

Black Country Core Strategy

Issues and Options Report

Representations on behalf of IM Properties
Limited

September 2017

Turley

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1. Introduction

- 1.1 These representations are made on behalf of IM Properties Limited in respect of the Black Country Core Strategy Review Issues and Options Report (the 'I&O Report').
- 1.2 They are not site specific but concern the approach of the review to the provision of appropriate levels of employment land to meet the needs of the Black Country and the aspirations of both the LEP and the West Midlands Combined Authority in their Strategic Economic Plans.

2. Response to Questions

Q1. Do you agree that the Core Strategy review should be a partial review, retaining and stretching the existing spatial strategy and updating existing policies? If not, what do you think should be the scope of the review?

- 2.1 Paragraph 151 of the National Planning Policy Framework ('NPPF') establishes that Local Plans should be consistent with the principles and policies set out in the NPPF. The adopted BCCS was published in 2011, prior to the publication of the NPPF in March 2012. It is based on circumstances and needs identified by the now revoked West Midlands Regional Spatial Strategy ('WMRSS') and the subsequent WMRSS Phase II Review Panel Report. The Solihull MBC v Gallagher Homes Limited and Lioncourt Homes Limited Judgment [2014] EWHC 1283 (Admin) was clear that the NPPF affected radical change in plan making.
- 2.2 The West Midlands Combined Authority's Strategic Economic Plan ('WMCA SEP') (June 2016) provides a city-regional perspective on economic growth and the consequential need for more housing. It envisages an additional 50,000 jobs across the West Midlands by 2030 over and above the 450,000 assumed in the current plans of the 3 LEPs and their constituent Councils, including the Black Country. This also has consequences in terms of housing, with 215,000 homes needed over the same period, about 50,000 more than in the current evidence base underpinning local plans.
- 2.3 Furthermore, the vision of the WMCA SEP is built on the premise of delivering an extra 1,600 hectares of brownfield land for "first class employment land of national significance", which the Black Country will play a crucial role in meeting. With concerns on the viability and size of regenerating brownfield land for employment uses of "national significance", it is imperative that the Black Country Authorities also assess greenfield land to deliver strategic employment sites.
- 2.4 This scale of ambition, which underpins the devolution deal which established the WMCA and is founded upon rebalancing the national economy, major investment in new infrastructure, including HS2 and its Connectivity Package to all parts of the West Midlands, the focus of the Midlands Engine and the Government's Industrial Strategy, will transform the Black Country over the next 15-20 years.
- 2.5 The Spatial Strategy therefore needs to be comprehensively reviewed and rethought. Others will make the case (including our subsidiary company IM Land) for a review of the Green Belt in order to accommodate a minimum of 14,270 dwellings which cannot be accommodated within the urban area, even allowing for an increase in urban capacity of 10,000 dwellings. This assumes the redevelopment of some existing industrial sites within the urban area for residential use.
- 2.6 The counterpoint is that the local economy, whilst sustained on many smaller businesses which rely on urban locations, requires modernisation and the ability to attract inward investment, both within the Enterprise Zones and in new locations which are highly accessible and attractive to modern occupiers. This will require a thorough review of employment land supply, its suitability to meet modern requirements and

market demand, and the potential for new sites to be identified which may require Green Belt release.

- 2.7 In this regard, a study of Strategic Employment Sites in 2015 (by PBA/JLL) on behalf of the West Midlands Local Authority Chief Executives group identified the need for a second stage of work to address what it concluded was an impending shortage of major employment sites. This reflects the policy vacuum since the demise of the WMRSS which had a suite of policy responses to identify Regional Investment Sites and Regional Logistics Sites. As current sites are used up, there is no policy response in preparation. IM Properties Limited has raised this as a matter of urgency with the LEPs within the WMCA area and proposed a brief for a second stage of work.
- 2.8 It is positive therefore to see in the WMCA Land Delivery Action Plan being considered at the WMCA Board on 8 September that a number of strategic studies are proposed, including one to review “modern business requirements”. It is disappointing however that this falls short of a commitment to the second stage of the Strategic Sites Study but is however a positive direction of travel. This work should align with and provide strategic context for the further evidence base work required to support the Black Country Core Strategy Review.
- 2.9 A full review of the BCCS is therefore essential to ensure:
- The plan is up to date and is prepared in the current planning context, and reflects the area’s current needs.
 - All policies and objectives of the emerging BCCS Review are consistent with national planning policy.
 - It comprises a strategy which will deliver against the Black Country’s identified needs, and one that is effective, and measurably so, when compared to the shortcomings of the adopted BCCS.

Q2. Do you think that the key evidence set out at 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 sites or in any particular areas?

- 2.10 See response to Q1 in respect of employment studies. This will also need to be supplemented by appropriate work on strategic infrastructure.

Q5. Do you agree with the proposed approach to the Black Country Green Belt Review? If not, what additional work do you think is necessary?

- 2.11 The Green Belt Review should be a robust assessment, undertaken in accordance with national planning practice guidance and the NPPF, specifically taking account of the need to promote sustainable patterns of development and not including land which it is unnecessary to be kept permanently open.
- 2.12 As part of this, the methodology for the Green Belt Review should be published for consultation prior to work commencing. This will be important to ensure the Review is robust and has the support of the development industry.

- 2.13 The I&O Report indicates the GBHMA Strategic Growth Study (renamed the 'Strategic Locations Study') will "inform and provide the basis" for the Black Country Green Belt Review.
- 2.14 The methodology for the Strategic Locations Study, made available in July 2017, is very broadbrush and it is currently unclear if the strategic nature of the study will be repeated by the Black Country review or a more fine-grained approach taken which uses the Strategic Locations Study as a fixed starting point.
- 2.15 Furthermore, the Strategic Locations Study is premised on addressing the shortfall in housing supply with no equivalent assessment of how much employment land is needed. The review would be fatally flawed in our view if it proceeds without a clear understanding of the need for development including both housing and employment.

Q11a. Do you support Strategic Option 1A? Yes / No; If yes, please explain why. If no, do you support Option 1B? Yes / No; If yes, please explain why. If you support the release of further employment land for housing, what should the characteristics of these employment areas be?

- 2.16 There is a need for the Black Country Authorities to accommodate 81,190 new homes and up to 300 ha of new employment land between 2014 and 2036. It is clear that both will require significant new land and infrastructure to support this level of growth, and this will require a different spatial strategy to the current one.
- 2.17 There is currently a deficit of 57 ha gross of employment space across the Black Country. The monitoring data at Appendix C of the I&O Report identifies that there is a surplus in local quality employment land (146 ha), but a deficit of 218 ha in high quality employment land. This does not distinguish between different types of employment, including different use classes and size or characterisation.
- 2.18 The Black Country's employment land is characterised by its supply of smaller industrial units which are typically adjacent to residential areas and provide the backbone of the Black Country economy. In some cases, their loss to residential would negatively impact business in the area and remove local, sustainable job opportunities. Whilst there is pressure for increasing residential capacity and density within the existing urban area, care needs to be taken in ensuring a balance of what constitutes a sustainable pattern of development.
- 2.19 Further employment land supply evidence is required to achieve this balance between protecting smaller urban sites and the need as identified in our response to Q1 to provide larger high quality sites to meet the needs of modern industries and new operators, and their requirements for better accessibility to markets. This will facilitate the redevelopment of some urban sites for housing, but the Black Country faces choices with an overall employment land deficit of 300 ha and growth ambitions which will not be met simply by the regeneration of constrained urban sites. A number of larger employment allocations in more accessible locations will be needed.

Q50. Do you think that the Core Strategy should continue to set a target for the total employment land stock in Policy EMP1? Yes/No; Please explain why. Do you think that distinguishing between Strategic High Quality Employment Areas and Local Quality Employment Areas is still appropriate? Yes/ No; Please explain why.

- 2.20 The NPPG sets out that Local Planning Authorities are required to publish information at least annually that shows progress with Local Plan preparation. The Core Strategy should therefore continue to set a target for the total employment land stock to ensure the Annual Monitoring Report can be measured against a specified target.
- 2.21 Considering there is an acknowledged surplus in local quality employment land (146ha) and a large deficit of 218ha in high quality employment land, the Core Strategy should continue to distinguish between strategic high quality and local quality employment areas and provide suitable policy responses for each category. As set out in the response to Q11a above, there will be potential for the reallocation of some of this surplus local quality land for housing, whilst protecting the more important and productive sites. There will also be choices to make between the ability to enhance the quality of existing larger sites or employment areas and identifying new sites at strategic locations, including within the Green Belt if the Black Country's economic strategy and the WMCA SEP ambitions are to be met.

Q54. Do you agree that the current approach in Policy EMP4 is no longer fit for purpose and should be amended to reflect a portfolio based approach? Yes/ No. If no, what alternative approaches would you recommend?

- 2.22 As per our response to Q1, a full review of the BCCS is essential to ensure the plan is prepared in the current planning context, all policies are consistent with national planning policy and it comprises a strategy that will deliver against identified needs. Policy EMP4 is therefore no longer fit for purpose and should be replaced within the emerging BCCS Review.
- 2.23 Also, as explained in response to Q50, the replacement policy should reflect the nature of different employment sites, in particular highlighting the different roles performed by strategic high quality or local quality employment areas and responding to the requirements of modern industry (which will be the subject of further study).

3. Conclusion

- 3.1 IM Properties Limited welcomes the opportunity to engage with the Black Country authorities in respect to the emerging BCCS Review.
- 3.2 Since the Black Country Core Strategy (BCCS) was adopted in February 2011, the West Midlands Regional Spatial Strategy has been revoked and the National Planning Policy Framework has been published, representing a significant change in the planning policy context. The Black Country's ambitious housing and employment needs are now much greater, and the area has not been meeting the targets set out in the BCCS. A full review of the Plan is therefore necessary to ensure it is robust and meets the requirements of national planning policy.
- 3.3 In meeting the proposed level of growth, some Green Belt release will be necessary. It is important that this review takes full account of the needs of modern industry and updates the evidence on strategic employment land requirements.

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