

Audley Rural Neighbourhood Plan

Submission Version

A Report to Newcastle Under Lyme Borough Council on the Examination of the Audley Rural Neighbourhood Plan

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John Slater Planning Ltd

10th March 2025

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Executive Summary

My examination has concluded that the Audley Rural Neighbourhood Development Plan should proceed to referendum, subject to the Plan being amended in line with my recommended modifications, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- Amending the housing policy, to refer to the built settlements of Alsagers Bank, Halmer End, Miles Green and Wood Lane. Remove the requirement to provide electric car charging facilities in new housing and requirements to demonstrate the flexibility of accommodation.
- The policy regarding the location of business and community facilities to be changed to reflect the modified housing policy.
- Change the emphasis of the sustainable design policy to one of encouragement in the case of reducing carbon impacts and the use of durable materials.
- Cross referencing the shopfront policy to the Borough's Shopfront Guide and the Audley Conservation Area Appraisal.
- Introducing a hierarchical approach to development affecting schemes resulting in the loss of habitat and biodiversity.
- Setting out the policy for the management of development affecting local green space.
- Changing the threshold for the implementation of active travel requirements to those schemes that generate *significant* amounts of additional travel and changing the requirements for creating safe and convenient environment for horse riders to the rural parts of the parish.

The referendum area does not need to be extended beyond the Plan area.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which offers local communities the opportunity to create the policies that will shape the places where they live and work. A neighbourhood plan does provide the community with the ability to allocate land for specific purposes and to prepare the policies that will be used in the determination of planning applications in its area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the saved policies in the Newcastle under Lyme Local Plan and the Newcastle under Lyme and City of Stoke Joint Core Strategy. Decision makers are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been undertaken under the supervision of Audley Rural Parish Council. A Steering Group was appointed to undertake the Plan's preparations made up of parish councillors, and local residents.
3. This report is the outcome of my examination of the Submission Version of the Audley Rural Neighbourhood Plan. My report will make recommendations, based on my findings, on whether the Plan should go forward to a referendum. If the Plan then receives the support of over 50% of those voting at the referendum, the Plan will be "made" by Newcastle Under Lyme Borough Council.

The Examiner's Role

5. I was appointed by the Newcastle Under Lyme Borough Council in November 2024, with the agreement of Audley Rural Parish Council, to conduct this examination.
6. For me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 46 years' experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant and director of my neighbourhood planning consultancy, John Slater Planning Ltd. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of the Newcastle Under Lyme Borough Council and Audley Rural Parish Council, and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
7. Under the terms of the neighbourhood planning legislation, I am required to make one of three possible recommendations:

- That the Plan should proceed to referendum on the basis that it meets all the legal requirements.
 - That the Plan should proceed to referendum, if modified.
 - That the Plan should not proceed to referendum on the basis that it does not meet all the legal requirements.
8. Furthermore, if I am to conclude that the Plan should proceed to referendum, I need to consider whether the area covered by the referendum should extend beyond the boundaries of the area covered by the Audley Rural Neighbourhood Plan area.
 9. In examining the Plan, the Independent Examiner is expected to address the following questions:
 - Do the policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - Does the Neighbourhood Plan meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 - namely that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and that it must not cover more than one Neighbourhood Plan area.
 - Has the Neighbourhood Plan been prepared for an area designated under Section 61G of the Town and Country Planning Act 1990 and been developed and submitted by a qualifying body?
 10. I can confirm that the Plan, only relates to the development and use of land, covering the area designated by Newcastle Under Lyme Borough Council, for the Audley Rural Neighbourhood Plan, on 21st December 2020.
 11. The cover page of the submission version of the plan does not indicate the time horizon for the plan. However, within the Introduction, it does state that the plan will be in force from 2024 to 2042, and I will be recommending that the date should be included in the title of the plan on the front cover.
 12. I can confirm that the Plan does not contain policies dealing with any “excluded development”.
 13. There are no other neighbourhood plans covering the area covered by the neighbourhood area designation.
 14. I am satisfied that Audley Rural Parish Council as a parish council can act as a qualifying body under the terms of the legislation.

Recommendation

That the title of the plan should be Audley Rural Neighbourhood Plan 2024-42

The Examination Process

15. Once I had reviewed the submitted documents, my first task was to conduct a site visit to the parish. That was carried out on Monday 13th January 2025.
16. I spent the whole day in the parish – starting in Audley and then visiting Bignall End, Wood Lane, Miles Green, Halmer End, Alsagers Bank and Scot Hay. I visited most of the proposed local green spaces and I also drove around some of the more peripheral rural parts of the parish.
17. Upon my return from Staffordshire, I have prepared a document entitled Initial Comments of the Independent Examiner dated 16th January 2025. In that document, I advised the parties that I would be able to deal with the examination without the need to call for a public hearing. I asked a series of questions which were mainly directed at the Parish Council but also Newcastle Under Lyme Borough Council. I received a response from both parties on 6th February 2025.

The Consultation Process

18. The Parish Council decided to prepare a neighbourhood plan in November 2020 and a Steering Group was recruited and held its first meeting in April 2021. During the first year there were a number of opportunities taken to promote public awareness of the plan, including engaging young people through the design of the neighbourhood plan's logo. The early engagement activity covered a range of issues such as community infrastructure, design, housing, historic environment, local green space, movement and travel and the natural environment.
19. Early in 2022 a business questionnaire was circulated along with the householder questionnaire. Contact was made with key stakeholders, landowners and tenants in October 2022 when the plan was looking to identify local green spaces.
20. In November 2022, a second leaflet was distributed to all properties in the parish group regarding the identification of local green space.
21. All this preparatory work culminated in the preparation of the Pre-Submission version of the plan which was the subject of a six-week public consultation known as the Regulation 14 Consultation which ran from 16th October 2023 to 27th November 2023. This generated written responses from 18 residents as well as a number of stakeholders and statutory consultees. These are fully set out in the tables in Section 4 of the Consultation Statement.
22. I am satisfied that the Parish Council actively sought the views of the local community whilst preparing this plan.

Regulation 16 Consultation

23. There was a period of final consultation, which took place over a six-week period, between 4th November 2024 and 16th December 2024. This consultation was organised by Newcastle Under Lyme Borough Council, prior to the Plan being passed to me for its examination. That stage is known as the Regulation 16 consultation.
24. In total there were 22 responses received; from National Highways, Historic England, Natural England, Canal and River Trust, The Coal Authority, Sports England, United Utilities, Staffordshire Police, Newcastle under Lyme Borough Council, Environment Agency, Staffordshire County Council and the County Council's Property Dept. In addition, representations were submitted by WSP on behalf of the Harworth Group PLC, Planning Prospects on behalf of Indurent Management Ltd, plus from six local residents. I have read all the representations and will refer to them, where relevant, when I come to consider my recommendations.

The Basic Conditions

25. The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of "soundness". The Neighbourhood Plan is tested against what are known as the Basic Conditions as set down in legislation. It will be against these criteria that my examination must focus.
26. The five questions, which seek to establish that the Neighbourhood Plan meets the basic conditions test, are: -
- Is it appropriate to make the Plan having regard to the national policies and advice contained in the guidance issued by the Secretary of State?
 - Will the making of the Plan contribute to the achievement of sustainable development?
 - Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
 - Will the making of the Plan breach or be otherwise incompatible with EU obligations or human rights legislation?
 - Will the making of the Plan breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended)?
27. Just before Christmas 2024, the Government released an updated version of the National Planning Policy Framework (NPPF). Paragraph

239 addresses the question of the Framework's implementation and confirmed that only neighbourhood plans submitted after 12th March 2025 will be subject to the policies outlined in the new NPPF. I can confirm that I will be evaluating this neighbourhood plan based on the previous version December 2023 of the Framework. I will be referring to paragraph numbers from that version of the document for the purpose of this examination. However, there would be a benefit in updating paragraph numbering in the Referendum version in the interest of clarity.

Compliance with the Development Plan

28. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the adopted Development Plan, which in this case are the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, adopted in October 2009 and the saved policies of the Newcastle under Lyme Local Plan adopted in 2003. It also includes the Minerals Local Plan for Staffordshire and the Staffordshire and Stoke-on-Trent Waste Local Plan, but the latter two documents are not relevant to the plan as they cover matters which the legislation designates as "excluded development". Much of the neighbourhood plan area lies within the Green Belt.
29. The plan area falls within the area which is covered in the Joint Core Strategy by the Rural Area Spatial Policy. This covers the Green Belt and the villages of Audley, Bignall End, Wood Lane, Miles Green and Alsagers Bank. The whole of Audley Parish is described within the settlement hierarchy as being a rural service centre, which is one of a small number of rural settlements in the borough which provide the most comprehensive range of essential services and where development is aimed at maintaining the sustainability of the parish.
30. The key policy for this area is Policy ASP6 which looks to the delivery of a maximum of 900 net additional dwellings to be "primarily located on sustainable brownfield land within village envelopes, including the villages of Audley Parish, to meet identified local requirements". High expectations regarding design quality are set out in Policy CSP1.
31. Of the saved policies in the Newcastle Under Lyme Local Plan, Policy S3 deals with development in the Green Belt. Policy H1 permits developments within "village envelopes".
32. In December 2024, after the neighbourhood plan was formally submitted under Regulation 15, the Borough Council submitted the Newcastle under Lyme Local Plan to the Secretary of State for public examination. This development plan covers the period 2020 to 2040.
33. This new local plan envisages the delivery of at least 8000 dwellings by 2040 as well as a new sub regional, logistics focused, employment development at Junction 16 of the M6.

34. The draft plan sets a new settlement hierarchy, which departs from the previous local plan, in that only Audley and Bignall End are identified as a rural centre. The remaining areas of Audley Rural Parish would be designated either Green Belt or Countryside.
35. Policy PSD 3 sets out a requirement for approximately 250 new homes in Audley and Bignall End together. This level of growth is intended to be commensurate with their role as rural centres. It sees the other settlements as only having limited infrastructure to support strategic scale growth. The housing growth of the other settlements will it states be delivered through community led development, rural exception sites and neighbourhood plans.
36. As a departure from the currently adopted plans, only the identified rural centre of Audley / Bignall End will have a settlement boundary, and the rest of the parish will be classed as open countryside apart from those areas within the Green Belt. The proposed relevant policy for these residual areas is Policy PSD 4: Development Boundaries and Open Countryside. This sets out the circumstances where residential development will be supported, including the infilling of a small gap with one or two dwellings in an otherwise built-up frontage and rural first home /exception sites. Policy for the Green Belt areas is set out in Policy PSD 5.
37. The new emerging local plan sets out its design expectations in Policy PSD 7 and Policy CRE 1 is a policy to address climate change. Audley is identified as a district centre in terms of retail policy, in Policy RET1.
38. The emerging local plan makes 3 site allocations for residential development in the parish.
- Site AB12 Land east of Digwell Street
 - Site AB15 Land north of Vernon Avenue
 - Site AB33 Land off Nantwich Road/ Park Lane
39. In addition, Site AB2 is allocated for the strategic employment site at Junction 16 of the M6.
40. This local plan is still in final draft form and has not yet been through its public examination, however it does demonstrate a direction of travel in terms of how the Borough Council sees the evolution of its spatial strategy. I will be discussing the implications of the change in the treatment of the different settlements in the relevant policy section of this report.
41. My overall conclusion is that the Neighbourhood Plan is in general conformity with the strategic policies in the Newcastle under Lyme Borough Council Local Plan 2011 and the Joint Core Strategy (saved policies).

Compliance with European and Human Rights Legislation

42. Newcastle Under Lyme Borough Council, in a screening report prepared in January 2023 considered whether a full Strategic Environmental Assessment (SEA), as required by EU Directive 2001/ 42/ EC, which is enshrined in law by the “Environmental Assessment of Plans and Programmes Regulations 2004” would be required. That concluded that the plan would be unlikely to have any significant environmental effects and accordingly a full SEA would not be required. The 3 statutory consultees agreed with that assessment.
43. Separately, Newcastle Under Lyme Borough Council as the “competent authority” was required to screen the plan under the Conservation of Habitats and Species Regulations 2017 - the Habitat Regulations. This looked at whether the neighbourhood plan had the potential to have any significant adverse impacts on any European protected site, the nearest of which are Betley Mere Ramsar Site, Black Firs and Cranberry Bog Ramsar Site, Wybunbury Moss Ramsar site / SAC and Oakhanger Moss Ramsar Site.
44. The report concluded that there would be no adverse impact on any of these European protected sites and an Appropriate Assessment would not be required.
45. I am satisfied that the basic conditions regarding compliance with European legislation, including the 2017 introduced basic condition regarding compliance with the Habitat Regulations, are met. I am also content that the plan has no conflict with the Human Rights Act.

The Neighbourhood Plan: An Overview

46. Audley Rural Parish Council is to be commended for grasping the opportunities of producing a locally distinct neighbourhood plan, allowing the community to prepare the planning policies which will cover the neighbourhood area, for the period up to 2042.
47. I am impressed that so many of the policies meet the basic conditions without requiring modification and where I have deemed them necessary it is often to ensure that they have had regard to the policy and advice issued by the Secretary of State.
48. This plan is being prepared in advance of the public examination of the new district wide local plan which will set the strategic direction for the borough over the same plan period. Under the heading of Policy ANP1, I discuss the changing status of the villages which will no longer be defined as rural service villages. It is not my place to offer my opinion on that change, but I have proposed modifications which reflect my perception of the built up nature of the four villages, apart from Audley and Bignall End and the clear desire of the plan to still recognise they may have a role in accommodating

development, both housing and commercial, despite the draft local plan removing their settlement boundary and designating them as countryside.

49. The neighbourhood plan has policies that cover not just the location for new housing, but also seeks to ensure that it meets local need, it includes policies which support new and existing businesses, sets design expectations and protects the heritage of the parish and looks to protect and enhance the green infrastructure of the parish both in terms of its habitat and biodiversity, whilst also protecting the open spaces which are demonstrably special to local residents and promote active transport. I am therefore satisfied that the neighbourhood plan when taken as a whole, will deliver sustainable development.
50. My examination has concentrated on the wording of the policies, rather than the contents of the supporting text and the interpretation sections.
51. As a result of some of my recommendations there will need to be some consequential changes to the supporting text. It is important that the supporting text reflects the policy changes so that the plan still reads as a coherent statement of policy. The Parish Council has highlighted in its response to my Initial Comments, other changes it wishes to see in the supporting text, often to cross reference the Audley Rural Parish Design Guidance and Codes document. I have no objection to that, but I feel that it is beyond my scope as examiner, as my remit is restricted to matters of the basic conditions and the other legal requirements.
52. I will leave it to the Steering Group, to work with the planners at Newcastle Under Lyme Borough Council to agree the changes to the supporting text when it is preparing the Referendum Version of the plan, which will have to be published alongside the Decision Statement.

The Neighbourhood Development Plan Policies

Policy ANP1: Residential Development

53. In terms of the location for new housing development, this policy essentially supports new housing, outside of the Green Belt, to sites within the settlement boundaries of the six settlements which currently are shown on the Proposals Map and are set out in Figures 3.3 to 3.8 of the plan. That is consistent with the approach set out in the current adopted development plan.
54. The approach being proposed in the emerging local plan only identifies the settlements of Audley and Bignell End as villages with a settlement boundary. These are the only areas in the parish which are identified as

being suitable for strategic growth and include housing allocations, with consequential changes to the Green Belt boundary. The remaining villages will no longer have settlement boundaries, and the Borough Council has confirmed that they ought to be treated as open countryside. This change in policy direction stems from an analysis carried out by the Borough Council of the services available within the settlements, set out in the Rural Area Topic Paper published in July 2024.

55. My consideration focuses on the fact that, for the purpose of the basic conditions, the part of the policy which continues to support development within these settlements is in general conformity with the existing local plan. However, once the new local plan reaches adoption, it could be argued that there is a potential conflict between what will then be the more recently adopted new local plan and the neighbourhood plan, especially when the settlement boundaries are removed in the local plan.
56. I raised this as an issue in my Initial Comments document. The Parish Council has recognised this as an issue and has suggested an alternative form of wording for the policy, which apart from referencing the settlement boundaries of Audley and Bignall End, is suggesting that the policy references “the **built settlements** of Alsagers Bank, Halmer End, Miles Green and Wood Lane”.
57. The Borough Council in its response refers to these as “inset settlements”. It claimed that the settlements of Audley and Bignall End, with retained settlement boundaries, have the potential to accept a greater scale of development than the other settlements in the parish. However, it accepts that a more limited role could still be played by the other settlements in terms of accommodating development, and this is recognised in the text of the emerging local plan.
58. When I was on my site visit, I was struck that some of these smaller settlements contain social facilities such as primary schools serving the wider area, and indeed, other community facilities. As such, I conclude that it is not unreasonable for this neighbourhood plan policy to recognise that these settlements can continue to play some role in terms of accommodating new development, as in my judgement, that could still constitute a sustainable form of development.
59. Furthermore, I am reinforced in my view by the advice set out in the NPPF that one of the roles of a neighbourhood plan is to offer the community “the power to develop a shared vision for the area”. It is also possible for a neighbourhood plan to promote more but not less housing than envisaged by a local plan. I am satisfied that retaining the support for new housing in these other settlements, albeit with the revised wording proposed by the Parish Council, will reflect the community’s aspirations for a continued role for new housing, without necessarily undermining the future strategic policies, which may, in time, emerge if the new local plan is adopted in its current form. I am therefore satisfied, that subject to the modifications, this first part of this policy meets the basic conditions.

60. I have no comments to make in respect of the parts of the policy dealing with housing mix and the components of the affordable housing elements.
61. I did raise with the Parish Council what its expectations are, as set out in part 4 of the policy when it requires dwellings to be flexible to accommodate different needs, including homeworking. This statement of policy, as drafted, lacks precision as to what actually is expected to be delivered in terms of a new dwelling's layout or specification. The Parish Council has now suggested that this aspiration could be moved to the supporting text, and I would have no objection to that suggestion.
62. The obligation in part 5c) for electric charging points to be provided for new dwellings is now a requirement set out in Part S of the Building Regulations and there is no benefit in duplicating that requirement.
63. I have no other comments to make in respect to this policy.

Recommendations

Replace 1a) with "Within the settlement boundaries of Audley and Bignall End or within the built settlements of Alsager Bank, Halmer End, Miles Green and Wood Lane;

Delete 4.

Delete 5c)

Policy ANP2: Business and Community Facilities

64. The same issue regarding restricting development to within settlement boundaries, applies equally to this policy and I will be recommending the same modifications as proposed to Policy ANP1 by the Parish Council.
65. The final element of the policy requires "superfast broadband" but the provision of the service is a matter for the broadband supplier, in which case there are different suppliers available. I do recognise the importance of this infrastructure in modern day living/ working but I will recommend the policy should require the installation of the appropriate infrastructure such as ducting to allow that service to be installed.
66. Beyond that I have no comments to make on this policy.

Recommendations

Replace 1a) with "Within the settlement boundaries of Audley and Bignall End or within the built settlements of Alsager Bank, Halmer End, Miles Green and Wood Lane;

In 3. After 'include' insert "the necessary infrastructure including ducting, to allow for the installation of"

Policy ANP3: Audley Village Centre

67. I have no comments to make on this policy.

Policy ANP4: Sustainable Design

68. In terms of the way the policy is drafted, it appears that paragraphs 2 to 10 are meant to be subservient to the requirements in paragraph 1 which refers to “developments being well designed and locally distinctive” by “meeting the following requirements”. The remainder of the requirements should in my view be retained in the policy rather than being moved to the supporting text as these are important policy requirements. I also consider the policy needs to be caveated so that its provisions only applied where it is “appropriate” to the development rather than being “proportionate to the scale and nature of the development” which implies that it will be appropriate, to some extent, to include them in every application”.
69. I believe imposing expectations that all development should include positive features which reduced carbon impact is not a matter that a decisionmaker will necessarily be able to judge, as it is not sufficiently precise as to what a decision maker is expected to be able to judge in terms of how a proposal actually will reduce carbon impacts. I will propose that the development which features measures to reduce carbon impact will be “encouraged”.
70. Similarly, requirements to use quote “durable materials” with a high standard of finish is not a matter that can be determined at planning applications stage as the durability of materials and the quality of workmanship goes beyond the scope of planning control. Again, the policy can be modified so as to express support for proposals that seek to achieve these outcomes.

Recommendations

- In 1. after “locally distinctive” insert “where it is appropriate
Replace the numbering “2- 10” with “a)-j)”***
- In 4. replace “should” with “which” and after “carbon impacts
and” insert “will be encouraged as well as”***
- In 6. replace “should” with “which” and after “finish” insert “will
be encouraged ”***

Policy ANP5: Audley Conservation Area

71. My only comment on this policy is that some developments within the conservation area may not need to reflect the characteristics identified in a to h. I therefore propose to a modification to state they will be applied “as appropriate”.

Recommendation

- In 1. after “characteristics” insert “as appropriate”***

Policy ANP6: Character of Settlements

72. Again, I have no substantive comments to make on this policy apart from the need to caveat it “as appropriate”

Recommendation

In 1. after “characteristics” insert “as appropriate”

Policy ANP7: Heritage

73. I have no comments to make on this policy.

Policy ANP8: Shopfronts

74. My initial concern, following my site visit was whether applicants would know whether the first part of the policy would apply to their development i.e. would they consider it was a historic shopfront or contained short front features which should be retained? The Parish Council felt that identifying the properties at this stage would not be practical.

75. I am satisfied this is a matter that can be resolved at the development management stage and does not necessarily raise any issues in respect to the basic conditions. I do agree with the Parish Council that the text could hopefully cross reference guidance as set out in the Borough Councils Shopfront Design Guidance.

Recommendation

At the end of 1. insert “having regard to the guidance set out in the Newcastle under Lyme Shopfront Design Guide and the Audley Conservation Area Appraisal”

Policy ANP9: Natural Environment and Landscape

76. In terms of the first element of the policy, I consider that the wording is too prescriptive in stating that “development should not harm the parish’s green landscapes, wildlife corridor, habitat and biodiversity”. The approach advocated by the Secretary of State in paragraph 186 of the Framework refers to a hierarchy of avoidance, mitigation and compensation for harm to habitats and biodiversity. I propose to substitute the language set out in the interpretation paragraph of the policy.

77. I did question the need for policy dealing with the gaps between settlements as these fall within the Green Belt which prevents the coalescence of the villages. However, I do now appreciate that in addition to maintaining openness, this policy is more orientated to protecting the landscape setting of the individual settlements.

78. With regard to the protection of trees in 3. I consider that more flexibility is also required in the drafting which currently states that existing mature

trees should be retained. I believe that the need for some pragmatism is acknowledged in the requirements set out in 3b) which accepts that in some circumstances trees may be lost to allow development to proceed. I will propose a suitable modification in a) to allow some additional flexibility

79. The fourth element states that development “must not harm” the range of protected sites. However, this goes beyond the approach set out in the NPPF which, for example, allows the felling of ancient trees where there are exceptional circumstances. I feel that to bring the policy into line with national policy there should be a caveat “except in exceptional circumstances where the public benefit would clearly outweigh the loss or deterioration of habitat”.

Recommendations

Replace 1. with “development should seek to avoid, or if not possible, mitigate and as a last resort compensated for the harm to biodiversity including restoring damaged or lost habitat and should take opportunities to enhance Audley’s green landscapes, wildlife corridors, habitat and biodiversity”

In 3a) insert at the start “Wherever feasible,”

At the start of 4. insert “Except in exceptional circumstances where the public benefit would clearly outweigh the loss or deterioration of habitat,”.

At the end of 5. insert “as shown in Figure 6.12”

Policy ANP10: Green Infrastructure

80. I have no comments to make on this policy.

Policy ANP 11: Local Green Space

81. I have considered the evidence supported the proposed designation. There were objections to the inclusion of a number of school playing fields on behalf of the Education Authority, although I have been advised that in some cases the schools themselves did not object to the proposed designation.
82. In my Initial Comments I did challenge the Parish Council on the lack of justification for the inclusion of these school sites and revised information has been submitted which in my opinion, have substantiated the case for their inclusion as local green space.
83. I have considered the question as to whether the areas identified meet the criteria set out in paragraph 102 of the NPPF and I am satisfied that the case has been made as they are, in different ways, special to the local community and I am reinforced in that view by the extent of local consultation that led to their identification during the neighbourhood plan making process.

84. As well as identifying the local green space I believe the policy should also establish the planning requirements for development which affects the green spaces, and I will be proposing a form of wording which reflects the approach of the Secretary of State as set out in paragraph 107 of the NPPF.

Recommendation

Insert at the end of the policy "The policy for managing development within these local green spaces should be consistent with policies for the control of development within the Green Belt."

Policy ANP12: Transport and Active Travel

85. I do not consider that it is a proportionate requirement to expect every applicant proposing development that could generate additional travel to have to go to the lengths set out in the first element to the policy. I believe the threshold should be set, in accordance with the advice set out in paragraph 157 of the Framework which refers to developments which generate "significant amounts of movement".

86. I also believe that the policy should clarify the considerations regarding the assessment of traffic on residential amenity, I believe that this will be difficult in environment of a quiet cul de sac site compared to properties on a major through route. I believe that can be included along the lines suggested by the Parish Council by including the text in the interpretation

87. I note and support the plan's desire to create safe and convenient environment for horse riders, but I disagree with the Parish Council that the requirements should be applied within all the built settlements. There will be some developments where it would, in my experience, be nonsensical to include specific facilities for equestrian users, say within the Audley Conservation Area or indeed in some residential areas. I am proposing modifications so that the policy is targeted at the areas likely to be used by horse riders.

Recommendations

In 1. insert "significant amount of" before "additional travel"

In 4. before "horse riders" insert "within the rural parts of the plan area"

Policy ANP13: Local Energy Generation

88. This policy does not raise any issues related to the basic conditions.

The Referendum Area

89. If I am to recommend that the Plan progresses to its referendum stage, I am required to confirm whether the referendum should cover a larger area than the area covered by the Neighbourhood Plan. In this instance, I can confirm that the area of the Audley Rural Neighbourhood Plan as designated by Newcastle under Lyme Borough Council on 21st December 2020 is the appropriate area for the referendum to be held and the area for the referendum does not need to be extended.

Summary

90. I congratulate Audley Rural Parish Council on reaching a successful outcome to the examination of its neighbourhood plan.
91. This is a locally distinctive plan which deals with the issues that are important to the community. The plan is supported by a raft of supporting documents including the Design Guide and Codes and Housing Needs Assessment, Local Green Space Audit Report and Heritage Assets which provide a sound evidence base for the plan.
92. To conclude, I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test, and that it is appropriate, if successful at referendum, that the Plan be made.
93. **I am therefore delighted to recommend to Newcastle Under Lyme Borough Council, that the Audley Rural Neighbourhood Plan, as modified by my recommendations, should proceed, in due course, to referendum.**

JOHN SLATER BA(Hons), DMS, MRTPI, FRGS
John Slater Planning Ltd
10th March 2025