

From: [REDACTED]
Sent: 08 September 2017 14:45
To: Blackcountrycorestra
Subject: Issues & Options Consultation and Call for Sites - September 2017
Attachments: Black Country Core Strategy Response Form.pdf; P17_2178_CallforSites_FINAL.pdf; P17-2178_IssuesOptions_FINAL_080917.pdf

Black Country Core Strategy Issues & Options Consultation, September 2017

Dear Sir/Madam

Please find attached representations to the Issues & Options Consultation (including Site Location Plan), Completed Call for Sites Form and Response Form (appended to the representations and sent individually for reference).

Kind regards


[REDACTED]
Planner


Pegasus Group

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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Cert no. FS 577092

Please state clearly the section of the Issues and Options document you are commenting on and include question numbers and chapter titles where relevant. This will help us to fully take your comments into account.

Chapter / Page / Question / Paragraph
Do you agree or disagree with the approach set out in the relevant section and / or question?
Comments (continue on a separate sheet if necessary)
Please refer to attached Representation.

BLACK COUNTRY CORE STRATEGY

ISSUES & OPTIONS CONSULTATION (SEPTEMBER 2017)

ON BEHALF OF CORES PROPERTIES LTD

Pegasus Group

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1. INTRODUCTION

- 1.1 These representations are made by Pegasus Group Ltd, on behalf of Core Properties Ltd (Core Properties) to the Black Country Core Strategy Issues & Options Consultation.
- 1.2 Core Properties owns land at Brownhills Business Park and are working in collaboration with neighbouring landowner to relax the current employment policy restriction and to promote the site as a sustainable location to meet the housing needs of the area. The site falls within the administrative area of Walsall Council and its location is illustrated on a plan contained at **Appendix 1**.
- 1.3 It is understood that the purpose of this consultation is to identify the issues that the review will need to address and the broad options for how sustainable growth of the Black Country can be achieved. A 'Call for Sites' exercise is running alongside this consultation which is aimed at identifying sites to accommodate housing and employment land needs. This Representation is accompanied by a completed 'Call for Sites' form for the above site.
- 1.4 It is noted that the Councils have jointly prepared evidence to support the Issues & Options which can be viewed on the consultation webpage and we have referred to this evidence base where appropriate.
- 1.5 In terms of the format of this Representation, we have sought to follow and refer to the general chapter headings and to respond to the questions outlined where relevant.

2. REPRESENTATIONS

2.1 Question 2 – Do you think that the key evidence set out in Table 1 is sufficient to support the key stages of the Core Strategy review? If not what further evidence is required and, if there are any particular issues that should be taken into account in considering development on any particular site or in any particular areas, please provide details.

2.2 Whilst it is noted that a Black Country Economic Development Needs Assessment (EDNA) (May 2017) forms part of the Evidence Base, the assumptions on future requirement appeared to be based on growth figures for the West Midlands Combined Authority (WMCA), rather than refined to cover just the Black Country. We are concerned that using WMCA data is likely to distort growth assumptions and fail to provide an accurate economic forecast for the joint planning area, particularly as population growth and GVA per head figures will vary across the West Midlands region. Consequently, we firmly believe further work is required to assess employment needs of the joint authority area.

2.3 Assessments on future employment needs should be based on scenarios that involve assumptions on population growth, household projections as well as sub-regional forecasts on GVA per head that relate to the plan area. At the very least the EDNA should have regard to the findings of the Black Country & South Staffs Strategic Housing Market Assessment (March 2017) (SHMA) which has concluded that the Objectively Assessed Housing Need (OAN) for the Black Country over the period 2014-36 is 78,190 homes. The EDNA should translate what the implications of this OAN will be on the economy, and therefore we strongly believe further work on the EDNA is required.

2.4 We support the undertaking of a Green Belt Review, as inevitably land will be needed to meet employment and housing needs. But to support this exercise, we would suggest that further work is undertaken to assess urban capacity, particularly older employment sites, to demonstrate that options within the urban area have been fully examined.

2.5 Question 11a – Do you support Strategic Option 1A? Yes/No. If no, do you support Option 1B Yes/No. If you support the release of further employment land for housing, what should the characteristics of these employment areas be?

- 2.6 Point 3.16 of the Issues & Options Document acknowledges that "a key source of housing supply under the existing spatial strategy is the release of surplus employment land for housing". Given the housing need requirement for the Black Country it is considered unlikely that this approach could be wholly discarded therefore some employment land will need to be considered for release for residential development and therefore we cannot support Strategic Option 1A as it makes no recognition that some employment land will need to be released. On this basis, we consider Strategic Option B is the more appropriate to take forward; but we would suggest that other options should be explored which recognise that higher levels of employment and Green Belt land will potentially need to be brought forward to meet future needs

Question 11b – Are there any current employment areas that might be suitable for redevelopment to housing?

- 2.7 Low-quality employment which contributes least to the realisation of the economic development aspirations of the area should be considered first for release for housing, and should not be afforded rigid policy protection. Only the 'Best' or 'Good' quality employment land warrant protection, as these locations are the most likely to generate and support high levels of jobs. This would mean that in the Black Country only land identified as 'Strategic High Quality Employment Land' should be the only land that receives policy protection from alternative uses.
- 2.8 It is recognised that some areas currently defined as 'Local Quality Employment Land' play a role in the overall supply of employment land in the Black Country, but there is absolutely no justification for safeguarding these sites long term. Policy for these locations need to be flexible and responsive to changing circumstances, including the need to deliver housing.
- 2.9 These Representations are accompanied by a completed 'Call for Sites' form for a site known as Brownhills Business Park on Lindon Road. In the Walsall Employment Land Review (Updated April 2017) the site was allocated the reference number IN5.3. It is considered that this site is suitable for redevelopment to housing. The site is not fulfilling any meaningful economic benefits, with tenants on short-term rolling contracts with no permanence to the employment and job provision on this site. None of the uses employ significant numbers of people, and it is evident that the site is in need of investment and could be put into more productive use. The cost of redeveloping the site for commercial use is prohibitive and would make any commercial development unviable. Redevelopment of the site is needed to

remediate the land, address crime issues on site and remove a site that has become an eyesore, blighting neighbouring sites. The only way to achieve this is to release the site to housing development. It is also noted that the site is located within a partial residential area and therefore redevelopment of the site for housing would not introduce incompatible uses to the area.

- 2.10 It is noted that the general strategy for growth in the Black Country is to focus growth around the opening of HS2 and the extension of the Midland Metro. The proposed site is not located in close proximity to either of these and would not be suitable for businesses attracted by either project. It is therefore suggested that there should be an overall review of existing employment land to evaluate consistency with this aspiration.
- 2.11 It is also noted that the EDNA found that over half (53%) of the Black Country's total employment land is located in Walsall. This is clearly a significant imbalance and suggests the need to review employment land allocations in Walsall. It is also noted that there are areas within Walsall, including the site, which are not located in close proximity to HS2 or the expanded Midlands Metro. It is suggested that any review should include an assessment of any employment lands proximity to these projects and potential contribution to economic growth associated with the realisation of these projects.
- 2.12 As previously discussed, the NPPF is clear that planning policies should not protect employment land where there is no reasonable prospect of it being used for that purpose. This site has been allocated as a Local Quality Employment Area since the adoption of the Black Country Core Strategy and has not fulfilled this allocation in the intervening years. It is considered that this demonstrates that there is no reasonable prospect of the site being used for purposes compliant with the Local Quality designation and therefore the site should not continue to be protected for employment use and should be considered for redevelopment to housing.
- 2.13 Question 49a – Is there still a need for existing Policy DEL2 in order to manage the release of poorer quality employment land for housing?**
- 2.14 It is recognised that there may be a role for a policy managing the release of poorer quality employment land for housing. However, the wording of such a policy needs to comply with the requirement of the NPPF which states that planning policies should avoid the long-term protection of allocated employment sites where there is no reasonable prospect of the site coming forward for that purpose.

- 2.15 It is noted that point 2.5 of the Issues & Options Paper acknowledges that "*there is not as much surplus employment land suitable for housing as anticipated.*" This suggests the need to re-evaluate the policy regarding the release of poorer quality employment land for housing to ensure that poor-quality employment land is not being blocked from release unnecessarily.
- 2.16 It is suggested any policy concerned with managing the release of employment land for housing should include provision to review the quality of the employment use of the site, through compliance with the uses listed as appropriate for its designation, and other indications of quality, including permanence of the employment use.

Question 50 – Do you think that the Core Strategy should continue to set a target for total employment land stock in Policy EMP1? Do you think that distinguishing between Strategic High Quality High Quality Employment Areas and Local Quality Employment Areas is still appropriate?

- 2.17 This Representation does not seek to offer a view on whether or not the Core Strategy should continue to set a target for total employment land stock, albeit we strongly question the levels currently identified for the reasons set out previously. We do however wish to express a particular view on the distinction between Strategic High Quality Employment Areas and Local Quality Employment Areas.
- 2.18 The EDNA itself noted that this distinction "*does not represent a common practice of designation based on the review of approaches followed by other planning authorities. Furthermore, the range used does not reflect the same scale of 'measurement'*" it goes on to recommend that "*this is something that may need to be considered in the future*" (point 7.14). It is considered that the review of the BCCS provides the ideal opportunity to review this distinction.
- 2.19 The EDNA clarifies that the most common delineation used elsewhere is to rate sites on a scale of best, good and other with specific/distinct references made to key strategic sites or enterprise zones (point 7.15). Sites are allocated to a classification by way of the quartiles within which their score falls and are ordered from the highest score (100) to the lowest (0) based on the scoring of a list of assessment criteria (point 7.15). It is considered that this offers greater flexibility than the binary approach of designating sites as either Strategic High Quality or Local Quality Employment Areas.

Question 52 – Do you think that the criteria used to define Local Quality Employment Areas are appropriate and reflect actual market requirements? Yes/No; If not how should the terminology be amended?

- 2.20 As discussed above, this Representation questions whether distinguishing between Strategic High Quality and Local Quality Employment Land is still appropriate. The EDNA suggests that a different classification system of Premium, Very Good and Good should be used. We strongly agree with this. Any future assessment of the joint planning areas employment land supply should use these categories, so that only the best quality employment land is protected.

Question 53 – Do you think that Strategic High Quality Employment Areas should continue to be protected for manufacturing and logistics uses, with the other uses set out in Policy EMP3 discouraged? Yes/no; If not, what alternative approach do you recommend?

- 2.21 The National Planning Policy Framework (NPPF) is clear at paragraph 22 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 and that land allocations should be regularly reviewed. Paragraph 21 of the NPPF also makes clear that policies should be flexible to accommodate needs not anticipated in the plan and allow rapid response to economic change. It is therefore the case that a thorough review of existing employment land should be carried out to evaluate the merits of existing employment areas as site such as Brownhills Business Park are clearly no longer worthy of policy protection.
- 2.22 We agree that sites assessed as being “Best Urban and “Good Urban” warrant protection, so long as there is sufficient flexibility to allow alternative use in the event that circumstances change (e.g. lengthy periods of vacancy). However, there is absolutely no justification for safeguarding or restricting the use of low quality employment sites, and an alternative approach must be taken that allows flexibility.

3. CONCLUSION

- 3.1 We have welcomed the opportunity to comment on the Issues & Options Consultation document and submit the site as part of the 'Call for Sites' exercise. We hope that the Council will consider the comments and the site in progressing with the emerging plan.
- 3.2 Cores Properties Ltd look forward to making further comments at Preferred Spatial Option Stage, which we understand will take place September 2018.

APPENDIX 1
SITE LOCATION PLAN



KEY



Site boundary

Brownhills Business Park

Client: CORE PROPERTIES LTD

Site Location

Drawing no. : P17-2178 01
 Date : 07/09/2017
 Drawn by : JT
 Checked by : DRAFT
 Scale : 1 : 2500 @ A3



APPENDIX 2
CALL FOR SITES FORM

Black Country Core Strategy Review - Call For Sites Form

The four Black Country Authorities (Dudley, Sandwell, Walsall and Wolverhampton) are inviting land owners, developers and other bodies to put forward sites to be considered for development as part of the Black Country Core Strategy Review.

Call for Sites submissions should only be made for sites within the Black Country or sites within neighbouring authorities but adjoining the Black Country urban area. However, submissions will be accepted for any site within a neighbouring authority which could potentially form part of a larger development which would adjoin the Black Country urban area, to allow discussions to take place with adjoining authorities. If your submission relates to a site which stretches beyond the Black Country into a neighbouring authority then this should be clearly stated and evidence of submissions to that neighbouring authority provided.

This form asks you to provide details about the site including location, ownership, current use, access, constraints, services and possible future use. Please provide as much information as possible to ensure your site proposal can be carefully considered. You can submit as many sites as you wish by completing a separate form and site boundary for each site.

It should take around 15 minutes to complete the information for each site you wish to put forward, depending on the amount of detail you wish to provide.

If you are acting on behalf of someone else you will be asked to provide their details.

The information you provide will be used to help prepare the Core Strategy review and will be shared with other employees or agencies (such as the Planning Inspectorate) who may be involved with the process. Please note that the local authorities are obliged to make the Call for Sites submissions available for public inspection. This means that, with the exception of telephone numbers, email addresses and signatures, your comments and other personal details that you provide will be publicly available. We therefore encourage you to avoid providing sensitive information that you do not wish to be published.

If you have any queries about the questionnaire please contact:
blackcountrycorestrategy@dudley.gov.uk

call: Dudley: 01384 814136 | Sandwell: 0121 569 4249 | Walsall: 01922 658020 |
Wolverhampton: 01902 554038

Please complete and submit by 5pm on the 8th September 2017.

Please provide your up-to-date contact details. If you are acting on behalf of someone else you will be asked to provide their details later in the questionnaire. Fields marked *will not be shared with anyone outside the Core Strategy review process. The contact details you provide will be held securely but we are required to publish your name and / or organisation alongside your submission.

1. Title

2. First Name

3. Last Name

4. Organisation/Company Name (where relevant)

5. Address Line 1*

6. Address Line 2*

7. Address Line 3*

8. Post Code*

9. Email Address*

10. Phone Number*

Details for Site

11. Are you acting on behalf of someone else? Tick one only.

No

Yes - on behalf of someone else (you must provide details in Q36)

The following questions ask about the ownership of the site and vehicle access

12. What is your / your client's interest in this site? If you are an agent please answer on behalf of your client only. Please select all that apply.

Sole owner

Part owner

Potential Purchaser

Developer - you intend to construct the development yourself if the site is allocated and planning permission is subsequently obtained.

Operator - you intend to operate the development yourself, e.g. manufacturer, hotel, mineral extraction.

Public Body or Utility Company

Amenity / Community Group

Local Resident

Other - Please specify

If other, please specify.

13. Please provide details of the other owner(s) if known.

14. Does the other owner(s) support your proposals for the site? Tick one only.

Yes

No

Don't know

15. Is there direct vehicle access to the site i.e. from a public road? Tick one only.

Yes

No

Don't know

16. Please provide information about the ownership (if known) of any land that would be needed to provide vehicle access.

Details for Site

The following questions ask about the location of the site. You are required to map the location of the site using a link on the consultation website once you have completed this questionnaire.

17. Site Name

Land at Brownhills Business Park

18. Site Address

Brownhills Business Park, Lindon Road, Walsall

19. Postcode

WS8 7BB

20. Site Area in Hectares

2.59 hectares

21. Site Area in Hectares of land suitable for development, if different to above

22. Please provide a brief summary of the current use(s) of this site or last known lawful use(s)

Employment uses (Use Classes B2, B8 and Sui Generis)

Details for Site

The following questions ask what you think the site could potentially be used for, what services are available and any related constraints on the site.

23. **What use or mix of uses do you propose for this site? Please tick all that apply.**

- | | |
|--|---|
| <input checked="" type="checkbox"/> Private Market Housing | <input type="checkbox"/> Retail |
| <input checked="" type="checkbox"/> Affordable Housing | <input type="checkbox"/> Open Space or Sports Pitches |
| <input type="checkbox"/> Industry or Storage (Use Classes B1b/c, B2 or B8) | <input type="checkbox"/> Community Facilities (including health or education) |
| <input type="checkbox"/> Offices (Use Class B1a) | <input type="checkbox"/> Sports / Leisure |
| <input type="checkbox"/> Gypsy and Traveller/ Travelling Showpeople Site | <input type="checkbox"/> Any other use (please specify below) |
| <input type="checkbox"/> Waste Management | |
| <input type="checkbox"/> Mineral Extraction | |

Any other use or a more specific proposed use for the site e.g. type of employment or type of open space please specify

Residential development including supporting infrastructure

24. **If housing or employment is proposed, please specify how many homes or how many hectares of employment land you think could be accommodated on the site.**

Approximately 70 dwellings assuming 30 dph

25. **What services are currently available at this site? Tick all that apply**

- Mains water
- Mains sewage
- Electricity
- Gas
- Oil
- Broadband
- None
- Not Known

Details for Site

26. What constraints, if any, affect this site? Please provide details below for each constraint.

- Land in other ownership must be acquired to develop the site
- Restrictive covenants - what land uses do these prevent or require?
- Current use needs to be relocated
- Rights of way (public or otherwise) across the site
- Contamination known or suspected
- Previous mining activity known or suspected
- Public Open Space
- Flood risk / drainage problems
- Ground instability (not linked to mining)
- Watercourse / culvert / other water body
- Area of mature woodland / tree preservation order
- Undulating or steeply sloping ground
- Underground services
- Pylons crossing the site / sub – station
- Constraints on adjoining land e.g. railway line, noisy industry
- Protected species / habitats
- Historic building / landscapes
- None of these

Please provide supporting details for each constraint identified above.

Former coal mining use and subsequent remediation may present contamination issue.

27. Is the site agricultural land? If so, then what is the agricultural land classification? Please provide survey results, including mapping.

28. **If there is a current use of the site that needs to be relocated what arrangements are required to achieve this relocation? e.g. manufacturer currently on the site needs to move to a building of xx square meters with good access to the motorway.**

29. **What new infrastructure do you think will be required to support the development of the site?**

- Major Roads
- Flood mitigation system
- Primary School
- Secondary School
- Local shops
- A new local centre
- A new park / open space
- Footpaths and cycleways
- Other

Please provide supporting details for the above.

30. **Are there any existing or historic planning permissions on the site? If yes please include any details e.g. application reference number.**

- Yes No Don't know

31. **Is the land available immediately for development (subject to obtaining any necessary planning permissions)? Tick one only.**

- Yes No Don't know

If no, please explain why not and give an estimated timescale for when it will become available.

32. Is there any current market interest in the site, other than from you / your client? Tick all that apply.

- Owned by developer
- Under option to developer
- Enquiries received from prospective purchasers / developers
- Site being marketed
- None
- Not known

Please provide further details of the market interest in this site.

33. Once started how many years do you think it would take to develop the site?

2 years

34. Do you think it is likely that there will be viability issues with developing the site that will require the use of external funding?

Housing is likely to be the only viable form of redevelopment of this site without public funding

35. Have you previously contacted a Black Country or neighbouring authority about this site? Tick one only.

- Yes No

If yes, please provide brief details e.g. who you contacted and when and the current position of discussions.

Pre-application discussions with Walsall Council, Case Officer Barbara Toy

36. Please provide any additional comments you may have that are relevant to the site you are putting forward.

Please see accompanying Representation.

37. Each site will need to be visited to enable an assessment of the site. By completing this form you consent to Council employees (or their representatives)

visiting the site. Visits will be conducted unaccompanied wherever possible. Where there are reasons why an unaccompanied site visit would not be practical please indicate below so that alternative arrangements can be made.

If acting on behalf of someone else please provide details here

Please provide the details of the individual or organisation you are representing. Please ensure you have consent from the individual or organisation prior to providing their details. Fields marked *will not be shared with anyone outside the Core Strategy review process.

38. Title

39. First Name

40. Last Name

41. Organisation / Company Name

Cores Property Ltd c/o Technolink

42. Address Line 1*

Suite 4, Oak Lodge

43. Address Line 2*

135 Marshall Lake Road

44. Address Line 3*

Solihull

45. Post Code*

B90 4RB

46. Email Address*

matthew@technolink.uk.com

47. Phone Number*

0121 744 7474

48. Has the landowner been informed of this Call for Sites submission? Tick one only.

Yes

No

Site Boundary

The boundary of your site must be mapped and provided on an OS based map at a scale that shows field, property and adjacent road boundaries.

All of the site boundaries and Call for Site forms will be reviewed by the four authorities for accuracy. Following this all mapped sites will be visible to the public.

If you would like us to consider other documents, such as draft layout plans, masterplans or design statements, please attach these to your site submission.

Thank you for submitting your site details. If you wish to submit details for further sites please complete a new form.

APPENDIX 3

BLACK COUNTRY CORE STRATEGY RESPONSE FORM