



Duty to Co-operate Interim Statement of Compliance 2023

Contents

1. Introduction
2. Duty to Cooperate Bodies
3. Engagement
4. Summary of Engagement
5. Appendices

1. Introduction

1.1. Purpose of document

1.2. The purpose of this statement is to summarise the way in which Newcastle-under-Lyme Borough Council has proactively engaged with appropriate bodies and stakeholders during the development of the Local Plan in line with the 'duty to cooperate' regulations. The engagement concerns neighbouring and closely related Local Planning Authorities, County Councils, and other prescribed bodies in relation to strategic cross-boundary matters during the preparation of the First Draft Newcastle-under-Lyme Local Plan.

1.3. Such matters include (but are not limited to) housing and employment needs and distribution, gypsy and traveller needs, Green Belt, cross-boundary infrastructure, highways, transport, and air quality.

1.4. For the avoidance of doubt, it is not the intention of this document to record every discussion and all the joint working that supports the First Draft Local Plan. It focuses on key strategic matters and recognises that this engagement will continue in the development of the Local Plan.

1.5. Legislation

1.6. The 'duty to cooperate' was introduced by section 33A of the Planning and Compulsory Purchase Act (2004)¹ and the Localism Act (2011)² as a strategic planning mechanism to replace regional spatial strategies. It places a legal duty on Local Planning Authorities, County Councils and prescribed public bodies to engage constructively, actively, and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary matters.

1.7. Strategic matters regarding plan-making refers to: '*sustainable development or use of land that has or would have a significant impact on at least two planning areas.*'³

1.8. Paragraphs 24 – 27 of the National Planning Policy Framework (NPPF)⁴ recognises this duty and considers effective, joint working between relevant bodies as integral to a positive and well prepared strategy. Paragraph 26 also identifies joint working as helping to determine additional infrastructure, and whether development needs that cannot be wholly met within a particular plan area could be met elsewhere.

1.9. Further to this, two of the four 'tests of soundness' of Local Plans (NPPF Paragraph 35) directly relate to the 'duty to cooperate'. Specifically:

¹ <https://www.legislation.gov.uk/ukpga/2004/20/section/110/enacted>

² <https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

³ Planning and Compulsory Purchase Act 2004, Section 33A, 4 (A)

⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

- a. “Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- c. Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground”

1.10. Aim

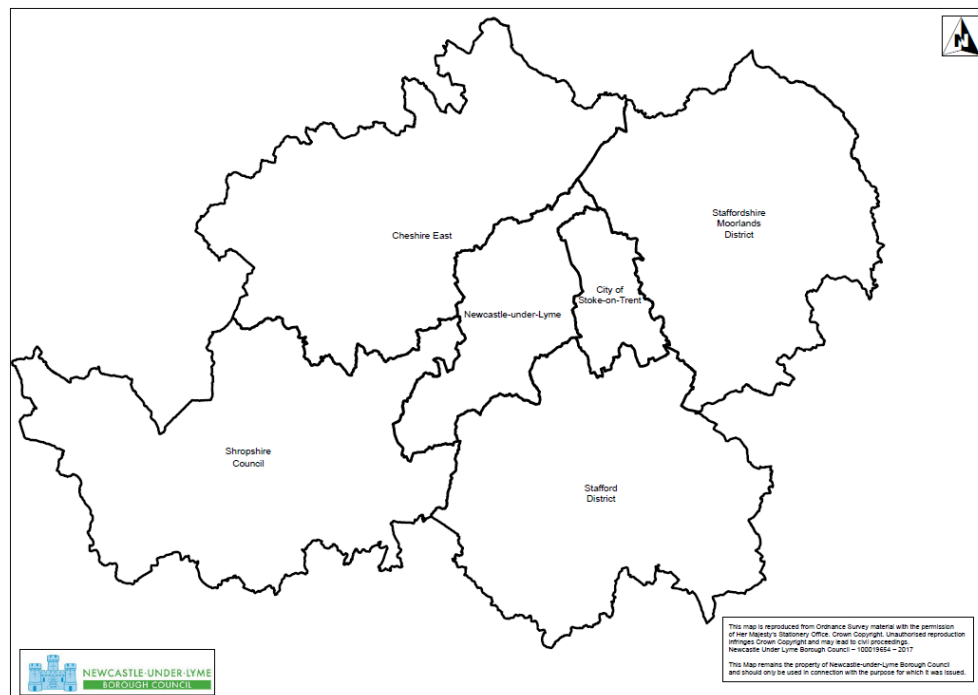
1.11. The aim of the requirement is for Local Planning Authorities (and other policy-making bodies) to identify and work on relevant cross-boundary strategic matters in a collaborative manner throughout the plan-making process. The joint working approach supports the determination of additional infrastructure required as a result of development from an adjoining planning area. It will also assist in establishing whether the development needs that cannot be met within an administrative boundary, could be met elsewhere as is often the case where a plan area is heavily constrained by, for example, large areas of Greenbelt, Area of Outstanding National Beauty, National Park and other planning designations.

1.12. All parties should approach the duty in a proportionate way, tailoring cooperation according to where they can maximise the effectiveness of plans.

2. Duty to Cooperate bodies

2.1. Strategic Context

- 2.2. Newcastle-under-Lyme Borough Council is in north Staffordshire. The Borough is located between Manchester and Birmingham, and to the west of Stoke-on-Trent urban area. It is also close to the Peak District National Park, located to the east, and Derby which is to the southeast of Stoke-on-Trent. The county town of Stafford is to the south. Cheshire East and Shropshire Council's border the western extent of the Borough.



- 2.3. The Local Planning Authorities that border Newcastle-under-Lyme and therefore could share cross-boundary strategic issues that impact both planning areas area:

- Stoke-on- Trent City Council (SoTC)
- Staffordshire Moorlands District
- Cheshire East Council
- Stafford District
- Shropshire Council

2.4. Prescribed bodies

- 2.5. The prescribed public bodies are outlined at Part 2 Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and comprise:

- Environment Agency
- Historic England
- Natural England

- The Mayor of London / Greater London Authority (GLA) – not relevant for Newcastle-under-Lyme
- Transport for London (TfL) – not relevant for Newcastle-under-Lyme
- Clinical Commissioning Groups (CCGs)
- The Homes and Communities Agency (now Homes England)
- The National Health Service Commissioning Board
- Local Highway Authority
- Highways England (now National Highways)
- Integrated Transport Authorities
- The Civil Aviation Authority
- The Office of Rail and Road
- Marine Management Organisation – not relevant for Newcastle-under-Lyme

2.6. Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but Local Planning Authorities must cooperate with them and have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making.

2.7. The duty is also placed on the prescribed bodies to actively engage with any relevant Local Planning Authorities and County Council in England on any strategic cross-boundary matters that may affect their planning area.

2.8. The above bodies have been and will continue to be consulted at formal stages in the Local Plan preparation. In some instances, more detailed discussions will take place with some of the bodies when relevant to specific matters of the Plan's content.

3. Engagement

- 3.1. Duty to Co-operate meetings have taken place, as illustrated in table 1 below. Letters have also been sent out as appropriate and subsequent meetings held with relevant authorities.
- 3.2. A number of the prescribed bodies responded to the Issues and Strategic Options consultation. A presentation was given on the Issues and Options consultation to neighbours. A copy of this presentation is included in Appendix 1 with a summary of Duty to Cooperate meetings relating to the Issues and Strategic Options can be found in Appendix 2. Responses to the Issues and Options consultation from prescribed bodies can be found at Appendices 3 – 7.
- 3.3. In line with national planning guidance, Statements of Common Ground will be pursued with relevant prescribed bodies to inform the Regulation 19 version of the Local Plan.
- 3.4. The Council has also held a number of workshops in relation to developing the Infrastructure Delivery Plan.
- 3.5. Engagement is an ongoing process and during the proceeding stages of the plan-making process, further engagement will be pursued with the relevant prescribed bodies. Examples of meetings held in respect of Duty-to-Co-operate are outlined below:

Table 1: Record of Engagement (including meetings)		
Authority	Nature of Engagement	Date
Cheshire East Council	Catch up meeting	22/04/2021
Newcastle-under-Lyme Borough Council	Issues and Strategic Options presentation	Sept 2021
Stoke-on-Trent City Council	Duty to Co-operate – Issues and Options meeting	09/09/2021
Cheshire East Council	Duty to Co-operate – Issues and Options meeting	14/09/2021
Staffordshire Moorlands District Council	Duty to Co-operate – Issues and Options meeting	14/09/2021
Stafford Borough Council	Duty to Co-operate – Issues and Options meeting	15/09/2021
Shropshire Council	Duty to Co-operate – Issues and Options meeting	16/09/2021
Staffordshire County Council	Duty to Co-operate – Issues and Options meeting	22/09/2021
Environment Agency	Response to Issues and Options	18/01/2022
Staffordshire County Council	Response to Issues and Options	19/01/2022
Historic England	Response to Issues and Options	Jan 2022
Natural England	Response to Issues and Options	24/01/2022
National Highways	Response to Issues and Options	25/03/2022
Stoke-on-Trent City Council	Catch up meeting	29/03/2022

All neighbouring Authorities	Duty to Co-operate Unmet Housing Need Letter sent	05/12/2022
Historic England	Duty to Co-operate meeting to discuss Draft Local Plan policies and Historic Environment Record	15/12/2022
Staffordshire Moorlands District Council	Duty to Co-operate Meeting	04/01/2023
Stafford Borough Council	Duty to Co-operate Meeting	12/01/2023
Stoke-on-Trent City Council	Statement of Common Ground meeting	02/03/2023
Cheshire East Council	Duty to Co-operate Meeting	17/01/2023
Shropshire Council	Duty to Co-operate Meeting	06/03/2023
Stafford Borough Council	Duty to Co-operate Meeting	08/03/2023
Stoke-on-Trent City Council	Duty to Co-operate Meeting	29/03/2023

4. Summary of Engagement

- 4.1. The Council has engaged with its neighbouring Local Planning Authorities on a constructive and ongoing basis. In December 2022, Newcastle-under-Lyme Borough Council sent a letter to its neighbouring LPAs regarding the constraints faced to meet the minimum target of 7,000 dwellings over the plan period 2020-2040, in line with the paragraph 141 of the NPPF. A copy of this letter is included as Appendix 8.

Stoke-on-Trent

- 4.2. Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council have a history of working collaboratively on planning matters, having adopted the Joint Core Spatial Strategy in 2009. The two authorities were previously working on a Joint Local Plan which ceased production in January 2021. From this date, each council is producing their own Local Plan according to their own Local Development Scheme timetables. It is intended that the separate Local Plans will replace the Joint Core Spatial Strategy upon adoption. Both new Local Plans cover the plan period of 2020-2040.
- 4.3. Throughout Newcastle-under-Lyme's Draft Local Plan and Issues and Options production process, Stoke-on-Trent City Council and Newcastle-under-Lyme Council have met on a number of occasions, both formally and informally. Stoke-on-Trent borders many of Newcastle-under-Lyme's urban wards including Kidsgrove and Newcastle Town Centre.
- 4.4. Following the Issues and Options consultation, a Statement of Common Ground has been agreed by both Council's and is included as Appendix 9 to this note.

Staffordshire Moorlands

- 4.5. Staffordshire Moorlands sits to the northeast of Newcastle-under-Lyme and borders the north of Newchapel and Mow Cop. Staffordshire Moorlands' current Local Plan was adopted in September 2020. The Council has confirmed that it is unable to meet any of Newcastle-under-Lyme's unmet housing need. The full response is included in Appendix 10 of this note.

Cheshire East Council

- 4.6. Cheshire East sits to the north of Newcastle-under-Lyme and borders Audley, Betley, Butt Lane and Kidsgrove. Cheshire East's Local Plan Site Allocations and Development Policies document was adopted in December 2022. The Council has confirmed that it is unable to meet any of Newcastle-under-Lyme's unmet housing need. The full response is included in Appendix 11 of this note.
- 4.7. As part of the adoption of Cheshire East's Local Plan Strategy in 2017, there was an agreement to continue to engage regarding cross boundary education impacts,

particularly focused at Kidsgrove and ongoing assessment of any strategic cross boundary transport impacts, should they arise. Additionally, there has been an agreement to discuss any strategic sites, proposed for allocation in the Newcastle-under-Lyme Local Plan, including strategic locations including site AB2 in Audley at Junction 16 of the M6.

Stafford Borough Council

- 4.8. Stafford sits to the south of Newcastle-under-Lyme bordering the wards of Loggerheads and Maer & Whitmore. Both Authorities are committed to ongoing and meaningful dialogue with duty to cooperate meetings scheduled when required. Following the Issues and Options meeting, both Authorities have agreed to hold regular Duty to Co-operate meetings and have since held meetings in January (Appendix 12) and March of 2023. Stafford Borough is in the process of preparing a Local Plan with proposed adoption in October 2024.
- 4.9. Stafford Borough Council responded to the 'unmet need' letter during April 2023, confirming their position that it is unable to meet any of Newcastle-under-Lyme's unmet housing need. The full response is included in Appendix 13 of this note.

Shropshire Council

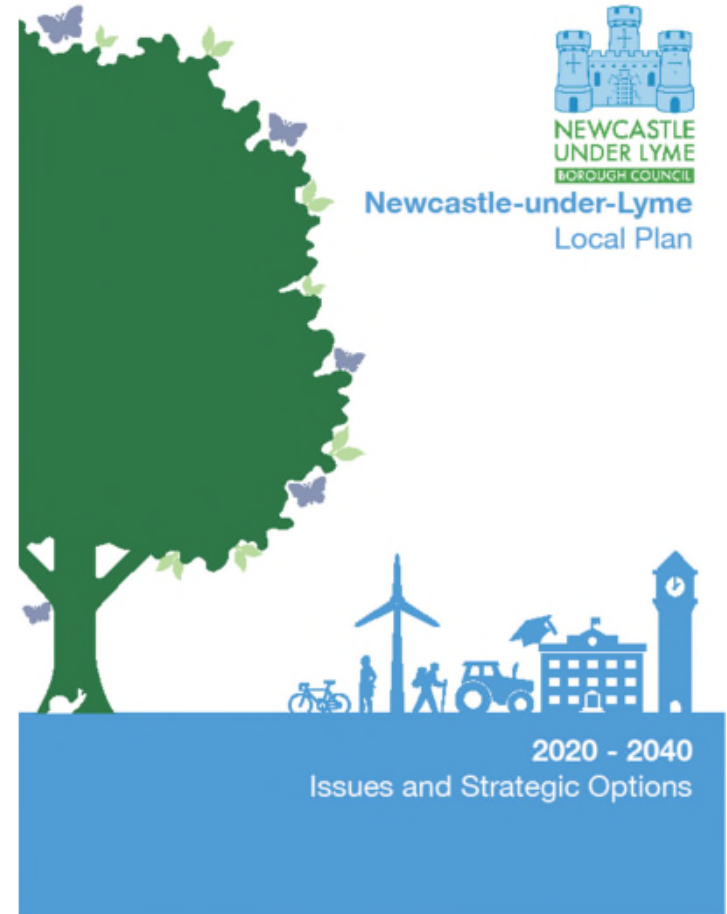
- 4.10. Shropshire (Council area) sites to the west of Newcastle-under-Lyme bordering the wards of Loggerheads, Maer & Whitmore, and Madeley & Betley. Shropshire Council are further along in the plan-making process with their plan currently submitted for examination. Both councils entered into a Statement of Common Ground in support of the /Shropshire Local plan review, during August 2021. This SoCG agreed that further SoCG would be entered into regarding strategic matters concerning Newcastle-under-Lyme as part of their plan-making process. The full SoCG is included in Appendix 14 of this note.
- 4.11. Shropshire Council responded to the 'unmet need' letter during April 2023, confirming their position that it is unable to meet any of Newcastle-under-Lyme's unmet housing need. The full response is included in Appendix 15 of this note.

Appendix 1



Issues and Strategic Options

September 2021



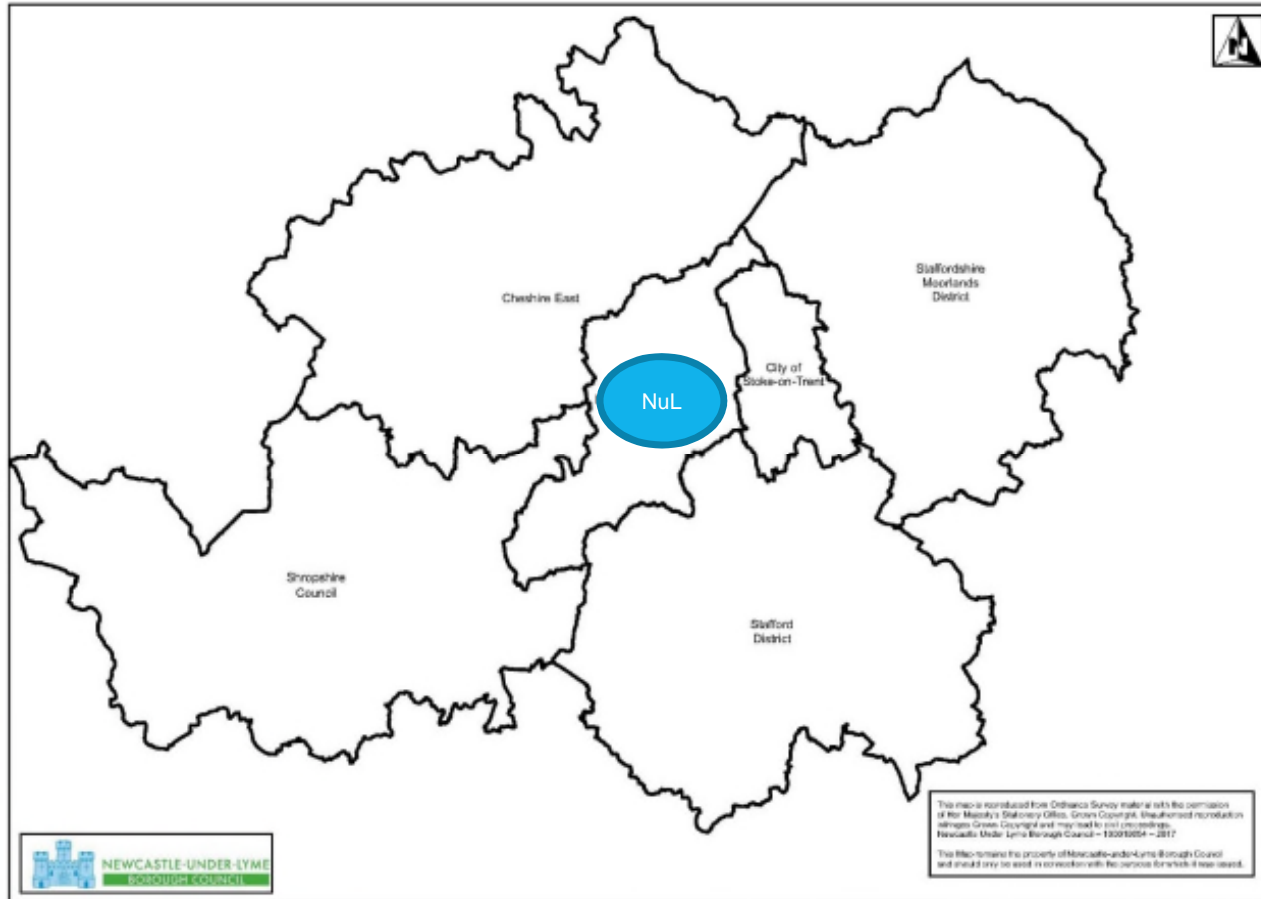
Content

- Stages of Plan development
 - Context
 - Evidence
 - Vision
 - Issues
 - Options
 - Key questions
-

Stages of Plan development



Context - DtC



- The Vision

By 2040, the Borough will have delivered sustainable new homes and jobs meeting local needs and providing more opportunities for people. We will have respected and improved the character and distinctiveness of our Staffordshire market towns, villages and rural areas with a particular focus on broadening our network of Neighbourhood Plans.

We will have enabled new infrastructure, supported the growth of businesses and our University, whilst preserving and enhancing our natural and built assets and taken action to tackle the impacts of climate change.

Strategic Objectives

Create development with character	Support Kidsgrove railway station
Diversify employment base	Support neighbourhood planning
Invest in regeneration	Maintain open spaces
Mitigate climate change	Enable growth of Keele University
Provide a mix of housing types	Balanced growth and conservation
Support rural villages	Protect the Green Belt

Evidence

- Green Belt Part 1 and 2, 2017, 2020
 - Water Cycle Study, 2020
 - SFRA, 2019
 - Retail and Leisure Study, 2019
 - Climate Change Adaption and Mitigation, 2020
 - Housing and Economic Needs Assessment 2015, 2017, 2020
 - Playing Pitch Strategy, 2020
 - Gypsy and Traveller and Travelling Showperson Accommodation Assessment, 2020
 - SHLAA, 2020
 - Open Space and Green Infrastructure (in production)
 - Landscape Character Assessment (in production)
-

Numbers

Table 3 Summary of growth options - housing

Option		Dwellings per annum	Total dwellings requirement 2020-2040
1	Nationally set	350	7,000
2	Sustainable growth	410	8,200
3	Greater Job growth	445	8,900

Table 4 Summary of growth options - employment

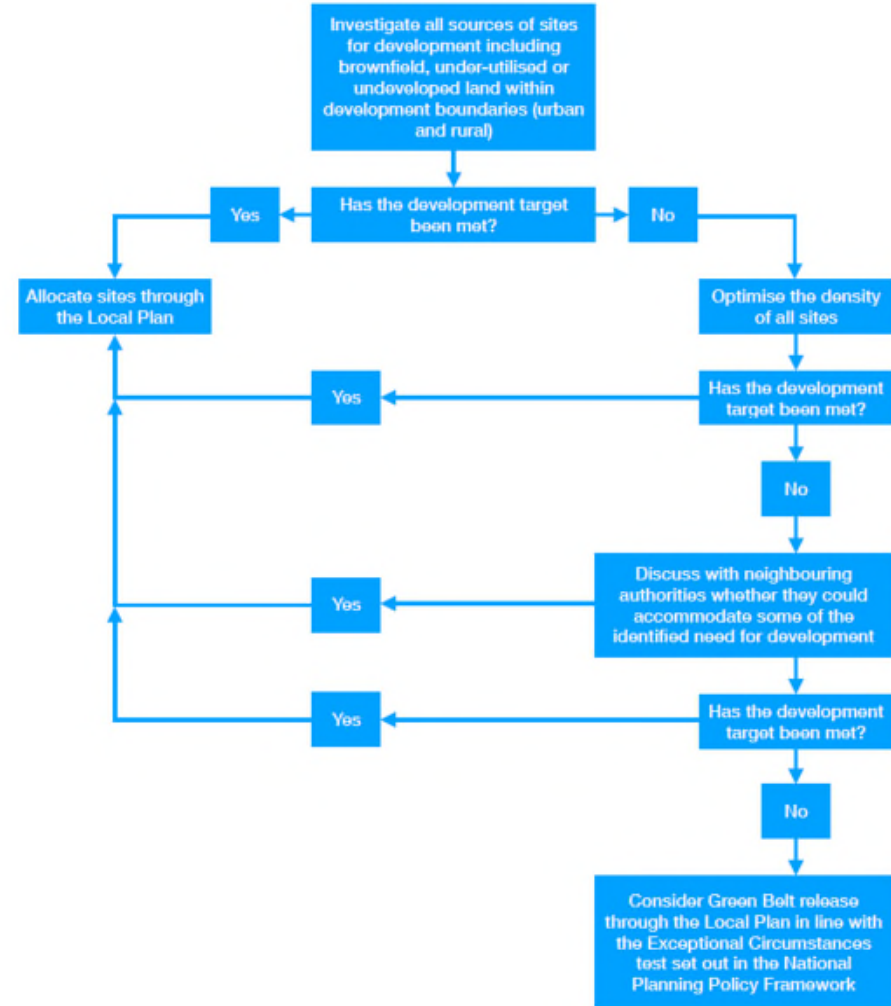
Option		Need	Supply	Total requirement (surplus) 2020-2037
1	Nationally set	46.8	64.8	+18.0
2	Sustainable growth	52.6	64.8	+12.2
3	Greater Job growth	56.6	64.8	+8.2

Housing - Issues

- Much of the evidence already advanced through the JLP (although focused updates required at next stage)
- Site selection was advanced
- As of Winter 2020 around land for 2,500 homes could be found in development boundaries
- Now possibly less if excluding more open space sites
- Prospect of an unprecedented level of GB release to meet need unless there are alternatives

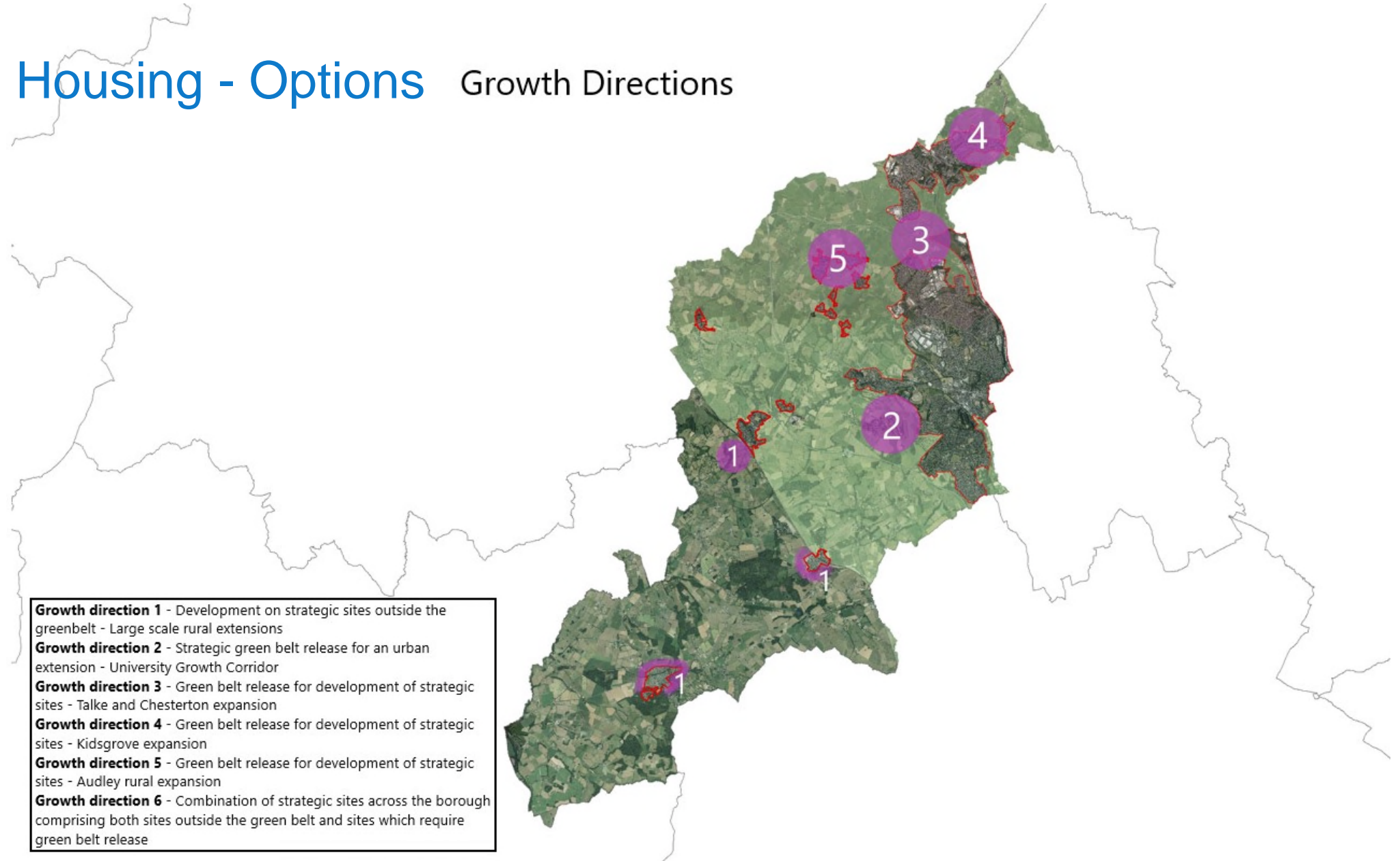
Housing - Options

- Plan explains process of site selection following NPPF process for exhausting reasonable alternatives to Green Belt release



Housing - Options

Growth Directions



Issues and options - Gypsy and Travellers

	In the five years (2020/21) – 2024/25	In the longer term (total need) (2020/21 – 2036/37)
Permanent Gypsy and Traveller sites requirement	5 pitches	7 pitches
Travelling Showperson plot requirements	2 plots	4 plots

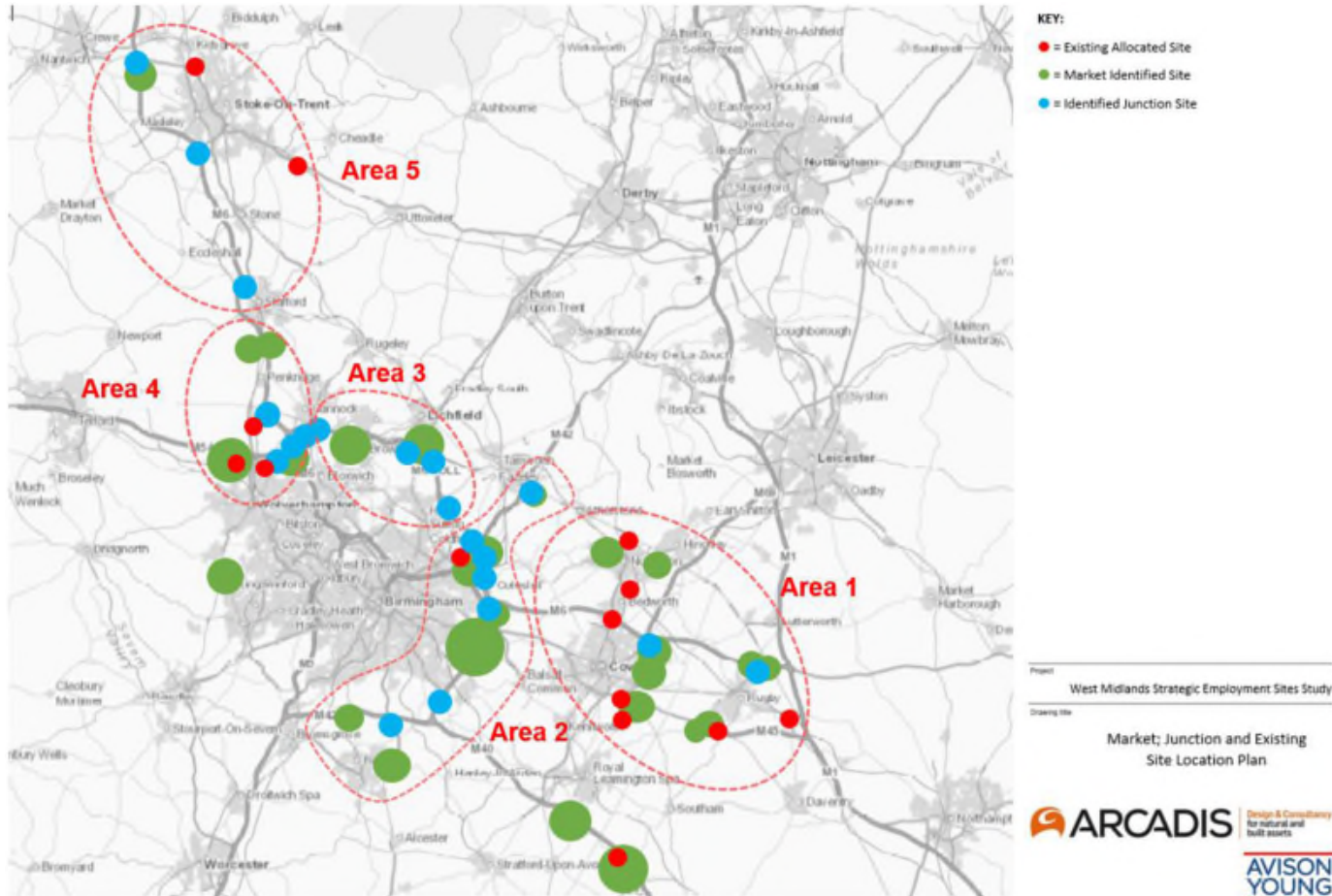
Options for Transit Provision

I	Transit Site with 3 pitches
II	Transit Site with 3-13 pitches
III	Temporary stopover site
IV	Negotiated stopping policy

Employment - Issues

- Offices – supply appears sufficient, but a shortfall seems likely (reliance on Keele Science Park and diminishing supply in town centres)
- Warehouses – sizeable need may not be met in most attractive locations (Chatterley Valley, Etruria Valley/Festival Park and Trentham Lakes becomes exhausted in short term)
- Industrial Premises – reasonable supply but lacking in quality across Stoke and NuL. Issues with market demand, location and deliverability
- ELR combined with West Midlands Strategic Employment sites study highlight lack of available, allocated sites over 25 hectares.

Issues - Strategic Employment Sites



Evidence - West Midlands Strategic Sites Study

- Based on evidence of past trends in relation to take-up, and assuming that no additional strategic employment sites are brought forward to replace those that remain, the resultant supply of allocated and committed employment land would appear to represent a maximum of 7.41 years supply.
- Increases to 23.7 years of potential capacity/supply if all market demand sites were brought forward
- **Potential Additional Supply (Motorway Junctions):** It is our view that Strategic Employment Sites are best delivered in locations that are accessible to the strategic highway network, with sites located close to motorway junctions being prioritised by developers and occupiers.

Options - Potential Strategic Sites – J16



Options - Potential Strategic Sites - Keele



Conclusion

- Focus of presentation on issues of need, land supply, and strategic sites as focus for DtC discussion. The Plan also contains planning topics common to I&O stage
 - Decision to be bold about the potential issues and green belt release due to advantages of intelligence from evidence production and site investigation for withdrawn JLP
 - Decision also due to lack of opportunity to ask questions of the public at a later stage – next stage is Publication Draft
 - Keen to work with our neighbours at earliest opportunity
-

Key discussion points

- Where are you in plan making process?
 - What do you need to see to be satisfied NUL has exhausted all reasonable options before potentially requesting you to meet any of our need?
 - Any advice or assistance with helping to meet the accommodation for Gypsy and Traveller need?
 - Are there any potential cross boundary issues on NUL delivering strategic employment sites of a regional scale?
 - Any other points to raise? – see next slide
 - Frequency of meetings going forward
-

- Housing
- Employment
- Gypsy and Travellers
- Transport
- Climate Change
- Biodiversity
- Pollution
- Heritage
- Flood Risk
- Green Infrastructure
- Energy
- Waste

Do we need to think about:

- Memorandum of co-operation
 - Memorandum of understanding
 - Statement of Common Ground
-

Appendix 2

Appendix 2: Duty to Cooperate meetings held between Newcastle-under-Lyme Borough Council and neighbouring authorities

Duty to Co-operate meetings were organised between Newcastle-under-Lyme Borough Council and the neighbouring Authorities as well as Staffordshire County Council, and were held throughout September 2021. A consistent presentation was delivered to all Authorities, where the same questions were discussed. Minutes of these meetings were taken, shared with the relevant Authority and stored electronically.

Questions posed in the meetings were as follows:

- Where are you in the plan making process?
- What do you need to see to be satisfied Newcastle-under-Lyme Borough Council has exhausted all reasonable options before potentially requesting you meet our need?
- Any advice or assistance with helping meet the accommodation for Gypsy and Traveller need?
- Are there any potential cross-boundary issues on Newcastle-under-Lyme Borough Council delivering strategic employment sites of a regional scale?
- Any other points to raise?
- Frequency of meetings going forwards.

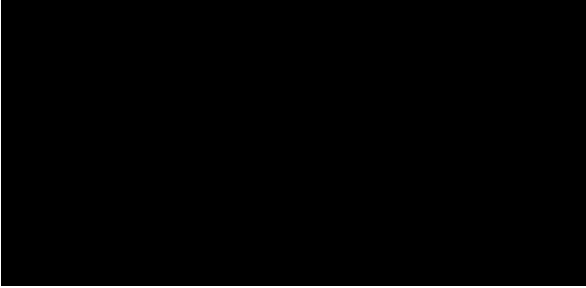
Responses from neighbouring Authorities were collated and have been summarised below:

- 1.1. The Housing Market and Functional Economic Area relationships between the authorities were recognised by all parties.
- 1.2. Areas of deviation from the now defunct Joint Local Plan between the two authorities, were highlighted, including:
 - Shift in emphasis of the Vision
 - Less emphasis on growth and greater precedence to the protection of specific areas
 - Preservation of open spaces and Greenbelt acknowledged
- 1.3. The extent of the evidence base was highlighted providing justification to the degree of detail presented within the Issues and Strategic Options document and the significance of frontloading aspects of the Duty to Cooperate. The impacts of Covid19 and the timeframes may necessitate further consideration of the need for evidence base updates to be undertaken.
- 1.4. Attention was drawn to the source of the housing growth numbers. Reassurance on the focus of brownfield or undeveloped land was provided, but based on up to date evidence, this was unlikely to yield sufficient sites to accommodate the need in its entirety. The extent of Greenbelt release has the potential to be significant, with the issue highlighted in the Issues and Strategic Options (landSO) consultation document.
- 1.5. It was explained that the borough currently has a surplus in employment sites, however the sites available do not meet the market demand. It has been highlighted that there is a lack of

any regional/large scale sites in the borough and the work presented within the West Midlands Strategic Sites Study (2021) was highlighted with the direct relevance to NuL discussed. Therefore, two options for strategic employment sites have been identified in the borough; Keele University Growth Corridor and Junction 16 on the M6. Meetings with Cheshire East for their perspectives on the J16, M6 proposals is required.

- 1.6. The Council has set out that site identification will be undertaken again to determine the precise land supply position including reconsideration of density assumptions. In the event that there is insufficient land available, the Council will have further discussions with neighbouring authorities regarding accommodating the unmet need.
- 1.7. The difficulties in finding appropriate sites (and within particular timeframes) for Gypsy and Travellers were recognised by all parties.
- 1.8. NuL expressed a desire that the authorities' continue to adopt a proactive, ongoing and focussed approach to strategic planning.

Appendix 3



Our ref:
UT/2006/000035/SL-03/IS1-L01
Your ref:

Date: 18 January 2022

Dear 

Newcastle-under-Lyme Local Plan Issues and Strategic Options Consultation

Thank you for referring the above consultation to the Environment Agency.

Flood Risk – Question 31

For any sites located near main rivers we will require a minimum of 8m development easement from the top of the bank to allow for essential maintenance access. This is required regardless of the extent and location of the floodplain and should be taken into account when considering the developable area. An Environmental Permit from the Environment Agency will be required for any development within this 8m strip. Where the development site is situated above a culverted main river watercourse, we will require a minimum of 8m easement and the area above the culvert should be regarded as a no build zone.

Developments should, where possible naturalise urban watercourses (by reinstating a natural, sinuous river channel and restoring the functional floodplain) and open up underground culverts, to provide biodiversity net gain as well as amenity improvements. The River Basin Management Plan provide additional detail on the de-culverting and the creation of naturalised watercourses should be referenced.

Developers should set out how their mitigation designs will ensure that there is no net increase to fluvial flood risk downstream and where practicable how the development could help mitigate against downstream fluvial flood risk in accordance with the NPPF.

We strongly recommend the inclusion of the following point to this policy: “Land that is required for current and future flood management will be safeguarded from development. Where development lies adjacent to or benefits from an existing or future flood defence scheme the developer will be expected to contribute towards the cost of delivery and/or maintenance of that scheme”. This approach is in line with

Environment Agency
Sentinel House (9) Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

planning policy guidance which states 'If an area is intended to flood, e.g. an upstream flood storage area designed to protect communities further downstream, then this should be safeguarded from development and identified as functional floodplain, even though it might not flood very often'.

This policy should take into account the latest climate change allowances are available on the following website: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>. Note the guidance has recently been updated to give more local climate change figures.

This policy should reference an up to date level 2 Strategic flood risk Assessment to take account updates to this assessment to ensure that developments are using the latest assessments of flood risk in the area

Maps showing the latest flood zones, watercourses and climate change extents should be included in this section.

This section states that the council 'intends' to follow the sequential test. This test, as well as the exception test, must be applied in accordance with the NPPF and this should be reflected in this section.

We would welcome the inclusion of a requirement for long-term maintenance arrangements for all SuDS to be in place for the lifetime of development and agreed with the relevant risk management authority. It should be a requirement for all new development (greenfield and brownfield) to reduce surface water runoff to greenfield rates, and the layout and design of a development should take account of surface water flows in extreme events in order to avoid flooding or properties both on and off site.

Elsewhere in the plan where different types of development are mentioned (e.g Gypsy and Travellers) that section should highlight the flood risk vulnerability of the development and highlights the areas which that development is acceptable.

The below schemes are currently being investigated in the area. Contributions should be sought from development to help secure funding for these schemes.

- Lyme Brook FRMS Newcastle under Lyme - Environment Agency
- Newcastle under Lyme Drainage Routes Strategy - Staffordshire County Council

Open Space – Question 32

We would support a policy that addresses Green Infrastructure.

We recommend further emphasis on Green (and Blue) Infrastructure and corridors as they provide multiple benefits to areas including services such as flood management provision, green space, cooling local temperatures, ecological function and some amenity. All developments should create space for water by restoring floodplains and contributing towards blue-green infrastructure.

Consequently, Green and Blue corridors then need to be afforded a high level of protections from encroaching development in order to facilitate their function, particularly when considering the impacts and need for extra capacity within watercourse corridors due to climate change.

Green spaces can be designed to be less formal areas with more semi-natural habitats, this will reduce maintenance costs and provide better biodiversity and water management potential in relation to the impacts of climate change.

Water Framework Directive (WFD)

Under the WFD there is a requirement for all waterbodies to meet 'Good Ecological Status or Potential' by 2027. Regulation 17 of the Water Environment (England and Wales) Regulations (2017) places a duty on each public body to have regard to RBMPs when exercising their functions. You must ensure that developments:

- Do not cause deterioration or jeopardise the current WFD status of a waterbody
- Attain good status
- Include pollution reduction measures

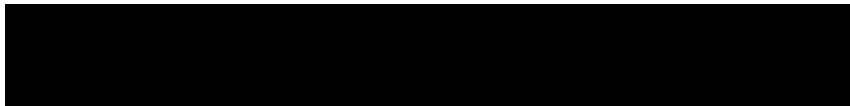
The Humber RBMP and Severn RBMP requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Successful implementation of the WFD will help to protect all elements of the water cycle and enhance the quality of our groundwaters, rivers, lakes, estuaries and seas.

Therefore, we recommend a planning policy that secure opportunities to enhance the ecological status of waterbodies and improve water quality where possible to support the objectives of the WFD.

Yours faithfully



Planning Specialist



Appendix 4

Table 1 – Historic England comments on the Newcastle under Lyme Issues and Options Local Plan Consultation, January 2022

Area of the document	Historic England comment
Question 2	<p>We would welcome the inclusion of a strategic objective for the historic environment, which will assist the Council in preparing a monitoring strategy and Strategic Environmental Assessment, as well as in assessing how successful the policies and programmes within the Plan have been/are. Whilst we recognise that there is a reference to elements of the historic environment within a couple of the objectives, we would welcome a specific objective being incorporated into the Plan. We would further welcome reference within the introductory paragraphs and the vision to the role and importance of your historic environment within Newcastle under Lyme and how it is has shaped the past and influences future opportunities and aspirations.</p>
Question 3	<p>We are keen to assist the Council in developing a methodology to assess the impacts of new housing and employment development upon the historic environment. We would recommend that the Council accesses Historic England’s website, and the following link details some useful documents, in particular the Good Practice Advice Notes and Historic Environment Advice Notes. Historic England are available to assist the Council and are willing to attend a meeting to discuss, if required.</p> <p>https://historicengland.org.uk/advice/planning/planning-system/</p>
Question 4	<p>With respect to the growth scenarios presented, we request that the Council considers what the impacts are for the historic environment and whether there are appropriate and suitable sites that could be brought forward without the need to impact the significance of heritage assets and their setting. Equally there may also be opportunities for the historic environment, as a result of new development, such as to address heritage at risk.</p>
Paragraph 8.4	<p>We are supportive of a strategy which seeks to minimise harm to heritage.</p>
Question 7	<p>There may be sites and areas where Historic England would object to new development, as well as other areas where we would be keen to work with the Council in order to address topics such as heritage at risk. With the level of information available at this time we are unable to make further comments. We would urge the Council to refer to the relevant evidence base including the Historic Environment Record, and to discuss specific details with local heritage staff.</p>

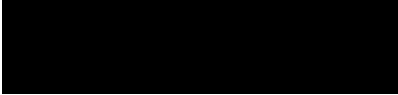
Question 8 to 10	Based on the information available at this stage, we are not in a position to state which areas we would consider to be better or worse for the historic environment. We note that many of the options may have an impact on the historic environment and we are keen to meet with the Council to discuss this in further detail and to ascertain where development may be suggested and what heritage impact assessment will be undertaken, at an early stage. We would urge the Council to refer to the relevant evidence base including the Historic Environment Record, and to discuss specific details with local heritage staff.
Question 11	Based on the information available at this stage, we are not in a position to state which areas we would consider to be better or worse for the historic environment. We note that many of the options may have an impact on the historic environment and we are keen to meet with the Council to discuss this in further detail and to ascertain where development may be suggested and what heritage impact assessment will be undertaken, at an early stage. We would urge the Council to refer to the relevant evidence base including the Historic Environment Record, and to discuss specific details with local heritage staff.
Question 13	As with other development types, we would welcome sight of heritage impact assessment, to understand how new gypsy and traveller sites may impact on the historic environment and what opportunities there may be for a positive heritage strategy.
Question 17	Based on the information available at this stage, we are not in a position to state which areas we would consider to be better or worse for the historic environment. We would urge the Council to refer to the relevant evidence base including the Historic Environment Record, and to discuss specific details with local heritage staff.
Question 18 – Question 19	We would welcome discussion with the Council regarding the potential strategic sites at Sites AB2 and KL15 and how they may impact negatively or positively for the historic environment. There is currently very limited detail available and we do have some concerns regarding the impact to heritage assets.
Paragraph 13.6	We welcome the opportunity to bring increased use and vitality to the retail centres and are keen for the Council to consider the historic environment within these Plans and the opportunity that heritage can bring to an area; including heritage tourism, place and character, landscape, safeguarding heritage features etc.
Question 23	We would welcome reference to the Council's Conservation Areas and Management Plans, and other heritage evidence base including historic characterisation to understand what positive measures may be able to be included within the Plan to enhance the retail core of the centres and how the suggested proposals will impact the historic environment within these areas.
Question 28	We would welcome a policy on design within the local plan, that also protects and enhances historic environment features and character as well as consider issues such as building heights.
Section 15	We welcome the inclusion of a specific section on the historic environment and would request a policy to be included within the Local Plan. We are keen to meet with the Council and to understand what particular

	issues they have and opportunities they consider so that we can assist in the preparation of a suitable and appropriate policy.
Question 31	We would welcome discussion on flood risk alleviation measures and the consequences and mitigation opportunities for the historic environment.
Question 33	We would welcome discussion on transport measures and the consequences and mitigation opportunities for the historic environment.
Question 34	We would welcome discussion on renewable energy measures and the consequences and mitigation opportunities for the historic environment.

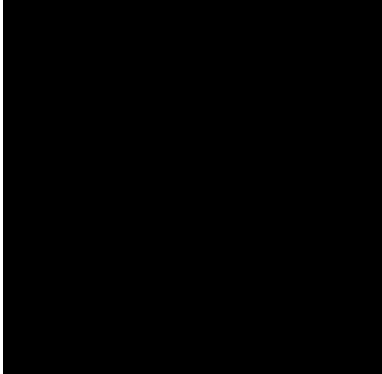
Appendix 5

Our ref: SHARENULBC LDF 1

Your ref:



Newcastle under Lyme Borough Council
Newcastle under Lyme
Staffordshire
ST15 1BL



Dear 

Newcastle under Lyme Local Plan Issues and Strategic Options

National Highways welcomes the opportunity to comment on the Newcastle-under-Lyme Draft Issues and Strategic Options 2020-2040.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to this consultation, our principal interest is safeguarding the operation of the M6, A500, and parts of the A34, which route through the vicinity of Newcastle-under-Lyme.

We understand that this is the first step towards adopting a new Local Plan for the Borough, which will help shape development until 2040. After the consultation on these documents, the Council will take the information given to inform the production of the Draft Plan in the second part of 2022 and will outline sites that may be brought forward in the final stage of the Plan.

It is noted that a more detailed Infrastructure Delivery Plan will be prepared alongside the Local Plan, and will identify any improvements to strategic off-site infrastructure provision, such as transport & utilities, social (e.g. schools), environmental (open space) required to support future development, and help in its coordination so that the right things are delivered at the right time and in the most efficient way. The Infrastructure Delivery Plan will be published alongside the Publication Draft evidence base for the Local Plan. Therefore, at this stage, we have no further comment on this until further details have been provided in relation to the Infrastructure Delivery Plan.

On page 13 of the issues and Strategic Options document, within the opportunities diagram, it states that, "*Direct access to national strategic highways M6 and locally A500*". However, it is recommended that the above statement be revised as follows "Direct

access to national strategic highways M6 and locally A500, with consultation from National Highways”. This is to safeguard the SRN and align with DfT Circular 02/2013 and the Design Manual for Road and Bridges (DMRB) in relation to direct accesses onto the SRN.

At this time, we understand that there are three options for projected area growth: nationally set growth target, sustainable growth target and greater job growth target; at this stage, we have no further comment to make.

Regarding paragraph 11.3, on page 53, which relates to strategic employment sites, it is understood that this consultation document seeks views on options of strategic sites in order to inform the emerging Local Plan for Newcastle-under-Lyme. We understand that whilst no decisions have been made, there are two potentially deliverable options in the plan area, which are:

- Land South East of Junction 16, M6; and
- University Growth Corridor.

Our main concern would be around Land South East of Junction 16, M6, and any development would require Transport Assessments to be conducted to ensure that the M6 J16 can continue to operate within capacity and safely as per the DfT Circular 02/2013. It should be noted that we are in continuous discussion with the applicant in relation to the M6 J16 pre-application, relating to the strategic employment site. We understand that an Economic Needs Assessment (ENA) 2020 – Evidence for Strategic Employment Sites has been conducted, which outlines the site at Land South East of Junction 16 of the M6. However, there is no mention of the issues and concerns that National Highways currently has regarding the increased trip generation, proposed access, need for successfully completed RSA and WCHAR processes and removal of laybys. The site’s compliance with DMRB and any potential departures from the standard will be required.

Paragraph 15.36 on page 80 states “the Borough has a well defined transport network and benefits from being located adjacent to the strategic highway network of the M6 motorway and the A500.”

We suggest that it is mentioned that National Highways (formerly Highways England) manages the Strategic Road Network (SRN). This is to ensure that we are consulted regarding proposed sites in proximity to the M6, A500 and A34, to ensure the safe operation of the SRN.

Yours sincerely



Appendix 6

Date: 24 January 2022
Our ref: 371613
Your ref: Newcastle-under-Lyme's Issues and Options



Planning Policy Team,
Newcastle-under-Lyme Borough Council

Hornbeam house
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Sir/Madam

Subject: Newcastle-under-Lyme's Issues and Options

Thank you for your consultation dated and received by Natural England on 19 October 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Newcastle-under-Lyme's Issues and Options

Question 1. Do you agree with the Vision for the Borough? If not, how could the Vision be improved?

Natural England advises that the Plan's vision and emerging development strategy should address impacts on and opportunities for the natural environment and set out the environmental ambition for the plan area. The plan should take a strategic approach to the protection and enhancement of the natural environment, including providing a net gain for biodiversity, considering opportunities to enhance and improve connectivity. Where relevant there should be linkages with the Biodiversity Action Plan, Local Nature Partnership, Nature Recovery Network, Rights of Way Improvement Plans and Green Infrastructure Strategies.

Question 2. Do you agree with the Strategic Objectives? If not, how could these be improved?

See response to Question 1

Question 3. Do you have specific comments to make with regard to this chapter?

No.

Question 4. Which option for growth is the most appropriate to use in the Local Plan?

Question 5. Do you agree with the proposed hierarchy of centres?

Question 6. Do you have suggestions for new development sites within development boundaries? (Please see the evidence base & topic papers webpages within the Planning Policy - Local Plan section of the Borough Council's website for maps of all existing development boundaries).

Question 7. Are there any areas in Newcastle-under-Lyme, Kidsgrove and within the development boundaries of Rural Service Centres that should be protected from development?

We have no comments to make.

Question 8. Which option/s for expansion do you support?

We would not support any option that impacts designed sites or would have a negative impact on biodiversity.

Question 9. Which option/s for expansion do you disagree with?

Question 10. Are there any alternative options which require consideration?

Question 11. Should development in the rural area be spread equally across the Rural Centres? If not, how should growth be distributed in the rural area?

Question 12. Do you have suggestions for potential Gypsy & Traveller sites which are deliverable?

Question 13. Which option (I-IV above) should the Council use to address the need for transit provision?

Question 14. Should the Local Plan set an alternative target for affordable housing to the national minimum (10%), and how is this justified?

Question 15. Do you agree with the general ratio of 5% social rented, 2.5% first homes and 2.5% flexibility to make up the composition of affordable homes on qualifying sites?

Question 16. How should the Local Plan help to deliver accommodation for older and disabled people and the specific needs of other groups?

Question 17. Do you think a strategic employment site should be allocated in the Local Plan?

We have no comments to make.

Question 18. Should site AB2 - Land south east of Junction 16 be considered for Green Belt release?

If this site is considered for release and allocation the following should be taken into account:

- Our mapping system shows that some of the site is priority habitat- Good quality semi-improved grassland. We refer you to paragraph 179 of the National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).
- Some of the site is best and most versatile land. See ALC report: <http://publications.naturalengland.org.uk/publication/4792819662192640> . We refer you to paragraph 174b) National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).
- Potential for air quality impacts on designated sites. For example Midland Meres & mosses Phase 2 RAMSAR/ Oakhanger Moss SSSI. This site is 2.6km away and within 200m of the M6 and is one of the many sites that could be impacted by development at this location. We refer you to paragraph 175 National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).

Question 19. Should site KL15 - Land to the south and east of new development site, Keele University be considered for Green Belt release?

If this site is considered for release and allocation the following should be taken into account:

- The site includes areas that are priority habitat- i.e. deciduous woodland, and The Butts and Hands Wood which it is listed as Ancient & Semi-Natural Woodland. If this site is released and considered for development, then any site allocation proposals should ensure that there is no loss or deterioration of irreplaceable habitats in line with paragraph 180c of NPPF

(<https://www.gov.uk/government/publications/national-planning-policy-framework--2>). We also advise referring to Natural England and Forestry Commission's Guidance -Ancient woodland, ancient trees and veteran trees: advice for making planning decisions
<https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>

- Potential for air quality impacts on designated sites. We refer you to paragraph 175 National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).
- Potential impact on best and most versatile land. We refer you to paragraph 174b of National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).

Question 20. Do you agree with the key principles of development boundaries?

Question 21. Do you think the development boundaries should be reviewed? If so, through the Local Plan or through Neighbourhood Plans?

Question 22. What would you like to see on your local high street?

We have no comments to make.

Question 23. What should the Local Plan do to enhance the vitality & vibrancy of the Borough's retail centres?

We would advise that green infrastructure improvements should be part of any plans to enhance the vitality and vibrancy of the borough's retail centres. There is an opportunity to enhance and create green and blue infrastructure within the centres through retrofitting Sustainable Urban Drainage (SUDS) which can help with water management, planting trees which can provide shading and cooling -an important climate change adaptation and designing in green and blue infrastructure into redevelopment. For information on opportunities and benefits, please see below:

- Greening the Grey: a framework for integrated green grey infrastructure.
<http://eprints.gla.ac.uk/150672/37/150672Full.pdf>
- Designing Blue Green Infrastructure (BGI) for water management, human health, and wellbeing: summary of evidence and principles for design.
[https://figshare.shef.ac.uk/articles/report/Designing Blue Green Infrastructure BGI for water management human health and wellbeing summary of evidence and principles for design/13049510](https://figshare.shef.ac.uk/articles/report/Designing%20Blue%20Green%20Infrastructure%20BGI%20for%20water%20management%20human%20health%20and%20wellbeing%20summary%20of%20evidence%20and%20principles%20for%20design/13049510)
- Introducing England's urban forests.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700468/IntroducingUrbanForest_FINAL_Sept16.pdf
- Grey to Green- A Guide to community-led depaving projects.
https://www.london.gov.uk/sites/default/files/grey_to_green_guide.pdf?utm_source=Green+Infrastructure+Partnership&utm_campaign=500c2fc4d9-EMAIL_CAMPAIGN_2017_08_31_COPY_01&utm_medium=email&utm_term=0_f4eb0dc7a3-500c2fc4d9-103374137
- Putting economic values on green infrastructure improvements.
<http://publications.naturalengland.org.uk/publication/5493770651435008>
- Exploring the co-benefits of urban green infrastructure improvements for businesses and workers' wellbeing. https://www.researchgate.net/publication/318965608_Exploring_the_co-benefits_of_urban_green_infrastructure_improvements_for_businesses_and_workers%27_wellbeing

- Public Health England- Improving access to greenspace. A new review for 2020.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904439/Improving_access_to_greenspace_2020_review.pdf
- WHO- Urban green spaces and health.
http://www.euro.who.int/_data/assets/pdf_file/0005/321971/Urban-green-spaces-and-health-review-evidence.pdf?ua=1

Question 24. Do you agree with the recommended changes to the town centre boundaries?

We have no comments to make.

Question 25. Is a Local Plan policy on air pollution required? If so, what should a policy on air pollution contain?

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (Suitability Appraisal (SA) and Habitats Regulation Assessment (HRA)) should also consider any detrimental impacts on the natural environment, and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen and ammonia emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from *local impacts* are those within 200m of a road with increased traffic¹, which feature habitats that are vulnerable to ammonia/nitrogen deposition/acidification. APIS (<http://www.apis.ac.uk/>) provides a searchable database and information on pollutants and their impacts on habitats and species.

We would advise that you refer to Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001) <http://publications.naturalengland.org.uk/publication/4720542048845824>.

Question 26. Is a Local Plan policy on water quality required? If so, what should a policy on water quality contain?

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 174 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 159-169 of the NPPF.

The Local Plan should be based on an up to date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Local Plan. These Plans (available <https://www.gov.uk/government/collections/river-basin-management-plans>) implement the EU Water Framework Directive and outline the main issues for the

¹ The ecological effects of diffuse air pollution (2004) English Nature Research Report 580
Design Manual for Roads and Bridges Volume 11, Section 3 Part 1 (2007), Highways Agency

water environment and the actions needed to tackle them. Local Planning Authorities must in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Plans should positively contribute to reducing flood risk by working with natural processes and where possible use Green Infrastructure policies and the provision of SUDs to achieve this.

You may find it helpful to refer to the guidance below. This is a little out of date now but still useful.

Engaging with the Water Framework Directive Guidance for Local Authorities

<https://catchmentbasedapproach.org/wp-content/uploads/2018/10/engaging-with-the-water-framework-directive.pdf>

Question 27. Is a Local Plan policy on environmental quality required? If so, what should a policy on environmental quality contain?

Designated sites

The Local Plan should set criteria based policies to ensure the protection of designated biodiversity and geological sites. Such policies should clearly distinguish between international, national and local sites². The hierarchy of designated sites should be set out in line with 175 National Planning Policy Framework (NPPF -<https://www.gov.uk/government/publications/national-planning-policy-framework--2>) and reference should be made to be made to the mitigation hierarchy set out in paragraph 180a.) of the National Planning Policy Framework (NPPF- <https://www.gov.uk/government/publications/national-planning-policy-framework--2>).

Natural England advises that all relevant Sites of Special Scientific Interest (SSSIs), European sites (Special Areas of Conservation and Special Protection Areas) and Ramsar sites³ should be included on the proposals map for the area so they can be clearly identified in the context of proposed development allocations and policies for development. Designated sites should be protected and, where possible, enhanced.

The Local Plan should be screened under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) at an early stage so that outcomes of the assessment can inform key decision making on strategic options and development sites. It may be necessary to outline avoidance and/or mitigation measures at the plan level, which will usually need to be considered as part of an Appropriate Assessment, including a clear direction for project level HRA work to ensure no adverse effect on the integrity of internationally designated sites. It may also be necessary for plans to provide policies for strategic or cross boundary approaches, particularly in areas where designated sites cover more than one Local Planning Authority boundary.

Natural England would welcome early discussion on the Habitats Regulations Assessment (HRA) of the plan and can offer further advice as policy options are progressed.

Biodiversity and Geodiversity

The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment.

² International sites include: Special Protection Areas (SPAs); Special Areas of Conservation (SACs) and Ramsar sites². National sites include Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) Local sites include wildlife Sites or geological sites (a variety of terms are in use for local sites).

³ The following wildlife sites should also be given the same protection as European sites: potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on European sites

A strategic approach for networks of biodiversity should support a similar approach for green and blue infrastructure (outlined below/ at question 32). Planning policies and decisions should contribute and enhance the natural and local environment, as outlined in para 175 of the NPPF. Plans should set out the approach to delivering net gains for biodiversity. Net gain for biodiversity should be considered for all aspects of the plan and development types, including transport proposals, housing and community infrastructure.

Priority habitats, ecological networks and priority and/or legally protected species populations

The Local Plan should be underpinned by up to date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: Habitats and species of principal importance in England (<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Protected species are those species protected under domestic or European law. Further information can be found here Standing advice for protected species (<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>). Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g. badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.

Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 175 of the NPPF.

Where a plan area contains irreplaceable habitats, such as ancient woodland, ancient and veteran trees, there should be appropriate policies to ensure their protection. Natural England and the Forestry Commission have produced standing advice on ancient woodland, ancient and veteran trees (<https://www.gov.uk/ancient-woodland-and-veteran-trees-protection-surveys-licences>).

Soils

The Local Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.

The plan should safeguard the long term capability of soils and best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future in line with National Planning Policy Framework paragraph 174. The plan should also recognise the important role soil plays in carbon storage- see Carbon Storage and Sequestration by Habitat (<http://publications.naturalengland.org.uk/publication/5419124441481216>) for further information.

Landscape

Natural England expects the Plan to include strategic policies to protect and enhance valued landscapes, as well criteria based policies to guide development.

Question 28. Do we need additional measures in the Local Plan to support national policies and guidance including the National Model Design Code on the design of development?

We are currently working on the green infrastructure standards. If you would like further information, please contact us. We are also aware of Building with Nature (<https://www.buildingwithnature.org.uk/>), which provides a benchmark for the design and maintenance of green infrastructure in housing and commercial development.

Question 29. Do you agree that the Local Plan should set out identified areas for ecological recovery?

Yes. We welcome the Council's intention to update the evidence base with ecological network recovery mapping for the Borough.

General advice and benefits of embedding biodiversity net gain

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The National Planning Policy Framework (NPPF) highlights the role of '*policies and decision making to minimise impacts and provide net gains for biodiversity*' (para 174). We would advise that the approach to biodiversity net gain should be in conformity with the mitigation hierarchy and this should be clear in the plan.

Planning Practice Guidance describes net gain as an '*approach to development that leaves the natural environment in a measurably better state than it was beforehand*' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, the Biodiversity Metric 3.0 (<http://publications.naturalengland.org.uk/publication/6049804846366720>), can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed 'good practice principles' for biodiversity net gain (<https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain.-Good-practice-principles-for-development.-A-practical-guide-web.pdf>), which can assist plan-making authorities in gathering evidence and developing policy.

Advice on wider environmental gains

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However your authority should consider the requirements of the NPPF (paragraph 73, 104, 120 and 174) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space of biodiversity strategies. Opportunities for environmental gains, including nature based solutions to help adapt to climate change, might include.

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.

- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats.

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

Evidence gathering

Existing environmental evidence can be gathered from various sources including online data sources like MAGIC (<https://magic.defra.gov.uk/>), Local Environmental Record Centres (LERCs) (<https://www.alerc.org.uk/>) and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership. The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?

Question 30. Is a Local Plan policy on heritage required? If so, what should a policy on heritage contain?

Question 31. What are your perspectives on the policy approach advocated in the 2019 Strategic Flood Risk Assessment?

We have no comment to make.

Question 32. Do you agree that an open space policy should set out open space provision requirements in new development?

We would advise that it would be helpful to set out criteria for what the Council expects from new development. Some things to consider/address are:

- Greenspace quality
- Barriers to accessing greenspace
- Children's play at all ages
- Opportunities for socialising in open space
- Opportunities for contact with nature and environmental education
- Formal and non-formal sports provision
- Encouragement of visits to the natural environment
- Facilities for minority groups
- Non recreation facilities – toilets cafes etc.

A green space policy should link in to green and blue infrastructure, the nature recovery network and climate change adaption and mitigation.

Green and blue infrastructure refers to the living network of green spaces, water and other

environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands.

Green and blue infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification.

A strategic approach for green and blue infrastructure is required to ensure its protection and enhancement, as outlined in para 175 of the NPPF. Green and Blue Infrastructure should be incorporated into the plan as a strategic policy area, supported by appropriate detailed policies and proposals to ensure effective provision and delivery. Evidence of a strategic approach can be underpinned by Green Infrastructure Strategy. We encourage the provision of green infrastructure to be included as a specific policy in the Local Plan or alternatively integrated into relevant other policies, for example biodiversity, green space, flood risk, climate change, reflecting the multifunctional benefits of green infrastructure.

Question 33. Is a Local Plan policy on transport required? If so, what should a policy on transport contain?

Any policy should include an active travel policy encouraging walking and cycling. Transport proposals should link with policies on green infrastructure and ecological networks to support access to nature. Transport proposals offer opportunities to create new habitats/connect habitats, e.g., railway embankments and highway verges.

Consideration should be given to cumulative impacts to the natural environment between transport proposals such as roads and other forms of development e.g., residential.

Question 34. What measures would you like to see in a Local Plan policy on renewable energy?

The renewable/low carbon energy policy should address impacts on the natural environment.

See also section on Climate change under Question 35.

Question 35. Are there any other topics that the Local Plan should address?

Sites of Least Environmental Value

In accordance with the paragraph 175 of NPPF, the plan should allocate land with the least environmental or amenity value. Natural England expects sufficient evidence to be provided, through the SA and HRA, to justify the site selection process and to ensure sites of least environmental value are selected, e.g. land allocations should avoid designated sites and landscapes and significant areas of best and most versatile agricultural land and should consider the direct and indirect effects of development, including on land outside designated boundaries and within the setting of protected landscapes.

Access and Rights of Way

Natural England advises that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 100 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. The plan should seek to link existing rights of way where possible, and provides for new access opportunities. The plan should avoid building on open space of public value as outlined in paragraph 99 of the NPPF.

The plan should make provision for appropriate quantity and quality of green space to meet identified local needs as outlined in paragraph 98 of the NPPF. Natural England's work on Accessible Natural

Greenspace Standard (ANGSt)

(http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/regions/east_of_england/ourwork/gi/accessible_natural_green_space_standard_angst.aspx) may be of use in assessing current level of accessible natural greenspace and planning improved provision.

Climate change

The Local Plan should consider climate change adaptation and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation. The plan should address climate change in line with the paragraphs 153-158 of the NPPF.

Natural England has been working on developing resources to help with climate change adaptation and mitigation and links to these are below:

- Climate Change Adaptation Manual
<http://publications.naturalengland.org.uk/publication/5679197848862720?category=10003>
- YouTube webinars
<https://www.youtube.com/playlist?list=PLMjpbfdBx8OUaLBEkYo4iUF1m0Fwm6IA9>. Natural England ran a series of webinars last summer where we provided a baseline level of understanding about climate change and Natural England's role.
- Landscape scale climate change assessment method (found in the Adaptation Manual) which is based on the NCA method
<http://publications.naturalengland.org.uk/category/5978088475197440>.
- Climate change vulnerability assessment
<http://publications.naturalengland.org.uk/publication/5069081749225472?category=10003>
- Nature Networks Evidence Handbook
<http://publications.naturalengland.org.uk/publication/6105140258144256>
- Carbon Storage and Sequestration by Habitat
<http://publications.naturalengland.org.uk/publication/5419124441481216>

In addition the following sources may prove useful:

Net Zero- The UK's contribution to stopping global warming <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-The-UKs-contribution-to-stopping-global-warming.pdf>

Cities on the route to 2030 -Building a zero emissions, resilient planet for all
<https://www.cdp.net/en/research/global-reports/cities-on-the-route-to-2030>

TCPA-Report: The Climate Crisis – a guide for local authorities on planning for climate change
<https://www.tcpa.org.uk/planning-for-climate-change>

TCPA Practical Guides - Guide 14: Building climate resilient large-scale new communities
<https://www.tcpa.org.uk/tcpa-practical-guides-guide-14-building-climate-resilient-large-scale-new-communities>

Question 36. Are there any other matters you would like to make a comment on?

No.

For any queries relating to the specific advice in this letter only please contact Gillian Driver on 0208 02 60995. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk .

Yours sincerely



Ms Gillian Driver
Lead Adviser
Land use planning – West Midlands Area Team

Annex A

Sources of local plan evidence on the natural environment

The following sources of evidence may be useful in ensuring local plans are evidence based, in line with paragraph 31 of the National Planning Policy Framework (NPPF) and assist in meeting Strategic Environmental Assessment (SEA) requirements. A range of additional locally specific evidence is also likely to be needed to underpin plan preparation.

General natural environmental evidence

[National Character Areas](#) (NCAs) divide England into 159 distinct natural areas. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan.

Natural England has also published downloadable [natural capital maps](#). These are a suite of ten maps, of different aspects of natural capital, contributes to our understanding of where our natural capital is.

The [Magic](#) website will provide you with much of the **nationally held natural environment data** for your plan area in downloadable GIS format. Specific data sets are listed under the environmental topics below.

[Local environmental record centres](#) may hold a range of additional information on the natural environment, principally ecological.

The following local organizations may also hold environmental information where applicable: Local Nature Partnerships, Wildlife trusts, Areas of Outstanding Natural Beauty, and [Nature Improvement Areas](#).

Evidence relating to the **significant environmental effects of the current local plan** should be available (in line with SEA legislation), as should suitable biodiversity evidence for any plan adopted after the NPPF came into effect (27 March 2012), usually through the current plan's Annual Monitoring Report.

Landscape

The [Magic](#) website provides data on the extent of protected landscapes (**National Parks and Areas of Outstanding Natural Beauty**).

National Park/Area of Outstanding Natural Beauty Management Plans may also be a source of useful evidence. These are usually found on these organisations websites.

Most areas have local **landscape character assessments**. These are tools to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area.

Data on **tranquillity** is held by [CPRE](#). They also hold mapping data on [light pollution](#).

Biodiversity and geodiversity

The most relevant layers on [Magic](#) for you to consider are **Ancient Woodland, Local Nature Reserves, Priority Habitat Inventory, Sites of Special Scientific Interest** (including their **impact risk zones**), **Special Areas of Conservation, Special Protection Areas, and Ramsar Sites** (including, where relevant, marine designations).

You may also wish to draw on more detailed information on specific [Sites of Special Scientific Interest](#) and the [Conservation Objectives](#) and [Site Improvement Plans](#) for **Special Areas of Conservation** and **Special Protection Areas**.

[Priority habitats and species](#) are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Larger areas of priority habitat will usually be mapped either as **Sites of Special Scientific Interest** on the Magic website or as **Local Wildlife Sites or Local Geological Sites**. **Local wildlife site** data is usually held by local planning authorities themselves as is **local geological site** data. Local Environmental Record Centres and local wildlife and geoconservation groups are also a source of information on Local Sites.

Natural England maintains the **Open Mosaic Habitat on Previously Developed Land Inventory** (a priority habitat dataset currently not integrated into the Priority Habitat Inventory on [Magic](#)) and is available on request from Natural England via email; NaturalEnglandGIDataManagers@naturalengland.org.uk.

Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area. Local Geodiversity Action Plans (LGAPS) identify agreed local action for geodiversity, a list of active LGAPs can be found at [UK Geodiversity Action Plan](#).

Some areas have identified **Biodiversity Opportunity Areas** or similar for spatially targeting biodiversity restoration work.

Protected species are those species protected under domestic or European law. [Local environmental record centres](#) are likely to hold much of the available data on such species.

Air Quality

[APIS](#) holds data on air pollution in particular in relation to protected nature conservation sites.

Access

The [Magic](#) website holds the following access related data: **National Trails, Public Rights of Way (on the Ordnance Survey base map), Open Access Land (the Countryside and Rights of Way Act 2000 layer), together with national and local nature reserves, country parks and the [England Coast Path](#).**

Locally held data will include the **definitive Public Rights of Way**, and may include **Rights of Way Improvement Plans** where they exist, and any locally mapped **open space audits or assessments**.

Natural England's work on [Accessible Natural Greenspace Standards \(ANGSt\)](#) may be of use in assessing current level of accessible natural greenspace and planning improved provision.

Green infrastructure

Green infrastructure strategies may comprise or contain useful evidence sources where they exist.

The [England Green Infrastructure Mapping Database \(NERR105\)](#) is designed to provide technical evidence on the Green Infrastructure of England as an open data product under Open Government License (OGL) conditions.

Soils

A provisional Agricultural Land Classification (ALC) map is on [Magic](#), and the GIS layer 'Likelihood of Best and Most Versatile Land' is available on request from Natural England via email; NaturalEnglandGIDataManagers@naturalengland.org.uk.

Some areas already have detailed ALC maps. The coverage of existing detailed MAFF post 1988 ALC surveys is shown on [Magic](#). The MAFF post 1988 ALC survey reports and maps themselves are available from [Natural England](#) or from [Gov.UK](#).

Our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) may also be of help.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#) website and also from the [LandIS](#) website, which contains more information about obtaining soil data.

Climate change

The [Climate Change Adaptation Manual](#) provides evidence to support nature conservation in a changing climate.

Landscape scale climate change assessment method (found in the Adaptation Manual) which is based on the [NCA method](#).

Natural England's [Nature Networks Evidence Handbook](#) identifies the principles of nature network design and describes the evidence that underpins the desirable features of nature networks.

The [Carbon Storage and Sequestration by Habitat](#) report provides evidence and support for nature-based solutions for net zero.

The [National Biodiversity Climate Change Vulnerability Assessment Model](#) provides a spatially explicit assessment of the relative vulnerability of priority habitats. The data files can be accessed here: [National Biodiversity Climate Change Vulnerability Assessment data](#).

The [LWEC Climate Change Impacts Report Cards](#) present the latest evidence on how climate change is affecting different aspects of our environment, economy and society.

Water Quality and Resources and Flood Risk Management

The Planning Practice Guidance provides guidance on [information sources for the water environment](#).

Appendix 7

Planning Policy Manager
Newcastle-under-Lyme Borough
Council
Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Telephone: [REDACTED]
Email: [REDACTED]

Date 19 January 2022

Via Email only

Re: Newcastle Local Plan - Issues and Strategic Options

Dear [REDACTED]

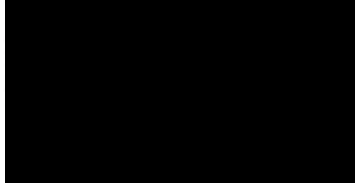
As you will be aware the County Council has previously provided Newcastle-under-Lyme Borough Council with details of all our Farm land holdings that could be made available for development through the call for sites. Your Plan presents 6 directions for growth for consideration, including Growth Direction 5 – Audley Rural expansion. It should be noted that the County Council has substantial holdings within this area and we have begun to undertake some conceptual work to consider how our holdings could be utilised in the provision of a garden settlement type expansion, informed by infrastructure requirements.

Enclosed within this letter are the plans and reports we have had prepared to date. These have also been shared with Audley Parish Council.

At present our work has focused on our own holdings in the main but we would be happy to engage with adjacent landowners to consider alternative options. As stated the work undertaken to date is conceptual in nature with the intention of providing the start of a dialogue. We would very much like to explore this opportunity at Audley with the Borough and Parish. This could take the form of enhanced three-tier working between the Parish, Borough and County Councils to collaborate and co-ordinate our respective place shaping activities.

Whilst I oversee the County Farm service and will work with our property teams to release any of the publicly owned land, I will seek to co-ordinate the County Council's activity through SCC's Principal Spatial Planning Officer to ensure that consistent lines of communications are maintained throughout the plan-making process.

Yours sincerely



Head of Economic Growth and Delivery,
Staffordshire County Council.

Enc.

- Audley Growth Scenarios Report Aug 2020
- SCC Farm Site Transport Appraisal Audley
- Audley Estate - High Level Feasibility and Viability Assessment
- Audley County Farm Land Development Appraisal - Woods

Appendix 8



Consultee
Address

Planning Policy

Your Ref 2022 DTC ???

Castle House
Barracks Road
Newcastle-under-
Lyme
ST5 1BL

?? December 2022

Dear ???

Re: Duty to Co-operate, NUL unmet housing need

I wanted to start by thanking you for your detailed response received when we last wrote to you regarding unmet housing need in 2019. You will be aware that Newcastle-under-Lyme Borough Council embarked on a new Local Plan for the borough in January 2021, and that the Joint Local Plan prepared with Stoke-on-Trent was discontinued. Since that time a new Housing and Economic Assessment was commissioned and completed in 2020 and work has restarted in terms of site identification and selection.

The meeting we held with you in September 2021 enabled discussion of the content and context for the Issues and Options stage of the Local Plan. In the Issues and Strategic Options document the Council publicly stated that based on evidence gathered during production of the former Joint Local Plan with Stoke City (now discontinued) there might not be enough land to accommodate housing in the Borough without consideration of Green Belt release. The document also set out the process the Council was going to follow to review that position and explore every reasonable option to identify land for housing.

The work internally has now been completed. An Urban Capacity and Site Selection Topic Paper is in development which will explain how all sources of sites were exhausted. It is anticipated this will be published to support the Draft Plan consultation in the Spring. Officers are happy to talk you through that process to reassure you that a robust process has been followed to identify sites for housing. The final stage of exhausting reasonable options to meet housing need is to hold discussions with our neighbouring authorities.

The housing target for the new Local Plan is based on the standard methodology. The annual housing requirement for the Borough is 350 dwellings per annum which equates to a minimum of 7,000 dwellings over the plan period 2020-2040.

Whilst this figure represents a considerable reduction from the previous Joint Local Plan target, there are still challenges in meeting this target in sustainable locations due to the lack

of available land for development within development boundaries and in areas which are not designated Green Belt. In line with the NPPF we wish to open discussions with neighbouring authorities about this issue to determine what alternative reasonable options can be pursued to avoid Green Belt release.

We have determined the most effective way to open this dialogue is to meet with neighbouring authorities to discuss cross boundary issues and the potential to accommodate housing need prior to the consultation on the Draft Plan. Whilst we believe that exceptional circumstances exist to support some Green Belt release, in accordance with the NPPF (paragraph 137) before concluding that exceptional circumstances exist, we need to be able to demonstrate that all other reasonable options have been explored. This includes that the strategy has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development and recorded formally through a Statement of Common Ground.

We recognise that some detailed points were raised in response to our previous request, and this is now the opportunity to revisit those assumptions and to hold an open discussion about whether any circumstances have changed since that time. A key part of any discussion will focus on the appropriateness of attributing Newcastle's housing need to a neighbouring authority and whether this would result in a pattern of sustainable development which will contribute towards the emerging aims and objectives of our Local Plan.

For the purpose of this, it would be helpful for you to consider the following:

- A 'working assumption' shortfall of 1,816 dwellings
- Whether your authority is in a position to assist, and the mechanism through which this would be forthcoming. It would help to understand the plan making stage that your authority is at.
- How much of the 'working assumption' shortfall you are able to accommodate within your plan area, including meeting the specialist need of groups
- Details of suitable sites in your plan area to meet our OAN, including whether the proposed sites are 'deliverable' within 5 years or 'developable' between years 6 and 15 of our plan period
- How you consider the proposed site(s) satisfy the 'sustainable development' criteria in meeting our OAN.

I am therefore writing to you to propose that we hold Duty to Cooperate meetings to discuss these issues, as well as any other relevant matters and to resolve a way forward.

We would be very happy to host the meeting at our offices or virtually on Microsoft Teams. To set up a meeting or further discussion about the content of this letter, please use the contact details provided at the end of this letter. We will be in touch later this month to arrange potential meeting dates.

Provided the discussions have taken place, we are aiming for receipt of a formal response from your authority by 1st February 2023.

Yours sincerely,

Jemma March
Planning Policy Manager
Newcastle-under-Lyme Borough Council

t [REDACTED]
[REDACTED]

Appendix 9

Statement of Common Ground

Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council

1. List of Parties involved:

Stoke-on-Trent City Council

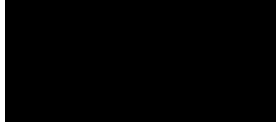
Newcastle-under-Lyme Borough Council

2. Signatories:

Stoke-on-Trent City Council:

Daniel Jellyman, Cabinet Member for Regeneration, Infrastructure and Heritage

Signed



Jon Rouse, City Director

Signed



Phil Cresswell, Director of Housing, Development and Growth

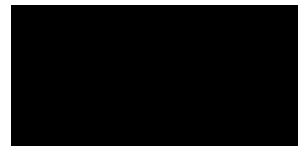
Signed



Newcastle-under-Lyme Borough Council

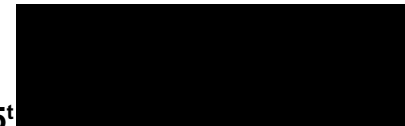
Andrew Fear, Cabinet & Portfolio Holder for Strategic Planning

Signed



Simon McEneny, Executive Director - Commercial Development & Economic Growth

Signed



Date: 15th

3. Strategic geography

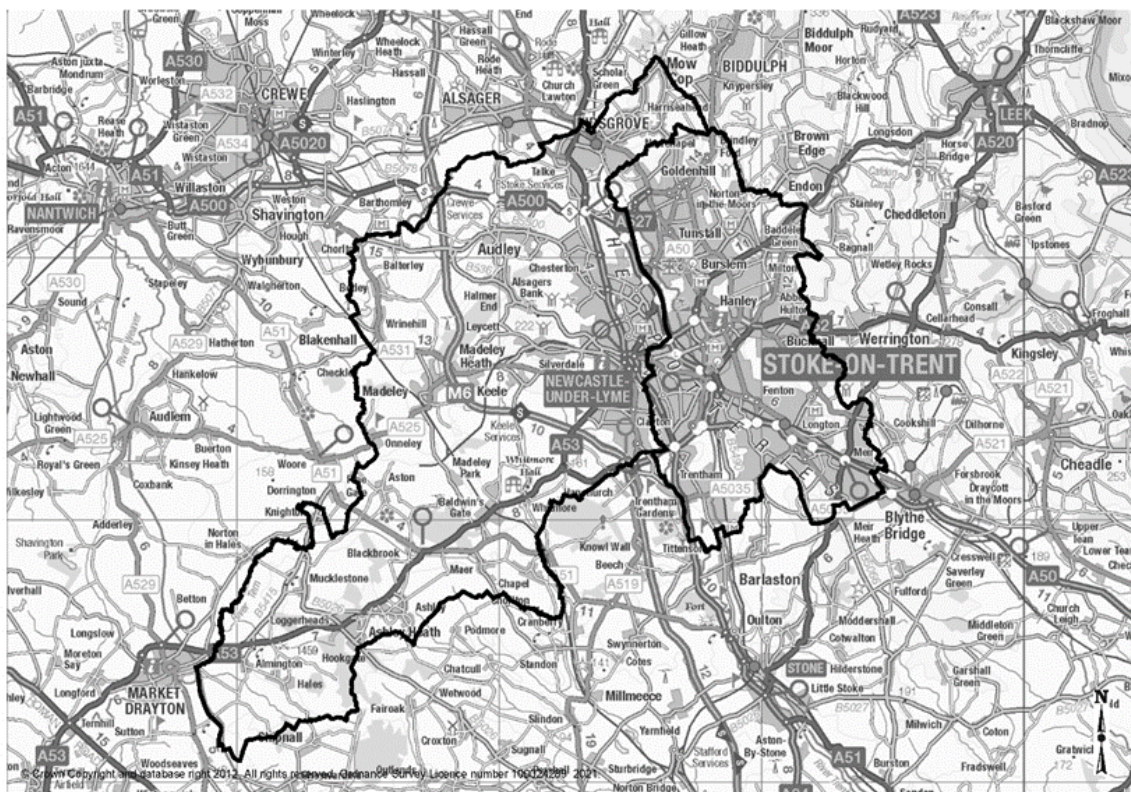
The statement of common ground covers the administrative boundaries of Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council.

Stoke-on-Trent is a city and unitary authority area in Staffordshire, with an area of 36 square miles (93 km²). The six towns of which the City of Stoke-on-Trent is comprised are Burslem, Fenton, Hanley, Longton, Stoke and Tunstall. Stoke-on-Trent has a total population of 256,622.

Newcastle-under-Lyme is a non-metropolitan local government district with borough status, with an area of 81.5 square miles (211 km²). The main towns in the borough are Newcastle-under-Lyme and Kidsgrove. Newcastle-under-Lyme has a total population of 129,600.

Both areas recognise that they have a functional economic market and a shared housing market. It is therefore important that close collaboration is maintained at all times, whilst respecting the independence of each Council to plan for their respective administrative area.

The following map shows the administrative boundaries for Stoke-on-Trent and Newcastle-under-Lyme.



4. Strategic Matters

Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council have a history of working collaboratively on planning matters having adopted the Joint Core Spatial Strategy in 2009. Work then progressed until January 2021, on a joint local plan. This plan was not progressed. From this date each Council is producing a local plan for their respective area according to their own Local Development Scheme timetables. It is intended that the separate Local Plans will replace the Joint Core Spatial Strategy upon adoption. Both new Local Plans cover the plan period 2020-2040.

The following strategic matters have been identified:

4.1 Housing

A Joint Housing Needs Assessment update was produced in 2020 by Turleys Associates and published by each authority. As set out in the Government standard methodology to calculate local housing need, Stoke-on-Trent City Council needs to accommodate a 35% uplift to its LHN housing number which the government assigned to the 20 largest Cities and Urban Centres in England.

Agreed:

- Function as a joint housing market area.
- The methodology for the scenarios for growth presented in the joint Housing Need Assessment 2020 is robust as it considers the whole housing market area and interlinkages between housing and economic growth.

Further Discussion Required:

- Which residential growth option each Council is going to be taking forward through the local plan process and the evidence to support it.
- How each authority is proposing to meet the need (and site allocations).

4.2 Economy

The latest joint Economic Needs Assessment update was produced in 2020 by Turley Associates and has been published by each authority.

At Issues and Options stage neither Council has identified site allocations. However, Newcastle-under-Lyme Local Plan sought comments on 2 strategic scale employment site locations (over 25ha).

Agreed:

- Perform as a joint functional economic area.
- The methodology for the scenarios for growth presented in the joint Economic Needs Assessment 2020 is robust as it considers the whole functional economic area and interlinkages between housing and economic growth.

Further Discussion Required:

- Which employment growth option each Council is going to be taking forward through the local plan process and the evidence to support it.
- How each authority is proposing to meet the need (and site allocations) with specific reference to:
 - The principle of strategic employment sites including Keele University and Junction 16 of the M6 (Newcastle-under-Lyme).

4.3 Gypsy and Travellers

The Gypsy and Traveller and Travelling Showperson Accommodation Needs Assessment was commissioned jointly and produced by Arc 4 in 2020. The targets are specific to the individual authority. The nature of provision means that it must be located in the individual Local Authority area to meet that authority areas specific need.

Agreed:

- Each authority will meet its own Gypsy and Traveller need.

Further Discussion Required:

- Approach to meeting the need for transit pitches.

4.4 Transportation:

The North Staffordshire Multi-Modal Transport Model is being used to undertake forecasts of future traffic levels and conditions and the assessment of scenarios such as providing additional development and transport improvements.

Agreed:

- Transport network of Stoke and Newcastle are interlinked and both areas road network feeds onto the strategic highway network of the A500 and M6.
- The North Staffordshire Multi-Modal Transport Model is the accepted model for modelling the transport network across both authority areas.
- Site allocations from both Local Plans and solution schemes will need to be modelled.
- Each respective Authority will feed into the model in a timely manner when requested.

Further Discussion Required:

- Any issues arising from future modelling work.

4.5 Air Quality:

Newcastle has 4 designated Air Quality Management Areas:

- Little Madeley
- Newcastle-under-Lyme town centre
- Kidsgrove town centre
- May Bank, Wolstanton and Porthill

Stoke City has a designated Air Quality Management Area Order 2011 which covers 10 different monitoring areas within its boundary.

In 2018 the Government issued a Ministerial Direction to the Borough and City Councils, requiring the preparation of a local air quality plan (across authority boundaries) between Etruria and Basford.

Transport solutions to reduce traffic and ensuring a free-flowing transport network are critical to prevent the cumulative impact of development decreasing air quality.

Agreed:

- NO₂ needs to be monitored to safeguard air quality.

Further Discussion Required:

- The location of proposed development sites and the cumulative impact of additional vehicles on air quality.

4.6 Retail:

Newcastle-under-Lyme and Stoke-on-Trent jointly commissioned Nexus to undertake a retail and leisure study which was completed in 2019. This set a recommended retail hierarchy as well as town centre boundaries and retail impact thresholds.

Agreed:

- The conurbation has an interrelated network of retail centres and retail parks.
- Any strategic scale retail plans could impact upon the vitality and viability of other Centres.

Further Discussion Required:

- Any strategic scale retail which could result in cross boundary issues.
- Proposals for new or additions to retail areas:
 - Consider the impact on adjoining centres (particularly where they are in the retail impact threshold distance or where they are at odds with the current hierarchy).

4.7 Green Belt:

The Councils' Green Belt forms part of the wider North Staffordshire Green Belt designated in 1967 and is contiguous with the Green Belt in Cheshire East, Staffordshire Moorlands and Stafford.

The Councils jointly commissioned ARUP to undertake a Green Belt Assessment in two parts with the first part completed in 2017 and second in 2020.

Whilst the assessment acknowledges different forms, scales and functions of the Green Belt for the two authorities, the original four aims of the 1967 designation of the North Staffordshire Green Belt were largely related to avoiding the coalescence of distinct settlements, particularly with the Potteries conurbation.

Agreed:

- Amendments to the Green Belt should not result in the coalescence of settlements across the two authority areas.
- The joint methodology (set out in the ARUP Green Belt Assessment) should be used to review Green Belt boundaries.

Further Discussion Required:

- Impact of Green Belt amendments on areas located between Newcastle-under-Lyme and Stoke-on-Trent.
- New Green Belt evidence:
 - Further Green Belt evidence; or
 - Deviation from the agreed methodology

4.8 Infrastructure:

Joint working and consideration of proposed allocations for development will enable identification of any cross-boundary infrastructure requirements including water, utilities, health and education.

Water services are provided by Severn Trent Water and wastewater services are provided by both Severn Trent Water and United Utilities Group.

Agreed:

- Both Authorities will produce an individual Infrastructure Delivery Plan.
- Liaison will be maintained with Staffordshire County Council and other infrastructure providers as required.

Further Discussion Required:

- Cross-boundary infrastructure issues, requirements and opportunities.
- Collective impacts (Identify, mitigate, cost and funding).

4.9 Ecology, Open Space and blue/green infrastructure

Newcastle under Lyme borough contains some of the designated Midlands Meres and Mosses Phase 1 Ramsar sites, both within and beyond the north western edge of the administrative boundary.

Agreed:

- Habitats, green and blue corridors that connect (or where opportunities for connectivity exist) across the Authorities boundaries will be identified and opportunities for improvement sought where required.
- A joint strategic approach for the care, management and enhancement of the existing green and blue infrastructure is required to ensure that the wider benefits of the network are maximised.
- There are no cross boundary European designated sites or SSSI's.

Further Discussion Required:

- Any significant changes, particularly any loss to open space and playing pitch provision that could have strategic cross boundary implications.

4.10 Flood risk/drainage

The River Trent flows from the north east to the south west through the centre of Stoke-on-Trent with two other tributaries forming Main Rivers (Fowlea Brook and Lyme Brook). The Lyme Brook originates in Newcastle-Under-Lyme. The River Lea is also found in the west of Newcastle-under-Lyme. The two Authority areas are both in the Severn Trent Water Resource Zone.

The Strategic Flood Risk Assessment produced for Newcastle by JBA in 2019 identifies cross boundary implications and considers that development in Newcastle-under-Lyme is more likely to have the potential to increase flood risk outside of the Borough, rather than development in other local authority areas affecting the Borough.

Agreed:

- New development should not increase the risk of flooding elsewhere.

Further Discussion Required:

- Proposed site allocations and the subsequent flood risk impact.
- Level 2 Strategic Flood Risk Assessments and Water Cycle Study.

5. Governance Arrangements

How decisions on the SCG will be managed and agreed

Stoke-on-Trent City Council Cabinet has granted delegated powers to the City Director and Director of Housing, Development and Growth, in consultation with the Cabinet Member for Regeneration, Infrastructure and Heritage to enter into this statement of common ground agreement.

Newcastle-under-Lyme Borough Council has no delegated decisions with respect of the Duty to Cooperate. Strategic matters will be presented to the Portfolio Holder for Strategic Planning and the Executive Director for Growth and Regeneration who will determine the procedure for entering into the Statement of Common Ground..

Monthly informal officer liaison meetings are in place to keep each Council informed of progress. Six monthly formal minuted meetings are undertaken which follow an agenda containing the cross boundary matters identified in this statement.

Decision making on cross boundary issues will be done through formal channels for each Authority.

Any points which cannot be resolved through officer discussion and sign off by individual Authority decision-making channels may trigger a meeting between the authorities of the Chief Executive Officer's and elected leaders. If points are not able to be agreed/resolved this will be detailed in future iterations of this Statement of Common Ground.

6. Current Local Development Scheme Timetable

LPA	Present Plan Adoption	Proposed Plan Review Date	Target Reg.18 Issues and Options Date	Target Reg.18 Draft Plan	Target Reg.19 Date	Target Submission Date
SOT	Oct 2009	Jan 2021	Spring 2021	Winter 2021	Spring 2022	Summer 2022
NUL	Oct 2009	Jan 2021	Autumn 2021	Autumn 2022	Summer 2023	Winter 2023

Appendix 10

Dealt with by: Holly Jones

Our Ref: DTC/Newcastle

Direct Dial: [REDACTED]

Your Ref:

Date: 13 March 2023

Jemma March
Planning Policy
Castle House
Barracks Road
Newcastle under Lyme
ST5 1BL

Dear Jemma,

Re: Duty to Co-operate, NUL unmet housing need

Thank you for the letter addressed to Mark James dated 5 December 2022. I would like to start by apologising for the lengthy delay in responding to you. Please note that Mark James has now left the two authorities and, pending recruitment of a permanent replacement, I will be acting in the interim and I would be grateful if you would update your records accordingly.

I have had an opportunity to review the letter and reflect on our recent meeting regarding the situation that you find yourselves with respect to not being able to meet your identified housing needs.

Under the current framework, Staffordshire Moorlands, as a neighbouring authority, will consider the potential to help meet some of this need, but the appropriate route through which to do this is through the plan making process.

The planning policy team cover both Staffordshire Moorlands and High Peak Borough Council and resource is currently focused on the review of the High Peak Local Plan which is at a very early stage. Staffordshire Moorlands adopted its Local Plan in September 2020 and the review of this plan will not commence for another couple of years. At this point in time we cannot advise whether we will be able to accommodate any housing need.

I note that you have not yet sought to look at sites within your Green Belt to accommodate your housing need. The relationship and geography of our two

authorities around Stoke-on-Trent is such that the land closest to our boundaries is within Green Belt within our administrative area. If we are to help meet some of your unmet housing need in the future it remains the view that the most appropriate place to do would be as close as possible to where the need arises, though this would likely necessitate in us looking at Green Belt release within our administrative area and it is questioned whether to do so in advance of your own through assessment would be logical.

We are happy to continue this dialogue and once we embark upon a review of the Staffordshire Moorlands Local Plan, we would be make an assessment of the potential to accommodate any unmet housing needs in accordance with the duty to cooperate should this still be an issue.

I hope the above is helpful and look forward to meeting you again soon.

Yours sincerely

Holly Jones
Planning Policy Adviser

Appendix 11

Allan Clarke
Planning Policy Manager

Newcastle-under-Lyme Borough
Council

Sent by email only

www.cheshireeast.gov.uk

DATE: 8 March 2023

OUR REF: SP/SP25/xi

Dear Allan,

Re: Duty to Co-operate, NUL unmet housing need

I write in response to your letter dated 5 December 2022 in which you seek to understand whether Cheshire East Council is able to assist in accommodating a proportion of Newcastle under Lyme's housing need within Cheshire East.

I appreciate that, at this stage, we have not been able to review the full extent of evidence to demonstrate that Newcastle is unable to meet its own housing need in full. That said, I think two of the substantive reasons set out in our previous letter to you explaining why Cheshire East could not agree to your request still apply.

Firstly, that the Cheshire East Local Plan Strategy has established that Cheshire East is its own housing market area. Therefore, it is not clear how Cheshire East agreeing to meet some of your housing numbers will actually address the identified housing needs of your Borough and its wider housing market area. It follows that the provision of housing outside of your housing market area may lead to unsustainable patterns of development from a travel and transport point of view. It risks increasing pressure on the transport infrastructure which connects our areas.

Secondly, that the practical issue of the mismatch in the timing of plan preparation remains. The Council's adopted Local Plan covers the plan period 2010 to 2030. It was prepared solely on the basis of meeting this Council's needs and, while we do currently have a healthy 5 year supply position, this belies the fact that the Council is still

addressing a position of housing under delivery from the start of the plan period (to the extent of around 762 homes at 31.3.22). Cheshire East Council has reviewed its Local Plan Strategy and decided that an update to it is necessary. However, this is at the very start of the plan-making process and will take a number of years to prepare. It will be informed by its own evidence of housing need and land supply. We don't know what that evidence will say and we are not yet in a position to understand what our own future needs will be and how/whether they might be accommodated. As you know, land was removed from the Green Belt in the current Local Plan Strategy to meet Cheshire East's development needs to 2030.

In summary, we are not able to agree to accommodate a proportion of Newcastle-under-Lyme's housing need. However, we appreciate the regular and constructive dialogue that we have regarding cross boundary matters.

Yours sincerely

Stuart Penny

Planning Policy & CIL Manager

Appendix 12



Local Plan 2020-2040 Preferred Options

Duty to Cooperate meeting –
12 January 2023

Newcastle-under-Lyme Borough Council
(NuLBC) & Stafford Borough Council (SBC)

Minutes of meeting

1. Attendees

- Noel Bell - Principal Planning Officer (NuLBC)
- Alex Yendole - Strategic Planning and Placemaking Manager (SBC)
- Harriet Moseley - Planning Policy Officer (SBC)

2. Stafford Borough Council Local Plan process update

2.1 SBC consulted on the Preferred Options version of the new Local Plan 2020-2040, which closed at 12 noon on Monday 12th December 2022. Responses are currently being worked through and will be published in due course.

3. Key issues at this stage

3.1. SBC and NuLBC discussed the new NPPF prospectus and its implications on housing requirements. To date, neither authority has formalised a view on how this will influence the nature & timeframes of Local Plan production. In terms of NuLBC's housing shortfall, SBC would want to have confirmation of NuLBC's Local Plan intent as a consequence of the new NPPF prospectus before providing a response to NuLBC's letter of December 2022 re: accommodating a proportion of NuL's growth requirement. Allied to this, SBC consider that there could be value in NuLBC providing evidence from the City of Stoke in terms of their capability to accede to a similar request. .

3.2. In the last meeting, a statement of common ground was discussed, this will also be on hold until positions on the NPPF prospectus are clarified.

3.3. NuLBC are in the process of producing a Health and Wellbeing framework, a copy of this to be sent to SBC.

3.4. NuLBC are happy with the minutes from the last meeting and will provide an email confirming this.

3.5. In terms of future meetings, both authorities are committed to ongoing & meaningful dialogue, with future get-togethers to be scheduled when required.

Appendix 13

Mr A Clarke
Planning Policy Manager
Castle House
Barracks Road
Newcastle-under-Lyme
ST5 1BL

CONTACT	Alex Yendole
DIRECT DIAL	[REDACTED]
EMAIL	[REDACTED]
OUR REF	2022 DTC Stafford2
YOUR REF	AY/766
DATE	3 April 2023

By post and e-mail

Dear Mr Clarke

Re: Duty to Co-operate, NUL unmet housing need

Thank you for the letter to Stafford Borough Council (dated 5 December 2022) from Jemma Marsh on behalf of Newcastle under Lyme Borough Council relating to unmet housing need and assistance from Stafford Borough Council. As I understand it your Local Plan 2020-2040 is proposing a total housing requirement of 7,000 dwellings. With a focus on sustainable locations and an updated evidence base, to be published alongside the Draft Plan later this year, the current 'working assumption' shortfall amounts to 1,816 dwellings.

Following receipt of the letter on 5 December 2022 two Duty to Co-operate meetings have taken place between officers of Newcastle under Lyme and Stafford Borough Councils on 12 January 2023 and 8 March 2023. In the context of these meetings please accept this letter as a formal response to the requests made in your letter.

At this time Stafford Borough Council are not in a position to assist your authority in meeting the unmet housing shortfall of Newcastle under Lyme Borough Council due to the Stafford Borough Local Plan 2020-2040 being in the early stages of plan-making, having recently completed the Regulation 18 consultation. It is also noted that the functional linkages, as reflected by the separate housing market areas of our two authorities together with current transport connectivity, are less prominent than with other areas.

Should you wish to discuss this matter further please do not hesitate to contact me to arrange a further meeting.

Yours sincerely,

[REDACTED]

Alex Yendole
Strategic Planning & Placemaking Manager

Appendix 14

Statement of Common Ground between Shropshire Council and Newcastle-under-Lyme Borough Council

Date: August 2021

1. Introduction

- 1.1. The National Planning Policy Framework (2019) (NPPF), specifies that Local Planning Authorities are “*under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries*”¹.
- 1.2. The NPPF also specifies that “*in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency*”².

2. Purpose

- 2.1. This Statement of Common Ground (SoCG) has been produced to support the Shropshire Council Local Plan Review (2016-2038). Newcastle-under Lyme Borough Council are at an earlier stage of plan preparation on their Local Plan Review, and are due to consult on an Issues and Options paper in autumn 2021. It has therefore been agreed that it is appropriate to consider any further strategic cross boundary issues to support the Newcastle-under-Lyme Local Plan Review as part of a separate SoCG at an appropriate time in their plan preparation timetable. This SoCG sets out how Shropshire Council and Newcastle-under-Lyme Borough Council have positively engaged in order to fulfil the Duty to Cooperate requirements in relation to the Shropshire Council Local Plan Review (2016-2038).

3. Scope

- 3.1. The National Planning Practice Guidance (NPPG) provides details on the scope of a SoCG, which can be summarised as follows:
 - The plan-making authorities responsible for joint working detailed in the statement;
 - A description and map of the administrative areas covered by the statement, and a brief justification for these area(s);
 - The key strategic matters being addressed by the statement;
 - Governance arrangements for the cooperation process;
 - If applicable, the housing requirements (if known) within the area covered by the statement;
 - Distribution of needs or the process for agreeing distribution of needs (including whether there is and the distribution of unmet needs);
 - A record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and
 - Any additional strategic matters to be addressed by the statement which have not already been addressed.

¹ MHCLG, (2019), NPPF – Paragraph 24

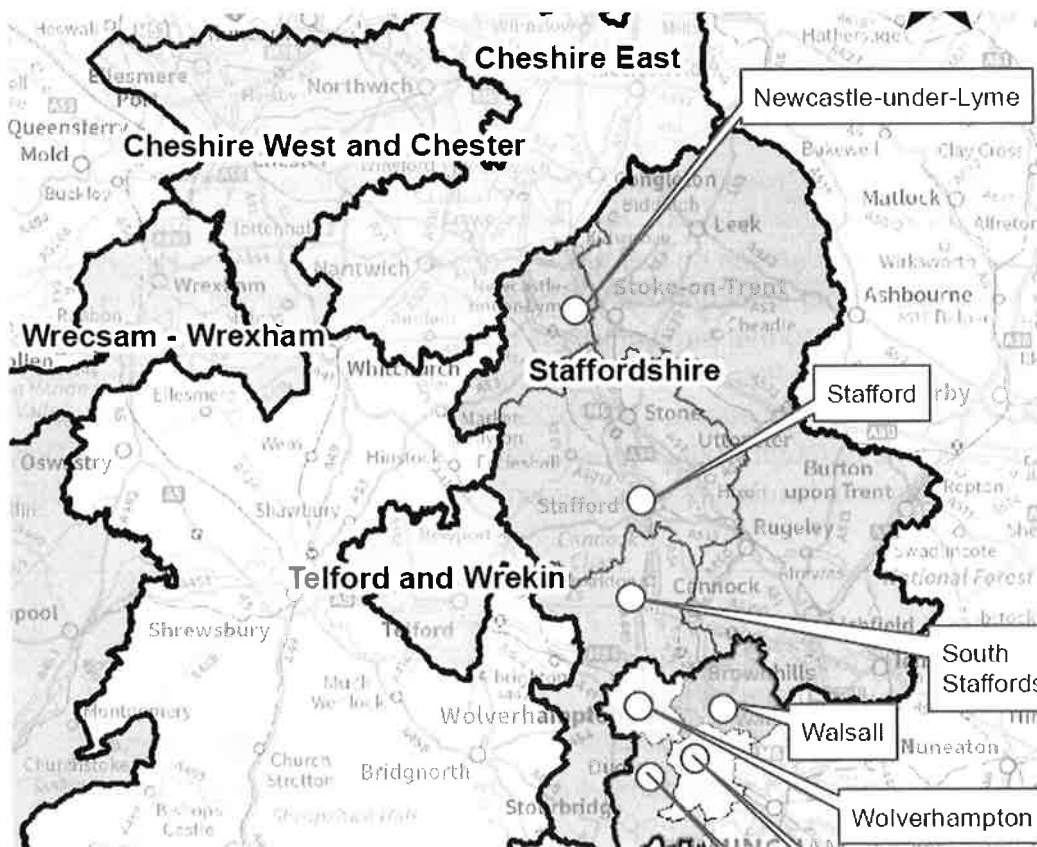
² MHCLG, (2019), NPPF – Paragraph 26

3.2. The NPPG also recognises that *“The level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities’ websites”*³.

4. Relevant Local Authorities and Geography

4.1. This SoCG has been prepared jointly by Shropshire Council and Newcastle-under-Lyme Borough Council. As neighbouring Local Planning Authorities, it is important that effective duty to cooperate discussions are undertaken regarding strategic matters that cross administrative boundaries.

4.2. The below map illustrates the location of Shropshire Council and Newcastle-under-Lyme Borough Council:



5. Duty to Cooperate

Shropshire Council Local Plan Review

5.1. The Shropshire Local Plan currently comprises the Core Strategy (adopted 2011) and the Site Allocations and Management of Development (SAMDev) Plan (adopted 2015), together with adopted formal Neighbourhood Plans. On completion of the review process, the Core Strategy and SAMDev Plan documents will be replaced by the ‘Shropshire Local Plan’ (2016-2038) document (with the exception of any saved policies), supported by any adopted formal Neighbourhood Plans.

³ MHCLG, (2019), NPPG – Plan Making, Paragraph: 011 Reference ID: 61-011-20190315

- 5.2. The Shropshire Local Plan will include strategic and detailed policies, together with site allocations for a Plan period 2016 to 2038.
- 5.3. There has been ongoing and active engagement between Shropshire Council and Newcastle-under-Lyme throughout the Shropshire Council Local Plan Review. Specifically:
- Duty to Cooperate discussions have occurred at appropriate times during the Local Plan Review process. These discussions took place within the context of Newcastle-under-Lyme Borough Council preparing a joint Local Plan with Stoke-on-Trent up until December 2020.
 - Newcastle-under-Lyme Borough Council have been consulted during the various 'Regulation 18' Consultations undertaken to inform the Shropshire Local Plan Review. The Local Plan Review consultation periods thus far are as follows:
 - Issues and Strategic Options Consultation – 23rd January 2017 to 20th March 2017.
 - Preferred Scale and Distribution of Development Consultation – 27th October 2017 to 22nd December 2017.
 - Preferred Sites Consultation – 29th November 2018 to 8th February 2019.
 - Strategic Sites Consultation – 1st July 2019 to 9th September 2019.
 - Regulation 18: Pre-Submission Draft of the Shropshire Local Plan – 3rd August 2020 – 30th September 2020.
 - Newcastle-under-Lyme Borough Council were also consulted as part of the 'Regulation 19' Consultation undertaken to inform the Shropshire Local Plan Review.
 - Duty to Cooperate discussions have taken place at appropriate times as the Local Plan Review progressed.

Newcastle-under-Lyme Borough Council Local Plan

- 5.4 On 13 January 2021 members of Newcastle-under-Lyme Cabinet resolved to undertake the production of a new Borough Local Plan independent of Stoke-on-Trent City Council. A new Local Development Scheme has been prepared to cover the period 2021-2024, setting out the preparation of the Newcastle-under-Lyme Borough Local Plan. Information on the LDS can be found here https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Local%20Development%20Scheme%202021-2024_0.pdf

6. Key Strategic Matters

Housing Market Areas

- 6.1. The Shropshire Council area is considered to represent a self-contained housing market area (HMA).
- 6.2. Similarly the Newcastle-under-Lyme Borough Council area comprises its own Housing Market Area although there are overlapping HMAs and strong migration links to the north and south.
- 6.3. It is acknowledged that the duty to cooperate is not restricted to just Local Planning Authorities within the same HMA. As such both Local Authorities continue to liaise closely in accordance with the Duty to Cooperate.

Housing Need and Requirement: Shropshire Council

- 6.4. Using Government's standard methodology, in 2020, Shropshire Council calculated a Local Housing Need (LHN) which applies to both the Local Planning Authority area and the Shropshire Council housing market area of some 1,177 dwellings per annum (equating to 25,894 dwellings over the 22 year plan period from 2016-2038). The assessment of need will be kept under review. Shropshire Council is proposing to meet the entirety of its LHN.
- 6.5. Shropshire Council currently understands that evidence prepared to inform the Local Plan Review being undertaken for the Association of Black Country Authorities (ABCA) indicates a significant unmet housing and employment land need within the Black Country, which forms part of the GBBCHMA, although the exact extent of these unmet has not yet been fully quantified through the Black Country's plan review. However, the NPPF is clear that strategic cross-boundary matters should be "dealt with rather than deferred", so as a result of Duty to Cooperate discussions with ABCA, Shropshire Council is proposing to contribute towards meeting unmet housing and employment land needs understood to be arising in the Black Country. Specifically, Shropshire Council is proposing to contribute around 1,500 dwellings and around 30ha of employment land towards unmet needs arising in the Black Country. Rather than identifying specific sites to achieve these contributions, they will form part of the wider housing and employment land requirements for Shropshire.

Green Belt: Shropshire Council

- 6.6. In order to achieve a sustainable pattern of development, Shropshire Council is proposing to accommodate development in such a way that helps make more sustainable, balanced, vibrant, resilient and self-reliant places in which to live and work. Specifically, the Local Plan Review intends to direct the majority of new development towards the larger settlements with the most extensive range of services, facilities and infrastructure to support it. However, it also allows for appropriate levels of development within rural areas, to support the longer-term sustainability of rural communities.
- 6.7. The eastern part of Shropshire is located within the West Midlands Green Belt. To inform the ongoing Local Plan Review, Shropshire Council has undertaken a Green Belt review. Whilst most additional development is proposed in locations outside the Green Belt, the strategic economic importance of the eastern part of the County, particularly the M54/A5 corridor, is a significant consideration. Impacts on longer term sustainability of Green Belt settlements due to constraints on their ability to meet their local development requirements have also been identified. There is also a need to facilitate the long-term sustainability of the occupiers of the RAF Cosford site, including the Midlands Air Ambulance Charity. As such a level of Green Belt release is proposed within the ongoing Local Plan Review.
- 6.8. In November 2019 Newcastle-under-Lyme Borough Council wrote to Shropshire Council requesting the Council give consideration to accepting some cross boundary housing needs, within the context of exploring all available options to the potential release of Green Belt. Shropshire Council responded to this request in April 2020, indicating that the Council were not able to accommodate any cross boundary development needs from Newcastle-under-Lyme.
- 6.9. Shropshire Council wrote to Newcastle-under-Lyme Borough Council in February 2020 requesting the Council give consideration to accommodate an element of Shropshire's

housing needs, and in particular in relation to the emerging Green Belt development requirements relating to the sustainable growth requirements of a number of specific settlements Newcastle-under-Lyme Borough Council responded to this request in April 2020, indicating the Authority were unable to accommodate any housing needs from Shropshire within their area.

7. Other Strategic Matters

Gypsies and Travellers: Shropshire Council

- 7.1. Shropshire Council has finalised an updated Gypsy and Traveller accommodation assessment (GTAA 2019). The updated GTAA refines the previously published GTAA (2017) by updating site information and considering public site management data to better understand and evidence site capacity and pitch turnover. Unauthorised encampment activity is also considered.
- 7.2. The evidence concludes that there is no current strategic requirement for allocation. However, the need to provide a permanent plot for Travelling Showpeople resident on a temporary site in Shropshire and potentially for public transit capacity to support private provision are identified. These requirements are proposed to be directly addressed by the Council, with a planning application for a travelling show persons site currently under consideration. In addition to the intended direct provision, policies within the ongoing Local Plan Review will facilitate the ongoing delivery of sites to meet arising needs. Shropshire thus intends on addressing its own needs for gypsy and traveller provision. There are no significant cross boundary strategic issues identified.

Minerals and Waste

- 7.3. Shropshire Council is engaging separately with Staffordshire County Council as the Mineral and Waste Authority for Staffordshire.

Development in Market Drayton

- 7.4. Market Drayton is located in the North-East of Shropshire, close to the boundary of Newcastle-under-Lyme Borough Council. The town is the fifth largest settlement within the Shropshire Council area and has been identified to act as a Principal Centre within the draft Local Plan. Draft Policy S11.1 of the Draft Local Plan identifies the growth requirements for Market Drayton, being 1,200 dwellings and 35ha of employment land over the plan period 2016-2038. At March 2019, 559 dwellings have either been completed or committed since 2016. A number of moderately scaled housing sites have therefore been proposed for allocation to the north of the A53 in order to deliver the residual housing requirement to 2038. These are detailed in Schedule S11.1 (i) of the draft Local Plan and identified on the Draft Policies Map. In recognition of the existing allocated employment commitments, the draft Local Plan does not seek to allocate any additional employment land to 2038.
- 7.5. At the strategic scale, given their proximity, it is recognised there is some potential for additional cross boundary traffic movements between the two authority areas from development in Market Drayton, although there is no evidence to indicate this would be significant. The strategy for Market Drayton provides for balanced growth incorporating 'saved' employment allocations from the existing SAMDev Plan, in order to support a level of self-containment to reduce the need for out-commuting. In addition, draft Policy DP25 provides the Council's approach to infrastructure provision resulting from new planned development. It states that "new development should only take place where there is sufficient existing infrastructure capacity available. Where a new development would lead

to a shortfall in infrastructure provision, the development will be required to fund necessary improvements through suitable developer contributions, unless the identified shortfall is being addressed by other means.” To inform the submission of the draft Local Plan a minor modification is proposed to the explanatory text to Draft policy DP25 which states, “It should be noted that consistent with the national CIL Regulations (as amended), CIL funds may be passed to bodies outside the area to deliver infrastructure that will benefit the development of the area”.

Neighbourhood Development Planning

- 7.6. Market Drayton Town Council were preparing a Neighbourhood Development Plan for the Town Council area, which also incorporated land in the three adjoining parishes of Moreton Say, Adderley and Norton in Hales. In 2018 this Neighbourhood Development Plan was subject to the Examination process and was not recommended to proceed to referendum. As a result no further work has taken place on this Neighbourhood Development Plan.
- 7.7. A separate Neighbourhood Development Plan is currently in the early stage of preparation by Moreton Say, Adderley and Norton in Hales Parish Councils, although this has not yet reached its Regulation 14 Draft stage.

8. Matters of Agreement

- 8.1. Shropshire Council intends to meet their identified LHN within their Local Authority area through the Local Plan review up to 2038. The Duty to Cooperate conversations between the two authorities have agreed that neither authority was able to meet any additional need for housing above their own LHN. Shropshire will accommodate its own LHN within its area. It is acknowledged that the context and timeframe for the Newcastle-under-Lyme Local Plan Review has changed recently, and it is therefore appropriate for Newcastle-under-Lyme to review their position regarding the LHN as part of future Duty to Cooperate conversations with adjoining authorities, including Shropshire Council; as they progress their Local Plan Review.
- 8.2. Shropshire Council has explored with Newcastle-under-Lyme Borough Council their ability to sustainably accommodate the development requirements associated with specific settlements/sites within the Green Belt in Shropshire. Through the Duty to Cooperate conversations Newcastle-under-Lyme Borough Council have indicated they are not in a position to accommodate any of Shropshire’s proposed Green Belt release.

9. Matters of Disagreement

- 9.1. There are no matters that Shropshire Council and Newcastle-under-Lyme Borough Council disagree on.

10. Governance Arrangements

- 10.1. Governance arrangements are key to ensure that effective duty to cooperate discussions are undertaken and an appropriate SoCG prepared.
- 10.2. Updating of this SoCG will be linked to key milestones within the Local Plan process for the Local Planning Authorities involved.

11. Conclusions

- 11.1. The parties agree that:

- i) Shropshire Council has fulfilled its Duty to Cooperate with Newcastle-under-Lyme Borough Council.
- ii) The parties will continue to work positively together and where relevant with other prescribed bodies on strategic cross boundary issues.

12. Signatories

12.1. This SoCG has been agreed and signed by the following:

Shropshire Council	Newcastle-under-Lyme Borough Council
Name:	Name: 
Position:	Position: 
Date agreed:	Date a: 
Signature:	Signat: 

Appendix 15

RE: DTC Catch Up - Message (HTML)

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Edward West <edward.west@shropshire.gov.uk> | Allan Clarke; Greg Macrdechian; Dan Corden < > | 14/04/2023

RE: DTC Catch Up

You forwarded this message on 18/05/2023 10:38.
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Dear Allan,

Firstly, apologies for the delay in responding.

I can confirm the minutes of our meeting on 6th March are fine.

With regard to your letter of December 2022, Shropshire Council acknowledges that Newcastle-under-Lyme Borough Council are now embarking on their own Local Plan as the previous joint working with Stoke-on-Trent has discontinued. We also understand that as part of this new plan making process additional evidence is being drafted regarding urban capacity, although at this stage Shropshire has not seen this and therefore is not in a position to comment, although the principle of ongoing Duty to Cooperate conversations is of course supported in order to identify genuinely strategic cross boundary matters.

Turning to the specific issues you are seeking our consideration...

- Shropshire has no evidence at this stage to question the level of housing shortfall in your area or 1,816 dwellings, but as discussed we have not interrogated the evidence behind this;
- Shropshire reiterates the current position with regard to the provision of any assistance already established in previous Duty to Cooperate correspondence between the Authorities, and established through the agreed SoCG (agreed in September 2021) which has informed Shropshire's own Plan making process. This confirms that Shropshire Council is not currently in a position to offer any assistance to accommodate any forecast unmet housing need from the Newcastle-under-Lyme area. This is due to a significant mismatch in the plan making cycle between the Authorities, as well as general concerns about the ability to achieve a genuinely sustainable pattern of development in doing so.

We would of course support continued constructive discussions moving forward, and at this stage we wish you the best in your Plan's continued development.

Kind regards,

Eddie West
Planning Policy and Strategy Manager
Shropshire Council