

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



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

APPENDIX 3

BLACK COUNTRY CORE STRATEGY RESPONSE FORM

Black Country Core Strategy

'Have your Say' Response Form

We want your views on the future of the Black Country. This form is to help you to comment on the Black Country Core Strategy Issues and Options Consultation. The document is available on the website at:

www.blackcountrycorestrategy.dudley.gov.uk

How to complete this form: We have set out a number of questions in the Issues and Options document that we would like you to answer. You can answer as many or as few questions as you like. You can also make comments on any other part of the plan or supporting evidence and documents. This form is provided as a single box. If you are making representations of different sections of the Issues and Options document please use a separate box for each question or chapter.

Where possible please submit evidence to support your views. This can range from a personal explanation behind your choice of option, to detailed figures from a piece of published evidence. If you are submitting detailed supporting evidence it would be helpful if you could include the title, author and date of the document(s). Any supporting evidence can be attached to this form or submitted as a separate document.

How to submit your comments: Please complete this form and return it by **5pm 8th September 2017**. Any comments received beyond this date might not be taken into account. This form and any other documents you might wish to provide can be sent by email to blackcountrycorestrategy@dudley.gov.uk or by post to:

Dudley Council
Council House
Priory Road
Dudley
DY1 1HL

If you require this form in an alternative format please contact 01384 814136 or
blackcountrycorestrategy@dudley.gov.uk

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.