

Black Country Plan Team,  
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20 August 2020

EP ref: 18-134

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Dear Sir / Madam

Re: 2020 Call for Sites – Aldridge school and land south of Bosty Lane, Aldridge  
(site ref: 281)

We write in respect of the land south of Bosty Lane, Aldridge, which we are promoting on behalf of HIMOR (Land) Ltd. The site location is shown on the updated concept masterplan, which is enclosed at Appendix **EP1**. This also shows Aldridge School, the redevelopment of which could potentially comprise a key component of an allocation for this site. This letter provides an update to the previous call for sites submission by HIMOR.

The Black Country Urban Capacity Study Update 2019 identifies a significant shortfall of housing across the plan area to 2038, of some 27,000 homes. The shortfall in Walsall alone equates to approximately 9,500 dwellings. The site can play a significant role in addressing this very substantial shortfall.

We submitted the site to the 2018 Call for Sites. The site is assessed under site reference 281 (Aldridge School and land to the south of Bosty Lane) on the Black Country Plan (BCP) Call for Sites mapping. The purpose of this submission is to update our client's position in relation to the site, and to address the sections in the Council's current call for sites system where no information is currently set out. An updated concept masterplan is also provided at Appendix **EP1**. HIMOR intends to update this further in due course, with a view to providing a complete development framework document to the Council later this year. This will set out the results of baseline technical studies, and a vision for how the site could be developed.

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## **Background & proposals for the site**

HIMOR is an established strategic land promotion company with a track record of delivering strategic sites of this nature. HIMOR reached agreement with the landowners to promote the land south of Bosty Lane for development in 2018.

HIMOR is promoting the land under their control to the south of Bosty Lane for residential development to meet identified housing needs, irrespective of the need for a new school. However, there is an opportunity to promote the land jointly with Aldridge School, to deliver a replacement school for the benefit of the local community.

The current school was built in the 1950s and requires extensive ongoing improvements and modernisation to meet modern educational needs. The proposals present an opportunity to deliver a new state-of-the-art educational facility, funded by the residential development at the existing school site and the land south of Bosty Lane. Therefore, in addition to the residential development, which is desperately needed and for which Green Belt release will be required in any event, the proposals also offer an opportunity to secure the long-term future of the school.

Whilst HIMOR intends to continue to promote the site and their land through the emerging BCP it should be noted that the opportunity to deliver a new school (funded by the wider residential development) is viewed as a potential shorter term opportunity, which could be brought forward via a planning application if the Council indicates that it would support the proposals. In principle, the delivery of a new school is capable of comprising the very special circumstances necessary to outweigh the harm to the Green Belt, such that planning permission could be granted outside of the development plan process. In this regard we draw attention to two recent Secretary of State appeal decisions:

- The first is dated 21 March 2018, in respect of Effingham School in the borough of Guildford (PINS ref: APP/Y3615/W/16/3151098). The proposed development involved the erection of a replacement secondary school and 258 new dwellings in the Green Belt, and the redevelopment of the existing school site for 37 dwellings. The Secretary of State found that the provision of school buildings which meet modern educational and social need; addressing the condition of the school; and meeting the need for school places each carry very substantial weight, and furthermore that these comprised very special circumstances which outweighed the 'substantial' harm to the openness of the Green Belt which had been identified. That appeal was allowed. A copy of the appeal decision is provided at Appendix **EP2**.
- The second is dated 22 April 2020, in respect of the Seashell Trust campus in the borough of Stockport (PINS ref: APP/C4235/W/18/3205559). The proposed development involved the erection of a new school and campus facilities, and 325 new dwellings in the Green Belt. The Secretary of State concluded that the benefits of the development, in particular the improved provision for special needs education, outweighed the harm to the Green Belt, and so very special circumstances exist to justify this development in the Green Belt. The Secretary of State gave only very limited weight to the emerging GMSF allocation, which emphasises the significance of the weight given to the educational benefits. A copy of the appeal decision is provided at Appendix **EP3**.

There are further examples of where a new school, cross-subsidised by residential development in the Green Belt, can comprise very special circumstances, such as Kings School in Macclesfield which was approved by Cheshire East Council in 2017. In that instance the Secretary of State reviewed the case and chose not to call-in the application.

Whilst these cases were planning applications concerning the existence of 'very special circumstances', the delivery of new or improved education facilities can equally comprise the 'exceptional circumstances' necessary to justify the release of land from the Green Belt through the BCP. This would be a material consideration capable of comprising exceptional circumstances in its own right, irrespective of the other exceptional circumstances which apply in this case (i.e. the absolute housing need across the Black Country, the need to provide the right types of housing in

the right locations, and the need to ensure a deliverable supply of housing land over the plan period, including the first 5-years of the plan).

### **Call for sites information**

We hereby provide information to supplement that previously provided in relation to site reference 281, specifically to address aspects of the proposal where information is currently not provided on the Council's system or the information previously provided requires updating. We have also updated the site location plan to exclude Council owned land from the submission. HIMOR's proposal is not reliant upon that land and no agreement is in place with the Council to develop it. Nevertheless, the Council's land could be considered as part of an allocation if it so chooses.

#### What is your / your client's interest in this site?

HIMOR has an option agreement in place with the landowner to promote the site. HIMOR's land is shown edged red on the attached plan at Appendix **EP1**. This also shows the adjacent school, located to the north of Bosty Lane.

There is also Council owned land to the west of HIMOR's site which could also form part of a wider allocation, should Walsall Council wish to promote its own land for development. However this is not included in the current proposals as it is not currently known if the Council wishes to promote its own land for development.

#### Site area in hectares

The land controlled by HIMOR comprises approximately 46.8 hectares. Aldridge School comprises approximately 11.5 hectares. These land interests are shown on the plan at Appendix **EP1**. The total site area comprises approximately 58.3 hectares.

As discussed below, Walsall Council owns land to the west of the site. This could also form part of the proposed allocation, potentially to accommodate the replacement school, if the Council chooses to dispose of its land and/or promote it for development. However, for the purpose of the call for sites submission we have excluded it from the proposals, and site reference 281 should be updated accordingly.

#### Site Area in hectares of land suitable for development, if different to above

Not Provided.

#### What use or mix of uses do you propose for this site?

The proposal involves residential development and a replacement secondary school. An updated concept masterplan is provided at Appendix **EP1** which sets out one way in which the site could be developed to provide for a new school.

The mix of residential development could accommodate specialist housing such as C2 care facilities, as well as starter homes and affordable housing to meet local policy requirements. There is also potential scope for employment and/or retail development as part of a mixed-use scheme.

#### 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.

Including land for a replacement school (circa 7.5ha), the land controlled by HIMOR has an approximate capacity of 425 dwellings. However, there is potential for the school to be provided on alternative land elsewhere within the vicinity of the site, for example on the Council owned land to the west, should Walsall Council wish to promote that land for development. This would increase the capacity of HIMOR's site. HIMOR is willing to investigate all potential options in conjunction with the school and Walsall Council.

The 11.5 hectares at Aldridge School, if redeveloped for housing, has an approximate capacity of 225 dwellings.

Therefore, in total the site has capacity for approximately 650 dwellings including the proposed replacement school of 7.5ha.

What services are currently available at this site?

We understand that all local services and infrastructure, including electricity, mains gas, foul sewers and telecommunications infrastructure are available.

What constraints, if any, affect this site?

There are no constraints capable of preventing delivery. The site could be developed with appropriate retention and green buffers to areas of woodland (Cuckoos Nook and The Dingle) to the south. Our client controls a significant quantum of land, including land which could also be offset to provide landscape and ecological enhancements as part of a comprehensive development.

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

We have suggested that providing a replacement school for Aldridge School, to meet modern educational requirements, could form part of the proposed development.

Is there any current market interest in the site, other than from you / your client?

Yes. HIMOR is an experienced land promotion company that has a track record of bringing sites to the market immediately following the granting of outline planning permission. HIMOR is aware of strong market interest in this area from developers and anticipates no issues in quickly disposing of the site to a developer(s).

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

Based on a development of 650 dwellings and a replacement secondary school, we would estimate a build period of 8-10 years, assuming 2-3 developers. However, this depends upon the scale of development proposed through an allocation. The Councils will also need to consider local evidence on build rates.

**Other evidence documents relating to the site**

A series of evidence documents have been published on the Council's website. Whilst comments are not specifically invited upon these documents, at Regulation 18 stage it is important that interested parties are able to comment upon aspects of the evidence base, as part of an iterative process of engagement. The documents are clearly of relevance to the Council's consideration of sites. We therefore comment on the documents below insofar as they relate to the subject site.

Back Country Green Belt Study (GBS)

The site is located within sub-parcel B93E as identified within the GBS. The overall conclusion is that the parcel receives a harm rating of 'very high' (if developed). However, the stage 2 assessment at Appendix 3 does not provide the more detailed assessment of the sub-parcel which the methodology section in the GBS purports to undertake. The assessment of the site simply sets out the assessment from stage 1 (which was the assessment of parcel B93, a much wider area), before providing a single paragraph of commentary in the assessment section. It states:

*"The sub-parcel makes a strong contribution to preventing the sprawl of the West Midlands conurbation, maintaining the separation of Walsall, Aldridge, and Streetly (adjoining Sutton Coldfield) and preventing encroachment on the countryside. The sub-parcel is contained to the north by the settlement edge of Aldridge, which forms part of the West Midlands conurbation. Bosty Lane bounding the north of the sub-parcel creates a strong distinction between the inset settlement and land in the northern part of the sub-parcel. The expansion of Aldridge southwards would result in a weaker boundary and narrowing of the gap between Walsall, Aldridge, and Streetly (adjoining Sutton Coldfield), and would potentially increase containment of adjacent Green Belt land. As the adjoining sub-parcels B100A and B94A are fully developed, there would be no justification in retaining their Green Belt status if adjacent open land were released, although this would not increase Green Belt harm."*

Addressing the points raised in turn:

- Insufficient consideration is given to existing built infrastructure, and natural features which can act as boundaries such as woodland. In this regard, the parcel is contained by permanent road infrastructure and residential development to the west, east and north. Cuckoo's Nook and the Dingle (areas of significant woodland belt) provide very strong natural boundaries to the south. The sub-parcel features existing developments to the south of Bosty Lane, including Bosty Lane Farm and Aldridge Lane Farm. These are highly pertinent considerations in assessing the contribution of the site to preventing encroachment and unrestricted sprawl.
- The development of the parcel (or parts thereof) would not result in any physical or perceived merging of two settlements. Any development would be contained by the permanent features described above, with intervening land remaining between settlements in any event.
- The assessment refers to sub-parcels B100A and B94A, and indicates that the release of sub-parcel B93E parcel would inevitably result in the release of those parcels, as they are already permanently developed. However, the assessment fails to acknowledge that these permanent developments (east and west of B93E) are highly pertinent to the contribution that the site makes to the Green Belt purposes, i.e. they provide a development context to the east and west, in addition to the edge of the settlement to the north.

We therefore consider that the assessment of sub-parcel B93E should be revisited within the assessment, taking into account the considerations set out above. On any reasonable assessment we consider that the overall harm rating should be substantially reduced.

Furthermore, whilst we acknowledge that the GBA cannot be expected to take into account specific development proposals and potential mitigation (including compensatory Green Belt enhancements), clearly that can be considered by the Council in the preparation of its plan. Such measures must inform the overall assessment of harm to the Green Belt. In this case, the land south of Bosty Lane is a very significant site with the potential to provide significant areas for ecological enhancement and recreational use. We are also currently working on a further revised green infrastructure led masterplan for the site which will set out ways in which significant Green Belt compensatory measures could be delivered, in accordance with the National Planning Policy Framework.

#### Black Country Landscape Sensitivity Assessment (LSA)

The site forms part of parcels BL30 and BL31 in the LSA. Both parcels are assessed as being of moderate-high landscape sensitivity. It is important to note that these parcels cover more extensive areas than the land being promoted. They also include potentially sensitive features, such as areas of woodland, which would be unlikely to form part of the developable area for the site. The assessment also does not account for any specific mitigation proposals. Therefore, whilst the document may be used in developing proposals for site allocations, we do not consider that it should form a determinative or binary part of the site selection process (i.e. filtering sites based upon landscape sensitivity).

#### Ecological Evaluation of the Black Country Green Belt (EE)

Figure 9 of the EE indicates that HIMOR's land mainly comprises 'high' ecological value. However, the report does not include any information to support the assessments of individual sites / areas, such as site proformas or the results of walkover surveys. It is currently impossible to respond to the evidence without understanding on what basis the assessment has been made. This needs to be provided well in advance of the selection of draft allocations to allow for fair and proper scrutiny of the evidence. It should be noted that HIMOR has been pro-active in allowing the Council's consultants access to its land to undertake survey work, and the Council should therefore be forthcoming in producing this evidence.

Notwithstanding the above, the assessment of the site as being of 'high' ecological value is impossible to reconcile with the existing use of the land, which is predominately agriculture / pasture. HIMOR has undertaken its own survey work, and a letter setting out the findings is provided at

Appendix **EP4**. Whilst certain features within the land are considered to be of high ecological value, the majority is considered to be of much lower value. Key features, such as the woodland to the south (Cuckoo's Nook and the Dingle) can be protected and potentially even enhanced through development, with appropriate buffer areas and long-term management provided.

## **Conclusions**

The site represents a very logical choice for an allocation for development in the emerging plan. It is deliverable and can contribute to meeting the identified development needs of the Black Country in a highly accessible location. The site is also capable of bringing about significant social benefits in the form of:

- A new, state-of-the-art replacement high school, which would benefit the wider local community;
- Market and affordable housing comprising approximately 650 dwellings, to meet very significant identified shortfalls in provision;
- Substantial areas of public open space and footpath linkages which can be used by new and existing residents; and,
- A green infrastructure led masterplan which delivers a net gain in biodiversity and links with existing environmental assets, such as Cuckoo's Nook and the Dingle.

We submitted an initial concept masterplan to the previous call for sites exercise in 2018. This has been updated to reflect these submissions, a copy of which is provided at Appendix **EP1**.

We are currently in the process of developing the refining the proposals. We intend to prepare and submit a development framework document, including more detailed proposals for the replacement school and the findings technical information, later this year.

Should you have any queries or require any additional information in advance of us submitting the development framework, please do not hesitate to contact us.

Yours sincerely  
Emery Planning

**John Coxon BSc (Hons), MRTPI**  
**Director**

**Enc:**     **EP1** – Site location plan / updated concept masterplan  
          **EP2** – Secretary of State appeal decision (Effingham)  
          **EP3** - Secretary of State appeal decision (Seashell Trust)  
          **EP4** – Results of ecological walkover survey

**Cc:**       Simon Tranter, Walsall Council  
          Client