

Saved Policies of the Newcastle under Lyme Local Plan (Adopted 2003)

The policies set out below are taken from the Newcastle-under-Lyme Local Plan 2011 (adopted October 2003). These policies were saved beyond September 28th 2007 by the Secretary of State for Communities and Local Government, and are yet to be replaced by new policies in the Newcastle Development Framework. They therefore continue to form part of the Development Plan for Newcastle-under-Lyme.

Supporting text to individual policies provides some useful context and explanation, and therefore still remains relevant. For these purposes, please refer to copies of the Local Plan in its entirety.

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Section 1 – Sustainable Development Keynote

POLICY S3: DEVELOPMENT IN THE GREEN BELT

Within the Green Belt, as shown on the Proposals Map, there will be a presumption against any form of development, subject to the following policies:

- i) Dwellings will not be permitted in the Green Belt even for persons solely or mainly employed in the locality in agriculture, as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry, unless siting in the Green Belt is essential for the efficient operation of agriculture or forestry in the locality. If permission can be given, dwellings should normally be sited within, and designed to fit in with, an existing group of dwellings or farm buildings.
- ii) Development for residential purposes of a small gap (no more than 1 or 2 plots in width) as an exception in the Green Belt, within the built-up area of the village of Keele, as defined on the Proposals Map, may be permitted so long as the gap makes no material contribution to the amenity of the locality.
- iii) Non-residential development may be permitted in the Green Belt if the applicant demonstrates that it is essential for the efficient operation of agriculture or forestry in the locality, cannot reasonably be located other than in the Green Belt and so long as its siting, access, layout, landscaping and design are acceptable.
- iv) The well-designed extension or alteration of an existing dwelling, or its replacement, may be acceptable as long as it does not result in disproportionate additions over and above the size of the original dwelling. Where replacement is proposed, the new dwelling must not be materially larger than the dwelling it replaces and the applicant must demonstrate that replacement rather than alteration is justified.
- v) The re-use of an existing building, whether for residential or other uses, may be acceptable providing it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it.
- vi) Development for sport or recreation uses of a predominantly open character, whether formal or informal, or for other uses of land that preserve the openness of the area, may be located in the Green Belt so long as it does not disrupt viable farm holdings. Such development must use reclaimed land, or low grade agricultural land, where practicable. Any buildings must be limited to those essential to the use and must be sited to minimise their impact on the openness of the Green Belt.

Section 2 - Housing

POLICY H1: RESIDENTIAL DEVELOPMENT: SUSTAINABLE LOCATION AND PROTECTION OF THE COUNTRYSIDE

Permission for residential development will only be given where one of the following requirements are satisfied:

- i) The site is within the urban area of Newcastle or Kidsgrove*.
- ii) The site is within one of the 'village envelopes' as defined on the Proposals Map.
- iii) It is essential for the proper functioning of a viable enterprise of agriculture or forestry that residential accommodation for a person or persons engaged in that enterprise is available in the precise location proposed and there is no alternative.
- iv) The development consists of affordable housing permissible under the terms of Policy H12.
- v) The development consists of the conversion of a rural building in accordance with Policy H9.

Where permission is given under clauses (iii) or (iv), any new buildings should be sited within an existing group of dwellings or farm buildings and designed to fit in with them.

POLICY H4: HOUSING DEVELOPMENT AND RETENTION OF PARKING FACILITIES

Planning permission will not be granted for additional dwellings on garage courts or communal parking areas unless one of the following is satisfied:

- i) The car parking facilities serve no local need.
- ii) Alternative parking with equivalent or better capacity and accessibility is proposed.
- iii) The car parking facilities that would remain would be satisfactory for the identified demand.

POLICY H6: ENCOURAGEMENT OF THE PROVISION OF LIVING ACCOMMODATION BY THE CONVERSION OF EXISTING NON-RESIDENTIAL URBAN BUILDINGS

Proposals for the conversion and adaptation of existing non-residential buildings in urban areas to provide additional living accommodation will be considered favourably, and encouraged for their contribution to sustainability objectives, so long as the following requirements are met:

- i) The development should not be likely to create conflict with nearby uses or damage local amenity.
- ii) Separate pedestrian access must be provided to the living accommodation.

POLICY H7: PROTECTION OF AREAS OF SPECIAL CHARACTER

In areas shown on the Proposals Map at Porthill Bank, Sandy Lane/Brampton, and Seabridge Lane, Betley (North) and Wolstanton, the Council will seek to preserve the unique character of the areas, consisting mainly of large houses in extensive plots, and will not permit development that would be detrimental to the overall character of the area or that would result in the further sub-division of plots or the loss of, or adverse effect on, visually significant trees.

POLICY H8: LARGE RESIDENTIAL BUILDINGS

Where development is proposed that would irreversibly take large houses of intrinsic merit out of residential use or change their character or the character of their environment by subdivision of the buildings or their curtilages, permission will only be given if the Council is satisfied that the loss would not be detrimental to the overall stock of such types of accommodation in the Borough.

POLICY H9: CONVERSION OF RURAL BUILDINGS FOR LIVING ACCOMMODATION

Before the conversion of rural buildings for living accommodation can be considered, evidence must be provided to show that the applicant has made every reasonable attempt to secure a suitable business use for the premises, subject to Policy E12 (*in Employment and Economic Development Section*).

So long as the above criterion is satisfied, conversion for living accommodation of a rural building in a sustainable location will be considered favourably provided that all the following requirements are met:

- i) The Council must be satisfied that the building was constructed for, and has previously been used in connection with, an authorised activity.
- ii) Convincing evidence must be produced that the superstructure of the buildings is of permanent and sound construction, it does not require reconstruction extension or substantial alteration and its form, bulk and general design is in keeping with its surroundings.
- iii) Applications must include the details of the scheme proposed.
- iv) All utility services for the proposed living accommodation must be underground.
- v) New dwellings must not be established within 400 metres of an existing livestock unit.
- vi) A survey must be undertaken to ascertain whether any statutorily protected wildlife species are present, and if so, measures must be taken to provide for their conservation.
- vii) The Council must be satisfied that there will be no adverse effect from the activities associated with the use of the building for domestic purposes.
- viii) The design of the proposal should support the conservation and enhancement of local countryside character and distinctiveness.

In relation to clause (vii) in particular, the Council may choose to remove 'permitted development' rights if permission is to be given.

POLICY H10: RENEWAL OF EXISTING PERMISSIONS FOR RESIDENTIAL DEVELOPMENT

On the following sites, as shown on the Proposals Map, for which planning permission has already been granted for residential development, it is the Council's policy that permission would be renewed during the plan period, broadly in the same terms as currently given, unless new factors, including policy guidance from central government, or other material considerations indicate otherwise:

- 1) Talke Road (former Michelin warehousing) 2.2ha estimated 60 dwellings
- 2) Fanny Deakin, Chesterton 1.56ha estimated 50 dwellings
- 3) Wolstanton 6.70ha estimated 240 dwellings

Reference to numbers of dwellings are purely estimates and carry no policy implication.

POLICY H13: SUPPORTED HOUSING

Development for supported and special needs housing in accordance with the Council's Housing Strategy will be encouraged. When considering any applications for such development, the positive contribution that it would make towards the Council's Housing Strategy would be weighed against any concerns raised in the context of other policies of the Plan.

POLICY H15: SMALL ADDITIONAL DWELLING UNITS WITHIN THE CURTILAGES OF EXISTING DWELLINGS

Planning permission may be given for an additional, small living unit within the curtilage of an existing dwelling house, subject to other policies and practices concerning extensions to dwellings, and so long as the new unit does not have a separate vehicular access. It will be a condition of any permission that the unit remains within the curtilage of the original dwelling and is never allowed to form an independent dwelling in its own right.

POLICY H18: DESIGN OF RESIDENTIAL EXTENSIONS, WHERE SUBJECT TO PLANNING CONTROL

Proposals to extend dwellings will be favourably considered, subject to other policies in the Plan, so long as the following requirements are satisfied:

- i) The form, size and location of each extension should be subordinate to the design of the original dwellings.
- ii) The materials and design of each extension should fit in with those of the dwelling to be extended.
- iii) The extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or the setting.

Section 3 – Employment and Economic Development

POLICY E2: CHATTERLEY VALLEY

A site of 40 ha is proposed for employment development at this gateway location to North Staffordshire in the Chatterley Valley between the A500 and the London to Manchester railway line, (as shown on the Proposals Map). Development of the Premium Employment Site (PES), which forms the northern half of this site, will be restricted to light industrial uses, offices, hi-tec and research and development facilities (Class B1) and forms of manufacturing development (Class B2) which are demonstrably consistent with the role and objectives of this premium employment site. Outside the PES, on the southern half of the allocation, development for Class B uses will be supported in principle. An environmental assessment and an archaeological appraisal are needed and the following requirements must be met:

- i) Viable reserves of Etruria Marl underlying the site should be proved and provision made for their extraction prior to development occurring in accordance with Mineral Local Plan policies 4,5 & 6 and in a manner which does not jeopardise the realisation of the site's development prospects.
- ii) The design of development in this prominent location should be of high quality.
- iii) High quality landscaping should be provided to enhance the setting of development and the nature conservation value of the site should be enhanced and habitat linkages provided.
- iv) The potential for rail freight access to the site should be safeguarded and exploited.
- v) The potential for access to the site by non-car modes, including a rail passenger station, should be fully assessed and exploited.

POLICY E3: LYMEDALE PARK EXTENSION

The development for Class B uses of up to 15 hectares of land, (as shown on the Proposals Map), as an extension to Lymedale Park will be supported in principle so long as the following requirements are met:

- i) The stadium will not be displaced by the proposal but to the extent that fringe areas of the stadium are affected then satisfactory compensatory arrangements must be made.
- ii) Satisfactory access arrangements must be agreed to ensure that all vehicular traffic gains access to the site through Lymedale Park and not Loomer Road and the potential for access to the site by non car modes should be fully assessed and exploited.
- iii) The extent and topography of the development area and access road must not harm the visual quality and character of Apedale Community Country Park or the Apedale Valley as a whole.
- iv) Development should complement and support proposals for sports facilities in the adjoining valley area.
- v) High quality landscaping must be provided which reflects the design standards required for Lymedale Park and mitigates any visual harm to the adjoining Apedale Valley.
- vi) A habitat survey must be carried out.
- vii) An archaeological assessment of the site must be carried out and its findings reported to the Council.

POLICY E4: LONDON ROAD, CHESTERTON

The redevelopment of this site, (as shown on the Proposals Map), for Class B uses will be permitted so long as the following requirements are met:

- i) The satisfactory treatment of any adverse ground conditions, including contamination.
- ii) The use of Holditch Road as the principal access to the site and also the provision of vehicle access to the firms in Turner Crescent that adjoin the site in the event that the site is developed for more than a single main user and the existing subsidiary use.
- iii) Building design, construction materials, the disposition of buildings and service yards, outdoor lighting and landscaped screening should be treated carefully to protect the amenity of nearby residents.
- iv) An archaeological assessment of the site must be carried out and its findings reported to the Council.
- v) The potential for access to the site by non-car modes should be fully assessed and exploited.

POLICY E5: CHURCH LANE, KNUTTON

The development of 2.7 ha of land at Church Lane, Knutton, (within the area shown on the Proposals Map), will be permitted for Class B uses, so long as the following requirements are met:

- i) Satisfactory access arrangements are made and the potential for access to the site by non-car modes should be fully assessed and exploited.
- ii) Ground conditions are fully assessed and satisfactorily treated.
- iii) Suitable access must be provided to the adjoining marl reserves at Knutton Quarry.
- iv) A suitable landscaped buffer must be provided between the site and the adjoining quarry and between the site and nearby residents.

POLICY E6: CHEMICAL LANE

The development of 2.8 ha of land off Chemical Lane, as shown on the Proposals Map, will be permitted for Class B uses provided that viable reserves of Etruria Marl underlying the site should be proved and provision made for their extraction prior to development occurring in accordance with Mineral Local Plan policies 4,5 & 6.

The potential for access to the site by non-car modes should be fully assessed and exploited.

POLICY E7 KIDSGROVE STATION YARD

The development of 0.8 ha of land at Kidsgrove Station Yard (as shown on the Proposals Map) for uses that exploit the potential offered by its canal/railside location will be supported so long as the following requirements are met:

- i) The future car parking and other land needs of Kidsgrove station have been assessed and provision made for them.
- ii) The form and design of development is in visual harmony with the character of the adjoining conservation area.
- iii) Satisfactory access is provided and the potential for access to the site by non-car modes should be fully assessed and exploited.
- iv) A suitable ramped pedestrian/cycle access to the canal towpath is provided.

Class B1 use is, in principle, an acceptable use for the site. Other uses, particularly those related to tourism, may also be acceptable dependant on their local impact and the ability of any specific development scheme to meet normal planning standards.

POLICY E8: KEELE UNIVERSITY AND KEELE SCIENCE PARK

Development at Keele University and Keele Science Park, including the area formerly known as Home Farm, will be permitted so long as it is limited to one or more of the following uses:

- i) Academic functions.
- ii) Staff and student residences.
- iii) Employment uses directly related to or complementary to the University's core activities including conference, training, retail and leisure for use of students, staff, conference delegates and their visitors and in the case of leisure facilities for the wider community.
- iv) Class B1 uses directly related to the university's functional activities but excluding manufacturing or storage of large tonnages or mass production of goods.

Development should retain the farm buildings of Home Farm and also development should not adversely affect the historic park or its setting.

The potential for access to the site by non-car modes should be fully assessed and exploited.

POLICY E9: RENEWAL OF PLANNING PERMISSIONS FOR EMPLOYMENT DEVELOPMENT

On the following sites, as shown on the Proposals Map, for which planning permission has already been granted for employment development, it is the Council's policy that permission would be renewed during the plan period, broadly in the same terms as currently given, unless new factors or other material considerations, such as the need for access by non car modes, indicate otherwise:

- | | |
|-------------------------------------|-------|
| 1) Lymedale | 28 ha |
| 2) Rowhurst | 12 ha |
| 3) Ravensdale | 20 ha |
| 4) Wolstanton Colliery (Centre 500) | 12 ha |
| 5) Talke Road (Michelin) | 5 ha |

In the cases of Rowhurst and Ravensdale any viable reserves of Etruria Marl underlying the site should be proved and provision made for their extraction prior to development occurring in accordance with Mineral Local Plan policies 4 & 5. In the case of Ravensdale an environmental statement will also be required. In the case of Rowhurst a nature conservation study will be required.

POLICY E11: DEVELOPMENT OF EMPLOYMENT LAND FOR OTHER USES

Development that would lead to the loss of good quality business and general industrial land and buildings will be resisted where this would limit the range and quality of sites and premises available. The criteria for what constitutes 'good quality' business and general industrial land and buildings include the following:

- i) **Accessibility to and from the primary road network.**
- ii) **Size.**
- iii) **Topography and configuration.**
- iv) **Ground conditions.**
- v) **Its location and relationship to adjoining uses**

POLICY E12: THE CONVERSION OF RURAL BUILDINGS

The conversion of rural buildings for new employment purposes will, subject to amenity and highway considerations, be supported as a means of providing jobs in the rural areas, so long as the following requirements are met:

- i) **The Council must be satisfied that the building was constructed for, and has previously been used in connection with, an authorised activity.**
- ii) **Convincing evidence must be produced that the superstructure of the building is of permanent and sound construction, it does not require reconstruction, extension or substantial alteration and its form, bulk and general design is in keeping with its surroundings.**
- iii) **The use proposed must not involve any of the following:**
 - (a) **A significant extension of the building.**
 - (b) **The unsightly storage of, or work on, raw materials or goods outside.**
 - (c) **Operations that create an unacceptable adverse impact, are unsightly or create problems of traffic or parking in the neighbourhood.**
 - (d) **The use of an unsatisfactory access to and from the public highway.**
 - (e) **The introduction of significant additional traffic into environmentally sensitive areas or the creation or aggravation of traffic problems.**
 - (f) **Detriment to the building's setting that cannot be overcome by external landscaping or treatment.**
- iv) **The proposal must incorporate measures to provide for the conservation of statutorily protected wildlife species, if present.**
- v) **The design of the proposed conversion should conserve or enhance local countryside character and distinctiveness and ensure that the historic character and setting of traditional rural buildings is maintained.**

Section 4 – Retail and Town Centres

POLICY R12: DEVELOPMENT IN KIDSGROVE TOWN CENTRE

Development for retail or leisure uses within or close to Kidsgrove Town Centre as defined on the Proposals Map, will be encouraged so long as the following requirements are met:

- i) The development should not harm the vitality and viability of the centre.
- ii) Any opportunities to improve conditions for pedestrians should be exploited.

POLICY R13: NON-RETAIL USES IN KIDSGROVE TOWN CENTRE

In determining applications for changes of use from retail (Class A1) to non-retail uses in Kidsgrove Town centre the Council will consider the effect of the proposal on the range of goods and services offered in the locality. In considering the effect of the proposed change account will be taken of other changes from retail to non-retail that have already taken place in the centre.

POLICY R14: DEVELOPMENT IN DISTRICT CENTRES

New development or redevelopment for retail or leisure uses within or close to the district centres of Chesterton, Silverdale and Wolstanton as defined on the Proposals Map, will be encouraged so long as the following requirements are met:

- i) The likely catchment for the development should be appropriate to the size of the centre.
- ii) The development should not harm the vitality and viability of the centre.
- iii) Any opportunities to improve conditions for pedestrians should be exploited.

POLICY R15: NON-RETAIL USES IN DISTRICT CENTRES AND OTHER GROUPS OF SHOPS

In determining applications for changes of use from retail (Class A1) to non-retail uses, in the district centres of Chesterton, Silverdale and Wolstanton and other groups of 3 or more shop units, the Council will consider the effect of the proposal on the range of goods and services offered in the locality. Material considerations will include not only the proposed development itself but also the cumulative effect of the development and any others that have already taken place.

Section 5 – Transport

POLICY T9: RAIL FREIGHT

Development of land that could be served by the three existing or potential rail connections, as shown on the Proposals Map, will not be permitted if this would jeopardise the reasonable prospect of the future use of these connections.

POLICY T10: TAXI AND PRIVATE HIRE BASES

Proposals for taxi and/or private hire bases will not be permitted where this would adversely affect residential amenity or would be likely to cause local traffic or parking problems in local streets.

POLICY T12: M6 CORRIDOR

The Borough Council recognises the vital importance of good transport communications to the local business community including the upgrading of the West Coast Main Line. When formulating its views on any future proposals for the M6 corridor the Borough Council will consider the following:

- i) Their benefits to the local economy.
- ii) Their environmental and social impact.
- iii) Their impact on the local transport network.
- iv) Their potential to increase the use of sustainable transport modes.

POLICY T16: DEVELOPMENT - GENERAL PARKING REQUIREMENTS

Development will not be permitted to provide more parking than the maximum levels specified in Table 3.2 (appendix 3). Development may be required to provide less than these maximum levels in order to meet the requirements of other transport policies in this plan such as the implementation of a Green Transport Plan.

Development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on street parking or traffic problem. Development may be permitted where local on street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets. In such cases the development would be required to make an appropriate contribution towards the initial and ongoing costs of required schemes.

The design and layout of any parking provided for non residential development should meet the following general requirements to:

- i) Provide adequate sized parking bays.
- ii) Provide adequate circulation and access space.
- iii) Avoid the obstruction of adjoining highways, particularly classified roads.
- iv) Provide easy and safe pedestrian circulation.
- v) Provide adequate and appropriate surfacing and landscaping.
- vi) Provide parent and toddler parking bays at retail outlets.
- vii) Provide adequate parking facilities for motorcycles.

The design and layout of any parking provided for residential development should accord with the Staffordshire Residential Design Guide (2000).

For non-residential development at least one parking space for disabled people should be provided plus 6% of the maximum standards in Table 3.2 (appendix 3). In addition to the above design and layout requirements parking for disabled people should:

- a) be sited to give convenient access to buildings.
- b) provide adequate sized parking bays for use by disabled people with wheelchairs (i.e. should be 3.6m wide).

POLICY T17: PARKING IN TOWN AND DISTRICT CENTRES

Development in Newcastle town centre within the ring road will not be permitted to provide new private parking but will be required, where appropriate, to contribute to appropriate improvements to travel to the development.

These improvements may include upgrading or expanding existing public parking, providing parking availability information, traffic management on approaches to the town centre, bus help schemes and facilities for public transport, walking and cycling, the provision and operation of CCTV, and mitigating the impact of any on street car parking attracted by the development by appropriate parking/waiting controls including resident parking schemes.

Similar improvements may be sought in Kidsgrove town centre and the district centres.

POLICY T18: DEVELOPMENT - SERVICING REQUIREMENTS

Development, not in use class C3 (residential), will be required to provide satisfactory arrangements for delivery vehicles to stand, manoeuvre, load and unload within the site and to enter and leave the site forwards except where this would prevent the implementation of developments important to the vitality and viability of town centres.

POLICY T19: TELECOMMUNICATIONS DEVELOPMENT – GENERAL CONCERNS

Applications for permission for the siting of telecommunications equipment will be approved provided that they meet the following requirements:

- i) The proposal does not unacceptably harm the visual quality and character of sensitive areas and locations such as the countryside, the Green Belt, Conservation Areas, Registered Historic Parks and Listed Buildings or adversely affect the townscape quality of an area, the street scene or the amenity of nearby property or the local area.
- ii) There are no alternative more suitable sites available which would meet the operational requirements for the equipment, it is not feasible to share existing facilities and in the case of radio masts there is no possibility of erecting antennae on an existing building or structure.
- iii) The proposal would not adversely affect the health and well being of local persons as the equipment complies with relevant standards recognised by Government, such as those of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).
- iv) The proposal, where appropriate, incorporates satisfactory arrangements for landscaping and boundary treatment and subsequent maintenance.

POLICY T20: TELECOMMUNICATIONS DEVELOPMENT – REQUIRED INFORMATION

Where the applicant is requested to submit any of the following information but fails to do so then the Council will regard the non-submission of such information as grounds for automatic refusal of prior approval or planning permission. The applicant may be requested:

- i) To confirm that the proposed installation complies with ICNIRP standards or subsequent standards recognised by the government.
- ii) To submit information on the direction and coverage of the beam of greatest intensity of radiation for installations near schools and residential areas.
- iii) To submit details of security measures to protect the public from coming too close to the installation where radiation levels exceed ICNIRPS guidelines.
- iv) To demonstrate that site sharing opportunities have been fully explored.
- v) To demonstrate, where there is potential for concern about the visual or other impact of a proposed installation, that adequate consideration has been given to other less sensitive locations and that there is no alternative more suitable site available.
- vi) To provide operational information that justifies siting the installation in the location proposed.
- vii) To submit a satisfactory detailed scheme for landscaping and boundary treatment including details of the implementation, phasing and future maintenance of such works.
- viii) To sign an agreement (section 106) to allow other operators to share a mast where appropriate.

Section 6 – Community Facilities

POLICY C2: RETENTION OF ALLOTMENT GARDENS

The Council will not grant planning permission to redevelop allotment gardens unless an equally acceptable site can be made available for use prior to any development, or unless there is evidence that existing facilities are under-used, and are likely to remain so.

If it is considered acceptable for allotments to be closed, the land should be redeveloped only for recreation, sport or nature conservation unless it can be shown that the local area will not be under-provided for in terms of its particular needs for open space.

POLICY C3: PUBLICLY ACCESSIBLE OPEN SPACE, POOLFIELDS, NEWCASTLE

An area of about 19 hectares of land at Poolfields, as shown on the Proposals Map, is allocated as publicly accessible open space. It is the Council's policy to protect the visual continuity of the open land along the line of the Silverdale Brook, to endeavour to secure public access by agreement where possible and to encourage nature conservation on appropriate parts of the site and to deem it a future Local Nature Reserve. The Council will resist any development on the site that would be detrimental to the open rural character and visual amenities of the area and any development on neighbouring land that would result in deterioration of the site.

POLICY C4: OPEN SPACE IN NEW HOUSING AREAS

Appropriate amounts of publicly accessible open space must be provided in areas of new housing, and its maintenance must be secured. To this end, on sites with ten or more dwellings, or at least 0.4 hectares with fewer dwellings, taking a gross figure for all contiguous development areas, developers will be expected to provide for open space in accordance with the following:

- i) Publicly accessible open space must be provided pro rata at a scale of 0.1 hectares for each 50 houses.
- ii) Appropriate play equipment must be provided within new housing areas with 100 or more dwellings, taking a gross figure for all contiguous development areas. The amount of equipment required will be appropriate to the size of the development.
- iii) Where new play areas are provided within the development, each must be of at least 0.1 hectare and be located so that no child has to walk more than 0.4 km (0.25 mile) or cross a major road to reach such an area from home.
- iv) In the case of developments of fewer than 50 dwellings, areas of new housing development, or in other situations where the Council considers that such a course of action would be more appropriate, developers will be invited to make some other contribution in accordance with a scale to be determined by the Council.
- v) The design and location of new play areas must take into account community safety issues.

POLICY C8: COUNTRY PARKS

Country Parks will be developed on the sites at Apedale and Leycett as shown on the Proposals Map.

POLICY C9: COUNTRYSIDE PARKS

Countryside Parks will be developed at Hayes Wood and at Birchenwood as shown on the Proposals Map.

POLICY C11: NEW FOOTPATHS, HORSE ROUTES AND CYCLEWAYS

The following new paths will be developed as and when opportunities arise along the following routes as shown on the Proposals Map, and their routes will be protected against development that would hinder their creation:

- i) Lower Milehouse Lane to Halmerend (footpath and cycleway).
- ii) Kidsgrove Town Centre to the Borough boundary through Birchenwood (footpath and cycleway).
- iii) Brindley Ford to Brown Lees (footpath, horse route and cycleway).
- iv) Minnie Pit to Leycett Country Park (footpath and horse route).
- v) Alongside Silverdale Road from the Lyme Brook path to opposite Cherry Hill Lane (footpath).
- vi) From the Lyme Brook path to Keele Road (footpath).
- vii) From Church Lane, Knutton to Silverdale (footpath and cycleway).

POLICY C13: ADDITIONAL FACILITIES AT APEDALE COMMUNITY COUNTRY PARK

Proposals to provide additional facilities at the Country Park will be considered favourably, provided that all the following requirements are met:

- i) Any proposal should where relevant be in keeping with surrounding buildings and not harm the landscape and environment.
- ii) The proposal should contribute to the overall regeneration of the area by re-using derelict or despoiled land and existing buildings.
- iii) The proposal should contribute to the cultural, recreational and amenity value of the Country Park.
- iv) Measures should be taken to encourage access by other means than the private car.

POLICY C14: EXTENSION OF THE KEELE CONFERENCE CENTRE AT THE HAWTHORNS

The Conference Centre at the Hawthorns may be extended within the area defined on the Proposals Map. In determining a planning application for the extension of the Conference Centre, consideration will be given to:

- i) Its bulk, height, materials, colour and design, particularly in relation to the character and appearance of the conference centre and other buildings in the vicinity and the character and appearance of the Conservation Area.
- ii) Access and servicing.
- iii) Parking of vehicles in connection with the use of the building and their security.

POLICY C16: RESTRICTIONS ON SELF-CATERING HOLIDAY ACCOMMODATION

Where planning permission is given for self-catering accommodation, conditions will be applied to limit its use to short-stay holiday purposes, explicitly excluding any other uses in Class C3.

POLICY C17: CAMPING AND CARAVAN SITES

In determining an application for a camping or caravan site, the Council will take into consideration, amongst other things, the following:

- i) The need for such facilities in the area.
- ii) The standard of landscaping proposed and the impact of the development on the landscape and the environment.
- iii) The impact on neighbouring uses, particularly residential areas.
- iv) The suitability of access roads, taking into account the use of caravans and trailers.

Any application must include full details of access, drainage, landscaping, layout of pitches, design and siting of buildings, all of which can be approved, and the applicant must demonstrate that effective environmental management of the site, including satisfactory provision for the collection and disposal of waste, can be guaranteed. The use must be limited to short stay holiday use only.

POLICY C19: BURIAL GROUND BRADWELL

It is proposed that an area of 1.5 hectares, adjoining Chatterley Close, Bradwell, as shown on the Proposals Map, is allocated for a burial ground and that a landscaped area, with a width of at least 10 metres, be laid out along the western boundary of the site.

POLICY C20: MADELEY VILLAGE HALL

A site of about 2.0ha, as shown on the Proposals Map, is allocated for community use to incorporate a village green, play facilities, allotments and an enhanced village hall to serve as a multi purpose joint facilities centre.

POLICY C21: WHITE ROCK – APEDALE ROAD

A site of 13ha, on Apedale Road, as shown on the Proposals Map, is allocated for community leisure use. Planning permission may be given for a wide variety of leisure and recreational uses appropriate to the needs of the local community and in keeping with adjoining activities. Any car parking provided must be on a limited scale only. An application should be accompanied by an environmental statement.

POLICY C22: PROTECTION OF COMMUNITY FACILITIES

When considering applications for development that would involve the loss of an important community facility, the need for the facility and the likelihood of its being able to be replaced will be a material consideration.

Where the community facility is a commercial enterprise, planning permission for alternative use may not be given unless the applicant can demonstrate that the business is not commercially viable.

Section 7 – Natural Heritage

Policy N2: Development and nature conservation - site surveys

In determining applications for development of previously undeveloped, or long abandoned sites of over ¼ hectare, the Council will require the applicant to carry out and submit a preliminary habitat and protected species survey together with a data search of relevant ecological information, except where the Council is satisfied that a survey is not necessary by virtue of the site's location, planning history and/or existing data records.

POLICY N3: DEVELOPMENT AND NATURE CONSERVATION - PROTECTION AND ENHANCEMENT MEASURES

The consideration of applications for planning permission will take into account the potential effects of development proposals upon wildlife and geological features. In all cases where development or land use change is permitted, development proposals will be expected to avoid or minimise any adverse effects and, where appropriate, to seek to enhance the natural heritage of the Borough by the following measures:

Habitats/features of nature conservation or geological value will be retained in situ and protected from adverse impact.

Where permitted by relevant legislation and/or regulations, flora and fauna of high nature conservation importance will be translocated or relocated to a suitable location(s) in cases where such species cannot be adequately safeguarded in situ. (Where this takes place, the developer must ensure that the translocation of the flora and fauna is based on qualified advice and undertaken prior to the commencement of development, and that provisions are made for the satisfactory establishment and maintenance of the translocated species at the new site).

Replacement habitats/features will be provided on at least an equivalent scale where the Council agrees that the loss of wildlife habitats or geological features is unavoidable.

POLICY N4: DEVELOPMENT AND NATURE CONSERVATION – USE OF LOCAL SPECIES

Where development includes landscaping and/or planting, developers will be required to use the greatest possible proportion of native species characteristic of the locality, preferably of local provenance, except where special requirements of purpose or location dictate otherwise.

POLICY N8: PROTECTION OF KEY HABITATS

The Council will resist development that may harm, directly or indirectly, an ancient woodland site, unimproved lowland grassland or area of lowland heathland or peatland, unless the applicant can demonstrate that the need for the development clearly outweighs the need to safeguard the habitat. Where development affecting such habitats can be approved, appropriate measures will be required to minimise damage, to provide for appropriate habitat restoration and/or re-creation to compensate for any loss, and to assist where possible towards meeting the targets for habitat and species increase set out in the Staffordshire Biodiversity Action Plan.

POLICY N9: COMMUNITY WOODLAND ZONES

Where development is permitted within a Community Woodland Zone, new woodland planting will be expected to be included as part of the development scheme or as part of restoration proposals in the case of land reclamation except where this would involve planting on other semi-natural habitats.

Emphasis will be placed on the use of broad-leaved species of local provenance wherever possible.

POLICY N10: NEW WOODLAND - CONSIDERATIONS

Opportunities for the establishment of new woodland should be taken in all appropriate development. Proposals for the planting of new woodland areas will be subject to the following considerations:

The impact new woodland planting would have on existing habitats. (Generally it will be necessary to demonstrate that proposals will not destroy or degrade any other habitats of nature conservation importance located within or adjacent to the site.)

The impact of the proposals on historic features and the local landscape.

The suitability of the proposals to the specific conditions of the site and surrounding area.

The design of the woodland in relation to best practice design standards, such as Forestry Commission Guidelines and the UK Forestry Standard.

The opportunities available for amenity, recreational and educational use.

The relative position and connectivity of the proposals to existing woodland areas and the hedgerow network and the opportunity to link and expand existing fragmented semi-natural woodland with new native woodland planting and to create corridors for wildlife

The proposals for the management of the woodland.

The use of natural regeneration, particularly when considering the expansion of existing semi-natural woodland.

Emphasis will be placed on the use of broad-leaved species of local provenance wherever possible.

POLICY N12: DEVELOPMENT AND THE PROTECTION OF TREES

The Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting or design.

Where, exceptionally, permission can be given and trees are to be lost through development, replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme.

Where appropriate, developers will be expected to set out what measures will be taken during the development to protect trees from damage.

POLICY N13: FELLING AND PRUNING OF TREES

The felling or unnecessary pruning of any tree of public amenity will not be supported by the Council unless one of the following is applicable:

- i) Its removal forms part of a development permitted in accordance with Policy N12.
- ii) The applicant can demonstrate that the tree is adversely affecting the structural condition or safety of a building or buildings.
- iii) The applicant can demonstrate that the tree presents an unacceptable risk to the safety of the public.
- iv) The applicant can demonstrate that the operation is in the best interests of improving the growth of other trees.

Where felling is unavoidable and permitted, the Council will require, where possible, appropriate replanting.

POLICY N14: PROTECTION OF LANDSCAPE FEATURES OF MAJOR IMPORTANCE TO FLORA AND FAUNA

Development that may harm, directly or indirectly, the landscape features listed below which are of major importance for wild fauna and flora will not be permitted unless it can be demonstrated that there are reasons for the development which clearly outweigh the need to retain the feature. Where development affecting such features is approved, appropriate measures will be required to minimise, restore and/or compensate for any loss of, or deterioration in, the nature conservation value of the feature.

Features covered by this policy:

- Hedgerows, drystone walls and similar established boundary features
- River and stream corridors (incorporating the river, its banks and associated wetland habitats)
- Canals
- Ponds, lakes and other permanent standing water features
- Woodlands
- Disused railways and mineral lines
- Green lanes

POLICY N16: PROTECTION OF A GREEN HERITAGE NETWORK

It is the Council's policy to seek opportunities to consolidate and enhance the green heritage network as identified on the Proposals Map and listed below. Planning permission will not be granted for development in or adjacent to 'green heritage' areas which would harm their integrity or their ecological and landscape value as open spaces. Where development is permitted, the Council may require mitigation and/or compensation measures and will seek to ensure that appropriate landscaping proposals will be implemented and maintained to enhance the area's status and function as part of the Borough's wildlife network.

The 'green heritage' network comprises the following sites:

- Poolfields
- Lower Apedale
- Wolstanton Golf Course
- Kidswood
- Birchen Wood
- Wolstanton Marsh
- Melvyn Crescent (rear of Hillport House)
- Hoon Avenue
- Bradwell Wood western spur
- Walk/cycleway from Newcastle to Lymedale and Silverdale
- Walkway from Silverdale Road to Lyme Valley
- Walk/cycleway (former Potteries Loopline) from City through Birchenwood to Kidsgrove centre

POLICY N17: LANDSCAPE CHARACTER - GENERAL CONSIDERATIONS

Development should be informed by and be sympathetic to landscape character and quality and should contribute, as appropriate, to the regeneration, restoration, enhancement, maintenance or active conservation of the landscape likely to be affected. Proposals with landscape and visual implications will be assessed having regard to the extent to which they would:

- i) Cause unacceptable visual harm
- ii) Introduce (or conversely remove) incongruous landscape elements
- iii) Cause the disturbance or loss of (or conversely help to maintain):
 - a) landscape elements that contribute to local distinctiveness
 - b) historic elements which contribute significantly to landscape character and quality, such as field, settlement or road patterns
 - c) semi-natural vegetation which is characteristic of that landscape type
 - d) the visual condition of landscape elements
 - e) tranquillity

POLICY N18: AREAS OF ACTIVE LANDSCAPE CONSERVATION

Within Areas of Active Landscape Conservation as shown on the Proposals Map the Council will support, subject to other plan policies, proposals that will help to conserve the high quality and distinctive character of the area's landscape. Development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to the siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area.

POLICY N19: LANDSCAPE MAINTENANCE AREAS

The Council will seek to maintain the high quality and characteristic landscapes in Landscape Maintenance Areas as shown on the Proposals Map. Where development can be permitted, it will be expected to contribute to this aim. Within these areas it will be necessary to demonstrate that development will not erode the character or harm the quality of the landscape.

POLICY N20: AREAS OF LANDSCAPE ENHANCEMENT

Within Areas of Landscape Enhancement, as shown on the Proposals Map, the Council will support, subject to other plan policies, proposals that will enhance the character and quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

POLICY N21: AREAS OF LANDSCAPE RESTORATION

Within Areas of Landscape Restoration, as shown on the Proposals Map, the Council will support, subject to other plan policies, proposals that will help to restore the character and improve the quality of the landscape. Within these areas it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

POLICY N22: AREAS OF LANDSCAPE REGENERATION

Within Areas of Landscape Regeneration, as shown on the Proposals Map, the Council will support, subject to other plan policies, proposals that would regenerate the landscape appropriate to its urban or rural location. Where development can be permitted, developers will be expected to use the opportunity provided by the development to make a positive contribution towards landscape regeneration.

POLICY N24: WATER BASED LANDSCAPE FEATURES

Subject to other plan policies, the Council will support proposals for water based landscape features either in their own right or as part of drainage measures approved by the Environment Agency. Where such proposals can be permitted, they must not harm the quality of the landscape or diminish its nature conservation value and will be expected to take the opportunity provided to make a positive contribution to local biodiversity.

Section 8 – Built Heritage

POLICY B2: SCHEDULED ANCIENT MONUMENTS

Development will not be permitted which would directly or indirectly damage, disturb or detract from a nationally important monument, whether scheduled or not, or its setting. The location of scheduled monuments in the Borough is shown by symbols on the Proposals Map.

POLICY B3: OTHER ARCHAEOLOGICAL SITES

The Council will require archaeological assessments and field evaluations to be submitted prior to the determination of proposals affecting sites of known or potential archaeological significance and their findings to be reported to the Council. In cases where archaeological remains are affected, but their nature does not merit preservation in situ, developers will be required to secure excavation and recording in advance of construction work.

POLICY B4: DEMOLITION OF LISTED BUILDINGS

The Council will resist the total or substantial demolition of a listed building, unless exceptionally, an applicant can convince the Council that it is not practicable to continue to use the building for its existing purpose and there is no other viable use.

Where Listed Building consent is granted for demolition or alteration resulting in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of archaeological building recording to take place prior to the commencement of works.

Demolition will not be permitted unless there are approved detailed plans for redevelopment and, where appropriate, an enforceable agreement or contract exists to ensure the construction of the replacement building.

POLICY B5: CONTROL OF DEVELOPMENT AFFECTING THE SETTING OF A LISTED BUILDING

The Council will resist development proposals that would adversely affect the setting of a listed building.

POLICY B6: EXTENSION OR ALTERATION OF LISTED BUILDINGS

The Council will resist alterations or additions to a listed building that would adversely affect its character or its architectural or historic features.

Where Listed Building consent is granted for alterations resulting in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of archaeological building recording to take place prior to the commencement of or during works.

POLICY B7: LISTED BUILDINGS - CHANGE OF USE

The change of use of a listed building will only be permitted if its character or appearance would be preserved or enhanced. Applications for changes of use must include details of all intended alterations to the building.

POLICY B8: OTHER BUILDINGS OF HISTORIC OR ARCHITECTURAL INTEREST

The Council will ensure the conservation of locally important buildings and structures by encouraging their retention, maintenance, appropriate use and restoration.

Where permission is granted for demolition or alteration of locally important buildings which would result in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of archaeological building recording to take place prior to the commencement of works.

POLICY B9: PREVENTION OF HARM TO CONSERVATION AREAS

The Council will resist development that would harm the special architectural or historic character or appearance of Conservation Areas.

POLICY B10: THE REQUIREMENT TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA

Permission will be granted to construct, alter the external appearance or change the use of any building only if its proposed appearance or use will preserve or enhance the character or appearance of a Conservation Area. This will be achieved by the following criteria being met:

- i) The form, scale, bulk, height, materials, colour, vertical or horizontal emphasis and detailing respect the characteristics of the buildings in the area.
- ii) The plot coverage characteristics respect those of the area.
- iii) Historically significant boundaries contributing to the established pattern of development in the area are retained.
- iv) Open spaces important to the character or historic value of the area are protected.
- v) Important views within, into and out of the area are protected.
- vi) Trees and other landscape features contributing to the character or appearance of the area are protected.

POLICY B11: DEMOLITION IN CONSERVATION AREAS

Consent to demolish a building or any part of a building in a Conservation Area will not be granted unless it can be shown that each of the following is satisfied:

- i) The building is wholly beyond repair, incapable of reasonably beneficial use, of inappropriate design, or where its removal or replacement would benefit the appearance or character of the area.
- ii) Detailed plans for redevelopment are approved where appropriate.
- iii) An enforceable agreement or contract exists to ensure the construction of the replacement building where appropriate

Where Conservation Area Consent is granted for the demolition of structures of historic interest, the Council will seek to ensure that provision is made for an appropriate level of archaeological buildings recording to take place prior to demolition.

POLICY B12: PROVISION OF SERVICES IN CONSERVATION AREAS

All new utility services in Conservation Areas must be laid underground and ducted within buildings. Opportunities should be taken wherever appropriate to relocate existing services underground. External features of utility services such as junction boxes, lighting etc shall be designed, located and coloured so as to be as unobtrusive as possible.

POLICY B13: DESIGN AND DEVELOPMENT IN CONSERVATION AREAS

Applicants for planning permission should demonstrate how they have taken account the need to preserve or enhance the character or appearance of Conservation Areas in the design of their development proposals.

POLICY B14: DEVELOPMENT IN OR ADJOINING THE BOUNDARY OF CONSERVATION AREAS

In determining applications for building in a Conservation Area, special regard will be paid to the acceptability or otherwise of its form, scale and design when related to the character of its setting, including, particularly, the buildings and open spaces in the vicinity. Because of this and to allow the impact of a proposal on the special architectural and historic character and appearance of the Conservation Area to be evaluated, outline planning permission will be resisted for proposals in a Conservation Area. Exceptionally, where proposed development immediately adjacent to the Conservation Area would be likely to affect the Conservation Area adversely, similar constraints may be applied.

POLICY B15: TREES AND LANDSCAPE IN CONSERVATION AREAS

Trees and landscape features which contribute to the character and appearance and are a part of the setting of a Conservation Area will be retained. Where consent is given to remove protected trees conditions will be imposed to require trees of the appropriate species and size to be planted and replaced if they die within 5 years.

POLICY B16: SHOP FRONTS IN CONSERVATION AREAS

In dealing with applications to adapt or replace frontages of shops or other commercial premises, the Council will take into account how the new design respects the architectural or historic interest, scale, features and materials of the existing and nearby buildings.

POLICY B17: AWNINGS, CANOPIES AND BLINDS IN CONSERVATION AREAS

In dealing with applications for awnings, canopies and blinds the Council will take into account the architectural qualities of the building on which they are to be put and nearby buildings.

POLICY B18: SECURITY SHUTTERS IN CONSERVATION AREAS

In dealing with applications for external security shutters, the Council will take into account the architectural qualities of the building on which they are to be installed and the surrounding area. Planning permission will not be granted for solid external shutters on buildings in Conservation Areas.

POLICY B19: ILLUMINATED SIGNS IN CONSERVATION AREAS

The Council will resist illuminated signs and advertisement hoardings in the Conservation Areas of Betley, Clayton, Keele, Keele Hall, Kidsgrove, Madeley, Maer, Muckleston, Silverdale, Stubbs Walks/Mount Pleasant, the Brampton, the Shropshire Union Canal, the Trent and Mersey Canal (Hardingswood), Whitmore, Wolstanton and any other Conservation Areas to be designated.

POLICY B20: ILLUMINATED FASCIA AND OTHER SIGNS IN CONSERVATION AREAS

Illuminated signs should consist of individually lit letters fixed either directly to a fascia or to an opaque panel. Where the letters form an integral part of the panel, they should stand proud by at least 25 millimetres and should be edged in a material to distinguish them from the background panel.

The light intensity should not exceed 300 candelas per square metre (This is about the intensity of a large road sign on a trunk road like the A500).

Section 9 – Implementation and Monitoring

POLICY IM1 – PROVISION OF ESSENTIAL SUPPORTING INFRASTRUCTURE AND COMMUNITY FACILITIES

Where a development proposal would require improvements to infrastructure or essential facilities to make it acceptable then the developer will be required to carry out or contribute to the funding of appropriate works.

POLICY IM2 – COMPLIANCE WITH POLICY CONCERNS

Where policies refer to criteria that should be satisfied, before it would be appropriate to grant planning permission, then the onus will be on the applicant to evidence to demonstrate to the satisfaction of the Borough Council that the requirements specified in the policy have been met.