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## JCB EARTHMOVERS LIMITED

Planning Statement for Proposals to  
Expand JCB's Existing Operations  
at the Harewood Estate, Leek Road,  
Cheadle, Staffordshire

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## **1 INTRODUCTION**

1.1 Hill Dickinson have been instructed by JCB to provide planning advice in support of its development proposals for the Harewood Estate, Cheadle ('the Site').

1.2 This statement covers the following issues:-

- Section 2 describes the Site and surroundings;
- Section 3 describes JCB's existing operations at the Site;
- Section 4 describes the development proposed by JCB at the Site;
- Section 5 describes the planning application;
- Section 6 describes the business case for the proposed development;
- Section 7 describes the relevant provisions of the development plan;
- Sections 8 - 11 assess the proposed development in the context of the development plan;.
- Section 12 considers national planning policy and whether the development constitutes sustainable development;
- Section 13 assesses the planning balance;
- Section 14 provides the conclusions.

## **2 THE SITE AND SURROUNDINGS**

2.1 The Site, which comprises c. 38 hectares, is situated on the A522 Leek Road, approximately 1.3 km to the north-west of Cheadle town centre.

2.2 Access to the Site is via a three-arm priority controlled roundabout situated on the A522, with the western arm providing a direct access into the Site.

2.3 The Site lies within the North Staffordshire Green Belt as designated in the saved Cheadle inset plan in the Staffordshire Moorlands Local Plan adopted in 1998 ('the 1998 Plan'). Further consideration of this designation is provided at section 11.

## **3 EXISTING OPERATIONS AT THE SITE**

3.1 The Site comprises two industrial buildings which house JCB's Earthmovers, Landpower and Compact Products businesses. The two buildings are

located either side of a central parking area.

- 3.2 A service road from the access roundabout on the A522 bisects the central car parking area to provide access to service yards/storage areas to the rear of the buildings. A test track for the testing of JCB products is also located to the rear of the buildings.
- 3.3 An area of hardstanding has been constructed to the north-east of the Earthmovers building to provide additional car parking.

#### **4 THE PROPOSED DEVELOPMENT**

- 4.1 JCB's proposal is to expand its existing operations at the Site to provide additional manufacturing/operational capacity to meet the growth forecast for the businesses in JCB's five-year plan. Further details are provided at section 6.
- 4.2 JCB has assessed that, by expanding the infrastructure at the Site, it can create sufficient additional capacity at the Site to enable the forecast growth to be achieved without having to extend the existing buildings on site to provide additional manufacturing floorspace.
- 4.3 JCB proposes to carry out the development necessary to achieve the forecast growth in two phases. The first phase of the development is the subject of the current planning application ('the Phase 1 Development'). The second phase ('the Phase 2 Development') will be the subject of a separate planning application to follow. The Phase 1 Development and the Phase 2 Development are together referred to as the "Proposed Development" in this statement.

##### **The Phase 1 Development**

- 4.4 The Phase 1 Development comprises:-
- the provision of two separate parking areas for the Compact Products and Earthmovers businesses. A new car park is to be constructed for Compact Products situated to the east of the Compact Products building and providing 545 staff car parking spaces.
  - the existing hard-core overflow car parking for the Earthmovers business situated in the north-eastern part of the Site will be upgraded and laid out to provide permanent parking for the Earthmovers business providing 604 staff car parking spaces.
  - the existing car parking areas situated between the two industrial

buildings will be redeveloped to provide segregated delivery and dispatch areas for the business. This will include:-

- a dedicated holding area for heavy goods vehicles providing capacity for 26 vehicles;
- a dedicated proposed machine dispatch yard.
- Separate machine storage areas for the Earthmovers and Compact Products businesses will be located to the west of the existing service yards for each building.
- A perimeter road will be constructed running around the Earthmovers building which will provide connectivity and a circulatory route around the Site.
- As part of the Phase 1 Development, various supporting infrastructure will also be provided, including screening bunds, landscaping and drainage attenuation ponds.

### **The Phase 2 Development**

4.5 The Phase 2 Development will involve the construction of an additional parking area to the north of the Earthmovers building which will provide 300 staff car parking spaces. This will be located in the area currently occupied by screen bunding to the north of the Earthmovers building which will be recontoured. In addition, the Phase 2 Development will include the provision of a second roundabout on the A522 in the north-eastern corner of the Site to provide additional vehicle capacity and enhance the efficient operation of the Site. The Phase 2 Development will be the subject of a separate planning application to be submitted subsequently.

## **5 PLANNING APPLICATION FOR THE PHASE 1 DEVELOPMENT**

5.1 JCB is seeking full planning permission for the Phase 1 Development. The planning application is accompanied by the following reports:-

- Planning statement (this statement);
- Landscape Visual Impact Assessment (LVIA);
- Ecological appraisal;
- Transport statement;
- Drainage statement;

- Design and access statement;
- Noise assessment;
- Lighting assessment.

## 6 THE BUSINESS CASE

- 6.1 JCB is a leading manufacturer of construction equipment, with 22 plants on four different continents. Whilst JCB's business is worldwide, with a global workforce of c. 12,000 and c. 770 dealers, Staffordshire remains its home, where up to 6,000 people are employed in the business. JCB's global headquarters are situated in Rocester (c. 8.5 miles from the Site), where three factories are also located.
- 6.2 Further manufacturing facilities for the JCB business are situated at Waterloo Park, Uttoxeter (where the Heavy Products factory and World Parts Centre are located). In addition, the JCB World Logistics distribution hub is situated in Newcastle under Lyme.
- 6.3 In 2013/14, JCB announced proposals to significantly expand its business in Staffordshire, referred to as the 'Staffordshire Plan'. The Staffordshire Plan represents a multi-million pound investment in the business to support significant growth of the JCB business and is expected to result in the creation of up to 2,500 new jobs. The plan comprises a number of inter dependent elements including:-
- (a) The expansion of the manufacturing capability at the World Headquarters site at Rocester by the provision of an additional 12,085 sqm of manufacturing floor space. This part of the plan has been granted planning permission and implemented;
  - (b) The relocation of JCB's Finance and JCB's Insurance Services Divisions into new modern, purpose-built facilities. Whilst planning permission has been granted for this element, it is yet to be implemented;
  - (c) The relocation of JCB Cabs Systems from its existing facility in Rugeley, Staffordshire to a larger modern, purpose-built manufacturing facility at Waterloo Park (next to the existing JCB Heavy Products factory). Planning permission has been granted for the new manufacturing facility, which is in the process of being implemented;
  - (d) The construction of a world-class golf course development next to the JCB Global Headquarters at Rocester. Planning permission has been

granted for this facility, which is under construction and due to open in 2018;

- (e) The provision of state of the art testing and demonstration facilities at Kevin Quarry, Ramshorn. A planning application has been submitted for this proposal;
- (f) The expansion of the manufacturing facilities at the Harewood Estate through the Proposed Development.

- 6.4 It is important to note that the strategy outlined in the Staffordshire Plan comprises a number of inter dependent elements. Whilst it is acknowledged that each application must be determined on its own merits, it is an important material consideration that the delivery of JCB's wider strategy, which is expected to result in the creation of up to 2,500 new jobs, is dependent on each aspect of the strategy coming forward. The Staffordshire Plan has not been promoted by JCB as a suite of options from which relevant Councils can choose which particular aspects they prefer. It has been promoted as a coherent business strategy with a number of integral and inter dependent constituent parts. For this reason, JCB has undertaken extensive pre-application consultations with key partners prior to the delivery of the strategy through various planning applications.
- 6.5 With regard to JCB's operations at the Site, the proposals contained in the Phase 1 Development and Phase 2 Development are seen as essential in enabling JCB to deliver the five-year growth plan as part of the Staffordshire Plan.
- 6.6 The business plan for the Earthmovers and Compact Products businesses at the Site forecasts significant growth in annual machine output from the Site.
- 6.7 In terms of employment, the business plan forecasts that the growth in business will increase employee numbers at the Site from 1,098 in 2016 to 1,914 in 2020, an increase in the total workforce of 816 employees, equating to a 74% increase.
- 6.8 JCB's ability to deliver that growth at the Site is currently constrained by the limitations on site infrastructure, operational efficiency, parking, circulation, storage and dispatch. Expanding the business infrastructure within the Site will enable JCB to achieve the operational efficiencies necessary to enable the businesses to deliver the forecast growth at the Site. As stated above, the proposals do not involve the creation of additional manufacturing floor space at the Site to minimise impacts as JCB considers the expansion

proposed above will enable the growth in output to be achieved from the existing buildings at the Site.

- 6.9 It is therefore clear that the proposals contained within the Phase 1 Development and Phase 2 Development are an important element of the wider Staffordshire Plan.

## **7 THE DEVELOPMENT PLAN**

- 7.1 The starting point for consideration of the Proposed Development and the planning application for the Phase 1 Development is the adopted development plan. This currently comprises the Core Strategy DPD for Staffordshire Moorlands which was adopted on 26 March 2014 ("the Core Strategy").

- 7.2 The Core Strategy is a strategic document. It sets out what the Council would like to achieve in each of the District's main towns and rural areas. It also provides development management policies against which planning proposals can be assessed.

- 7.3 Given the strategic nature of the Core Strategy, it does not contain specific development allocations. These will be identified through a separate Site Allocations DPD, which the Council is in the early stages of preparing. As the Core Strategy does not identify site allocations, this means that town and village development boundaries and other boundaries, including the Green Belt, remain as set out in the 1998 Plan, notwithstanding that document has long since time-expired.

- 7.4 On the Cheadle inset map for the 1998 Plan, the Site is shown as being in the North Staffordshire Green Belt. The whole site is also shown as a development commitment reflecting the status of the Site as being developed pursuant to the two principal planning permissions, one for the Compact Products factory and one for the Earthmovers factory.

- 7.5 The Core Strategy lists a number of spatial aims and objectives. In terms of spatial aims, these comprise:-

SA1 - creating distinctive, sustainable, self-supporting settlements

SA2 - meeting the needs of its communities

SA3 - encouraging a strong, prosperous and diverse economy

SA4 - maintaining a quality environment and special places.



- 7.6 The Core Strategy also contains a number of spatial objectives, many of which are relevant to the Proposed Development at the Site. Spatial Objective 3 is of particular relevance, which identifies as a spatial objective *"to develop and diversify in a sustainable manner the District's economy and meet local employment needs in the towns and villages"*.
- 7.7 In relation Spatial Aim 3, the Core Strategy states that achieving a strong economy is a *"key component of the Council's Sustainable Community Strategy"* and that providing *"strong support for the growth of existing businesses, in particular Britannia Building Society, JCB and Alton Towers as major employers, and providing opportunities for their expansion are central to the delivery of a thriving economy"*.
- 7.8 Paragraph 7.39 of the Core Strategy states that the approach to identifying new employment areas will include giving priority to making *"further provision at established locations through intensification and expansion where these are in sustainable locations in order to minimise impact on other areas"*.
- 7.9 In relation to Spatial Aim 4, the Core Strategy recognises the strategic importance of protecting the Green Belt. Paragraph 7.56 also notes that *"whilst it is proposed that there will be no major releases of land from the Green Belt, it is recognised that, in exceptional cases, some changes to boundaries may be necessary to facilitate urban expansion which cannot be accommodated within existing urban areas"*.
- 7.10 Policy SS1 (development principles) underpins the Core Strategy and provides a set of criteria that will be applied to all development proposals to ensure that all development provides integrated solutions which meet social, economic and environmental objectives at the same time. A number of these criteria contained in Policy SS1 are relevant to the Proposed Development, in particular:-
- Increasing economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce;
  - A healthy, safe, attractive and well-maintained environment;
  - Development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas now and for future generations;
  - Development which secures high-quality, sustainable environments, efficient and effective use of resources and contributes effectively to

tackling climate change and reduced carbon emissions.

In addition, Policy SS1 states that new development will make the best use of previously developed land and buildings and will follow a sequential approach to the sustainable location of development.

7.11 Policy SS1A sets out a presumption in favour of sustainable development which accords with national policy in the National Planning Policy Framework ('NPPF').

7.12 Policy SS5C sets out the Council's strategy for the Cheadle area. Policy SS5C states that the Council will *"seek to expand the role of Cheadle as a significant centre and a market town"* which will be achieved through a number of listed actions. These include creating employment growth and increasing the diversity of employment opportunities to meet existing and future needs by:-

- *"Supporting the retention and growth of JCB and other existing businesses within the town";*
- *"Providing improved access to the JCB and existing employment sites".*

7.13 The Core Strategy identifies broad locations for new employment development to the south of Cheadle, which will be allocated in the Site Allocations DPD. The Core Strategy recognises that the Site Allocations DPD will review the precise extent of the boundary of the urban area which will be shown on the proposals map to accommodate, where appropriate, peripheral expansion and also protect the surrounding countryside and Green Belt from further encroachment.

7.14 Policy SS6C sets out the Core Strategy's approach to development in the rural areas. This policy may be relevant to consideration of the Proposed Development (and the Phase 1 Development) insofar as the Site lies in the open countryside outside the settlement boundary of Cheadle in the 1998 Plan settlement boundary.

7.15 Policy SS6C seeks to sustain the rural economy by:-

- *"Enabling the limited expansion or redevelopment of an existing authorised business for employment purposes";*
- *"Enhancing and conserving the quality of the countryside by:-*
  - *Giving priority to the need to protect the quality and character*

*of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;*

- *Limiting uses which generate a substantial number of regular trips in areas that are not well-served by public transport;*
- *Facilitating the appropriate redevelopment of other major developed areas where the proposed development brings positive benefits to the area and any resultant environmental or highway concerns can be adequately addressed and minimised;*
- *Maintaining the Green Belt".*

The Core Strategy states that detailed boundaries of the Green Belt will be reviewed through the Site Allocations DPD to ensure that its purpose in separating the urban areas and maintaining their identity is consistent with the need to promote more sustainable patterns of development around settlements in or on the edges of the Green Belt. The Core Strategy states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

- 7.16 Policy SD1 requires all new development to make sustainable use of resources and encourages development on previously developed land in sustainable locations.
- 7.17 Policy SD4 seeks to ensure that the effects of pollution are avoided or mitigated.
- 7.18 Policy DC1 sets out the Council's approach to design considerations for new development. It seeks to achieve high-quality development in a way which respects the site and surroundings.
- 7.19 Policy DC3 seeks to protect and where possible enhance the local landscape by resisting development which would harm the character of the local and wider landscape and supporting development which respects and enhances it.
- 7.20 Policy R1 of the Core Strategy provides that all development in the rural areas outside the settlement boundaries will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes sustainable diversification of the rural economy and facilitates economic activity.

- 7.21 Policy R1 provides that, within the Green Belt, inappropriate development which is otherwise acceptable within the terms of Policy R1 will still need to be justified by very special circumstances.
- 7.22 Policy NE1 of the Core Strategy seeks to conserve and enhance the biodiversity and geological resources of the District by reference to a number of specified criteria.
- 7.23 Policies T1 and T2 seek to support sustainable transport and sustainable transport measures.

**8 ASSESSMENT OF THE PROPOSED DEVELOPMENT IN THE CONTEXT OF THE DEVELOPMENT PLAN**

- 8.1 In terms of assessing the Proposed Development (in particular the Phase 1 Development) in the context of the Core Strategy, the following key issues are considered:-
- (1) Does the Proposed Development accord with the employment policy/strategy of the Core Strategy?
  - (2) Does the Proposed Development have any unacceptable impacts?
  - (3) Is the Proposed Development appropriate development in the Green Belt?

**9 DOES THE PROPOSED DEVELOPMENT ACCORD WITH THE ECONOMIC AND EMPLOYMENT POLICY/STRATEGY OF THE CORE STRATEGY?**

- 9.1 The Proposed Development by JCB (including the Phase 1 Development) is considered to be in accordance with the economic and employment policies and strategy of the Core Strategy. Indeed, the Core Strategy specifically recognises the importance of JCB at its sites in the Cheadle area and supports their future expansion. The approach of the Core Strategy seeks to provide a policy framework which will enable JCB to bring forward proposals to expand its business. That is achieved by the following policies in particular:-
- Strategic Aim 3 which specifically states that the Core Strategy provides strong support for the growth of JCB's existing business;
  - Policy SS5C which sets out the Council's strategy for the Cheadle area and states that in pursuing that strategy the Council will support the retention and growth of JCB and provide improved access to JCB;

- Policy E1 of the Core Strategy which supports the sustainable improvement for existing businesses (such as JCB) provided that it will not have an unacceptable impact on the amenities, character or appearance of the area;
- Policy SS6C of the Core Strategy which insofar as it is relevant to the current application supports the limited expansion of existing businesses in the rural area (such as JCB).

9.2 It is quite clear from the above that the Proposed Development including the planning application for the Phase 1 Development fully accords with the policies, strategic aims and objectives of the Core Strategy relating to employment and economic development.

## 10 **WILL THE PROPOSED DEVELOPMENT HAVE ANY UNACCEPTABLE IMPACTS?**

10.1 The Proposed Development (including the Phase 1 Development) has been the subject of thorough professional and technical assessments. The planning application for the Phase 1 Development has been assessed in relation to landscape and visual impact, ecology, transport, drainage, lighting and noise.

### 10.2 Landscape and Visual Impact Assessment

10.2.1 Bright & Associates ("B&A") has undertaken the landscape and visual impact assessment (LVIA) in relation to the Phase 1 Development.

10.2.2 B&A has devised the landscape master plan (Fig L16) which shows the layout of the Phase 1 Development and mitigation measures that are integrated into the overall design including screen bunds, trees and shrub planting.

During the design process, the visual screening of the proposed car parking areas was judged to be a key consideration in terms of the current landscape setting, for viewpoints particularly within close proximity and with respect to the context of the Site in an area of Green Belt.

The design process adopted the following aims and objectives:-

- The retention of the broadly simplified frontage to existing factory buildings, to avoid additional visibility of car parking that might lead to an increased urbanised effect;

- To avoid further adverse consequences of the proposed car parking areas (northern car park and southern car park) and the Compact Products stockyard, over and above the baseline situation; and
- Where possible, seek to enhance the existing situation by means of proposed screening including tree and shrub planting.

This has led to the formation of a strategy that offers a high standard of design and mitigation:-

- Firstly, for the proposed car parking areas, incorporating existing trees to the north of the northern car park and integrating screen bunds with tree and shrub planting, both on the bunds and in adjacent areas to restrict potential views; and
- Secondly, for the proposed stockyard areas, by considering existing mounding and screening which is available as well as additional mounding and tree planting to offer longer term screening.

10.2.3 The LVIA has been undertaken in line with current guidance and best practice. To ensure that there has been a thorough examination of the potential landscape and visual effects, the following has been carried out.

Identification of Zones of Theoretical Visibility (ZTV) offers a useful mapping exercise and is beneficial as a comparative assessment tool (see figures L3 and figure L4 to the LVIA). The conclusions of this assessment are:-

- The Earthmovers stockyard remains broadly comparable to the existing situation;
- The Compact Products stockyard is used in the same visual composition as the current stocking area; and
- By incorporating mitigation measures, the proposed car parking areas (northern car park and southern car park), in terms of the eastern factory frontages, can be effectively screened and hidden from direct view. Consequently, this provides some enhancement when compared to the existing situation.

Although visibility can be calculated through the ZTV, the scale and extent of the visibility cannot be quantified and it has therefore been examined through further site assessment work, photograph review and cross-section analysis in the LVIA.

- 10.2.4 The mitigation measures which form an integral part of the Phase 1 Development (as part of the Proposed Development) offer comprehensive screening opportunities and alleviate potential effects upon the local landscape character. Similarly, wider characteristics are unaltered due to the relatively small scale nature of the changes and low degree of adverse effect.

### 10.3 Ecology

- 10.3.1 The preliminary ecological appraisal submitted with the application confirms that:-

- No Great Crested Newts have been recorded within water bodies with 500 metres radius of the Site;
- There is no suitable roosting habitat within the Site for bats and limited foraging habitat. To prevent potential disturbance to the local bat population it is recommended that night time construction work is minimised and a sensitive lighting scheme is incorporated into the design;
- There is suitable habitat within the Site for foraging badgers and sett creation. Should construction work not be begun within twelve months the preliminary ecological appraisal recommends that a further badger survey is undertaken to confirm there are no badger setts within the Site;
- There is suitable foraging and hibernating habitat for hedgehogs. The appraisal recommends on site vegetation clearance avoids the hibernation period or if this is not possible a further pre-construction search is undertaken and good practice measures are followed during construction;
- In relation to reptiles, there is potential for reptiles. The appraisal recommends that prior to site clearance for the Phase 1 Development, precautionary measures are recommended to deter reptiles on the Site;

- In relation to nesting birds, the appraisal recommends avoiding the nesting season or if this is not possible undertaking an appropriate pre-construction search;
- The appraisal recommends good practice measures are adopted to prevent any pollution of Cecilly Brook;
- The appraisal has identified a limited occurrence of Japanese knotweed on the Site and has made a number of recommendations to be implemented by JCB.

10.3.2 The ecological appraisal concludes that there will be no unacceptable impacts from the Phase 1 Development (as part of the proposed Development). It also recommends a number of measures which are considered appropriate for the scale of the Proposed Development and which will deliver ecological enhancements resulting in a net gain in biodiversity.

#### 10.4 Transport Statement

A Transport Statement has been submitted in connection with the application for the Phase 1 Development. The Transport Statement demonstrates that the Phase 1 Development (as part of the Proposed Development) can be delivered without having an adverse impact on the surrounding highway network and from a highway perspective can be considered acceptable.

#### 10.5 Lighting

The lighting assessment submitted with the application explains that the design proposes a low energy lighting system with no upward waste light and very tightly controlled downlights. The design was put together to provide safety lighting to the Site whilst keeping the light spill to an absolute minimum. The lighting assessment has considered the location of nearby buildings and has adopted the use of different optic distributions to prevent light trespassing into other properties. The assessment concludes that the lighting design meets all the specified illuminance levels and is well within the limitations set out within relevant guidance regarding obtrusive light.

#### 10.6 Noise

The application for the Phase 1 Development is accompanied by a noise assessment which assesses the impacts of the Phase 1 Development (as part of the Proposed Development) on identified noise receptors. The assessment concludes that there are no unacceptable impacts from the



Phase 1 Development.

10.7 Drainage

The hardstanding areas within the Phase 1 Development lie within flood zone 1.

The Phase 1 Development has been designed to incorporate SUDS principles including the use/construction of a swale/balancing ponds to accommodate the required attenuation standards.

- 10.8 It is evident from the conclusions of the above assessments, that the Phase 1 Development will not have any unacceptable impacts. On the contrary, in a number of respects the Phase 1 Development will result in enhancement/betterment compared with the existing baseline situation.

11 **IS THE PHASE 1 DEVELOPMENT APPROPRIATE DEVELOPMENT IN THE GREEN BELT?**

- 11.1 Policy SS6C of the Core Strategy provides that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.
- 11.2 As the Site is located in the Green Belt, it is necessary to consider whether or not the Phase 1 Development is inappropriate development. In the light of policy SS6C, it is necessary to have regard to the NPPF to determine whether or not the Phase 1 Development is inappropriate development. Paragraphs 89 and 90 of the NPPF provide definitions of inappropriate development.
- 11.3 Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt with a limited number of exceptions which are set out in paragraph 89. This paragraph however relates to the construction of new buildings whereas the Phase 1 Development does not actually involve the construction of any new buildings. Paragraph 89 is not therefore considered applicable.
- 11.4 Even if the Council takes a different view on this point, then the Phase 1 Development would not constitute inappropriate development because it falls within one of the exceptions contained in paragraph 89 namely it is *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it*

*than the existing development*". The Phase 1 Development is clearly the partial redevelopment of a previously developed site in continuing use. Given the nature of the Phase 1 Development it is considered that it would not have a greater impact on the openness of the Green Belt than the existing development at the Site, and for these reasons the Phase 1 Development can be regarded as falling within this exception. On that basis also therefore, the Phase 1 Development would not constitute inappropriate development.

11.5 Paragraph 90 of the NPPF provides that certain other forms of development are also not inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. Of the types of development specified in paragraph 90, the following are considered relevant:-

- Engineering operations;
- Local Transport infrastructure which can demonstrate a requirement for a Green Belt location.

The details and nature of the Phase 1 Development can be regarded as principally involving engineering operations eg the construction of car parks, screen bunds, drainage attenuation ponds. Similarly, the fact that the Phase 1 Development proposes transport infrastructure including new car parks, storage yards, despatch areas, onsite estate roads etc. to serve the Site it is considered that the Phase 1 Development can also be regarded as constituting local transport infrastructure which by virtue of the fact that it is to serve the existing operations at the Site in a Green Belt location, must also be regarded as demonstrating a requirement for a Green Belt location. The Phase 1 Development therefore can be regarded as falling within the categories of development specified in paragraph 90 which are not inappropriate development subject to complying with the following criteria.

Will the Phase 1 Development preserve the openness of the Green Belt? The nature/details of the development proposed in the application for the Phase 1 Development means that it will not have any materially greater impact on the openness of the Green Belt in this location than the existing baseline situation.

Will the Phase 1 Development conflict with the five purposes of Green Belt? It is also clear that the Phase 1 Development which is development within the curtilage of an existing substantial and previously developed site will not conflict with the five purposes of the Green Belt, namely:-

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is therefore considered that the Phase 1 Development is not inappropriate by reference to the terms of either paragraph 89 or paragraph 90 of the NPPF and in those circumstances it is not necessary to demonstrate that very special circumstances exist to support the grant of planning permission.

11.6 For the sake of completeness we have also assessed the Phase 1 Development on the basis that it is inappropriate development in case the Council disagrees with the above analysis in which case it would determine the application for the Phase 1 Development as inappropriate development in the Green Belt. In those circumstances, it will be necessary for the Council to be satisfied that very special circumstances have been demonstrated and that any harm to the Green Belt and any other harm is outweighed by other planning considerations. Even if the Council takes that approach, it is clear that very special circumstances have been demonstrated and that any harm to the Green Belt and any other harm is outweighed by other planning considerations. In particular:-

- Any harm to the Green Belt by reason of the Phase 1 Development is limited in this case. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. In this case, the Site already comprises substantial industrial buildings totalling nearly half a million square feet of floor space and substantial related infrastructure. The development proposed in the Phase 1 Development will not have any materially greater impact on the openness of the existing Site and will not therefore harm the fundamental aim of Green Belt policy. It is also considered that the Phase 1 Development will not harm/prejudice any of the five purposes of including land within the Green Belt. Any harm therefore that may be caused by virtue of the Phase 1 Development being regarded as inappropriate development cannot be regarded as significant on the facts of this case.

- Furthermore, insofar as any harm is caused, that harm is further diminished by the following factors:-
  - The Site is not only designated in the 1998 Plan as being in the Green Belt, but it is also shown as a site committed for development. This latter designation reflects the substantial industrial development that has been permitted and undertaken on the Site. It is arguable that the Green Belt designation and the committed development designation are not consistent with each other, the latter reflecting the Site's development potential which is arguably inconsistent with its Green Belt designation;
  - In addition, the Green Belt boundary which dates back to the 1998 Plan is now some twenty years old. A review of that designation is long overdue and the existing designation is arguably out of date. Given the potential inconsistency between the Green Belt designation of the Site and the committed development designation, the weight attached to the Green Belt designation and any harm should be reduced.
  - The Core Strategy states that the Site Allocation DPD will be the mechanism through which the Council will review development boundaries including a review of the Green Belt in Staffordshire Moorlands District. Given the support of the Core Strategy for JCB's business at the Site and its expansion, it may well be appropriate for Staffordshire Moorlands to conclude that a review of the Green Belt boundary in this location is justified to provide a positive framework in land use terms for further development at the Site to come forward.

11.7 For all the above reasons, it is considered that any harm to the Green Belt in this case is limited. As set out in Section 10 above, it is also the case that any other harm arising from the Phase 1 Development is also limited.

11.8 In terms of the positive benefits from the Proposed Development (including the Phase 1 Development) these are significant. The Proposed Development at the Site of which the Phase 1 Development forms an integral part will result in the creation of c.800 new jobs at the Site and this will be a highly significant benefit to the local economy. The fact that the Development also forms an integral part of the Staffordshire Plan which will provide a multi-million pound investment and significant job creation in Staffordshire to the benefit of the local, regional and national economy

means that the Proposed Development can also be regarded as helping secure even greater economic benefits. The clear and pressing business need in this case and significant economic benefits together with the limited harm constitute very special circumstances.

- 11.9 In those circumstances, it is clear that the significant weight that can be attached to the positive benefits of the Proposed Development (including the Phase 1 Development) clearly outweigh the limited harm to the Green Belt and any other harm that may be caused.

## 12 OTHER MATERIAL CONSIDERATIONS

In addition to an assessment of the Phase 1 Development (as part of the Proposed Development) in the context of the development plan, it is also relevant to consider other material considerations in respect of the Proposed Development. Section 13 below considers the Phase 1 Development in the context of national planning policies set out in the NPPF.

## 13 NATIONAL PLANNING POLICY FRAMEWORK – SUSTAINABLE DEVELOPMENT

- 13.1 The NPPF sets out the Government's national planning policy. At its heart, it promotes the delivery of sustainable development. The NPPF provides that paragraphs 18-219 of the NPPF taken as a whole constitute the Government's view of what sustainable development means. Paragraph 7 identifies three dimensions to sustainable development, being economic, social and environmental. Further consideration is given to these dimensions below.

### 13.2 Economic

One of the key objectives of the NPPF is to achieve positive growth through the planning system. Section 1 of the NPPF deals with the Government's aspiration to build a strong competitive economy.

Paragraph 18 notes that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths and meeting the twin challenges of global competition and of a low carbon future.

Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that significant weight (our underlining) should be placed on the need to support economic growth through the planning system.

Paragraph 21 provides inter alia that local authorities should support existing business sectors and that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

Paragraph 28 supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

As set out in section 6 above, the Proposed Development at the Site (including the Phase 1 Development) forms part of the Staffordshire Plan integrated strategy to support JCB's existing local and international business. It is regarded as a key part of the Staffordshire Plan in delivering a step change in the way JCB is able to grow and promote its business and deliver strong, sustainable economic growth. As part of the Staffordshire Plan which will deliver up to 2,500 new jobs, the Proposed Development is exactly the type of development national policy strongly supports.

The proposal therefore attracts strong policy support from the economic policy of the NPPF in helping deliver sustainable economic growth. In accordance with paragraph 19, therefore, significant weight should be attached to the proposal in terms of the support for economic growth.

### 13.3 Social Role

The NPPF recognises the social role of the planning system to support strong, vibrant and healthy communities. The Proposed Development forms part of JCB's wider business expansion. By committing significant investment in this part of Staffordshire, JCB is not only contributing substantially to the local and regional economy, but is also making a significant contribution to the sustainability of strong, vibrant and healthy local communities in the future through the provision of significant employment opportunities for local people in a location which is accessible to them. The prosperity that this investment will bring to local businesses and local people will contribute to sustaining strong and vibrant local communities. For these reasons also, the Proposed Development is consistent with and will help the Council deliver the following Spatial Aims in the Core Strategy:-

SA1 - creating distinctive, sustainable, self-supporting settlements

SA2 - meeting the needs of its communities.

#### 13.4 Environmental Role

The NPPF recognises that sustainable development incorporates an environmental role contributing to protecting and enhancing the natural, built and historic environment, improving biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change including moving to a low carbon economy.

Paragraph 56 recognises that good design is a key aspect of sustainable development.

Paragraph 93 recognises that planning plays a key role in securing reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, supporting the delivery of renewable and low carbon energy.

Paragraph 109 provides that the planning system should contribute to and enhance the natural and local environment.

Paragraph 118 provides that local planning authorities should aim to conserve and enhance biodiversity when determining planning applications.

The technical assessments undertaken in connection with the planning application for the Phase 1 Development demonstrate that the proposal is consistent with and will fulfil these environmental roles.

- 13.5 It is therefore considered that the Phase 1 Development (forming part of the Proposed Development) constitutes sustainable development in the context of the NPPF.

#### 14 **PLANNING BALANCE**

- 14.1 For the reasons set out in this statement it is considered that the proposal for the Phase 1 Development forming part of the larger Proposed Development at the Site accords with the Core Strategy, in particular the economic and employment policies, strategic aims and objectives.

- 14.2 It is also considered that the phase 1 Development does not constitute inappropriate development in the Green Belt such that very special circumstances do not need to be demonstrated to justify the proposal.

- 14.3 It is clear that the Phase 1 Development constitutes sustainable development in the context of the NPPF. In those circumstances, paragraph 14 of the NPPF provides that where the development proposals accord with the development plan they should be approved without delay. That is exactly

the case in terms of the Phase 1 Development.

- 14.4 Even if the Council determines that the Phase 1 Development constitutes inappropriate development in the Green Belt this does not mean that planning permission should be refused. It is clear having regard to the facts of this case that JCB has in any event demonstrated that very special circumstances exist in relation to this proposal. Those very special circumstances comprise the strong business need, the highly significant economic benefits that will result from the Proposed Development (including the Phase 1 Development), the fact that the Site is already a substantially developed industrial site and the limited harm that will result from the Proposed Development.
- 14.5 It is clear in those circumstances that very special circumstances do exist and that on a planning balance the significant benefits of the proposal outweigh the limited harm and justify the grant of planning permission.

## 15 **CONCLUSIONS**

- 15.1 The Phase 1 Development is the first phase of an integrated Proposed Development at the Site to expand JCB's existing operations.
- 15.2 The Proposed Development is required to facilitate the significant growth forecast for JCB's business at the Site which forms part of JCB's wider Staffordshire Plan.
- 15.3 The Proposed Development (including the Phase 1 Development) will deliver significant economic benefits (not least the creation of 816 new jobs between 2016 and 2020) and attracts strong policy support from both development plan and national planning policy.
- 15.4 The Phase 1 Development has been the subject of thorough technical assessments and it is clear that there are no unacceptable impacts arising from the Phase 1 Development which will outweigh the significant positive benefits and indeed will deliver a number of enhancements compared with the existing situation.
- 15.5 The Council is therefore requested to grant planning permission for the Phase 1 Development as the first phase of the integrated Proposed Development for the Site.