

JOINT RESPONSE FROM LOGGERHEADS PARISH COUNCIL AND
NEWCASTLE UNDER LYME BOROUGH COUNCIL TO QUESTIONS FROM
EXAMINER CHRIS COLLISON ON LOGGERHEADS NEIGHBOURHOOD PLAN

1. Examination documents

Representation from Harris Lamb

A representation from Harris Lamb has been received a month after the closing date for the Regulation 16 public consultation and without any justification for the lateness of the representation. Any Regulation 16 representations should be sent to the Borough Council, and in this instance the letter was addressed to the Parish Council. This suggests that it was not intended to be considered as a Regulation 16 representation. Therefore the Borough Council do not consider this as a late Regulation 16 representation, merely correspondence to the Parish Council. The Parish Council will provide a direct response with input from the Borough Council as appropriate. However, the content of the letter and the advice statement it includes from counsel raises important issues concerning Habitats Regulations Assessment following the Sweetman case. The Borough Council is aware of the case identified and as a matter of course is currently considering the implications of this judgment on any Habitats Regulations Assessment screening report undertaken for this or any other Neighbourhood Plans. The Borough Council therefore thanks Harris Lamb for providing a copy of this advice and confirms that the Borough Council will review the HRA screening report and re-consult with Natural England in due course.

3. Requests for Clarification

A Habitats Regulations Assessment Screening

The Draft Habitats Regulations Assessment Screening Report has been prepared by the Borough Council prior to the EU Court of Justice ruling in People Over Wind and Sweetman v Coillte Teoranta. As a matter of course the Borough Council is reviewing any Habitats Regulations Assessment Screening reports undertaken this year to ensure that they are still legally compliant in the context of the EU Court of Justice ruling in the Sweetman case. In respect of this Neighbourhood Plan the Borough Council will review and refresh the previous Habitats Regulations Assessment Screening report and re-consult with Natural England. The Borough Council will confirm to you once this has been undertaken and keep you informed of the outcome.

B. Policy LNPG2 - On the Parish Council website under the heading "Housing needs assessment for Loggerheads" is a report "Housing needs V5 final June16" which sets out at section 5 page 7 table 3, between 2001 and 2011 there was a significant increase in the age group 60 -74 years, an increase in over 75 years and 18-19 years and a significant decrease in the 30 to 44 age group. In table 4 and figure 1 the relationships in households shows an increase in households with only one occupant and a decrease in households with families with children living at home between 2001 and 2011. The conclusion at section 20.3 is that Loggerheads has a very specific housing need for single person households for the age 60 years

and above and affordable homes for young people, namely 1 or 2 bedroom houses or bungalows. Private renting can be an alternative to meet the needs of singles / smaller households, if it is affordable.

In the update on housing supply “Parish of Loggerheads Housing Needs Assessment June 2017v2” the conclusion is at section 3.6 “The current housing supply position, if those at the planning application stage are included there could be up to 400 new homes in Loggerheads of which 79 are designated as being affordable. Only 10 of these are 2 bedroom houses, a significant number are large 4 bedroom family homes”.

A survey of residents section 15.2, page 18 of Housing needs assessment found that “Most needed were thought to be affordable homes for young people (45%) followed by small family homes (36%) and provision for elderly (29%). (Table 13 below).”

This resulted in the policy for “at least a third” to reflect the severe shortfall in one and two bedroom properties and those suitable for the elderly while accepting that 3 and 4 and 5 bedroom homes will continue to be proposed by developers.

The Parish Council is pleased that, following a meeting in 2017 with a developer when the housing need assessment was shared, the resulting planning application for +22 homes at Hookgate, includes 3 x 2 bed houses and 6 bungalows.

C Policy LNPP2 – (i) A Heritage Book has been sent in the post so you can see the full version. This was reprinted to show the designations more clearly.

(ii) Those locally identified non-designated heritage assets in the book were submitted to Newcastle Borough Council in April this year to be considered as Locally Important Buildings and Structures and these applications are currently being considered. The Parish Council accepts that until such time as these assets are adopted by the Borough it would be reasonable to add the word “potential”.

D Policy LNPP3 – The Parish Council confirm that they are happy with the proposal to modify the policy to include the list of Local Green Spaces to be designated so that the policy is clear, as this was always the intent of this policy.

D Policy LNSP2 (i) The Parish Council confirm that the intention is to refer to “the impact on residential and visual amenity, highways safety and on features of the natural built environment adjacent to the sites, are acceptable.

(ii) On the Parish Council website under heading Loggerheads Neighbourhood Plan – Evidence for the Plan is a Report by Aecom “Strategic Environmental Assessment for the Loggerheads Neighbourhood Plan - Environmental Report to accompany Regulation 14 consultation on the Neighbourhood Plan”. At section 5.12 it states

“Recommendations at this current stage

No negative effects have been identified, and so there are no corresponding mitigation measures.

The Plan has been proactively prepared with regards to the protection of local greenspace, promotion of walking and cycling, protection of cultural heritage and the allocation of recreational facilities. However, some additional minor recommendations for enhancement have been made as follows.

- Policy LNP-P4 could be strengthened by encouraging green infrastructure linkages between open spaces.
- **Positive effects upon water could perhaps be achieved for policy LNP-S2 by requiring the new site for multi-sport and community facilities and sports pitch to incorporate sustainable / natural drainage systems”.**

(iii) Implications for Policy LNSP2 of applying the Borough Council adopted policies in the Playing Pitch Strategy and the Open Space Strategy and b) relationships of policy LNSP2 to relevant strategic policies.

(iii) (a) The assessment of need within the Loggerheads and Ashley Community Project Feasibility Study (Urban Vision 2017) is based on Fields in Trust recommended benchmark guidelines. The Borough Council considers that any assessment needs to be consistent with the Council’s own assessment methodology and therefore needs to be in accordance with those in the Playing Pitch (PPS) and Open Space Strategies (OSS). The PPS does not contain a standard against which pitch provision is judged, but amongst other policies, current Core Spatial Strategy policy CSP4 seeks to enhance, maintain and protect the Boroughs open space, sports and leisure assets. Therefore the principle of enhancement of the Borough’s open space, sports and leisure assets could generally be supported subject to compliance with a range of other policies.

The Playing Pitch Strategy (PPS) was adopted in 2015, and has not been reviewed or updated. The Strategy states that:

‘if no review and subsequent update has been carried out within three years of the PPS being signed off by the steering group, then Sport England and the NGBs would consider the PPS and the information on which it is based to be out of date. The nature of the supply and in particular the demand for playing pitches will likely to have changed over the three years. Therefore, without any form of review and update within this time period it would be difficult to make the case that the supply and demand information and assessment work is sufficiently robust. Ideally the PPS could be reviewed on an annual basis from the date it is formally signed off by the steering group. This will help to maintain the momentum and commitment that would have been built up when developing the PPS. Taking into account the time to develop the PPS this should also help to ensure that the original supply and demand information is no more than two years old without being reviewed.’

The PPS describes the Burntwood Playing Field at Loggerheads as:

“One standard quality adult pitch with minimal spare capacity. Pitch is minimum size and is not serviced by changing rooms. Drainage works have increased pitch quality. Owned by the Council and leased to the Parish Council. It is used by Loggerheads FC for one of its teams on a gentleman’s agreement for a peppercorn rent. One of its teams has to travel outside of the study area (to Eccleshall) to access a suitable pitch for the league it plays in. Granted planning permission to build a changing facility.’

It also states that 'spare capacity should be retained to help protect/improve quality. Support the Club in its aspirations to develop the site and ensure long term security is agreed and put into place.'

The Neighbourhood Planning group explains that the Football Association (FA) has increased the size of an adult Association pitch and the Burntwood site no longer meets this standard. The local football club have therefore withdrawn from using the pitch as it is no longer fit for their purpose. This evidence therefore demonstrates a lack of football provision within the village to meet FA standards. The Parish Council have been discussing local needs for football and sports facilities within Loggerheads with the Borough Council. Any review of the PPS will take into account the current position on football pitch provision (including Burntwood) within the Neighbourhood Area.

The Open Space Strategy (OSS) is a review and future guide to how the Borough Council manages its open space asset base to ensure that the needs of the community are met in the most appropriate way. It contains an audit of existing open space and includes the following types of open space; (i) Parks & gardens, (ii) Amenity green spaces, (iii) Natural and semi-natural green spaces, (iv) Designated play spaces for children and young people, (v) Allotments and (vi) Green corridors.

Outdoor sports facilities are not part of the Open Space Strategy review as this is dealt with through the Sport England compliant Playing Pitch Strategy and covered in the earlier paragraphs.

The OSS divides the Borough into 3 areas, Newcastle Urban, Kidsgrove Urban and Newcastle Rural. Loggerheads Neighbourhood area lies within the 'Newcastle Rural' area in the southernmost parish within the Borough. In the Framework Plans which support the Strategy the data is presented in respect of the Newcastle rural area as a whole and is not specific to the neighbourhood area. Across the Newcastle Rural area the data identifies a quantity deficit in typologies for allotments and amenity greenspace, a slight surplus in provision for children and young people, and parks; and a significant surplus in typologies for natural and semi-natural green space.

The supporting evidence at a Neighbourhood Plan level from the Loggerheads and Ashley Community Project Feasibility Study (Urban Vision 2017) provides data at parish level with its assessment based on Fields in Trust recommended benchmark guidelines. This is different to the Borough Council's assessment methodology. There is variation in standards, for example the Borough's OSS standard for 'designated play spaces for children and young people' is 0.41 Ha per 1,000 population and Fields in Trust standard is 0.25 Ha per 1,000 population, and other outdoor provision including multi-use games areas (MUGAs) and skateboard parks is 0.3 Ha per 1,000 population. The Borough Council's Strategy for those typologies requires a higher per hectare standard than Fields in Trust. Whilst the Loggerheads and Ashley Community Project Feasibility Study (Urban Vision 2017) identifies a required quantity guideline it does not seek to make an assessment of the quantity already provided nor identify a final need figure for play space against that provision.

(iii)(b) Loggerheads lies within Newcastle-under-Lyme's rural area where Core Spatial Strategy (CSS) policy ASP6 (2) takes a positive approach towards rural

enterprise and seek opportunities to provide essential rural services where the rural economy can continue to diversify, grow and prosper; access to essential services and facilities such as doctors, schools, shops and community facilities is maximised; and the area's distinctive landscapes and natural resources are preserved. The sites identified as LV1 and LV2 lie very close to the village envelope of Loggerheads which is identified within the CSS as being one of the three Rural Service Centres which are detailed as providing the most comprehensive provision of essential local services.

The Borough's Rural Services Survey (2011), an update of that undertaken in 2008, states that Loggerheads, one of the borough's larger rural settlements, "has a wide range of local services and is located within a very sustainable and accessible location along the A53". At that time it confirmed that within the village there was a post office, 2 food shops, 2 restaurants/takeaways, a school, a pub, a cash point, a library and other local amenities. The Survey went on to conclude that Loggerheads and the other settlements defined as Rural Service Centres offered the most sustainable locations for additional development to meet local needs and to support the vitality and viability of local service provision.

Further Core Strategic Policies CSP1 Design Quality, CSP2 Historic Environment, CSP3 Sustainability and Climate Change, CSP4 Natural Assets, and CSP5 Open Space, Sport and Recreation Provision are also relevant. CSP4 seeks to enhance, maintain and protect the Boroughs open space, sports and leisure assets.

The submitted Neighbourhood Plan Policy LNPS2 identifies LV1 and LV2 at the edge of the village envelope for the provision of sports and recreational uses. Those sites lie adjacent to a site with planning permission for residential development which was considered a sustainable location. The first part of the policy as drafted omits references to community uses which the first bullet of the policy seeks to achieve; and the Borough Council believe that this wider aspiration for not only sports and recreation uses needs to be strengthened in the first part of the policy. It is suggested that the sentence is amended to add the word community to read: 'Sites LV1 and LV2 fronting Market Drayton Road in Loggerheads Village (See Map 8) are allocated for **community**, sports and recreational uses, subject to the following: etc'.

The Parish Council accepts this proposed addition makes the policy more consistent.

(iv) The Parish Council can advise that the term "in the village" was intended to include sites outside but close to the village envelope.

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Council

13 August 2018