

**FORMER SENTINEL NEWSPAPER SITE MEDIA WAY, FORGE LANE, ETRURIA.  
BET365 GROUP LTD 348/201 (SOTCC ref 56186/FUL)**

The Borough Council has been consulted by the City Council on a full application on a site measuring 3.4 hectares for the demolition of the existing Sentinel buildings and the erection of a three storey office building providing a total floor space of 14,153 square metres and three single storey ancillary buildings. Associated works are also proposed including car parking (911 spaces) and landscaping.

**For any comments that the Borough Council may have on this proposal to be taken into account, they have to be received by the City Council by no later than 29<sup>th</sup> January.**

**RECOMMENDATION**

**That the City Council be informed that the Borough Council has no objections to the proposed development subject to the City Council receiving no objections from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact the developments may have on the A53/A500 junction (on Basford Bank).**

**Reason for Recommendation**

The proposal involves Class B1(a) office floorspace, a main town centre use as identified in the NPPF, in this out of centre location. It is accepted however, that insofar as the Borough is concerned, the proposal meets the sequential test as an available and suitable sequentially preferable site has not been identified. Furthermore provided that no objections are received from the Highway Authority and/or the Highway Agency in respect of any unacceptable impact the developments may have on the A53/A500 junction the proposed development would not result in an unacceptable impact on the highway network that could have an adverse impact on the interests of the Borough Council.

**Policies and proposals in the Development Plan relevant to this recommendation:**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (CSS)

Policy SP1 - Spatial Principles of Targeted Regeneration  
Policy SP2 - Spatial Principles of Economic Development  
Policy ASP1 - City Centre of Stoke-on-Trent Area Spatial Policy  
Policy ASP2 - Stoke-on-Trent Inner Urban Core Area Spatial Policy  
Policy ASP4 – Newcastle Town Centre Area Spatial Policy

**Other Material Considerations include:**

National Planning Policy Framework (March 2012)

Draft National Planning Practice Guidance (August 2013)

Planning for Town Centres: Practice guidance on need, impact and the sequential approach (2009).

Newcastle-under-Lyme and Stoke-on-Trent Joint Employment Land Review (July 2011)

Newcastle Town Centre Supplementary Planning Document (January 2009)

**Applicant's Submission**

The application is supported by a number of documents as follows:-

- Planning Statement
- Design and Access Statement
- Sequential and Impact Test

- Traffic Assessment
- Travel Plan
- Landscape Design Statement and Landscape Plan
- Archaeological/Heritage Statement
- Flood Risk Assessment
- Air Quality Assessment
- Lighting Assessment
- Preliminary Environmental Risk Assessment
- Ecological Scoping and Bat Survey Report
- Foul and Surface Water Drainage Strategy
- Sustainability Checklist
- Renewables Report

All these documents are available to view on Stoke City Council's website [www.stoke.gov.uk](http://www.stoke.gov.uk) using the City Council reference 56186/FUL.

#### Relevant Planning History

The following decision is relevant to part of the site that has been advanced as a sequentially preferable site by the Economic Regeneration Section in their comments reported below. It relates to the Bristol Street Motors site on London Road, Newcastle.

2007	07/00869/FUL	Refuse	Residential development comprising 60 houses and 32 apartments.
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#### Views of Consultees

Whilst it is the role of the City Council to carry out consultations, the views of the **Regeneration and Economic Development Section** have been sought. The comments received are summarised as follows:-

- Bristol Street Motors Site is a sequentially preferable site.
- It is available.
- A sketch scheme has been prepared to demonstrate that the site is suitable including parking for 755 vehicles largely on the existing site (some are shown within Lyme Valley Park)
- The site is a quarter of a mile from the shops, services and restaurants of the town centre and the siting of a major employer on this site would act as a considerable boost to the economy of the town. It is walkable for those staff who choose to come to work by bus, so reducing the need for parking to that identified in the application.
- The proposal is contrary to the NPPF as the sequential test is failed.
- The proposal is contrary to the Core Spatial Strategy which identified Stoke City Centre and Newcastle Town Centre as the two strategic office locations in North Staffordshire to which new large scale office development should be encouraged.
- It is not the case that there are two different markets for office development in North Staffordshire. All the office developments that have taken place at Festival Park/Etruria Valley in recent years they would have preferred to locate in the City or Town Centre and could have located there.
- Whilst planning permission was refused on highway grounds for residential development on the Bristol Street Motors site there were no objections from the Highway Authority and it cannot be presumed that they would object to the office development on this site.
- In order to accommodate part of the parking requirements of the scheme on the Bristol Street Motors site a minor incursion into the Green Belt. The considerable economic benefits that would accrue to the Newcastle Town Centre would amount to exceptional circumstances. There is a precedent in accepting some loss of Green Belt land in strategically important circumstances as the new Stoke City Academy was permitted to be built further down the Lyme Valley in Clayton. In amenity terms the loss of the slither of land which would be removed from the Green Belt could be

- mitigated by appropriate planting.
- The Newcastle-under-Lyme and Stoke-on-Trent Joint Employment Land Review (July 2011) is not a planning policy document and the opinions expressed by the consultants on the use of land at Festival Park/ Etruria Valley are not shared by the Borough Council.

In response to the comments above and the sketch scheme presented on the Bristol Street Motors site, consultation has been undertaken with the Landscape Development Section and the Highway Authority.

The **Landscape Development Section** indicate that the Lyme Valley Parkway is one of the Council's priority district level parks and the Bristol Street Motors proposal shows a significant level of encroachment into the park. The encroachment/impact of this scale would need a significant mitigation in terms of investment in the remainder of the park to enable the proposal to be considered. There would also need to be consultation with the Friends Group, ward members and other stakeholders to determine if it was acceptable to the community. The area where the encroachment occurs has received investment from various grant sources over a number of years and the proposal as shown intrudes into the historic canal basin, which is one of the parkway's key features and part of the borough's heritage.

The **Highway Authority** has verbally indicated that the level of parking shown on the sketch proposal on the Bristol Street Motors site is not adequate for the scale of the office development for this end user, which would result in highway safety concerns as staff would not all be able to park on site. Additionally in the absence of a Transport Assessment that demonstrates otherwise it is doubtful that Lyme Valley Road and its junction (with Brook Lane (A519)) has the capacity to accommodate the additional vehicular movements.

### **Key Issues**

The proposal involves the construction of 14,153 square metres of Class B1(a) office floor space on an out of centre site at Forge Lane, Etruria. Offices are defined as a main town centre use in the NPPF and the Borough Council have consistently objected to any proposal involving Class B1 uses at Festival Park/Etruria Valley on the basis that in none of the cases it had been demonstrated, through a sequential test, that the development could not be undertaken within on the edge of Newcastle Town Centre.

The main points to consider are:-

1. The interpretation of Core Spatial Strategy policy in regards to the location of office development
2. The sequential analysis of alternative sites as required by the NPPF

#### **1. Interpretation of Core Spatial Strategy policy**

There are Core Spatial Strategy policies relevant to this application:

*Policy SP2 (Spatial Principles of Economic Development):* Section 2 of this policy, together with its supporting text, outline that the identified strategic centres (the City Centre of Stoke-on-Trent (as defined by the Potteries Way Ring Road) and Newcastle Town Centre) should act as the main focus for large scale office development within the conurbation. Section 6 of Policy SP1 similarly indicates that office development will be focussed towards the City Centre and Newcastle Town Centre, and that development in other centres should be of a nature and scale appropriate to their respective position and role within the hierarchy of centres. Etruria Valley is not even one of these "other centres".

*Policy ASP2 (Stoke-on-Trent Inner Urban Core Area Spatial Policy):* Section 13 of this policy, together with its supporting text, identifies the south of Etruria Valley as being a major mixed use area for employment. Although office uses are not expressly excluded from this policy, the document does state that the Etruria Road Corridor and Festival Park / Heights will continue to complement the City Centre core.

The applicant considers that the application is in accordance with the Core Spatial Strategy.

Neither Policy SP2 nor Policy ASP2 support the proposed office development as they clearly identify the strategic centres as the main focus for large scale office development within the conurbation.

## 2. The sequential analysis of alternative sites as required by the NPPF

The NPPF, at paragraph 24, states that Local Planning Authorities (LPAs) should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. It goes on to state that LPAs should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Two sites within and outside of Newcastle Town Centre have been identified by the Regeneration and Economic Development Section for consideration.

- Former Sainsbury's site and the Civic Offices known as the Ryecroft site
- Former Bristol Street Motors site

The sequential test undertaken in support of the application concludes that the former Sainsbury's site and the Civic Offices are not available as it is currently not known when the Council are likely to relocate from its current offices. It goes on to indicate that excluding the Civic Offices site results in a site which is too small to accommodate the development proposed in a satisfactory manner and as such is unsuitable.

The Planning Committee, when considering the application for an Aldi store on the former Blackfriars Bakery site at its meeting of 10<sup>th</sup> December 2013, concluded that the Ryecroft site was not realistically available. There have been no material changes in circumstances since that decision and as such your officer accepts that the former Sainsbury's site and the Civic Offices is not a sequentially preferable site for the purposes of this application.

The consideration of the Bristol Street Motors site in the sequential test undertaken in support of the application concludes that it is not suitable for the proposed development. It states that the site could theoretically accommodate a large 3 storey office development but that car parking provision would be limited and would have to be provided either in a multi storey and/or undercroft format. Given the proximity of residential properties, the scale of an acceptable multi storey car park would be limited in height.

In promoting the Bristol Street Motors site as a sequentially preferable site the Regeneration and Economic Development Section have commissioned an architect to provide a potential layout for office development and associated car parking on this site. The plan demonstrates that approximately 12,000 sq.m of floor space (i.e. less than the 14,153 sq.m proposed at Etruria, 84% of the size of that development) could be provided in a building that would be two storeys where it fronts onto London Road, and 4 storeys where it faces the Lyme Valley Parkway, with three storey links between the two. In addition the plan shows parking for 755 vehicles of which 416 spaces are provided in a two and three storey car park with the remaining 341 at surface level. 34 of the parking spaces are shown on the site frontage with direct access off London Road. The remainder of the spaces would be accessed off Lyme Valley Road, which in turn connects to Brook Lane (A519). This plan will be exhibited at the Committee.

The Bristol Street Motors site is defined, applying the definition within the NPPF, as an out of centre site for office development as it is more than 500m from a transport interchange. The Town Centre SPD defines the town centre, when considering proposals for office development, as the whole of the area that is covered by the SPD and given that this site is abutting the area of the SPD the Bristol Street Motors site is edge of centre. Either way it could be argued that the Bristol Street Motors site has better connectivity to a town centre,

than the Etruria Road site, and as such could be viewed as a sequentially preferable site if it is available and suitable for the proposed development.

The plans that have been drawn up for the Bristol Street Motors site do not provide the same level of floor space and car parking spaces as the Forge Lane proposal includes. The NPPF, however, indicates that when applying the sequential test both applicants and LPAs should demonstrate flexibility on issues such as format and scale and it is necessary therefore to consider whether the smaller scale development that can be provided on this site is suitable, bearing in mind the need to demonstrate flexibility.

The views received from the Highway Authority suggests that in recognition of the nature of this particular type of office development (primarily a call centre) and knowing the parking requirements Bet365 have for their existing offices any significant reduction in the level of parking would be unacceptable. The proposal, however, provides a similar level of parking taking into account the greater level of floor space proposed at Forge Lane. The Highway Authority were asked to clarify if they agree that the level of parking is appropriate for the amount of floor space on the plans drawn up for the Bristol Street Motors site and if any information is available on a national database called TRICS as to whether such call centres have lower parking requirements when they are in comparable locations where there is a greater choice of public transport, but they have been unable to confirm the position to date. If such information is received it will be reported to the Planning Committee. The Borough Council does not subscribe to this database and so it is reliant upon the Highway Authority for such information.

Additionally the Highway Authority has doubts about whether the Lyme Valley Road junction with the A519 (part of the Regional Primary Route Network) has the capacity to accommodate that level of additional vehicular movements.

In light of such concerns it would not appear prudent to promote the Bristol Street Motors site as a sequentially preferable site as it has not been demonstrated to be suitable.

Even if it could be demonstrated in a Transport Assessment that the Lyme Valley Road junction could be suitably improved (without adversely affecting in turn flows on the A519 and the functioning of the 'Morrisons' roundabout in particular) and adequate parking would be provided, it needs to be acknowledged that the plan drawn up on behalf of the Regeneration and Economic Development Section requires additional land that is outside of the 'Bristol Street Motors' site, in the Lyme Valley Parkway and within the Green Belt. If such land was excluded from the site it would reduce the level of parking provision by approximately a further 239 spaces (which results in a level of parking at approximately 68% of that for the Forge Lane proposal) which could not be argued to be an acceptable level of parking.

Potentially a very special circumstances case could be advanced that the economic benefits to the town centre of such an employment generating development would outweigh the harm that arises by virtue of the development being inappropriate in the Green Belt, and any other harm, and as such the encroachment into the Green Belt could be justified. However appropriate weight would need to be given to the scale of the encroachment into the Green Belt and it is unlikely that very special circumstances could be claimed if, as appears to be the case, the development could be carried out on a site that is not in, or partially in, the Green Belt as in this case – namely at Forge Lane. In addition, in light of the comments of the Landscape Development Section, it could not be concluded that the encroachment into the Lyme Valley Parkway and the subsequent loss of publicly accessible open space would be acceptable and the impact able to be appropriately mitigated.

In conclusion it is therefore considered that the Borough Council could not demonstrate that there are sequentially preferable sites available within or outside of Newcastle Town Centre.

The Transport Assessment submitted in support of the Forge Lane application indicates that the level of vehicle generated by the proposed development is less than the existing use of the site. If the Highway Authority and the Highway Agency are satisfied with such conclusions it is considered that the Borough Council have no basis to object to the proposal on the

grounds of highway capacity.

**Background Papers**

Planning Policy documents referred to  
Planning files referred to

**Date Report Prepared**

14<sup>th</sup> January 2014.