping data from Staffordshire Wildlife Trust and the DEFRA Magic Map. More recent evidence is also available in the recently launched updated Natural England green infrastructure map November 2024.

Point 25

The Parish Council would be concerned that adding 'where it is appropriate' would give a blanket 'get out clause', and perhaps undermine the application of chapters 12, 15 and 16 of the NPPF.

Point 26

The following could be added to the interpretation - 'Applications that involve mature trees often require an arboricultural assessment that would cover this aspect'.

Point 27

The wording could be localised by adding 'having regard to the importance of Audley's rural economy'.

Point 28

Clause 8 of the design policy (ANP4) refers to impacts of development on green spaces in general, which would include LGS. This could be referenced in the interpretation to Policy ANP11. The interpretation to ANP11 already refers to the NPPF and this could be expanded perhaps? Please note the last paragraph in the interpretation relates to Clause 2 in an earlier version of the policy, so is no longer relevant.

Point 29

The Local Green Space Audit Report has been updated, and a copy is attached.

Point 30

The policy wording should reflect the wording in the NPPF.

Point 31

We would suggest adding a paragraph into the interpretation on impacts on residential amenity. This could clarify that such impacts could include noise, vibration, disturbance, air quality, etc.

Point 32

The policy would apply to horse riders across the Neighbourhood Area, including within the built settlements.

Audley Regulation 16 Responses

The referencing system applied to the representations by the LPA (ANP1, ANP2, etc.) uses the exact same format as the Neighbourhood Plan policies. To avoid confusion, the following comments include number references to policies only.

United Utilities 16th December 2024

ANP4 could be amended as suggested, but we would suggest the following wording and format, for clarity and consistency:

11. **Where appropriate, development should include features to manage surface water run-off to avoid significant adverse flood risk impacts on surrounding land and properties, and this may include:**
 - a. **Multi-functional sustainable drainage systems, integrated with landscape proposals and green and blue infrastructure;**
 - b. **Keeping hard surfacing to a minimum area and ensuring that it is water permeable.**
 - c. **Measures to avoid exacerbating existing surface water problems in Halmer End and Miles Green.**

Please note, this wording also responds to later comments by Staffordshire County Council.

Knights (on behalf of Manor View Care Home) December 2024

ANP1 The Neighbourhood Plan can't amend the green belt boundary. Allocation of a site in the green belt would fail to meet the basic conditions.

ANP2 The commercial site (AB2) is not yet allocated. It is probably unwise for the Neighbourhood Plan to try to prejudge outcomes through the Local Plan process.

Environment Agency 16th December 2024

Comments and guidance noted.

Staffordshire County Council Property Team 16th December 2024

ANP11: Local Green Space designation would appear to be entirely compatible with the educational/agricultural function of the spaces. The representation does not raise any issues in terms of meeting the Basic Conditions. Interestingly, the following representation for Staffordshire County Council support the LGS policy.

Staffordshire County Council

The support for the environment policies, including LGS designation, is noted.

With regard to flood risk, it had been considered that national and local policy dealt with this, but the information provided by Staffordshire County Council could justify a surface water and SuDs clause. This could be added into Policy ANP4, also taking account of the representation from United Utilities:

- 11. Where appropriate, development should include features to manage surface water run-off to avoid significant adverse flood risk impacts on surrounding land and properties, and this may include:**
 - a. Multi-functional sustainable drainage systems, integrated with landscape proposals and green and blue infrastructure;**
 - b. Keeping hard surfacing to a minimum area and ensuring that it is water permeable.**
 - c. Measures to avoid exacerbating existing surface water problems in Halmer End and Miles Green.**

Reference to the SCC SuDs Handbook could be added to the interpretation to the policy. The opportunity at Wood Lane could also be mentioned in the interpretation.

Sport England 16th December 2024

This appears to be generic guidance rather than a specific Regulation 16 response. The Neighbourhood Plan has had regard to national policy. The Plan supports active travel and considers impacts on public rights of way (ANP4 and ANP12) and designates certain sports and play facilities as Local Green Space.

The later NULBC has questioned the LGS designations, but without presenting any comments on specific spaces. If the examiner considers that these sports and play facilities do not meet LGS criteria, then an option could be to replace the LGS designation with a new clause to ANP10, protecting key sports and play facilities.

R Phillips 15th December 2024

This probably relates to Site AB2, which the emerging Local Plan seeks to allocate, and has been submitted as a repose to the Neighbourhood Plan in error.

J Phillips 12th December 2024

ANP1: The comment on 3.3 appears to relate to Policy ANP1. It should be noted that design and infrastructure requirements and environmental impacts are dealt with in various later policies in Chapters 5, 6 and 7.

The comment on 4.1 relates to the purpose of the policy, though the employment comment may relate to Policy ANP2. The other matters raised are addressed by later policies. Green belts are dealt with in national and local policies.

It is not clear what the additional comments relate to, but they appear to be about an actual development proposal, rather than Neighbourhood Plan policies.

The Coal Authority 10th December 2024

Comment noted.

Planning Prospects Ltd (on behalf of Indurent Management Ltd) 6th December 2024

ANP9: To respond to the comments, the policy could be modified as follows:

1. Development should **avoid causing significant** harm and should take opportunities to enhance Audley's green landscapes, wildlife corridors, habitats and biodiversity.
2. Development should maintain the green landscape settings and **open character of the** separation of the following distinctive settlements: Alsagers Bank, Audley, Bignall End, Halmer End, Miles Green, Scot Hay, Wood Lane.
3. Existing mature trees should be:
 - a. Retained and incorporated into the design and layout of development; or
 - b. Where there are robust planning reasons why retention is not possible, new tree planting should be provided in and around the site, to provide a similar level of amenity and environmental value.
4. Development must not harm and should take opportunities to enhance Audley's **sensitive and/or designated landscapes, according to their status, including:**
 - a. **Ancient Woodland, as an irreplaceable habitat;**
 - b. **Locally designated sites, including Local Nature Reserves and Sites of Biological Importance.**

See Plan at Figure 6.3 and 6.8* Audley Biodiversity Assets Plan and Figure 6.5 DEFRA Map showing designations and features within the Neighbourhood Area.

5. **Opportunities should be taken to enhance the nature conservation values of Biodiversity Alert Sites.**
6. **Development should **avoid** the loss of the best and most versatile agricultural land, **where possible**.**

As an alternative, clause 4 could be split into two separate clauses.

J Moreau 5th December 2024

Green Belt release would be a matter for the emerging Local Plan.

WSP c/o Hareworth Group PLC

Green belt release and strategic sites allocations would be a matter for the Local Plan, not the Neighbourhood Plan.

J Moreau 30th November 2024

Whilst supporting the points made, they appear to relate to the Local Plan or future planning applications, rather than the Neighbourhood Plan policies.

Canal & River Trust 26th November 2024

No response.

Staffordshire Police 22nd November 2024

Aims: The design policy addresses a number of important issues, of which safety is one. It would be inconsistent to mention one issue only in the aim. Also, 'secure' probably relates to non-planning matters.

ANP1: The suggested additional clause does not set a clear requirement for development to meet. However, it could be added into the interpretation perhaps.

ANP3: The reference to anti-social behaviour could be added.

ANP4: The amended wording on active frontages would not meet the Basic Conditions – it could cause confusion and be too prescriptive in terms of internal layouts. The amended wording on boundary treatments would limit the application of the policy, which is concerned with character. Surveillance is already dealt with adequately. The amended wording relating to criminal and anti-social behaviour does not set a clear requirement for development to meet. However, it could be added into the interpretation perhaps. It would be useful to add the reference to ‘Secured by Design Guides’ into the interpretation, as suggested.

ANP8: The suggested wording on glazing would be a useful addition to the interpretation.

ANP13: The suggested additional wording may be better in the interpretation.

Natural England 15th November 2024

No response.

J Austin 12th November 2024

Whilst agreeing in principle, it is unclear how this could be built into policy.

Historic England 12th November

Supportive comments noted.

National Highways 12th November 2024

No response.

P Harrison 6th November 2024

It is unclear which policies the comments relate to, or whether they relate to the Neighbourhood Plan or the site allocations in the emerging Local Plan.

I Riley 4th November 2024

The Neighbourhood Plan does not seek to amend parking requirements, but seeks to support active travel. The Plan already supports improvement of provision of community facilities.

Newcastle Under Lyme Borough Council

Reference to the NPPF December 2024 could be substituted throughout the Plan.

The planning rationales could be updated, as necessary.

Aims: The reference to Green Belt could be omitted. Otherwise, the aims reflect the updated NPPF.

Housing Need: It would be useful for a paragraph to be added to the Neighbourhood Plan to demonstrate that infill within the settlements, together with the site allocations proposed by the emerging Local Plan, would meet housing need in the parish.

ANP1: A note could be added to the interpretation on possible boundary changes, if necessary.

ANP2: The planning rationale could be updated to refer to the Rural Topic Paper, Rural Hierarchy of Centres, Newcastle-under-Lyme Borough Council revision (July 2024).

ANP9: The second clause relates to the character and identity of settlements, so is quite different to the five purposes of green belts. It responds to the NPPF (including Paragraph 135c). Rewording of the 6th clause is proposed above (see response to Planning Prospects Ltd).

ANP11: The analysis supporting the policy demonstrates how designation meets the requirements in Paragraphs 106 and 107 of the NPPF 2024. The LPA does not raise any specific issues with any specific space.

Infrastructure: The infrastructure priorities are a statement of preference rather than policy.

Green Guidance Note: The text could be modified to recognise the statutory BNG requirement.

Infographics: The infographics do relate to the outcomes from community engagement (pre-Regulation 14). However, we do accept that they could be confusing and even misleading, given that they are based only on a proportion of the population responding and the statistical analysis does not necessarily reflect actual data and evidence. To avoid confusion, we would suggest that the 'Consultation Infographics' chapter be deleted from the Neighbourhood Plan and be put into a background community engagement document.

Audley Rural

Author:

Date: 20/01/2025

0 50 100 150 200m
Scale: 1:10000

PARISH
ONLINE

