

# **Summary Proof of Evidence of Anthony Greally BA (Hons) Dip TP MRTPI**

**The South Tees Development Corporation Compulsory Purchase  
Order**

**Acquiring Authority: South Tees Development Corporation**

January 2020

**STDC4/1**

**LICHFIELDS**

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## 1.0 Introduction and Scope of Evidence

- 1.1 My name is Anthony Greally, Senior Director at Lichfields. I give evidence to this Inquiry on behalf of South Tees Development Corporation (STDC) and its Compulsory Purchase Order (CPO). I focus on town planning matters relevant to the regeneration of land in line with the South Tees Regeneration Master Plan.

## 2.0 The CPO Process

- 2.1 It is necessary to demonstrate (amongst other matters) that the Order land is in need of regeneration, that regeneration is on balance more likely to be achieved if the land is acquired by STDC; and that the land is in an area for which STDC has a comprehensive regeneration scheme.
- 2.2 More generally, compulsory purchase powers should only be used where it is expedient to do so and where there is a compelling case in the public interest.
- 2.3 Where there are no specific proposals for the land subject to the CPO (i.e. where planning permission(s) has not been granted for proposals), it should be demonstrated that there are no planning or other impediments to the proposed scheme and that there are no **obvious reasons** why planning permission might be withheld.

## 3.0 Planning Policy & Guidance

- 3.1 Legislation requires that planning applications are determined in accordance with the development plan, comprising:
- the Redcar and Cleveland Local Plan;
  - the Tees Valley Joint Minerals and Waste Core Strategy and Policies & Sites DPDs
- unless material considerations indicate otherwise.
- 3.2 The Local Plan was adopted relatively recently in May 2018. An independent Planning Inspector found the plan to be sound because its policies and allocations are deliverable. Policy LS4 supports the implementation of the South Tees Area

Supplementary Planning Document (SPD). Policy ED6 allocates most of the land in the STDC area for development within Use Classes B1, B2, B8 (with the exception of the Coastal Community Zone).

- 3.3 The National Planning Policy Framework states that planning applications in accordance with an up-to-date development plan should be approved without delay, that significant weight should be attached to the need to support economic growth and that making effective use of land should be valued. It also supports the use of compulsory purchase powers where *‘this can help to bring more land forward for meeting development needs and/or secure better development outcomes’*.
- 3.4 The SPD is a material consideration in the determination of planning applications. It was consulted on and adopted at the same time as the Local Plan.
- 3.5 Development Principle STDC1 resists piecemeal development of the South Tees Area. Comprehensive redevelopment will realise an exemplar world class industrial business park. STDC2 sets out that, where necessary, compulsory purchase powers will be used to acquire land to achieve the SPD’s objectives.
- 3.6 ‘Tees Valley: Opportunity Unlimited’ by the Right Honourable Lord Heseltine (June 2016) identified opportunities to support inward investment in the Tees Valley and to specifically look at the SSI site following its closure. It recommended the STDC be established quickly to set the future strategy for the area and to ensure sites are not looked at in isolation.
- 3.7 The Tees Investment Plan sets out the spending priorities of the Combined Authority over the next decade. It identifies priority interventions and allocates £56.5million to land acquisition and site infrastructure costs at the STDC area.

## **4.0 The Scheme: The South Tees Regeneration Master Plan**

4.1 The Master Plan provides the rationale for the comprehensive regeneration scheme underlying the acquisition of the land. It informed the preparation of the SPD and was published for public consultation alongside the draft SPD.

4.2 The Master Plan illustrates the character and quality of place being planned for across the area. A unique proposition would be created to the international industrial market through the delivery of its objectives.

## **5.0 Delivery of the Master Plan scheme**

5.1 STDC will ensure that the planned site-wide infrastructure, as well as the development standards and place-making qualities set out in the Master Plan, are achieved.

5.2 STDC will work with incoming operators and the local planning authority to secure planning permissions (with planning obligations) for developments that contribute towards the comprehensive regeneration of the area.

5.3 If large tracts of obsolete land remain with owners that are not committed to their coordinated regeneration, the wider area could not be planned with any real certainty and the objectives of the Master Plan would be significantly compromised.

5.4 STDC has commissioned strategies to expand upon the Master Plan and establish optimum approaches for the effective and efficient management (i.e. mitigation) of matters such as transport impacts, energy use, ground remediation and habitat protection.

5.5 Planning permissions have been granted to prepare land within STDC's ownership for development. They were approved without delay.

## **6.0 Main considerations in the determination process**

- 6.1 When determining planning applications, the main considerations are likely to include Environmental Impact Assessment, ecology impacts, health and safety and highways impacts. These are routine considerations and are not unduly burdensome, complex or onerous.

## **7.0 Benefits of the Scheme**

- 7.1 Comprehensive regeneration of the STDC area will deliver significant environmental, social and economic benefits.
- 7.2 A central tenet of the SPD is to develop the area in a way that maximises its regeneration potential through a co-ordinated and coherent approach to delivering infrastructure and business accommodation.
- 7.3 The SPD states “...development that has the potential to stymie or prevent further phases of development, or to reduce the market demand for land to be taken up, and / or to adversely affect the ability to provide infrastructure essential to the delivery of later phases of development / occupation, will be resisted.”
- 7.4 In respect of economic benefits, the estimated 20,000 new job opportunities would not be created if parts of the site are left undeveloped and outside the control of STDC.
- 7.5 To return the entire site to an economically productive, environmentally attractive and publicly accessible, safe place will be a significant boost to the social well-being of the area.

## **8.0 Other Matters of Relevance**

- 8.1 There is a clear proposal for the land: the comprehensive regeneration of the STDC area in accordance with the objectives of the Master Plan and the planning policy framework for the area.



8.2 STDC has funding and a robust investment fund model to acquire the necessary rights and to deliver the CPO scheme.

8.3 Seeking to merely develop that part of the STDC area now in its ownership would fail to achieve the purposes for which the STDC was established. Market-interest would be adversely impacted; the ability to plan and deliver the optimum solutions to site-wide infrastructure and mitigation would be significantly undermined.

8.4 There have been no alternatives put forward by any other party which could fulfil the Local Plan objectives.

## 9.0 **Response to objectors**

9.1 Sahaviriya Steel Industries PLC ((SSI) together with the Thai Banks and Royal Bank of Scotland) claim that STDC does not know when or how it will use the land. These objectors, however, acknowledge the Master Plan, which articulates how STDC intends to use the land.

9.2 At no time did these objectors choose to engage in the Plan-making process.

9.3 These objectors also claim that there is no basis for concluding that the compulsory acquisition of land will accelerate or improve the likelihood of regeneration. This claim is unfounded.

9.4 The CPO guidance explains that when land is being acquired for regeneration purposes, it will not always be possible or desirable to have specific proposals beyond the general framework for the regeneration of the area. Planning permissions(s) will not necessarily have been resolved before making an Order.

9.5 The RBT land is coming forward for development that will contribute to regeneration and economic growth. STDC does not, therefore, see it is in the public interest to acquire that land.

9.6 There are no obvious reasons for marine-related licences and Orders not to be granted.

## **10.0 Conclusions**

- 10.1 Overall, the acquisition of the CPO land is necessary to fulfil the Local Plan policy objectives, which are to plan and deliver industrial development in a comprehensive manner, avoiding piecemeal development and maximising the development and regeneration potential of the entire STDC area.
- 10.2 I have considered a range of matters that are likely to apply to planning applications in the STDC area. They are not unduly complex or onerous. There are no obvious reasons why planning permissions might be withheld. Development proposals brought forward are most likely to be in conformity with the development plan.
- 10.3 I consider there to be a compelling case in the public interest for the confirmation of the CPO.