
Appeal Decision

Inquiry held on 5 - 8 November 2013 and 10 - 11 March 2014

Site visits made on 11 November 2013

by Karen L Baker DipTP MA DipMP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 April 2014

Appeal Ref: APP/M3455/A/13/2199404

Land at Trentham Lakes, Stanley Matthews Way, Stoke-on-Trent

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Stoke-on-Trent Regeneration Limited against Stoke-on-Trent City Council.
 - The application Ref. 53413/OUT, is dated 15 March 2012.
 - The development proposed is residential development comprising up to 300 dwellings, access from Stanley Matthews Way, associated drainage, landscaping and open space.
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Procedural Matters

1. The planning application was made in outline with all matters reserved for subsequent approval. Although the Council failed to determine the planning application, which is the subject of this appeal, within the prescribed period, a second application¹ for the same development was submitted to the Council on 7 June 2013. This second application was refused on the basis that the proposal would result in the loss of an important high quality future employment site which is 'oven ready' for development and which makes a significant contribution towards the readily available high quality employment land supply within the city. Furthermore, the reason for refusal stated that an approval of the development would undermine the aims and objectives of the City of Stoke-on-Trent to promote economic growth and would be contrary to Policy SP2 and Strategic Aim 5 of the Local Development Framework Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy² 2006 – 2026, adopted October 2009, and guidance contained within the National Planning Policy Framework (The Framework). At the same time as refusing the second planning application, the Council's Development Management Committee authorised Officers to prepare and respond to this appeal in line with the Council's reason for refusal on the second planning application.
2. At the Inquiry a Section 106 Agreement³ was submitted. This Agreement includes financial contributions towards the provision of affordable housing within the Council's administrative area and the provision of additional primary educational facilities required as a consequence of the proposed development, along with the provision and maintenance of on site open space. I have had regard to this Agreement during my consideration of this appeal.

¹ Core Document E.4

² Core Document D.8

³ Core Document I.5

3. The Government's Planning Practice Guidance was published on 6 March 2014, prior to the Inquiry resuming. During the Inquiry the main parties were given the opportunity to comment on the implications of this document for the proposed development. I have had regard to these comments and the advice in the Planning Practice Guidance during my consideration of this appeal.

Decision

4. The appeal is allowed and outline planning permission is granted for residential development comprising up to 300 dwellings, access from Stanley Matthews Way, associated drainage, landscaping and open space on land at Trentham Lakes, Stanley Matthews Way, Stoke-on-Trent in accordance with the terms of the application, Ref. 53413/OUT, dated 15 March 2012, subject to the conditions in Appendix 1.

Main Issues

5. The main issues in this appeal are:
 - a) the effect of the proposed development on the supply of employment land and the future economic development and growth of Stoke-on Trent;
 - b) the effect of the proposed development on housing land supply and the focus of housing development within priority areas; and,
 - c) whether or not the proposal would represent sustainable development, having regard to local and national policies.

Reasons

Supply of Employment Land

6. The appeal site forms part of the wider Trentham Lakes area of Stoke-on-Trent, which was previously used as a colliery, with extensive colliery spoil tips. Following the closure of the colliery in 1996, the appellants purchased the entire colliery site, which amounted to around 162ha. The appellants have carried out remediation, reclamation and infrastructure works on the former colliery site and facilitated a major mixed use development, including commercial and business units, residential and retail developments. The appeal site comprises around 13.73ha of previously developed land located between Stanley Matthews Way to the east and the West Coast Railway Line to the west.
7. To the north of the appeal site is a small gas fired power generator operated by Green Park Energy. Beyond Stanley Matthews Way to the east are 2 warehouse buildings, currently occupied by Screwfix and Trentham Logistics. To the south of the appeal site is an existing residential estate, characterised by modern, predominantly detached and semidetached homes, beyond which is a local centre comprising an Aldi supermarket, hairdresser, veterinary centre, 2 hot food takeaways and a public house/restaurant, at the junction of Stanley Matthews Way and Trentham Road.
8. The appeal site, which is predominantly flat, is long and narrow in the northern half, before widening out in the southern half. The wider Trentham Lakes area is connected to the region by the A50 to the north, the A500 to the west and the A453 to the south. The appeal site it is not allocated within the development plan for employment purposes. However, it, along with the wider

Trentham Lakes site, benefits from outline planning permission for employment purposes⁴.

9. The proposed development would include the construction of up to 300 dwellings on the appeal site, along with associated access, landscaping and amenity spaces. The Council acknowledges that the appeal site could accommodate the proposed residential development without detriment to the character and appearance of the area; the living conditions of future occupiers; highway safety; drainage, air quality and ground conditions; and, ecology, subject to appropriate planning conditions being imposed. However, it is concerned that the proposal would result in the loss of an important high quality future employment site which is 'oven ready' for development and which makes a significant contribution towards the readily available high quality employment land supply within the City. Furthermore, the Council is concerned that its development for housing would undermine the aims and objectives of the City of Stoke-on-Trent to promote economic growth, contrary to Core Spatial Strategy Policy SP2 and Strategic Aim 5 and guidance contained within The Framework.
10. The Council's Core Spatial Strategy Strategic Aim 5⁵ is to foster and diversify the employment base of all parts of the plan area, both urban and rural, including development of new types of work and working lifestyles, and supporting the office development sector, new technologies and business capitalising on the inherent advantages of North Staffordshire. Core Spatial Strategy Policy SP2 sets out the spatial principles of economic development within the City. The reasoned justification⁶ to this policy identifies the specific targets for the provision of employment land for the period 2006 – 2026 set in the, now revoked, West Midlands Regional Spatial Strategy (RSS) Phase 2 Revision. These targets are split into a minimum 5 year rolling reservoir of immediately available employment land (55ha) and an indicative long term supply (165ha), giving a total target of 220ha between 2006 and 2026. The Core Spatial Strategy⁷ sets out the current availability of employment land within Stoke-on-Trent as of 1 April 2006 as 67ha (Sub-regional employment sites), 177ha (Good quality employment sites) and 26ha (Other employment sites). This amounts to a total current provision, as of 1 April 2006, of 270ha.
11. The Core Spatial Strategy⁸ refers to the Council conducting a comprehensive assessment of its existing supply of land available for economic development through an Employment Land Review, which would provide the evidence base for establishing whether the current mix of provision is appropriate and for determining the nature of future provision of additional sites throughout the plan period.
12. The Council, along with the neighbouring authority, Newcastle-under-Lyme Borough Council, published the Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council Joint Employment Land Review (ELR) – Final Report⁹ in July 2011. The ELR¹⁰ refers to the target of 220ha of employment land for Stoke-on-Trent between 2006 and 2026 set in the Core Spatial

⁴ Core Documents E.1, E.2 and E.3

⁵ Paragraph 4.10 of the Core Spatial Strategy

⁶ Paragraph 5.40 of the Core Spatial Strategy

⁷ Paragraph 5.42 of the Core Spatial Strategy

⁸ Paragraphs 5.43 and 5.44 of the Core Spatial Strategy

⁹ Core Document F.17

¹⁰ Paragraph 5.4.5 of the ELR

Strategy and says that, as completions of 46ha occurred in the period 2006/07 – 2009/10, a revised target of 174ha for the period 2010 – 2026 can be derived.

13. In order to develop a forward view of future requirements for employment land in Stoke-on-Trent, the ELR undertook an assessment of historic take up trends (2000 – 2010) and econometric forecasting. The assessment of the former¹¹ concluded that a revised target could be considered of between 240ha and 258ha, while the latter¹² indicated that a revised target of 227.4ha would be required between 2010 and 2026. The econometric forecasting suggested that the land required for upgrade and employment growth by 2026 could be distributed as follows: heavy industrial (83ha), logistics (110.4ha), light industrial (12.3ha), medium industrial (8.6ha) and office (13.1ha). For the purposes of the ELR it was recommended¹³ to work to a total figure of 230ha with the broad distribution of this area in land types¹⁴ as follows: Use Class B1a/b (14ha), Use Class B1c (15ha), Use Class B2 (91ha) and Use Class B8 (110ha). This is significantly larger than the Core Spatial Strategy target for the same period.
14. During the Inquiry, the Council updated Table 4.4¹⁵ of the ELR by using the latest employment data (2012), based on a longer trend period from 1998. This revised econometric forecasting suggested that the land required for upgrade and employment growth by 2026 could be distributed as follows: heavy industrial (106.49ha), logistics (56.55ha), light industrial (44.59ha), medium industrial (9.2ha) and office (41.16ha), giving a total of 257.99ha of employment land required. Although the demand generated by upgrading needs remains broadly similar in the 2 models, the land required as a result of demand generated by employment growth has significantly increased. However, there are substantial differences between the 2 models in respect of the distribution of this employment land between sectors. The main differences between the 2 models, in respect of land required for employment growth, using the 2008 and 2012 employment data respectively, are the considerable increase in heavy industrial land required from 0 to 30.02ha; the substantial reduction in the amount of land required for logistics from 92.94ha to 37.69ha; and, the significant increases in land required for light industrial and office uses, from 3.94ha to 35.60ha and from 5.32ha to 32.39ha respectively.
15. The appellants have questioned the methodology and findings of the ELR. Indeed, they have set out a list of shortcomings within their evidence to the Inquiry. Of particular concern to the appellants, with regards to the original ELR model, are the use of out of date data; the inclusion of a large proportion of the requirement for employment land derived from the modernisation and upgrading by extant occupiers; the lack of survey evidence to support the assumptions made; the lack of an allowance for redundant employment land; the over dominance of the logistics sector; and that there is no evidence of any sensitivity testing. Furthermore, the appellants are concerned about the updated ELR model submitted during the Inquiry, which although it relies upon more up to date data, initially contained numerous errors, which were then

¹¹ Paragraph 5.4.7 of the ELR

¹² Paragraph 5.7.3 and Table 4.4 of the ELR

¹³ Paragraph 5.8.5 of the ELR

¹⁴ Table 4.7 of the ELR

¹⁵ Core Document F.30

subsequently amended. In addition, the appellants point out that it identifies a dramatic reduction in terms of demand for logistics, while anticipating an inexplicable rise in the office sector and an incomprehensive rise in the light industrial sector.

16. Government guidance in the Planning Practice Guidance replaces that contained within Employment Land Reviews: Guidance Note¹⁶, December 2004, which has now been cancelled. This sets out the approach to assessing economic development need, with the primary objective being to identify the future quantity of land or floorspace required for economic development uses including both the quantitative and qualitative needs for new development; and, to provide a breakdown of that analysis in terms of quality and location, and to provide an indication of gaps in current land supply. The Planning Practice Guidance also gives advice on the scope and methodology of economic development needs assessments.
17. Although the Council's ELR was prepared prior to the publication of the Planning Practice Guidance and was updated during the Inquiry to take account of more up to date employment data, I share many of the appellants' concerns in respect of the methodology used and the findings of the ELR and the updates submitted at the Inquiry. Firstly, the ELR includes an amount of land required for the upgrading/modernisation of existing stock on new land, rather than on existing land. This amounts to 20% of the stock in relation to the heavy industrial, light industrial, medium industrial and office sectors, and 10% of the stock in relation to the logistics sector, which gives a total employment land requirement for upgrading/modernisation of 118.81ha, in respect of the updated ELR model. In most sectors, the employment land required for these purposes is less than that anticipated for employment growth, with the exception being the heavy industrial sector, where it accounts for more than twice that required for employment growth.
18. The ELR refers to the estimate for upgrading/modernisation needs as a key assumption¹⁷. It states that it is an estimated percentage of current occupied stock that would need to upgrade/modernise via relocating to new (better) sites and premises. However, the ELR does not explain the basis for the percentages included, nor does it appear to take account of the subsequent availability of employment land vacated by these existing businesses. The Council confirmed at the Inquiry that no surveys of existing businesses had taken place as part of the ELR process. To my mind, such survey work, which can provide useful information on business needs and is advocated by the Planning Practice Guidance, is vital to determine the likely future aspirations and demands of existing businesses to relocate to new (better) sites and premises. Furthermore, no evidence of past trends in relation to the upgrading/modernisation of existing businesses within Stoke-on-Trent has been put forward to support the amount of employment land included within the ELR for these purposes.
19. Although not a matter of concern within the amended ELR model which uses the latest employment data, as no negative values exist within it in respect of the sectors of relevance to this Inquiry, the changing of negative values to zero, as occurred in respect of the heavy industrial sector in the original ELR model, would, in my view, instantly remove the possibility of surplus

¹⁶ Core Document F.21

¹⁷ Paragraph 5.5.12 of the ELR

employment land being used for addressing future employment need. Indeed, it is apparent from the evidence before me that the reuse of vacant land and premises is a common occurrence within Stoke-on-Trent.

20. The original ELR model indicated that there would be a substantial requirement for employment land within the logistics sector. This has significantly reduced within the amended ELR model. I concur with the appellants' view that this can be explained by the opening of the A50 link to the M6, through to the M1, close to Trentham Lakes in 1998 which considerably improved transport links to and from Stoke-on-Trent, along with the credit bubble which saw a lot of speculative investment in this sector. Although the improved transport links will remain a benefit to new economic development at Trentham Lakes, from the evidence before me, it is apparent that the requirements of the logistics sector have changed in recent years and, although Stoke-on-Trent remains a good base for regional distribution points, speculative development of this nature has currently stalled, and the largest format B8 uses focus their investment in areas within the 'Golden Triangle'.
21. The Council stated at the Inquiry that sensitivity testing was carried out when undertaking the ELR. However, there is no evidence before me to show that this has been done. Reference is made within the ELR to a bottom up reality check¹⁸. Nevertheless, this appears to be based on the knowledge and experience of members of the team of what has happened on the ground.
22. In terms of the significant increases in land required for light industrial and office uses between the original and amended ELRs, the appellants confirmed at the Inquiry that enquiries for design and build solutions have substantially reduced, with many businesses relocating to existing vacant buildings within the second hand market, given the flexible terms and negotiable rents available at present. Indeed, I note that there is over 20 million square feet of second hand units currently available in Stoke-on-Trent, which the Council accepted is significant provision. Furthermore, I acknowledge the Council's evidence in relation to the office sector growth, which indicates that it is based on assumptions of public sector growth, which, given the current climate of public sector expenditure cutbacks and constraints would appear unlikely.
23. The ELR has not been subject to public consultation or independent scrutiny. It was prepared on behalf of the Council to form the evidence base to inform a site allocation development plan document. This document has not been prepared and the Council confirmed at the Inquiry that it has now resolved¹⁹ to begin work on a joint Local Plan with Newcastle-under-Lyme Borough Council, for which a further ELR would be prepared in order to inform employment site allocations within it. Given the nature of the ELR before me, and the amendments made by the Council during the Inquiry, along with the concerns that I have raised in respect of the methodology used and its findings, I have afforded it limited weight in my consideration of this appeal.
24. The appellants have put forward an alternative approach to assessing need, based on historic take up. Although the Council's ELR concluded that in relation to Stoke-on-Trent, based on historic take up of employment land between 2000 and 2010²⁰ a revised target²¹ of between 240ha and 258ha could

¹⁸ Paragraphs 5.5.13 and 5.5.14 of the ELR

¹⁹ Core Document F.41

²⁰ Table 4.2 of the ELR

be considered, the appellants refer to these figures being based largely on a period of unsustainable credit fuelled boom, with significant reliance on the B8 logistics sector, which enjoyed massive investment in this period. The appellants suggest that a more realistic figure would be between 75ha and 100ha, given the diminished level of occupier interest, the change in the regional logistics market and the lack of funds and confidence from developers and investors. This, they say, is supported by the Integrated Economic Development Strategy for the North Staffordshire Conurbation – Spatial Planning Aspects²² report, prepared by DTZ Pida Consulting in July 2005.

25. The Spatial Planning Aspects report provides an overview of employment land take up²³ from 1997 to 2004. This shows an annual average take up of 9.4ha in Stoke-on-Trent. However, the appellants say that if the major B8 development brought forward in 2002 and 2003 is excluded, as suggested by this report, the annual average take up rate for Stoke-on-Trent would be around 4.8ha. The Spatial Planning Aspects report forecasts an employment land requirement for Stoke-on-Trent of 89.5ha²⁴ for the 16 year period from 2005 to 2021. This, the appellants say, would equate to around 5ha per annum, which would equate to a land requirement of 75ha for Stoke-on-Trent for the 15 year period covered by the ELR. In fact, using the forecast of 89.5ha, this would equate to around 5.6ha per annum and if used for the 15 year period of the ELR, this would equate to around 84ha. Nevertheless, this approach is based on take up rates between 1997 and 2004 and a report prepared in 2005. The appellants confirmed at the Inquiry that, given the cyclical nature of employment data, the longer the period of assessment, the more reliable it would be as a basis for forecasting future needs. Indeed, the Council concurred with this approach, stating at the Inquiry that it would have a preference to model a slightly longer period than 1998 – 2012, ideally up to 2014/15.
26. In order to assess a longer trend, the totals for the first 4 years of the land take up within the Spatial Planning Aspects report (11.5ha) can be added to the total in the ELR (160.28ha). In addition, the Council's Planning Committee Report referred to the monitoring returns for Stoke-on-Trent for 2010/11 (11.98ha) and 2011/12 (14.8ha). This indicates that there was an overall employment land take up total of 198.56ha over a 16 year period. This would equate to an annual average take up of 12.41ha ($198.56 \div 16$) each year between 1996/97 and 2011/12. If used as a basis for forecasting future needs this would suggest a requirement for around 186.15ha (12.41×15) for the 15 year period of the ELR. I acknowledge, however, the appellants' concerns relating to the latest employment land returns for Stoke-on-Trent. In particular, their assessment indicates that the actual levels of take up of marketed employment development land are much smaller than the total take up, with some errors in recording take up, with specific reference to the accounting of changes of use and some double counts. Furthermore, at the Inquiry, the appellants highlighted concerns relating to the inclusion of the extension of the existing business at Johnson Tiles²⁵ within the employment land return. The Council's entry for 2010/11 and 2011/12 for this site was

²¹ Paragraph 5.4.7 of the ELR

²² Core Document F.2

²³ Table 5 of the Spatial Planning Aspects report

²⁴ Table 8 of the Spatial Planning Aspects report

²⁵ Core Document I.10

- 8.7ha. However, the new build/extensions built at Johnsons Tiles were around 10,903sqm (1.09ha) and were located within the existing site area.
27. In my opinion, the evidence before me is not definitive in respect of the future economic development needs of Stoke-on-Trent and in reality probably lies somewhere in between the figures put forward by the appellants and the Council. Indeed, the only figures that have been subject to public consultation and examination by an independent Inspector are those set out within the Core Spatial Strategy. When the target of 220ha of employment land for Stoke-on-Trent between 2006 and 2026 is amended to take account of the completions that occurred in the period 2006/07 – 2009/10 (46ha), a revised target of 174ha (220 – 46) for the period 2010 – 2026 can be derived. I have, therefore, used this as the basis for my assessment in this appeal.
28. Turning now to the supply of employment land. It is apparent from the evidence before me that the supply of employment land in Stoke-on-Trent is considerable. Indeed, the ELR estimates that 300.06ha of potential employment land exists within Stoke-on-Trent²⁶, which is the amount considered deliverable to 2026. The ELR sets out the gross supply of employment land for Stoke-on-Trent compared to the demand/need forecast²⁷, including a summary of the expected timescales for delivery to 2026. This indicates that 100.34ha of employment land within Stoke-on-Trent²⁸ is available in the short term, namely 0-6 years. It also indicates that there would be an oversupply, based on the ELR's assessment of need for 230ha of employment land, within each of the uses of 19.8ha (B1a/b), 17.95ha (B1c), 29.82ha (B2) and 3.02ha (B8), calculated using the lower figure in range, over the period to 2026. Key identified sites that could help meet the demand for B2 use include Trentham Lakes. Furthermore, sites at Trentham Lakes and the Radial Park, Sideway site are recognised as contributing a significant proportion of land that would be available for B8 use. The ELR comments that in terms of meeting the key sectors identified within the B2 Use Class (electric vehicles, ceramics and wider manufacturing) and the B8 Use Class (logistics) there could be an issue in the medium/long term due to deliverability and significant access remediation constraints of some of the sites within these Use Classes.
29. At the Inquiry, the Council accepted the appellants' assessment that around 100ha of employment land is available and deliverable now. However, the Council is concerned about the loss of the appeal site, which it considers to be a premium employment site, 'oven ready' for development. The appellants, however, consider that even within this tightly defined category, there is still an ample supply and have assessed each of these sites in terms of their location and accessibility²⁹. This assessment indicates that around 80ha of employment land, excluding the appeal site, is readily available and competing with Trentham Lakes for enquiries either immediately or in the relatively short term. Furthermore, this assessment takes no account of the strategic opportunity that exists at Chatterley Valley (around 50ha) and 186ha of employment land that is being promoted on 5 strategic sites which lie just outside the municipal boundaries of Stoke-on-Trent and Newcastle-under-Lyme, but which are recognised by the ELR as operating within the same market area.

²⁶ Paragraph 6.4.2 of the ELR

²⁷ Table 6.1 of the ELR

²⁸ Table 6.1 of the ELR

²⁹ Appendix 1 to Mr Leaver's Proof of Evidence

30. I acknowledge the amount of second hand space available in the local market, which widens the choice for companies seeking employment land and buildings and which is cheaper and more immediately available than design and build options, including the former HW Plastics site at Trentham Lakes, which includes a building of around 178,000sqft for manufacturing and distribution. However, I note that the number of larger units over 50,000sqft is limited. Furthermore, I note that developers cannot currently afford to build speculatively against the backdrop of low rental and capital values and weak business confidence. The appellants have provided information relating to 10 enquiries about design and build options at Trentham Lakes, none of which they consider were serious. In addition, they stated that Trentham Lakes can no longer accommodate larger B8 requirements of 300,000sqft plus, with the appeal site not being able to accommodate buildings of more than 212,500sqft, given the requirements for an efficient and cost effective clear span rectangular layout. The Council has raised concerns about the high cost of design and build at Trentham Lakes and that these costs are prohibitive to businesses.
31. It is apparent that when considering new premises for their business, occupiers would be likely to consider the full range of options available to them, including second hand space, when assessing whether or not design and build would be appropriate. In my opinion, when considering options for design and build at Trentham Lakes, potential occupiers would also be likely to consider other comparable sites.
32. At the Inquiry the appellants submitted a plan³⁰ which shows the remaining undeveloped plots at Trentham Lakes, including those within the appeal site. This plan indicates that the wider Trentham Lakes area could accommodate industrial/warehouse units of around 210,500sqft, 90,000sqft and 200,000sqft, a car showroom, and smaller industrial units of around 48,000sqft, 10,000sqft, 15,000sqft, 35,000sqft and 40,000sqft. In addition, it shows how industrial units of 40,000sqft, 60,500sqft, 104,000sqft and 27,000sqft, along with an industrial/warehouse unit of 202,500sqft could be accommodated on the appeal site. These sites have been assessed by the appellants as having a state of readiness score of 'A' and a location and accessibility score of 'A'.
33. Occupiers looking for design and build options for units of the sizes that could be accommodated on the appeal site would, in my opinion, also look at the wider Trentham Lakes area, as well as other sites, including Etruria Valley, which offers a range of potential building sizes from 32,000sqft to 64,000sqft in Phase 2a; Tunstall Link (Phases 1 and 2), which could accommodate buildings of between 12,000sqft and 69,500sqft in Phase 1, or plots combined to provide 2 buildings of 25,000sqft and 131,500sqft, and a building up to 150,000sqft in Phase 2; G Park, Meir, which could accommodate buildings between 100,000sqft and 462,000sqft; Prologis Sideway, which could accommodate buildings between 200,000sqft and 600,000sqft; and, Phase 2 G Park Blue Planet, where opportunities exist for a building up to 126,000sqft. All of these sites were also assessed by the appellants as having a state of readiness score of 'A' and a location and accessibility score of 'A'.
34. It is not disputed that the appeal site is a prime employment site. However, from the evidence before me, I consider that there is more than sufficient employment land available within Stoke-on-Trent and the wider market area to

³⁰ Core Document I.13

satisfy future demand in the short to medium term. Furthermore, it is apparent from the evidence before me that further land would become available within the longer term, including the expansion land at Chatterley Valley and Phase 3 at Etruria Valley. In my opinion, therefore, Stoke-on-Trent is well served by employment land, including prime employment sites. The loss of the appeal site, which amounts to around 13.7ha, would not therefore reduce the available employment land to an unacceptable level, nor would it be detrimental to the future economic development and growth of the city, given that other comparable prime employment sites would remain available for development.

35. I conclude, therefore, that the proposed development would not harm the supply of employment land and the future economic development and growth of Stoke-on-Trent. As such, it would not be contrary to Core Spatial Strategy Policy SP2 and Strategic Aim 5, and would accord with guidance in The Framework.

Housing Land Supply

36. Government guidance in paragraph 47 of The Framework says that local authorities should boost significantly the supply of housing and should identify and update annually a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of either 5% or 20% depending on previous delivery.
37. During the Inquiry the main parties submitted a Statement of Common Ground³¹ (SoCG) relating to matters of housing supply and an Addendum to the Statement of Common Ground³² (ASoCG) relating to matters of housing supply. The former states that the appropriate period for the consideration of the 5 year housing land supply is 1 April 2013 – 31 March 2018. It also confirmed that the most up to date and tested objectively assessed housing need, and thus the most appropriate in the context of paragraph 47 of The Framework is the West Midlands Regional Spatial Strategy Phase Two Revision – Report of the Panel: Volume 1 - Report³³, September 2009, which requires the delivery of 14,400 dwellings³⁴ (net) between 2006 and 2026 for Stoke-on-Trent. Furthermore, having regard to the guidance in paragraph 47 of The Framework, the SoCG says that given the historic rates of delivery since 2006, it is appropriate to apply a 20% buffer for Stoke-on-Trent. The Council and the appellants also agree that given the level of persistent under delivery in Stoke-on-Trent against the agreed housing requirement there is a shortfall of 781 dwellings since 2006 and that the most robust method for dealing with the shortfall would be the Sedgefield approach, which requires the shortfall to be met in the appropriate 5 year period. Finally, the SoCG also sets out the agreed build rates and lead in times that are considered robust, except for cases where site specific information clearly supports a different approach.
38. Following on from the matters agreed within the SoCG, the Council and the appellants continued to discuss matters relating to housing land supply and produced the ASoCG which sets out the agreed sources of supply and the 'best case' housing land supply calculation. This indicates that the 'best case'

³¹ Core Document I.17

³² Core Document I.18

³³ Core Document D.7

³⁴ Table 3.3 of the Panel Report

housing land supply is 3.5 years and it is agreed that this represents a shortfall against the requirements of paragraph 47 of The Framework to demonstrate a 5 year supply of deliverable housing land. Furthermore, the ASoCG says that in such circumstances it is agreed that in terms of paragraph 49 of The Framework the relevant policies for the supply of housing contained in the Core Spatial Strategy, should not be considered up to date. Finally, the ASoCG considers that there is a significant shortfall in the 5 year supply of housing land and that significant weight should be attached to this matter in the determination of this appeal.

39. I note the appellants' concerns in respect of the sources of supply included within the ASoCG. Indeed, they consider that a realistic assessment of deliverable units from sites with planning permission at 1 April 2013 would be 800 dwellings, rather than the 985 dwellings included within Table 1 in the ASoCG. If the appellants' figure of 800 dwellings is used on the sites with planning permission as at 1 April 2013, this would equate to a total supply of 3,316, equivalent to a housing land supply of 3.3 years.
40. In addition, the appellants do not accept the inclusion of sites with planning permission granted after 1 April 2013 in Table 1, which amount to 800 dwellings, given that 1 April 2013 is the agreed base date for the calculation. However, the appellants say that notwithstanding this, it is agreed that the Council was aware of the potential for these sites prior to 1 April 2013 and, as such, it would be reasonable to include an allowance for units being delivered on these sites and for the purposes of assisting the Inquiry, the appellants agreed the figure of 800 units.
41. The Council confirmed at the Inquiry that although it has included sites with planning permission granted after 1 April 2013, it has also removed sites where planning permission has now expired. The Council also confirmed that there was no double counting of any of the sites with planning permission granted after 1 April 2013, as they were not included within any of the other categories within Table 1 of the ASoCG. Although it is unusual for sites granted planning permission after the agreed base date to be included in the calculation, given that these sites are not accounted for anywhere else in the calculation and that sites where planning permission has since expired have been removed, I consider that it is reasonable to include them as they would be likely to form part of the 5 year housing land supply.
42. It is apparent, however, that even the 'best case' housing land supply represents a significant shortfall in this case. Paragraph 49 of The Framework says that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
43. Policy SP1 of the Core Spatial Strategy says that new housing will be primarily directed towards sites within the Inner Urban Core, including the City Centre, and other priority areas. The appeal site is not located within the Inner Urban Core or any of the other priority areas listed within Policy SP1. The Council confirmed at the Inquiry that although during the height of the Housing Market Renewal (HMR) programme in 2007/08 and 2008/09 it actively enforced the policy restraint which directed new housing development to the Inner Urban Core and not the Outer Urban Area, following the end of the HMR programme

in 2010 and the start of the credit crunch post 2008 it made the choice not to apply this policy and to take a proactive approach towards residential development, ignoring the Inner Urban Core/Outer Urban Area as a principle for refusal. The Council considers that this is evidenced by the approval of major residential developments at the Dyson Works and North Staffordshire Royal Infirmary, both of which are outside the Inner Urban Core, along with the fact that 82% of residential approvals were outside the Inner Urban Core between April 2012 and April 2013.

44. Given the significant shortfall identified in the housing land supply, along with the Council's approach to housing development proposals within the Outer Urban Area, I consider that the proposed development of the appeal site for housing would go some way towards reducing this shortfall, without detriment to the Council's focus of housing development within priority areas. As such, I concur with the view of the main parties that significant weight should be afforded to this matter.
45. I conclude, therefore, that the proposed development would not harm the housing land supply and the focus of housing development within priority areas. As such, it would not be contrary to Core Spatial Strategy Policy SP1 and would accord with the guidance in The Framework to boost significantly the supply of housing.

Sustainable Development

46. Paragraph 7 of The Framework sets out the 3 dimensions to sustainable development: economic, social and environmental and paragraph 8 says that the roles performed by the planning system in this regard should not be undertaken in isolation, because they are mutually dependent. It goes on to say that, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system, which should play an active role in guiding development to sustainable solutions. At the heart of The Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Paragraph 14 of The Framework says that for decision taking this means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in The Framework taken as a whole, or specific policies in The Framework indicate development should be restricted.
47. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
48. The appellants put forward the creation of around 250 construction jobs over a 6 year period, which could also offer the potential for new apprenticeships and other forms of training and skills development for young people, and a New Homes Bonus of around £3,000,000 from the Government to the Council,

which would allow further investment in the City, as economic gains of the proposed development. In terms of the social gains arising from the proposed development, the appellants say that the provision of up to 300 new homes would support and sustain the creation of a strong, vibrant and healthy community within Trentham, while going some way to meeting the shortfall identified in the Council's housing land supply. Furthermore, they say that the appeal site is well located in relation to existing shops, services and facilities, including schools and open space, and future occupiers of the proposed development would help to sustain these important local services as well as contributing to a truly mixed use development across the wider Trentham Lakes site, which the appellants say would represent both social and environmental gains. In addition, I consider that the financial contribution proposed towards the provision of affordable housing within the City would represent a further social gain, given the significant levels of housing need.

49. While I concur with the appellants' views in respect of these matters, I do not consider that the financial contribution towards education provision within the Section 106 Agreement would result in a social gain, as this would be directly related to the development proposed and would provide the additional primary school places required as a consequence of the new dwellings. In addition, I concur with the Council's view, expressed at the Inquiry, and accepted by the appellants in cross examination, that matters relating to there being no net loss of flood plain as a result of the proposed development and the conclusion of the Extended Phase 1 Habitat Survey that it would have limited impacts on wildlife and habitats would not represent environmental gains, but would rather indicate that there would be a lack of harm or the taking of appropriate mitigation measures.
50. The proposed development would lead to the loss of a prime employment site and its development for residential purposes. One of the core planning principles in The Framework says that planning should drive and support sustainable economic development to deliver, homes, business and industrial units, infrastructure and thriving local places that the country needs. It goes on to say that every effort should be made objectively to identify and then meet the housing, business and other development needs of the area, and respond positively to wider opportunities for growth. Furthermore, it says that plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.
51. Paragraph 22 of The Framework says that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to say that land allocations should be regularly reviewed and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
52. The appeal site is not allocated for any purpose within the development plan. Although, it benefits from outline planning permission for employment purposes, it has remained undeveloped since the original granting of outline

planning permission³⁵ on 4 May 2001 for retail, food and drink, offices, industrial, storage and distribution, residential development, car showrooms and associated road/rail interchange, landscaping etc on the wider Trentham Lakes (South) site. From the evidence before me I have found that Stoke-on-Trent has sufficient employment land available to meet its needs, both now and in the future. However, there is a significant shortfall in the housing land supply. I acknowledge that the appeal site has been fully reclaimed and remediated by the appellants and is described by the Council as being 'oven ready' for development. Nevertheless, despite this, it has remained undeveloped for employment purposes and, from the evidence before me, has little prospect of being developed for employment uses in the near future.

53. The Council informed the Inquiry that work on the Local Development Framework has now ceased and that the Council has agreed to begin preparation of a joint Stoke-on-Trent and Newcastle-under-Lyme Local Plan³⁶. Given the timetable³⁷ for the production of this document, it is unlikely that any site specific allocations would be adopted for employment or housing uses until the second half of 2018. Indeed, even the consultation exercise on the issues and strategic options would not occur until the second half of 2015, given the preparation work required. Nevertheless, there is an urgent need to boost the supply of housing within Stoke-on-Trent now.
54. The Stoke-on-Trent/Newcastle-under-Lyme conurbation is surrounded by Green Belt. Although I note that exceptionally the Wedgwood site has been released in the Green Belt for enabling residential development, further development outside the confines of the City would be unlikely. From the evidence presented to the Inquiry, the delivery of market housing within the Inner Urban Core is now challenging, following the end of the HMR programme. The Outer Urban Area, therefore, remains the only location where new housing development could reasonably be delivered. I acknowledge the appellants' reference to another site with (outline) planning permission for employment uses, known as G-Park, Meir, which the Council has included within its Strategic Housing Land Availability Assessment (SHLAA). The site, known as the Cookson Matthey Site, Whittle Road, Meir Park (SHLAA ID 107)³⁸, is around 8.66ha and is indicated to have a SHLAA potential capacity of 242 dwellings. The site, which the Council confirmed at the Inquiry is that also known as G-Park, is within the Outer Urban Area and is assessed within the SHLAA as being developable within Years 5-10, with a 5 year supply capacity of 80. Furthermore, the appellants' assessment of this site for employment purposes was the same as that for the appeal site, as it was awarded a state of readiness score of 'A' and a location and accessibility score of 'A'.
55. From the evidence given at the Inquiry, it is apparent that the Trentham Lakes area of Stoke-on-Trent is one which many home owners aspire to live in. Indeed, I acknowledge the success of the neighbouring residential development to the south of the appeal site. I also note that Stoke-on-Trent has suffered from the out migration of residents from the city to neighbouring Newcastle-under-Lyme, as well as to settlements within Cheshire to the north and Staffordshire to the south. Indeed, the appellants consider that the provision of family housing on the appeal site would help to retain skilled and

³⁵ Core Document E.12

³⁶ Core Document F.41

³⁷ Core Document I.19

³⁸ Core Document I.21

aspirational families within Stoke-on-Trent, which would benefit existing employers who might otherwise find it difficult to recruit a suitable local workforce. Although the proposal would lead to the loss of a prime employment site within Stoke-on-Trent, I have found that this would not be detrimental to the employment land supply, given the likely future demand and the availability of other comparable sites. Furthermore, the economic, social and environmental gains of the proposed development outlined above, in particular, the provision of much needed family homes within the City would represent a sustainable form of development.

56. I conclude, therefore, that the proposal would represent sustainable development, having regards to local and national policies.

Other Matters

57. I have considered all the other matters raised by the Council and third parties including pedestrian and highway safety; and, the proximity of the West Coast Railway Line, but none changes my overall conclusion that the appeal should be allowed.

Conditions

58. The Council and the appellants provided an agreed list³⁹ of suggested conditions at the Inquiry. I have had regard to the advice in the Planning Practice Guidance⁴⁰ when considering these conditions. The suggested reserved matters condition has been amended to reflect the model conditions included in Appendix A of Circular 11/95. A condition which requires the development to be delivered in accordance with the submitted plans and that a maximum of 300 dwellings shall be constructed on the site, would be reasonable for the avoidance of doubt and in the interests of proper planning. Conditions requiring that the reserved matters submissions for layout include details of all pedestrian and cycle access points into the site, including provision for a pedestrian footway along the full extent of the eastern boundary of the site, directly adjacent to Stanley Matthews Way, and the provision of travel packs to residents, would be necessary to encourage the use of sustainable modes of transport.
59. A condition requiring the reserved matters submissions to include details of a Lighting Strategy would be reasonable to safeguard the character and appearance of the area and to provide appropriate living conditions for future occupiers. A condition requiring the submission and approval of a detailed surface water and foul water drainage scheme for the site, together with an implementation strategy, would be necessary to prevent the increased risk of flooding and to improve and protect water quality, improve habitat and amenity and to ensure future maintenance of these features. Conditions relating to the investigation and risk assessment to determine the nature and extent of any contamination on the site, along with its remediation, and the action required in the event that unexpected contamination is discovered during the course of the development, would be necessary to prevent unacceptable risks to health and pollution of the environment.

³⁹ Core Document I.6

⁴⁰ Circular 11/95: The Use of Conditions in Planning Permissions has been largely superseded by the Planning Practice Guidance, with the exception of Appendix A (Model Conditions)

60. A condition requiring the submission and approval of a landscape management programme would be reasonable to safeguard the character and appearance of the area. A condition requiring the submission and approval of a Construction Environmental Management Plan would be necessary to safeguard the living conditions of local residents and to minimise the impact of construction activity on the surrounding environment. Finally, a condition requiring the submission of a scheme for noise mitigation and ventilation of all residential dwellings would be necessary to ensure that the living conditions of future residents would be appropriate.

Section 106 Agreement

61. The appellants submitted an Agreement under Section 106 of the Town and Country Planning Act 1990⁴¹ at the Inquiry, which includes a number of obligations to come into effect if planning permission is granted. I have considered these in the light of the statutory tests contained in Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010. I have also had regard to the Planning Obligations CIL Compliance Statement⁴² submitted at the Inquiry by the Council, along with the associated clarification documentation.
62. Policy CSP10 of the Core Spatial Strategy says that developers are expected to have regard to the consequences that may arise from development. It goes on to say that development proposals should, therefore, include provision for necessary on site and off site infrastructure, community facilities and/or mitigation measures where this is necessary to ensure comprehensive planning and to avoid placing an additional burden on the existing community and area. It states that these may include affordable housing, education and community facilities and open spaces, sports and recreation facilities. The obligations within the Section 106 Agreement relate to the following matters:
63. *Affordable Housing:* Core Spatial Strategy Policy CSP6 says, amongst other things, that new residential development within the urban area, on sites or parts of sites proposed to, or capable of, accommodating 15 or more dwellings will be required to contribute towards affordable housing at a rate equivalent to a target of 25% of the total dwellings to be provided. The Council's Local Development Framework Supplementary Planning Document (SPD) 2: Affordable Housing⁴³ (February 2008) sets out the Council's approach to the provision of affordable housing within Stoke-on-Trent. It also states that significant levels of housing need exist within Stoke-on-Trent as evidenced by the Joint Housing Register, Housing Needs Survey Update 2006 and Housing Market Assessment work undertaken by the Council and neighbouring authorities. Indeed, SPD 2 indicates that there is an annual deficit in excess of 250 affordable units City wide.
64. The Section 106 Agreement includes a financial contribution of £1,000,000 towards the provision of off site affordable housing within Stoke-on-Trent. This would equate to around 5% of the total dwellings to be provided on the appeal site. The Council would be content for a financial contribution towards off site affordable housing to be made in this case for strategic reasons, including the delivery of sustainable development across the City, by enabling the Council to

⁴¹ Core Document I.5

⁴² Core Document I.24

⁴³ Core Document D.10

assist with the delivery of other sites, including those within the Inner Urban Core, where viability is currently a barrier to development. Although the financial contribution agreed is substantially less than that sought by the Council's policy and guidance, the appellants have submitted a robust appraisal⁴⁴ which supports this reduced level of contribution. I am satisfied, therefore, that this contribution would satisfy some of the affordable housing need within Stoke-on-Trent. As such, given the assessment of viability, I consider that this obligation would be fairly and reasonably related to the development proposed and that it passes the statutory tests.

65. *Education*: Policy ASP3 of the Core Spatial Strategy says, amongst other things, that the availability of, and access to modernised local facilities, including education, will be improved. Furthermore, Strategic Aim 2 (SA2) seeks to facilitate delivery of the best of healthy urban living in the development of the conurbation and to ensure that new development makes adequate provision for all necessary community facilities including education, and that the quality and accessibility of existing facilities are enhanced and retained where they provide for the justified community needs. The Education Authority anticipates that an additional 63 primary school places would be required as a result of the proposed development. In respect of the existing provision, the Education Authority has identified a projected shortfall of 50 primary school places by 2016 in the local area, without taking account of the additional demand created by the proposed development.
66. The actual cost of the provision of 63 additional primary school places would be £702,639 or £2,342 per dwelling. However, the Council currently only requests a contribution of £1,000 per dwelling (£300,000) towards the provision of primary school places. The Section 106 Agreement includes a financial contribution of £300,000 towards additional primary educational facilities. Given the projected shortfall of 50 primary school places within local schools, along with the anticipated demand for pupil places which would be created by the proposed development, I consider that this obligation would pass the statutory tests.
67. *Open Space*: Policy ASP3 of the Core Spatial Strategy says, amongst other things, that the availability of, and access to, modernised local facilities, including sports and recreation, will be improved. Furthermore, Strategic Aim 2 (SA2) seeks to facilitate delivery of the best of healthy urban living in the development of the conurbation and to ensure that new development makes adequate provision for all necessary community facilities including sports and recreation, and that the quality and accessibility of existing facilities are enhanced and retained where they provide for the justified community needs.
68. The Section 106 Agreement includes the requirement for the approval of a scheme and phasing programme for the provision of open space within the development, along with its future management and maintenance. In this case the Council requires the provision of children's play space and general amenity green space, with no sports provision, given that local sports provision has been improved recently through the redevelopment of a large secondary school with new sports facilities that are available for public use. I note that the level of open space detailed within the Land Use Plan⁴⁵ and the Concept Master

⁴⁴ Core Document B.8

⁴⁵ Application Plan A1/2

Plan⁴⁶ is broadly consistent with the Council's formula for such provision. Given the nature of the development proposed, in my opinion, such provision would be fairly and reasonably related in scale and kind to the development and would meet all the statutory tests.

Karen L Baker

INSPECTOR

Richborough Estates

⁴⁶ Application Plan A1/3

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Carter of Counsel	Instructed by Paul Hackney, Assistant Director (Legal Services), Stoke-on-Trent City Council
<i>He called</i>	
Mr M Phillips BSc(Hons) MRICS Assoc MRTPI	Principal Planning and Regeneration Consultant, Scott Wilson/URS Infrastructure and Environment UK Limited
Dr S Sheppard	Adroit Economics Limited
Mr R Elliott BA(Hons) BSc MRICS	Partner, Butters John Bee
Mr M Evans MTCP MA MRTPI	Planning Officer, Stoke-on-Trent City Council

FOR THE APPELLANTS:

Mr C Young of Counsel	Instructed by Mr M Sitch, Senior Planning Partner, Barton Willmore LLP
<i>He called</i>	
Mr P Leaver BA MRICS	Director, Jones Lang LaSalle
Mr P Doherty BSc FRICS	Director, Louis Taylor Limited
Mr S Lucas BSc MSc	Managing Director, Development Economics Limited
Mr G Stevenson MTCP MRTPI	Associate Planner, Barton Willmore LLP
Mr R Follwell FRICS	Director, Follwells Limited
Mr M Sitch BSc(Hons) DipTP MRTPI	Senior Planning Partner, Barton Willmore LLP

INTERESTED PERSONS:

Councillor Neil Day	Ward Councillor for Blurton West and Newstead
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APPLICATION PLANS

A1/1	Red Line Boundary (Drawing No. 01 Rev. D)
A1/2	Land Use Plan (Drawing No. 04 Rev. E)
A1/3	Concept Master Plan (Drawing No. 12 Rev. B)
A1/4	Indicative Proposed Sections (Drawing No. 22 Rev. A)

CORE DOCUMENTS SUBMITTED DURING THE INQUIRY

CD No.	(A) Planning Application Documents	Date
A.1	Planning Application Covering Letter	15 March 2012
A.2	Planning Application Form	15 March 2012
A.3	Planning Statement	March 2012
A.4	Design and Access Statement	March 2012
A.5	Statement of Community Engagement	March 2012
A.6	Transport Note	March 2012
A.7	Sustainability Assessment	March 2012

A.8	Addendum Report - Flood Risk Assessment and Drainage Strategy	March 2012
A.9	Phase 1 Ground Conditions Desk Study	8 March 2012
A.10	Report on Existing Noise Climate	9 March 2012
A.11	Extended Phase 1 Habitat Survey	9 January 2012
A.12	Red Line Boundary (Drawing No. 01 Rev C)	8 March 2012
A.13	Land Use Plan (Drawing No. 04 Rev D)	9 February 2012
A.14	Concept Master Plan (Drawing No. 12)	8 February 2012
A.15	Indicative Proposed Sections (Drawing No. 22 Rev A)	15 March 2012

CD No. (B) Planning Application Documents submitted after the initial submission

Date

B.1	Land Use Plan (Drawing No. 04 Rev E)	23 April 2012
B.2	Concept Master Plan (Drawing No. 12 Rev B)	23 April 2012
B.3	Red Line Boundary (Drawing No. 01 Rev D)	19 April 2012
B.4	Planning Statement Addendum	June 2012
B.5	Air Quality Assessment	June 2012
B.6	Transport Note (Revised)	6 June 2012
B.7	Letter from Barton Willmore to Stoke-on-Trent City Council	12 June 2012
B.8	Affordable Housing Viability Submission	June 2012
B.9	Air Quality Assessment (Updated)	12 September 2012
B.10	Initial Thoughts on the Loss of Industrial Land	14 September 2012
B.11	Review of Allocated Employment Land Use	25 October 2012
B.12	Further Appraisal of Employment Development Land to service Future Requirements	21 November 2012
B.13	Letter from St. Modwen to Stoke-on-Trent City Council	22 November 2012
B.14	Letter from Barton Willmore to Stoke-on-Trent City Council	1 March 2013
B.15	Review of Current Enquiries and Demand as advised by Make It Stoke-on-Trent and Staffordshire Inward Investment Service	26 April 2013
B.16	Email and attachments from Euan Lindsay, Senior Development Manager at St. Modwen to Tom Coates, Stoke-on-Trent City Council	26 July 2013 (1435hrs)

CD No. (C) Consultation Responses

Date

C.1	Environmental Health – Contaminated Land	2 April 2012
C.2	Environmental Health - Noise	3 April 2012
C.3	Environmental Health – Air Quality	30 March 2012
C.4	Environment Agency	10 April 2012
C.5	Highways Agency	10 April 2012
C.6	Housing Enabling Team (Affordable Housing)	5 April 2012
C.7	Policy and Design - Design and Conservation	10 April 2012
C.8	Policy and Design - Ecology	23 March 2012
C.9	Economic Development, Culture and Sport	
C.10	Stoke-on-Trent City Council Highways	20 April 2012
C.11	Planning Policy and Design	3 April 2012
C.12	British Waterways	16 April 2012
C.13	Network Rail	10 April 2012

C.14	Staffordshire Police	27 March 2012
C.15	Trent & Mersey Canal Society	27 March 2012
C.18	Anonymous Public Comment	23 March 2012
C.19	Mr Ford, 2 Edgbaston Drive, Trentham Lakes	5 April 2012
C.20	Mr Turner, 1 Fenners Grove, Trentham	24 March 2012
C.21	Mr Washington, 39 Kennington Oval, Trentham	3 April 2012

CD No. (D) Planning Policy Core Documents

D.1	National Planning Policy Framework
D.2a	NPPG – Assessment of Housing and Economic Development Needs
D.2b	NPPG – Assessment of Land Availability
D.2c	NPPG – Determining a Planning Application
D.2d	NPPG – Natural Environment
D.2e	NPPG – Use of Planning Conditions
D.2f	NPPG – Planning Obligations
D.2g	NPPG – Viability
D.3	Technical Guidance Note to the National Planning Policy Framework
D.4	The Planning System: General Principles
D.5	Regional Spatial Strategy for the West Midlands, January 2008, including enlarged extracts from the Key Diagram
D.6	West Midlands Regional Spatial Strategy Phase Two Revision – Draft: Preferred Option, December 2007
D.7	West Midlands Regional Spatial Strategy Phase Two Revision – Report of the Panel: Volume 1 - Report, September 2009
D.8	Local Development Framework Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, adopted October 2009
D.9	Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document, December 2010
D.10	City of Stoke-on-Trent Local Development Framework Supplementary Planning Document Affordable Housing (February 2008)
D.11	Etruria Valley Enterprise Area Supplementary Planning Document, adopted 21 March 2013

CD No. (E) Planning History Core Documents

E.1	03/10/2013 Grant with Conditions Land off Stanley Matthews Way, Trentham Lakes North, Stoke-on-Trent Renewal of permission ref. 46097 (Variation of Condition 1 (permission ref. SOT/39162) to extend the time period to develop the site for uses within Classes B1, B2 and B8 and restaurants (with or without drive-through), with associated infrastructure (outline))	Application No. 55379
E.2	03/10/2013 Grant with Conditions Land at Trentham Lakes South, Newstead, Stoke-on-Trent Renewal of permission ref. 46107 (Variation of Condition 2 (permission ref SOT/37499) to extend the time period to develop the site for employment purposes (uses within Classes B1, B2 and B8), retail, food and drink, and car showrooms with	55378

E.3	associated infrastructure (outline)) 03/10/2013 Grant with Conditions Land at Britannia Stadium, Stanley Matthews Way, Stoke-on-Trent Renewal of permission ref. 48901/HYB (Extension to and reconfiguration of existing stadium car parking, and creation of pedestrian underpass at Stanley Matthews Way (Full); and Class B1/B2/B8/car showroom development (Outline)	55489
E.4	20/08/2013 Refuse Land at Trentham Lakes South, Stanley Matthews Way, Stoke-on-Trent Residential Development (Outline)	55382
E.5	23/01/2008 Grant unconditionally Trentham Lakes (South), off Trentham Road, Newstead, Stoke-on-Trent Discharge of all planning obligations within Trentham Lakes South S106 Agreements dated 8 May 2001 and 14 March 2002 (Missing from Council records)	49127/PLOB
E.6	12/07/2007 Grant with Conditions Land at Trentham Lakes South, Newstead, Stoke- on-Trent Variation of Condition 2 (permission ref. SOT/37499) to extend the time period to develop the site for employment purposes (uses within Classes B1, B2 and B8) retail, food and drink and car showrooms with associated infrastructure (Outline)	SOT/46107
E.7	05/09/2002 Grant with Conditions Land Off Stanley Matthews Way, Trentham Lakes South, Stoke-on-Trent Substitution of plots 68-70, 81-85, 123-124, 141- 148 (Reserved Matters)	SOT/40118
E.8	20/03/2002 Grant with Conditions Land off Stanley Matthews Way, Trentham, Stoke- on-Trent Erection of 68 no. residential dwellings (Reserved Matters)	SOT/39329
E.9	06/11/2001 Grant with Conditions Trentham Lakes South, Trentham Lakes, Trentham, Stoke-on-Trent Substitution of house types 1-21, 118 & 119 (Reserved Matters)	SOT/39038
E.10	06/08/2001 Grant with Conditions Trentham Lakes South, off Trentham Road, Trentham, Stoke-on-Trent Erection of 148 residential dwellings together with associated, roads and sewers (Reserved Matters)	SOT/38639
E.11	06/08/2001 Grant with Conditions Land off Trentham Road, Trentham, Stoke-on-Trent Erection of 148 residential dwellings together with associated roads and sewers (Reserved Matters)	SOT/38640

E.12	08/05/2001 Grant with Conditions Trentham Lakes, off Trentham Road, Newstead, Stoke-on-Trent Retail, food and drink, offices, industrial, storage and distribution, residential development, car showrooms and associated road/rail interchange, landscaping, etc (Outline)	SOT/37499
E.13	05/04/2001 Grant with Conditions Land off Stanley Matthews Way, Trentham, Stoke- on-Trent Phase 1 - Formation of roads, sewers and drainage for future housing/retail/commercial developments (Full)	SOT/37521
E.14	Stoke-on-Trent City Council Environmental Impact Assessment Screening Opinion, dated 19 January 2012	
E.15	09/05/11 Grant with Conditions Chatterley Valley, Chatterley, Stoke-on-Trent Employment Area comprising B1 offices and workspaces, B2 industrial units, B8 warehousing, C1 hotel including restaurant and café (A3), drinking establishment (A4) and leisure use (D2), leisure facilities, open space and associated footpath and landscaping (Outline)	07/00995/EXTN
E.16	25/01/12 Discharge of Conditions Chatterley Valley, Chatterley, Stoke-on-Trent Letter – Conditions 7.1, 7.2, 7.3 and 7.4	07/00995/EXTN

CD No.	(F) Other Core Documents	Date
F.1	Integrated Economic Development Strategy for the North Staffordshire Conurbation	17 August 2005
F.2	Integrated Economic Development Strategy for the North Staffordshire Conurbation – Spatial Planning Aspects	July 2005
F.3	Implications of the Integrated Economic Development Strategy for Employment, Population and Housing	6 September 2005
F.4	Updating the North Staffordshire Integrated Economic Development Strategy	November 2007
F.5	RENEW North Staffordshire Scheme Update	November 2005
F.6	Connecting to Success: West Midlands Economic Strategy	
F.7	West Midlands Economic Strategy (WMES) Review 2006-07: Consultation on Policy Choices	
F.8	Stoke-on-Trent and Staffordshire Economic Growth Strategy 2012 – 2026 Summary v2.1	
F.9	Newcastle-under-Lyme Borough Council Economic Development Strategy 2012 – 2017	
F.10	RENEW NSRP Executive Housing Market	September 2010

F.11	RENEW NSRP Executive Housing Market - Executive Summary	September 2010
F.12	Stoke-on-Trent City Council Cabinet Report in respect of Executive Housing	25 August 2011
F.13	West Midlands North Housing Market Area: Strategic Housing Market Assessment 2007 Final Report	April 2008
F.14	RENEW North Staffordshire Regeneration Partnership Business Plan 2008 - 2011	
F.15	One Vision North Staffordshire Regeneration Partnership Business Plan 2009 - 2012 Year 2	
F.16	City of Stoke-on-Trent Mandate for Change	July 2012
F.17	Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council Joint Employment Land Review - Final Report	July 2011
F.18	Assessing the Impact of the Downturn on North Staffordshire: Final Report	August 2010
F.19	Transforming North Staffordshire Overview	March 2008
F.20	City of Stoke-on-Trent Strategic Housing Land Availability Assessment: Methodology	March 2012
F.21	Employment Land Reviews: Guidance Note	December 2004
F.22	Black Country and Southern Staffordshire Regional Logistics Site Study - Final Report	April 2013
F.23	Employment Densities Guide 2 nd Edition	2010
F.24	Derby HMA Employment Land Review: Forecasts Update: Final Report	March 2013
F.25	Logistics Matters: The BNP Paribas Real Estate Logistics Index in conjunction with IPD	November 2012
F.26	Trentham Lakes - Regeneration Project Summary	October 2013
F.27	Mike Herbert's comments on Appendix 14 to Mathieu Evans' Rebuttal Proof re. the Supplementary Statement from John van de Laarschot (undated but received 1 November 2013)	4 November 2013
F.28	Stoke: Deals Done: Summary Report provided by Focus	
F.29	Trentham Lakes, Stanley Matthews Way, Stoke-on-Trent: Updated ELR Model - 2012 Employment Figures, prepared by Adroit Economics Limited	6 November 2013
F.30	Trentham Lakes, Stanley Matthews Way, Stoke-on-Trent: Updated ELR Model - 2012 Employment Figures, prepared by Adroit Economics Limited	7 November 2013
F.31	Trentham Lakes, Stanley Matthews Way, Stoke-on-Trent: ELR Model - Assumptions, prepared by Adroit Economics Limited	7 November 2013
F.32	Summary of Land Supply Table, prepared by Mr P Leaver	7 November 2013
F.33	Schedule of Available Space (Premises below 5,000sqft) provided by Focus	
F.34	Notes of Meetings or Telephone Conversations	7 October 2010; 7

	held between URS/Scott Wilson and AWM; Staffordshire and Black Country Business Innovation Centre and URS/Scott Wilson; Stoke-on-Trent City Council, URS/Scott Wilson and GH Regeneration; URS/Scott Wilson, GH Regeneration and InStaffs; and, Northern Trust and GH Regeneration.	October 2010; 22 September 2010; 15 September 2010; and 6 October 2010.
F.35	Etruria Valley SPD areas and ownership plan (Drawing No. 1601600:011)	January 2013
F.36	Proposed Production Unit/Warehouse at Etruria	
F.37	Property Particulars for Unit 14/15 Rosevale Road, Parkhouse Industrial Estate West, Newcastle Under Lyme ST5 7EF	October 2013
F.38	Various Plans in relation to Valley Works, Ravensdale, Tunstall – Johnson Tiles	
F.39	Supplementary Proof of Evidence of Mr Stephen Lucas, including Information Paper: Quality and Methodology Information, issued by the Office for National Statistics, dated 19 February 2013	5 November 2013
F.40	City of Stoke-on-Trent Affordable Housing Local Area Needs Index	August 2008
F.41	City of Stoke-on-Trent Report to Cabinet in respect of the Local Development Framework Update	19 December 2013
F.42	City of Stoke-on-Trent Local Development Framework Annual Monitoring Report 2013	
F.43	Newcastle-under-Lyme Borough Council Report to Planning Committee in respect of the Site Allocations and Policies Local Plan Review	29 October 2013
CD No.	(G) Appeal Decision Documents	Date
G.1	APP/F1610/A/12/2173305 – Land to the South of Berrells Road and the West of Bath Road, Tetbury, Gloucestershire (Secretary of State's Decision and Inspector's Report)	13 February 2013
G.2	APP/Y3940/A/11/2166277 – Ridgeway Farm, Common Platt, Purton, Swindon (Secretary of State's Decision and Inspector's Report)	26 November 2012
G.3	APP/F1610/A/11/2165778 – Highfield Farm, Tetbury, Gloucestershire (Secretary of State's Decision and Inspector's Report)	13 February 2013
G.4	APP/G1630/A/11/2146206 and APP/G1630/A/11/2148635 – Homelands Farm, Bishop's Cleeve, Gloucestershire and Land at Deans Farm, Bishop's Cleeve, Gloucestershire (Secretary of State's Decisions and Inspector's Report)	16 July 2012
G.5	APP/U4230/A/11/2157433 – Land at Burgess Farm, Hilton Lane, Worsley, Manchester (Secretary of State's Decision and Inspector's Report)	16 July 2012

G.6	APP/R0660/A/10/2141564 – Land off Abbey Road and Middlewich Road, Sandbach, Cheshire (Secretary of State’s Decision and Inspector’s Report)	7 February 2013
G.7	APP/P1133/A/12/2188938 – Land to the south of Shutterton Lane, Dawlish, Devon (Secretary of State’s Decision and Inspector’s Report)	10 September 2013
G.8	APP/B0230/A/12/2183021 – Guardian Industrial Estate, Dallow Road, Luton (Inspector’s Decision)	25 March 2013
G.9	APP/Q4625/A/12/2169840 – Land off Leys Lane, Meriden, West Midlands (Inspector’s Decision)	4 September 2012
G.10	APP/H1840/A/12/2171339 – Land between Station Road and Dudley Road, Honeybourne, Worcestershire (Inspector’s Decision)	24 August 2012
G.11	APP/H1840/A/12/2172588 – Land off Station Road, Honeybourne, Worcestershire (Inspector’s Decision)	18 September 2012
G.12	APP/H1840/A/12/2171973 – Land rear of Sunnyhill House, Stoke Road, Wychbold, Droitwich (Inspector’s Decision)	25 September 2012
G.13	APP/Z3825/A/12/2183078 – Land east of Daux Avenue, Billinghamurst, West Sussex (Inspector’s Decision)	18 April 2013
G.14	APP/A0665/A/11/2167430 – Land off Nantwich Road, Tarporley, Cheshire (Secretary of State’s Decision and Inspector’s Report)	29 August 2013
G.15	APP/T2405/A/13/2193758 and APP/T2405/A/13/2193761 – Land east of Springwell Lane, Whetstone, Leicestershire and Land off Countesthorpe Road and Springwell Lane, Whetstone, Leicestershire (Inspector’s Decisions)	1 August 2013
G.16	APP/C3430/A/12/2189442 – Land off Elmwood Avenue, Essington (Inspector’s Decision)	11 April 2013
G.17	APP/D2320/A/12/2172693 – Land to the north and west of Lucas Lane, Whittle-le-Woods, Chorley (Inspector’s Decision)	19 September 2012
G.18	APP/G1630/A/12/2183317 – Land adjacent Gretton Road, Winchcombe, Gloucestershire (Inspector’s Decision)	14 May 2013
G.19	APP/K2420/A/12/2181080/NWF – Land east of Groby cemetery, Ratby Road, Groby (Inspector’s Decision)	22 January 2013
G.20	APP/X3025/A/10/2140962 – Land at Picket Piece (Land to the north and south of Ox Drove and south of Walworth Road), Andover, Hampshire (Secretary of State’s Decision and Inspector’s Report)	30 June 2011
G.21	APP/F1610/A/10/2130320 – Land at Todenham Road, Morton in Marsh, Gloucestershire (Secretary of State’s Decision and Inspector’s	12 April 2011

	Report)	
G.22	APP/J3720/A/11/2163206 – Land west of Shottery, south of Alcester Road and north of Evesham Road, Stratford-upon-Avon (Secretary of State's Decision and Inspector's Report)	24 October 2012
G.23	APP/R3325/A/12/2170082 – Land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton (Inspector's Decision)	29 August 2012
G.24	APP/J3720/A/10/2139071 – Land south of Kipling Road, Stratford-upon-Avon (Inspector's Decision)	13 May 2011
G.25	APP/H1705/A/12/2188125 and APP/H1705/A/12/2188137 – Land north of Marnel Park, Popley, Basingstoke (Secretary of State's Decisions and Inspector's Report)	11 September 2013
G.26	APP/A2470/A/10/2143475 – Land west of Uppingham Road, Oakham (Inspector's Decision)	24 August 2011
G.27	APP/V0728/A/13/2190009 – Land West of Galley Hill Estate, Stokesley Road, Guisborough (Secretary of State's Decision and Inspector's Report)	26 September 2013
G.28	APP/C3105/A/12/2184094 – Land North of the Bourne and adjoining Bourne Lane, Hook Norton (Secretary of State's Decision and Inspector's Report)	23 September 2013
G.29	APP/Y3425/A/12/2172968 - Former Castleworks, Castle Street, Stafford (Inspector's Decision)	19 December 2012
G.30	APP/P0119/A/12/2186546 – Land Between Iron Acton Way and North Road, Engine Common, Yate, South Gloucestershire (Inspector's Decision)	8 April 2013
G.31	APP/R0660/A/10/2140255 and APP/R0660/A/10/2143265 - Land east of Marriott Road/Anvil Close/Forge Fields and south of Hind Heath Road, Sandbach, Cheshire and Land south of Hind Heath Road between Wheelock and Ettiley Heath, Sandbach, Cheshire (Secretary of State's Decisions and Inspector's Report)	6 December 2012
G.32	APP/H1033/A/11/2159038 – Land at Manchester Road/Crossings Road, Chapel-en-le-Frith, High Peak, Derbyshire (Inspector's Decision)	23 August 2012
G.33	APP/U1105/A/12/2180060 - Land east of Butts Road, Higher Ridgeway, Ottery St. Mary, Devon (Inspector's Decision)	14 December 2012
G.34	APP/R0660/A/12/2188001 - Hassall Road, Alsager, Stoke-on-Trent (Inspector's Decision)	12 December 2013
G.35	APP/R0660/A/13/2192192 – Land opposite Rose Cottages, Holmes Chapel Road, Brereton Heath, Cheshire (Inspector's Decision)	12 February 2014

CD No. (H) High Court Cases

		Date
H.1	High Court Judgement: Case No. CO/12207/2012 Wainhomes (South West) Holdings Limited and Secretary of State for Communities and Local Government - Land at Widham Farm, Widham Grove, Station Road, Purton, Wiltshire	25 March 2013
H.2	Statement of Grounds: Bloor Homes East Midlands Limited and Secretary of State for Communities and Local Government – Land east of Groby Cemetery, Ratby Road, Groby	
H.3	High Court Judgement: Claim Nos. CO/4686/2013 and CO/5546/2013 Hunston Properties Limited and Secretary of State for Communities and Local Government and St Albans City and District Council – Land to the rear of 112-156B Harpenden Road, Sewell Park, St Albans	5 September 2013
H.4	Details of Claim No: CO/7802/2011: Richborough Estates (Sandbach) Ltd and the Secretary of State for Communities and Local Government et al – Land east of Marriott Road and south of Hind Heath Road, Sandbach, Cheshire	15 August 2011
H.5	Consent Order No: CO/7802/2011: Richborough Estates (Sandbach) Ltd - and the Secretary of State for Communities and Local Government et al – Land east of Marriott Road and south of Hind Heath Road, Sandbach, Cheshire	4 November 2011
H.6	High Court Judgement: Case No. 10359/2012 William Davis Limited and Jelson Limited and Secretary of State for Communities and Local Government and North West Leicestershire District Council – Land north of the A511 Stephenson Way, Coalville, Leicestershire	11 October 2013
H.7	High Court Judgement: Case No. CO/10759/2012 Hopkins Development Limited and Secretary of State for Communities and Local Government and South Somerset District Council - Land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton	25 June 2013

CD No. (I) Other Inquiry Documents

I.1	Inspector's Main Issues
I.2	Opening Submissions on behalf of the appellants
I.3	Opening Statement on behalf of the local planning authority
I.4	Statement of Common Ground between Stoke-on-Trent Regeneration Ltd and Stoke-on-Trent City Council
I.5	Certified copy of the completed Section 106 Agreement
I.6	Planning conditions agreed by Stoke-on-Trent Regeneration Limited and Stoke-on-Trent City Council

- I.7 Plans and Itinerary for employment site visits
- I.8 Appearances for the local planning authority
- I.9 Witnesses for the appellants
- I.10 Email correspondence from the appellants and the Council relating to Valley Works, Ravensdale, Tunstall
- I.11 Note re Development Land at Etruria Valley, Stoke-on-Trent, prepared by Mike Herbert, dated 25 October 2013
- I.12 Summary of the Rebuttal Proof of Evidence of Mr S Lucas
- I.13 A3 Plan showing the developable plots at Trentham Lakes
- I.14 Summary Proof of Evidence of Mr P Doherty
- I.15 Summary Proof of Evidence of Mr P Leaver
- I.16 Property Particulars for Trentham Lakes
- I.17 Statement of Common Ground relating to matters of housing supply between Stoke-on-Trent Regeneration Limited and Stoke-on-Trent City Council
- I.18 Addendum to the Statement of Common Ground relating to matters of housing supply between Stoke-on-Trent Regeneration Limited and Stoke-on-Trent City Council
- I.19 Timetable for the preparation of the joint Stoke-on-Trent and Newcastle-under-Lyme Local Plan
- I.20 Schedule of Secretary of State Recovered Appeals
- I.21 Plans and documents indicating SHLAA Site No. 107 – Cookson Matthey Site, Whittle Road, Meir Park is the same as employment site being marketed by Gazeley Developments as G Park, Meir
- I.22 Backbench Business Committee Debate on Planning and Housing Land Supply on Thursday 24 October 2013
- I.23 Erratum to Proof of Evidence of Mr M Sitch
- I.24 Planning Obligations CIL Compliance Statement and associated documentation
- I.25 Closing Submissions of the local planning authority
- I.26 Closing Submissions on behalf of the appellants

CD No. (J) Third Party Representations

- J.1 Statement made by Councillor Neil Day, Blurton West and Newstead on 8 November 2013

Appendix 1: Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development and all reserved matters applications submitted pursuant to this outline planning permission shall not materially depart from the following parameters:
 - The development shall be delivered in accordance with the following plans: Red Line Boundary (Drawing No. 01 Rev. D); Land Use Plan (Drawing No. 04 Rev. E); and, Concept Master Plan (Drawing No. 12 Rev. B).
 - Reserved matters submissions shall deliver a maximum of 300 residential units on the site
- 5) Reserved matters submissions for layout shall include details of all pedestrian and cycle access points into the site, including provision for a pedestrian footway along the full extent of the eastern boundary of the site, directly adjacent to Stanley Matthews Way.
- 6) Prior to the first occupation of any individual dwellings, a residents' travel pack designed to encourage the use of sustainable modes of transport shall be provided to the occupiers of those individual dwellings. The contents of the travel packs shall be approved in writing by the local planning authority prior to the first occupation of any dwellings within the development.
- 7) Reserved matters submissions shall include details of a Lighting Strategy which will address lighting to all public areas, including open space, vehicular routes, shared surfaces and footpaths. The development shall then be fully implemented in accordance with the approved strategy.
- 8) No development shall commence until a detailed surface water and foul water drainage scheme for the site, together with an implementation strategy, based on the principles outlined within the submitted Flood Risk Assessment and Drainage Strategy Revision 2, dated March 2012, has been first submitted to and approved in writing by the local planning authority. The approved scheme shall then be fully constructed prior to the first occupation of the relevant phase of the development. The scheme shall also provide confirmation of Severn Trent's approval for the final design and details of adoption arrangements and future maintenance requirements.
- 9) No development, other than that required to be carried out as part of an approved scheme of remediation, must start until Conditions 10 to 12

have been complied with. If unexpected contamination is found after the development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until Condition 13 has been complied with in relation to that contamination.

- 10) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:
- i) a survey of the extent, scale and nature of contamination;
 - ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 11) A detailed remediation scheme to bring each phase of development to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 12) The approved remediation scheme for each phase must be carried out in accordance with its terms prior to the commencement of any development within that phase other than that required to carry out remediation, unless otherwise approved in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

- 13) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 11, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Condition 12.

- 14) No dwelling shall be occupied until a landscape management programme, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas approved by the reserved matters, that are not publicly accessible (excluding domestic gardens), has been submitted to and approved in writing by the local planning authority. The approved landscape management programme shall then be fully implemented in accordance with the approved scheme.
- 15) Prior to the commencement of any development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority. The approved management plan shall include details for each phase of development relating to construction access, hours of construction, the location of the contractors' compounds, cabins, material storage areas and contractors' parking and a scheme for the management and suppression of dust from construction activities including the provision of a vehicle wheel wash. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.
- 16) Reserved matters submissions for layout and/or appearance shall include a scheme for noise mitigation and ventilation for all residential dwellings contained within the submission, together with an implementation strategy. The approved scheme shall then be fully implemented in accordance with the approved strategy.