

**NEWCASTLE-UNDER-LYME AND
STOKE-ON-TRENT
CORE SPATIAL STRATEGY EXAMINATION**

**INSPECTOR'S FINAL SCHEDULE OF
MATTERS AND ISSUES FOR EXAMINATION**

Pre Hearing Meeting: 10.00 on Tuesday 3 March 2009

Hearings commence: 10.00 on Tuesday 21 April 2009

***Venue: The Sutherland Institute, Lightwood Road, Longton ST3
4HY***

Inspector: Jean Jones MA DipTP MRTPI

Programme Officer: Gloria Dix
(Jenny Hough from 20 March-6 April incl.)
Directorate of Regeneration
Floor 3
Civic Centre
Glebe Street
Stoke-on-Trent ST4-1RF
Tel: 01782 234749
E:mail: examination@stoke.gov.uk

SCHEDULE OF MATTERS AND ISSUES FOR EXAMINATION

1. This Schedule of Matters and Issues for Examination has been prepared by the Inspector to guide and focus the discussion at the hearing sessions of the examination into the Core Strategy. It has been prepared using the Planning Inspectorate's guide to assessing soundness¹, having regard to the representations made to the Core Strategy.
2. For each Matter or topic it sets out a series of Issues in the form of questions on which the Inspector invites responses from the listed participants, whether they are relying on written representations or opting for an oral hearing. Participants are invited to respond to any questions that are related to their original representations in brief statements (no more than 3000 words per issue/policy). Six paper copies plus an electronic copy if possible should be received by the Programme Officer **no later than Tuesday March 31st 2009**.
3. Where possible, participants should refer to information in previous representations and Core Documents to avoid unnecessary repetition. However, please note that the Inspector only has copies of the representations made at formal submission stage. It is important that the responses include all the evidence and supporting material and, for the Council, reference to the evidence base.
4. All material which participants wish to put before the Inspector or refer to at the hearings or in writing should be submitted by the deadline indicated to ensure the efficient running of the examination process. The submission of late information or evidence could seriously disrupt the hearing sessions and it is unlikely to be accepted. Statements of Common Ground, which assist the examination by reducing the items at issue, may be an exception to the deadline but should be flagged up with the Programme Officer.
5. Detailed agendas and statements for the hearing sessions will be circulated after 31 March. The lists below each Matter in this document show those attending the hearing sessions, based on the latest information in the database. If participants wish to attend or not attend a particular session, **they should let the Programme Officer know as soon as possible**. Participants who share a common case are encouraged to join together to reduce repetition and assist the efficient running of the hearing sessions. The timetable may be varied and participants should regularly check on the website or with the Programme Officer.
6. Participants are reminded that the Examination focuses on the tests of soundness. They should specify the exact wording for any proposed changes to the CS, with clear evidence to support this course of action where necessary.

¹ *Local Development Frameworks – Examining Development Plan Documents: Soundness Guidance July 2008*

MATTER 1 – Legal and procedural issues, proposals map and key diagram.

(Legal/procedural tests (a) – (h) were covered in the Councils’ self assessment and at a question and answer session at the Pre Hearing Meeting)

- (a) Has the Core Strategy (CS) been prepared in accordance with the current Local Development Schemes (LDS) and have the relevant details in the LDS been met in respect of the role, rationale and scope of the Core Strategy?
- (b) Has the CS been prepared in compliance with the Statements of Community Involvement?
- (c) Has it had regard to the policies of all the relevant Sustainable Community Strategies?
- (d) Has the CS been subject to Sustainability Appraisal? Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the Core Strategy from the start?
- (e) Has an Equalities Impact Assessment been carried out? Is this relevant to soundness?
- (f) Have the 2004 Regulations (as amended) been complied with in terms of publication of documents, advertising and notification?
- (g) Is there confirmation that the CS is in general conformity with the Regional Spatial Strategy?
- (h) Have the requirements regarding Appropriate Assessment been satisfied?

-
- (i) Does the CS contain any policies or proposals that are not consistent with national policy and, if so, is there local justification?
 - (j) Does it contain policies that do not add anything to existing national guidance?
 - (k) Is the Addendum necessary for soundness? Is it supported by evidence and is there a need for further sustainability appraisal or consultation?
 - (l) Does the CS reflect the concept of spatial planning? Does it go beyond traditional land use planning by bringing together and integrating policies for development and the use of land with other policies and programmes from a variety of agencies/ organisations that influence the nature of places and how they function?
 - (m) Has the consultation allowed for the effective engagement of all interested parties?
 - (n) The CS states which saved development plan policies it supersedes. Should more policies be added to this list eg. IP1?

Proposals map and key diagram

- (o) Does the proposals map show the appropriate information, for example natural assets?
 - (p) Is its notation regarding minerals sufficient to provide a firm foundation for minerals planning in the future for Stoke-on-Trent?
 - (q) Are the town centre boundaries on the proposals map (from the Local Plans) now being used to apply different policies from the CS?
 - (r) Are the town centre insets with protected shopping frontages still part of the proposals map?
 - (s) Are the arrangements for defining detailed boundaries of areas shown in the key diagram appropriately delegated to future DPDs (see point 12 of CCD3)?
 - (t) Policy SP1 refers to the North Staffordshire Regeneration Zone. Should this be shown on the Key Diagram?
 - (u) Where is the boundary between the urban and rural areas defined? Is it the Green Belt boundary?
 - (v) Should the areas of housing intervention on plans 5, 6 and 7 be numbered as per the key diagram and should a schedule relating the numbers to names be provided on the Key Diagram and plans 5 and 7?
 - (w) Are any more diagrams required to assist understanding?
-

Participants:

Attending Hearing

Norcros Holdings (Hulme Upright Manning)
Mr DED Johnson & RAH Perkins (KJD)

Written representations

British Waterways Board
Churchill China/British Waterways (GVA Grimley)
GOWM
Morston Assets (Tyler Parks Partnership)
Natural England
Spode (Gerald Eve)

MATTER 2 – Overall strategy

- (a) Is the chosen approach the most appropriate given the reasonable alternatives?
- (b) Is there a clear audit trail showing how and why the preferred strategy/approach was arrived at?
- (c) Does the Core Strategy (CS) adequately expand upon regional guidance rather than simply duplicating it?
- (d) Does the CS provide clear and suitable guidance for the next level of DPDs?
- (e) Are there any cross boundary issues, if so, have they been adequately addressed?
- (f) Is it clear how the policies will meet the objectives? Are there any obvious gaps in the policies, having regard to the Strategic Aims?
- (g) Are the policies internally consistent?
- (h) Are the six sub area spatial strategies intended to be policies or description?
- (i) For example, the sub area spatial strategy for rural areas appears to provide criteria for the location of development. Would this more properly be included in policy SP1?
- (j) Should policy SP1 provide guidance as to the strategy for areas outside those listed in its point 1?
- (k) How will it be decided whether land is within the significant urban centres (SP1 point 1)
- (l) Is there a need to amend the proposals map to recognise the Wedgwood estate as a major developed site in the Green Belt? What would be the implications of that?

Participants:

Attend hearing

Bovale Homes (Harris Lamb)
Capital Shopping Centres
(Nathaniel Lichfield and Partners)
M Cannon & O Kirk; Norcros
Holdings (Hulme Upright
Keele University
Manning)
Natural England
RENEW (GVA Grimley)
Wale Developments Ltd (The
Planning Consultancy)
Wardell Armstrong

Written representations

Churchill China/British Waterways
(GVA Grimley)
Claymoss Properties

Congleton Borough Council
Dr Jan Bridges
CPRE
Dyson s Industries Ltd (Atisreal)
GOWM
Mr DED Johnson & RAH Perkins
(KJD)
MP Kidsgrove (Cerda Planning)
M Wolfe
Morston Assets (Tyler Parks
Partnership)
Realty Estates (Harris Lamb)
Times Square/SJ Salisbury
(Harris Lamb)
University Hospital of North
Staffordshire NHS Trust (GVA
Grimley)
Wedgwood

MATTER 3 – Transport

- (a) Is the strategy in line with national and regional guidance?
 - (b) Have the priorities for transport infrastructure been prepared?
 - (c) Is it clear who would provide or fund it and when it would come forward?
 - (d) Is the strategy in accordance with and supported by the Local Transport Plan?
 - (e) Is the strategy about park and ride sufficiently clear both in terms of locations and timetable for providing them?
 - (f) Are there any major items of transport infrastructure that are high risk and would impede the overall strategy if they were not delivered?
 - (g) What are the implications for the trunk road network?
 - (h) Bearing in mind that the overall level of growth is set by the RSS, is it satisfactory to leave detailed transport assessment to be dealt with as part of subsequent site allocation DPDs?
 - (i) Are improvements to the bus services based on realistic expectations for funding and timing?
 - (j) Does the CS contain sufficient policy and proposals for improving access to jobs and services for those living in the rural areas?
-

Participants:

Attend hearing

Highways Agency (GVA Grimley)
Morston Assets (Tyler Parks Partnership)
Staffordshire County Council

Written representations

CPRE
British Waterways Board
Claymoss Properties Ltd (King Sturge)
Councillor Nixon

MATTER 4 - Housing

Housing density and mix

- (a) Does the Core Strategy (CS) provide for a range of housing types, tenure and mix to cater for existing/future needs and stem out-migration?
- (b) The CS refers to lower densities being needed to improve the existing mix of housing. Is there evidence of a local justification for that, should it be specified in a CS policy or is it for a later DPD?
- (c) Is it realistic to expect housing densities to remain at about 50dph overall for both authorities? (in monitoring target)

Housing numbers

- (d) Is clarification needed in respect of the RSS guidance on demolitions, the RSS housing targets and the housing delivery numbers in the CS?
- (e) Has it been demonstrated that the Councils can bring forward a 5 year and 15 year supply of land in accordance with PPS3?
- (f) Is the CS consistent with the RSS targets being minima not ceilings?
- (g) Do the proposed extra care facilities count as new dwellings if they result in existing dwellings being vacated for reuse?
- (h) Have the SHLAAs been completed in accordance with good practice guidance? If not, are they sufficiently advanced to demonstrate the housing land supply for the plan period?
- (i) Will the CS have the flexibility to provide for higher housing targets if these result from the RSS Phase Two Revision?

Housing distribution

- (j) Is the distribution of new housing across the sub areas supported by the evidence?
- (k) Should there be less concentration on the Inner Urban Core and more flexibility in allowing residential development elsewhere, possibly on greenfield or Green Belt land?
- (l) Policy SP1 indicates that new housing will primarily be focused to (amongst other locations) 'areas of intervention' identified by RENEW North Staffordshire. Is it appropriate to rely on designations contained in documents which are outside the development plan system and may not have been subject to robust scrutiny?
- (m) How can it be assessed whether development will harm RENEW intervention?
- (n) How will delivery be managed (in line with paras 62-67 of PPS3) to ensure that the strategic aims of the CS are met?
- (o) Para 38 of CCD4 refers to two possible scenarios for the housing trajectory. Does the Core Strategy include the remedial action to be taken if the drop in completions looks to be leading to a shortfall against plan targets?

- (p) How will priorities be decided? If there is an over abundance of previously developed land (PDL) in Stoke, how does the CS guide the next level of DPD to make choices between competing areas of PDL?
- (q) Will there be any cross boundary pressure on services and infrastructure, for example between Kidsgrove and Congleton as a result of proposed housing development?

Affordable housing

- (r) Are the thresholds and percentages in CSP6 justified by up to date evidence of need and viability?
- (s) Should the policy be reworded to allow more flexibility if viability is an issue for individual proposals?
- (t) Is the nil requirement for affordable housing in the City Centre justified? Should this also apply to Newcastle town centre?
- (u) Does the Core Strategy provide for the needs of gypsies and travellers in accordance with national and regional policy?
- (v) Is the monitoring target for gypsies and travellers sufficiently clear? Should it say where the 'identified need' is to be found?
- (w) Should policy CSP7 provide a clearer indication of suitable areas of search (or areas that should be excluded from search) for additional gypsy and traveller sites?

Participants:

Attend Hearing

Bovale Homes (Harris Lamb)
 Capital Shopping Centres (Nathaniel Lichfield and Partners)
 JN & NW Hampton (McDyre & Co)
 Keele University
 Norcross Holdings (Hulme Upright Manning)
 RENEW North Staffordshire (GVA Grimley)
 Wale Developments Ltd (The Planning Consultancy)
 Wardell Armstrong

Churchill China/British Waterways (GVA Grimley)
 CPRE
 Congleton Borough Council
 Dysons Industries Ltd (Atisreal)
 GOWM
 Harworth Estates Ltd (Gough Planning Services)
 Madeley Manor Care Home (Emery Planning Partnership)
 MP Kidsgrove (Cerda Planning)
 Morston Assets (Tyler Parks Partnership)
 National Trust
 RAH Perkins (KJD)
 Jeff Poole (John Rose Associates)
 Countess of Sutherland (KJD)
 Thistleberry Residents' Association

Written representations

M Cannon & O Kirk (Hulme Upright Manning)

MATTER 5 – Rural areas

- (a) Does the CS carry forward the RSS objective for rural renaissance including employment and enterprise?
 - (b) Are the CS policies and proposals 'rural proofed' to ensure there are no unexpected negative impacts on the rural areas?
 - (c) Is the identification of the three Rural Service Centres based on robust and credible evidence?
 - (d) Will the focus of new housing on these Rural Service Centres be adequate to provide for the needs of the rural areas?
 - (e) Should some development be allowed on previously developed land in rural areas other than in the Rural Service Centres?
 - (f) Does the CS contain sufficient policies and proposals relating to improving access to jobs and services in the rural areas?
 - (g) Is there enough reference to tourism as a source of employment in rural areas?
 - (h) How will the local need for affordable housing on Rural Exception Sites be identified and assessed?
 - (i) Is updating required in respect of para 5.268 regarding Apedale?
 - (j) Does the CS include appropriate policies for the future development of Keele University?
 - (k) Should it provide guidance regarding brownfield sites in the Green Belt such as the Wedgwood estate?
 - (l) Has sufficient regard been paid to evidence regarding open space, sport and recreation in rural areas in accordance with PPG17?
-

Participants:

Attend hearing

Betley, Baltersley and Wrinchill Parish Council
Keele University
Councillor Tomkins

Written representations

British Waterways Board
Claymoss
CPRE
Madeley Manor Care Home Ltd (Emery Planning Partnership)
Natural England
Staffordshire Wildlife Trust
Staffordshire County Council
Wedgwood
West Midlands Regional Assembly

MATTER 6 – Employment (Rural employment issues are included in Matter 5).

- (a) Should policy SP2 specifically refer to the provision of the employment land portfolio and the protection of employment land and premises, carrying forward RSS phase 2 revision policies PA6, PA6A and PA6B?
- (b) Should protection of employment land be balanced against the need to make efficient use of land that is no longer suitable for employment?
- (c) Does the portfolio of employment sites follow through the RSS requirements and are the sites readily available?
- (d) Should there be more flexibility to allow greenfield land to be used for employment purposes?
- (e) Will more employment land need to be identified to balance higher new housing targets?
- (f) Is there a need for the CS to identify a Major Investment Site?
- (g) Is there a need for the CS to identify a Regional Logistics Site?
- (h) Should the CS allow for offices in locations other than centres?
- (i) Are the CS policies SP1 and SP2 unnecessarily restrictive in describing the uses that are accommodated on the Keele Science Park?
- (j) Should tourism be given more prominence as an employment generator?

Participants:

Attend Hearing

Bovale (Harris Lamb)
Costco (RPS)
Keele University

Written representations

CPRE
GOWM
M Cannon
Realty Estates (Harris Lamb)
St Modwen (Barton Wilmore)
Times Square Ltd/SJ Salisbury China (Harris Lamb)
University Hospital of North Staffordshire Trust (GVA Grimley)
West Midlands Regional Assembly

**MATTER 7 – Centres and retail
(Rural service centres are included in Matter 5).**

- (a) Is the hierarchy of centres generally in conformity with the RSS?
- (b) Does the Core Strategy (CS) provide policies to protect and enhance town centres?
- (c) Does the CS provide suitable guidance for future DPDs dealing with the two strategic centres?
- (d) Is there a need for the CS to be more specific in relation to the City Centre or can this be dealt with later in the AAP?
- (e) Does the CS carry forward the RSS Phase Two revision targets for retail floorspace?
- (f) Is the distribution of new retail floorspace to smaller centres in the sub area strategies based on robust and credible evidence and in line with national and regional policies?
- (g) The monitoring target refers to 100% of new retail floorspace being in the City Centre and Newcastle town centre. Is this compatible with the retail allocations for smaller centres in the sub area strategies?
- (h) Should there be more flexibility to have retail and offices in locations other than centres?
- (i) Does the CS clearly carry forward the guidance of PPS6 regarding appropriate locations for town centre uses?
- (j) Should the primary core be extended?
- (k) Should there be a retail park policy area?
- (l) Should there be more guidance regarding Waterworld and Festival Park?

Participants:

Attend Hearing

Capital Shopping Centres (Nathaniel Lichfield and Partners)

Written representations

Asda Stores (RPS)
Claymoss Properties (King Sturge)
Dransfield Properties Ltd (DPP)
Gunn JCB (KJD)
Morston Asserts (Tyler Parks Partnership)
Realis Estates (Drivers Jonas)
Realty Estate (Harris Lamb)
St Modwen (Barton Wilmore)
Sainsburys Supermarkets Ltd (Turley Associates)
Spode (Gerald Eve)
Times Square Ltd/SJ Salisbury (Harris Lamb)
Waterworld (Addleshaw Goddard)
West Midlands Regional Assembly

MATTER 8 - Sport, recreation, community facilities and green space

- (a) Does the CS carry forward the guidance of PPG17 in respect of sport and recreation?
 - (b) Will policy CSP5 ensure that new developments provide necessary elements of community facilities, sport, recreation and green infrastructure?
 - (c) Is enough weight given to quality and accessibility as well as quantity of facilities?
 - (d) Is the evidence base for this subject robust and credible?
 - (e) Does it adequately cover the needs of the rural areas?
 - (f) What is happening about any sports village proposal?
 - (g) Should the CS promote active design?
 - (h) Does the CS contain satisfactory proposals for green infrastructure?
 - (i) Should the CS make more reference to sport and leisure in connection with contributions from developers and S106 planning obligations?
 - (j) Is there a need for more reference to community use of schools eg. through the building schools for the future programme?
-

Participants:

Attend hearing

Councillor Tomkins

Written representations

British Waterways Board
English Heritage
National Trust
Natural England
Sport England
Staffordshire County Council
Staffordshire Wildlife Trust
Thistleberry Residents' Association
Woodland trust

MATTER 9 - Design and environment

- (a) Does policy CSP1 provide satisfactorily for the protection and enhancement of the natural and built environment in line with national and regional policies?
 - (b) Does policy CSP2 explain how the historic environment will be preserved and/or enhanced?
 - (c) Should there be specific reference to landscape character assessment?
 - (d) Does CSP4 adequately deal with standards for natural greenspace and is it supported by robust and credible evidence?
 - (e) Does it deal satisfactorily with the Ramsar sites and other designated areas?
 - (f) With respect to the Addendum, is this already covered satisfactorily in CPS4 point 2? Would the CS be unsound if it were not changed in accordance with the Addendum?
 - (g) What are the implications for soundness of the Natural England comments on the Appropriate Assessment screening report? Do the potential impacts of diffuse air pollution require changes to the CS?
 - (h) Does the CS meet the guidance of PPS9 regarding biodiversity?
 - (i) Are there issues around geological conservation?
 - (j) Does CSP3 point 7 cover the question of climate change and biodiversity?
-

Participants:

Attend Hearing

Staffordshire County Council

Written representations

British Waterways Board
CPRE
English Heritage
Environment Agency
Garden History Society
National Trust
Natural England
Richard Waller (Staffs RIGS Group)
Spode (Gerald Eve)
Sport England
St Modwen (Barton Wilmore)
Staffordshire Wildlife Trust
Urban Vision North Staffordshire
Waterworld (Addleshaw Goddard)
Woodland Trust

MATTER 10 - Climate change, energy, flooding and water

Climate change and energy

- (a) Is policy CSP3 supported by a robust and credible evidence base?
- (b) Are its requirements too onerous? Is there evidence that they would undermine site viability and the ability to encourage new development in the plan area?
- (c) Should point 2 require only that new homes are in line with government requirements for the appropriate date?
- (d) Should more flexibility be incorporated into the policy wording?

Flooding

- (e) Is the level 1 SFRA adequate for the purposes of the CS?
- (f) Does the CS give adequate guidance for future DPDs on the location of development in relation to flood risk?
- (g) Should flood risk be referred to in SP1 point 6?
- (h) Should policy CSP3 be amended in line with the Environment Agency representations to include a new point 9 about flood risk?

Water

- (i) Are there any water supply constraints on development?
- (j) Is a water cycle study under way and what is its timetable?

Participants:

Attend hearing

Capital Shopping Centres (Nathaniel Lichfield and Partners)
Claymoss Properties (King Sturge)
Wale Developments Ltd (The Planning Consultancy)

Written representations

Environment Agency
GOWM
National Trust
Quarry Products Association
St Modwen (Barton Wilmore)
Staffordshire County Council
Staffordshire Wildlife Trust
Woodland Trust

MATTER 11 - Minerals

- (a) Is it appropriate for minerals in Stoke-on-Trent to be included in the CS rather than being dealt with jointly with the County Council?
- (b) Does the CS provide a relevant, comprehensive and firm foundation for minerals planning in the future for Stoke-on-Trent?
- (c) Does it comply with national and regional guidance on minerals?
- (d) Is it satisfactory to rely on that guidance for dealing with future development?
- (e) Should mineral deposits other than Etruria Marl be dealt with in policy CSP8 and the proposals map?
- (f) A monitoring target refers to primary and secondary aggregates. Should the CS have a policy to deal with these?

Participants:

Attend hearing

Staffordshire County Council

Written representations

GOWM
Quarry Products Association

MATTER 12 – Delivery, flexibility and monitoring

- (a) Does the CS explain how its key policy objectives will be achieved?
- (b) Is it clear who is intended to implement each part of the strategy?
- (c) Where the actions required are outside the direct control of the local planning authorities, is there evidence that there is the necessary commitment from the relevant organisation to the implementation of the policies?
- (d) Are there realistic timescales related to the CS objectives?
- (e) Is the Strategic Infrastructure Planning document (EB/061) sufficiently comprehensive and does it clearly explain what would be the contingency action in the event of constraint (final column seems mainly to be descriptive)
- (f) Does the overall strategy depend on any large items of infrastructure that may be risky to deliver?
- (g) Does policy CSP10 provide appropriately for contributions from developers?
- (h) Should CSP10 include reference to other possible means of funding infrastructure such as the Community Infrastructure Levy?
- (i) Is the CS sufficiently flexible to deal with unexpected or changing circumstances, for example a larger housing target from the RSS review?
- (j) Does the CS contain targets and milestones which relate to the delivery of the policies, including housing trajectories?
- (k) Is it clear how these will be measured and are these linked to the production of the Annual Monitoring Report?
- (l) Are suitable targets and indicators present (by when, how and by whom)?
- (m) Do any monitoring targets need to be amended as a result of changes to the policies or text of the CS?
- (n) Does the CS include the remedial actions that will be taken if the strategies/policies are failing?

Participants:

Attend hearing

RAH Perkins (KJD)

Written representations

CPRE
English Heritage
GOWM
Sport England
Theatres Trust