



Newcastle-under-Lyme Local Plan Examination in Public Hearing Statement

Matter 6: Allocations

On behalf of Persimmon Homes (North West) Ltd.

In relation to Site Ref TB23:
Land to the West of Galingale View

Contact: Mr Jon Power (Asteer Planning LLP)

May 2025

CONTENTS

1	INTRODUCTION	1
2	POLICY SA1: GENERAL REQUIREMENTS	2
3	SITE TB23 (LAND WEST OF GALINGALE VIEW)	4

Prepared By: Jon Power (Director)

Asteer Planning LLP, Mynshulls House, 14 Cateaton Street, Manchester, M3 1SQ

Version FINAL

Date: 1st May 2025

1 INTRODUCTION

- 1.1 Asteer Planning LLP has been instructed by Persimmon Homes (North West) Ltd (“Persimmon”) to prepare this Hearing Statement in relation to the Newcastle-under-Lyme (“NUL”) Local Plan 2020-2040 Submission Draft (“Submission Plan”) and the Matters, Issues and Questions (“MIQs”) posed by the Inspector.
- 1.2 Persimmon controls land to the Land to the West of Galingale View (“the site”) which is allocated for residential development as Site TB23 – and which has been promoted through the entirety of the Local Plan process. The site is wholly deliverable (being suitable, available and achievable) for residential development as demonstrated robustly by the evidence presented in duly made representations in August 2023 (at Regulation 18 Stage) and in October 2024 (at Regulation 19 Stage), which have been supported by a Vision Document and Masterplan.
- 1.3 This Statement responds directly to the Inspectors MIQs at Matter 6; however, it should be read in parallel with our detailed Regulation 19 representations. Separate statements have been prepared in respect of the following matters and should be read in conjunction with this Hearing Statement:
- Matter 2 – Spatial Strategy
 - Matter 5 – Housing Supply
- 1.4 Persimmon fully supports the allocation of Site TB23 and considers that the evidence base that has supported its allocation, as it relates to the site, is sound. Proposed Policy TB23 is considered sound, subject to some minor suggested modifications, and Persimmon can demonstrate that the site is entirely deliverable in the first five years of the Plan Period.
- 1.5 Persimmon and NUL have agreed a Statement of Common Ground (“SoCG”) (which can be found at Document EX/NBC/04, p.181, of the Examination Documents) which demonstrates agreement between these parties that Site TB23 is suitable and deliverable.

2 POLICY SA1: GENERAL REQUIREMENTS

Q6.2: Are the requirements of Policy SA1 sound? are there any omissions from the policy? Is it consistent with national policy?

2.1 Persimmon makes the following comments in relation to Policy SA1:

Table 1: Comments on Policy SA1

SA1 Policy Requirement	Persimmon Comment
1. Strategic Considerations - Masterplans	<p>This policy states that <i>"For major sites of 10 or more dwellings or 0.5hectares or more site wide master plans will be prepared by the applicant and agreed with the Council to deliver high quality, sustainable and policy compliant developments. Masterplans will also be required for major commercial sites"</i>.</p> <p>Persimmon consider this requirement to be unnecessary and onerous and should be removed. A masterplan would be submitted as part of a planning application for the site (illustratively if in outline) to demonstrate how the site could be brought forward. It should be made explicitly clear that any masterplan does not need to be submitted or agreed in advance of any application – which would cause considerable delay to any development being brought forward.</p>
2. Affordable Housing	<p>The Policy requires 30% affordable housing on greenfield sites. In accordance with Policy HOU1 (Affordable Housing), Policy SA1 should be modified to make it explicitly clear that the affordable housing requirement can be subject to a robust viability assessment where this level of affordable housing cannot be delivered.</p>
3. Housing Density, Mix and Standards	<p>Persimmon supports residential development delivering an appropriate mix of housing and densities in line with Policy HOU2, which requires sites within the strategic centre of Newcastle-under-Lyme to achieve a net density of around 30-50 dwellings per hectare.</p> <p>The supporting text to HOU2 recommends that, in terms of type of market housing, 75-80% should be provided as houses and</p>

	<p>20-25% evenly split as bungalows and flatted units. Whilst this is not including in the policy wording, Persimmon would object to any prescriptive application of housing type on the Local Plan allocations. Persimmon consider that applying this to its allocations could render a significant number of sites unviable and undeliverable.</p>
<p>4. Design (including sustainability and energy efficiency)</p>	<p>Persimmon generally supports the Local Plan approach to design and sustainability. However, it is important that where specific requirements are imposed (such as M4[2] and M4[3] accessibility thresholds), that the requirements are fully evidenced, justified and viability tested.</p> <p>HOU3 (Housing Standards) requires 10% of market homes to be built to M4(3)(a) and 10% of affordable/social rented homes to be built to M4(3)(b). This is a significant % figure and should be fully evidenced and viability tested. There should also be flexibility in its application, particularly in terms of viability, to ensure that sites are not rendered unviable.</p>
<p>5. Social and Community Facilities</p>	<p>In line with our comments above, it is important that any requirements for contributions are fully justified and evidenced both in the Local Plan and at the planning application stage.</p>

3 SITE TB23 (LAND WEST OF GALINGALE VIEW)

Q3.3: Are the sites allocated for housing sound, and in particular for each of the sites:

a) Have the site constraints been appropriately taken into account in the allocation of the site?

3.1 As set out in Persimmon's response to Matter 2, the Council's evidence base supports the allocation of the site and provides a sound basis for its inclusion in the Local Plan. Persimmon fully supports the allocation of the site and has robustly demonstrated how any site considerations can be mitigated as part of its Vision Document and Masterplan (submitted alongside its Regulation 19 Representations).

3.2 In relation to flood risk (and building on our comments provided at Matter 2) and the Council's additional assessment of Site TB23, prepared in March 2025, Persimmon supports the Council's assessment of the site which states the following in relation to the Sequential Test:

"Located within the Strategic Centre of Newcastle-under-Lyme with the site's southern extent immediately adjacent to a Persimmon residential development (The Hamptons) which has now sold out (according to the developer website as at March 2025). Future flood risk at this site can be managed through sequential approach to layout, with mitigation measures as identified in the detailed FRA (potentially incorporating a detailed hydraulic model) that will accompany any planning application submitted on this site being incorporated. Based on this, the proposed allocation does pass the Sequential Test".

3.3 Persimmon supports the conclusions of the Council's Level 2 SFRA in relation to Site TB23 (document EX/NBC/06c(ix)) and the application of the Sequential Test. Persimmon has also undertaken its own flood risk assessment work, which was prepared by RSK. A masterplan for the site (which is included in Persimmon's Regulation 19 representations) demonstrates how areas of surface water flooding, evident along two ordinary watercourses which cross the site, can be avoided in the masterplanning and development of the site – for both future development parcels and the site accesses. This is in line with the requirements of Policy TB23, which states:

"6. A sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding."

- 3.4 Persimmon, in the preparation of a planning application for the site, will undertake a more detailed site specific FRA to inform the development of the site – in accordance with the key policies in the Submission Plan (including policies SE3, SE4, SA1 and TB23).

b) Are the various requirements set out in the policy clear, justified and effective?

- 3.5 The site is identified as being within Thistleberry, which is part of the Newcastle-under-Lyme Strategic Centre – the top tier of the settlement hierarchy. It is identified to accommodate approximately 124 units. A masterplan, submitted by Persimmon at Regulation 19 stage, demonstrates a deliverable scheme that considers the site constraints and a high quality design, could accommodate approximately 103 units – however, Persimmon supports the proposed site capacity in the Submission Plan and could deliver the mix and type of product (i.e. at a slightly higher density) that could deliver 124 units on the site.
- 3.6 Persimmon **strongly supports** the proposed allocation of the site and consider the site to be fully deliverable and wholly suitable for allocation in the emerging Local Plan.
- 3.7 The detailed draft requirements for the site are set out under Policy TB23. Table 2 below provides Persimmon’s comments and proposed modifications to each requirement:

Table 2: Comments on Policy TB23 Requirements

TB23 Policy Requirement – Development will be permitted subject to....	Persimmon Comment
1. Satisfactorily addressing the allocation requirements set out in Policy SA1 (General Requirements).	Persimmon’s comments on the relevant parts Policy SA1 (General Requirements) are provided in Table 1.
2. No dwellings being occupied before the cessation of the disposal of non-hazardous waste at the Whalley’s Quarry	Persimmon support this requirement and would not look to commence any development prior to this date, or until disposal of non-hazardous waste ceases and the quarry is capped. Persimmon consider this policy requirement (along with requirement 5 below) to provide a sound policy basis for

Landfill Site, currently anticipated December 2026.	ensuring the delivery of the site takes into account the cessation of activity at Walleys Quarry.
3. Primary access to the development being via Galingale View, secondary access via Rosemary Hi and Barnacle Place.	Persimmon fully supports this policy requirement, with access to the site from these highways being fully demonstrated in the Vision Document submitted alongside Persimmon's Regulation 19 Representations.
4. Submission of a coal mining risk assessment, mitigation strategy and development to be located outside the coal mining development high risk zone, the extent of which will be defined by the submitted coal mining risk assessment.	<p>Persimmon generally supports this policy and makes the following comments:</p> <p>A Coal Mining Risk Assessment has been undertaken by Wardell Armstrong that confirms that there is no history of shallow coal mining, surface hazards or mine entries within the site. There is also no current or future proposed extraction of coal, by underground methods, and the site is not within 200m of surface mining where coal is being removed.</p> <p>The Apedale fault is recorded to cross the site, trending NNW – SSE, and the Coal Authority define a thin linear zone incorporating the fault as a Development High Risk zone. This designation is because the Apedale fault has reactivated during and after the cessation of mining activities. Notwithstanding this, bearing in mind that mining ceased in 1988, the risk associated with the future reactivation of this fault generating future ground subsidence is considered low to negligible. It is best practice to avoid building directly over/adjacent to significant geological faults where possible and the design ensures that a "no build" zone has been incorporated into an illustrative masterplan.</p> <p>Based on the above and for policy clarity, Persimmon consider that the extent of the coal mining risk zone should be informed by the Coal Mining Risk Assessment and our proposed modification to this policy requirement is shown across in red.</p>

5. Submission of a land contamination assessment, odour assessment and associated mitigation strategy in relation to the impact of Walleys Quarry.	Persimmon supports this requirement and would submit undertake a detailed assessment of land contamination and odour as part of a detailed planning application.
6. A sequential approach will be taken within the site to direct development to areas at lowest risk of flooding taking account flood risk from all sources including surface water flooding.	The site is located in Flood Zone 1 and the masterplanning of the site will consider areas of surface water flooding. A Flood Risk and drainage assessment will be submitted as part of a detailed planning application to ensure that any surface water drainage from the development will be fully assessed, including how it could be managed via Sustainable Urban Drainage Systems ("SuDS").
7. The enhancement of the existing Public Rights of Way and Green Infrastructure Network.	There are no public rights of way on or adjacent to the site; however, as part of a detailed planning application for the site, Persimmon will seek to enhance permeability and green infrastructure across the development.
8. Financial contributions to improvements in the capacity of local schools and health facilities.	Whilst Persimmon does not object to making contributions to education and health, it is important that any requirements for contributions are fully justified and evidenced.

c) Have the indicative yield, development mix and viability considerations been adequately addressed?

d) Is there robust evidence that the assumptions regarding the infrastructure required for the development are realistic and that it will be deliverable?

e) Is there evidence that the development of the allocation is viable and developable during the plan period?

- 3.8 The site offers an opportunity to bring forward a deliverable site that can deliver a range of economic, social and environmental benefits. It is in a highly accessible location that will support a sustainable pattern of development within the Strategic Centre, underpinning the growth of the town centre and key employers in the west, such as Keele University and its Science Innovation Park.

3.9 The NPPF seeks to ensure that deliverable sites are provided in appropriate locations to meet housing needs and support economic growth. To be considered deliverable, sites should be available, suitable and achievable and should be available to be brought forward within a realistic timeframe once the Local Plan is adopted.

3.10 Persimmon is fully committed to the site and considers that it could be brought forward in the Local Plan period to meet the housing and employment needs of the Borough. In summary the site is:

Available

3.11 Persimmon has control over the entire site and has the track record in housing delivery to bring forward the site during the Plan Period. Persimmon is a hugely experienced housebuilder and has an extensive track record in delivering a diverse range of high-quality new housing developments across the UK.

Suitable

3.12 The site is entirely suitable for a residential development for the following reasons:

- It offers a highly accessible and sustainable location for development within the Newcastle-under-Lyme settlement boundary.
- It would contribute to a sustainable pattern of development as part of the Strategic Centre and is strategically located to support key employers on the western edge of the town, such as Keele University.
- It is within proximity to a range of services and facilities.
- The site has been soundly and robustly assessed in the Council's evidence base – and is clearly demonstrated to be “developable”.
- As part of its Vision Document, Persimmon has undertaken a comprehensive range of technical and environmental assessments to demonstrate that there are no environmental or technical constraints that would prevent the development of the site, subject to suitable mitigation and a sensitive approach to design.
- The site can deliver satisfactory vehicular access and has excellent access to the strategic highway network.

Achievable

- 3.13 An indicative masterplan has been developed that demonstrates how the site responds to its physical characteristics, technical considerations and surrounding context by providing a sensitive landscape-led, deliverable masterplan. An assessment of the site constraints illustrates that delivery of the entire site is achievable, and a professional team of technical experts has been retained to support the detailed design of the site moving forward.
- 3.14 Persimmon has reviewed the economic viability of the scheme in terms of the land value, attractiveness of the locality, level of potential market demand and projected rate of sales in NUL; as well as the cost factors associated with the site including site preparation costs and site constraints. The market attractiveness of the location has been demonstrated by Persimmon's successful developments at the Hampton's and Milliners Green. Persimmon can confirm that the development of the site is economically viable in accordance with the NPPF.

Delivery Trajectory

- 3.15 An assessment of the site by Persimmon's professional team of technical experts demonstrates that the delivery of the entire site in the Plan Period is achievable.
- 3.16 Persimmon anticipate that the site can deliver residential development within the first 5 years of the Plan Period, based on a Local Plan adoption date of Q4 2025 and the capping of Walleys Quarry in December 2026. Table 3 sets out reasonable assumptions for an indicative programme and the key milestones from the Regulation 19 Consultation through to the occupation of dwellings. Based on Persimmon's experience, this programme is considered to be entirely achievable.

Table 1: Site TP23 Indicatives Timescales and Key Milestones

Q3 2024	Regulation 19 Consultation
Q4 2024	Submission of Plan
Q2 2025	Local Plan Examination in Public
Q4 2025	Adoption of Local Plan (subject to Inspector's Report and Recommendations / Main Modifications)
Q2/Q3 2026	Persimmon prepare Detailed Planning Application

Q4 2026	Tipping restricted to inert wastes at Walley Quarry and Capping undertaken / finalised (assumed). If this occurred earlier or later, the application timing and delivery trajectory would be amended to reflect this, as policy TB23 requires no start on site until the cessation of the disposal of non-hazardous waste at the Quarry.
Q1/Q2 2027	Application determined and conditions discharged
Q3 2027	Start on site
Q1/Q2 2028	Occupation of first home
Q2 2030	Development complete (based on a development rate of 40dpa, based on one outlet, for both market and affordable housing).

- 3.37 The above trajectory is realistic based on Persimmon delivering an average of 40dpa, which is consistent with rates of delivery on comparative Persimmon schemes, such as The Hamptons. This is in accordance with the Council's proposed delivery trajectory (Document EX/NBC/04) and the SoCG agreed by Persimmon and NUL.