

BIRMINGHAM DEVELOPMENT PLAN EXAMINATION

**MATTER E: GREEN BELT POLICY, THE LANGLEY
SUSTAINABLE URBAN EXTENSION [SUE] ALLOCATION
AND THE PEDDIMORE EMPLOYMENT ALLOCATION
(BDP POLICIES TP10 & GA5-6)**

**STATEMENT ON BEHALF OF BIRMINGHAM CITY
COUNCIL**

Main issues: Does the Plan comply with national policy in its approach to the Green Belt? Are the Langley SUE and Peddimore employment allocations justified and deliverable? Should other Green Belt and/or major greenfield allocations be made?

General

- G.1 The Green Belt policies in the Plan comply with the National Planning Policy Framework (NPPF) and seek to prevent urban sprawl and neighbouring towns merging into one another, safeguard the countryside from encroachment, preserve the setting of and special character of historic towns and assist in urban regeneration by encouraging the reuse of brownfield land.
- G.2 Alterations to the Green Belt boundary to allow housing and employment development at Langley and Peddimore are justified by the need for growth, which is beyond what the urban area can accommodate. The Plan demonstrates that the allocations are deliverable within the Plan period and that there are no major constraints to development and deliverability.
- G.3 The Green Belt Assessment (PG1) and housing delivery assessments (PG3, PG4) determined that the development of other Green Belt land and/ or major greenfield site(s) are not suitable or deliverable within the Plan period.

Issue 1

Does policy TP10 set out an appropriate approach to the management of the Green Belt?

- 1.1 TP10 is consistent with national policy on Green Belt and will provide an appropriate mechanism for its management. It seeks to protect the Green Belt from inappropriate developments whilst encouraging public accessibility and outdoor sports and recreation. This is consistent both with the NPPF and the Council's ethos of encouraging sport and physical activity.

Issue 2

Do exceptional circumstances exist which justify an alteration to the Green Belt boundary to accommodate 6,000 new dwellings?

- 2.1 The exceptional circumstances which justify an alteration to the Green Belt boundary to accommodate new housing are evidenced by the City's Strategic Housing Market Assessment (H2), Strategic Housing Land Availability Assessment (H11) and Housing Targets 2011-31 Technical Paper (H1). These assessments confirm that housing need over the plan period would be far greater than the capacity of the urban area to accommodate it. By 2031 Birmingham's population is projected to grow by 150,000 resulting in a housing requirement of 84,000 dwellings, although this is currently under review. See paper on Matter A: Housing Need and the Housing Trajectory. The 2013 SHLAA demonstrates a capacity for around 43,000 dwellings in locations outside the Green Belt over the remainder of the plan period, leaving a substantial shortfall in supply.

- 2.2 The NPPF requires local planning authorities to ensure that their plan meets 'objectively assessed needs' for housing. All reasonable options for accommodating the level of growth projected, within the existing urban area, have been explored, including building at higher densities, allocating open space for housing, and allocating employment land for the housing. However, none of these options are capable of delivering much additional development capacity without unacceptable adverse consequences. (See Options Consultation HTY11 and Sustainability Appraisal SUB3).
- 2.3 In the absence of any deliverable option and having limited capacity within the urban area, the Council undertook an assessment of the City's Green Belt, which concluded that it would be acceptable to allocate a site of 273 hectares, to the east of Walmley, Sutton Coldfield as a Sustainable Urban Extension. (See Green Belt Assessment PG1).
- 2.4 The reasons for not allocating further land for housing from the Green Belt are set out in Issue 8 below.

Issue 3

Do exceptional circumstances exist which justify an alteration to the Green Belt boundary to provide 80ha of employment land?

- 3.1 The exceptional circumstance justifying the release of Green Belt land for employment development is the significant shortage of 'best quality' employment land as compared to predicted demand over the plan period. The City Council's response to matter 2 outlines the current position in terms of employment land supply and notes that there is currently 66.87 hectares of best quality land of which 42.81 hectares is readily available. The BDP target for best quality sites is to maintain a 60 hectare minimum reservoir over the plan period and current supply therefore falls short of this target. The latest figures for best quality land availability have therefore declined since the 2012 Employment Land Review which noted that total supply was 77 hectares which at the time was considered a record low (EMP2). The position in terms of best quality supply has been worsened by the safeguarding of the Washwood Heath Sites for HS2 which at 54 hectares was the largest development opportunity available within the City. The WECD report (EMP 4) estimates that the most likely demand for best quality land over the plan period could be as high as 224 hectares. Currently supply on brownfield sites is significantly short of this possible demand.
- 3.2 The decline in land availability reflects renewed development activity within the best quality market which recorded completions of 15.59 hectares during 2013/14, the highest since before the economic downturn in 2008. Significant developments included 5.54 hectares at Jaguars Castle Bromwich production facility and a further 8.35 hectares at Prologis Park, Minworth.
- 3.3 The City Council has considered the future supply of employment land within the urban area but concluded that insufficient large brownfield sites will become

available to meet projected demand over the plan period. The Council therefore undertook an assessment of the City's Green Belt, which concluded that it would be acceptable to allocate a site of 80 hectares at Peddimore, Sutton Coldfield as a best quality employment site to address the shortage in supply (See Green Belt Assessment PG1).

- 3.4 It is clear that without the Peddimore proposal the City will not be able to accommodate demand for best quality land over the plan period resulting in the loss of jobs and investment within the City.

Issue 4

a) Is there adequate justification, including Sustainability Appraisal and assessment of the transport, education, health, drainage, sewerage and other infrastructure implications, for the selection of Green Belt "Area C" to accommodate the Langley SUE?

- 4.1 The Sustainability Appraisal 2013 (SUB3) appraised the release of Green Belt land "Area C" for housing development and concluded that the expansion of the City's footprint would inevitably entail negative effects across some sustainability objectives (notably impact on natural resources and the efficient use of land), but that the overall sustainability effects are likely to be positive in the context of creating mixed use development which encourages relative self-containment, enhancing the environmental quality of the area through green infrastructure, for example, and contributing to meeting the needs of the City and Region.
- 4.2 The Transport Analysis of Green Belt Options (TA3) provides an assessment and justification for the selection of Area C, demonstrating that it is an acceptable location for the development of a SUE.
- 4.3 The Highways Agency, having reviewed the transport evidence, are content that the Strategic Road Network traffic impacts from the Green Belt sites in Sutton Coldfield are acceptable when accompanied by the identified mitigation measures.
- 4.4 The City Council's Children, Young People, and Families Directorate have assessed school place requirements in Sutton Coldfield including provision for Langley SUE. This takes account of Early Years, Primary and Secondary provision.
- 4.5 The scale of this development equates to an additional 3262 pupils (272 per year group) in the area, or an additional 9 form entry (9 classes per year group). This can be provided through either (a) 2 x all-through schools accommodating ages 3-16 (one 4 form entry, one 5 form entry) plus one special school or (b) 3 x primary schools of 3 form entry including nursery provision and 1 large secondary school of 9 form entry plus one special school.
- 4.6 The requirement for additional school provision is necessary regardless of which option area is chosen and Policy GA5 provides for additional educational facilities to be provided.

- 4.7 Birmingham Cross City Clinical Commissioning Group (CCG) was consulted on the BDP and specifically on the health facilities that would be required to support the Langley SUE. An initial high level assessment was undertaken which determined the approximate size of primary care centre that would be required. Policy GA5 recognises that new health facilities will be required to support the Langley SUE and there has been ongoing consultation with healthcare providers to determine the type, level and timescale for the delivery of new facilities.
- 4.8 The Strategic Flood Risk Assessment Level 1 (ES8) provides a high level assessment of the flood risk of all the proposed development sites in the BDP. The majority of Area C falls within Flood Zone 1 which means that development is largely unrestricted. A small area of Flood Zone 2, within Area C, is associated with the Langley Brook where flood risk modelling would be required at the detailed stages of development. The Environment Agency and Severn Trent Water have raised no objection to the allocation of Area C for housing development. The Local Drainage Authority has not raised any concern about this issue.

b) Is the SUE deliverable within the expected timescale?

- 4.9 The Housing Delivery Report by Peter Brett (PG3) assessed the viability and advised on the housing output of each of the Green Belt option areas. The report, informed by local housing market research, demonstrates that Area C is viable and can deliver approximately 5,000 homes by 2031 under strong market conditions and 3,800 in a weaker market. Much will depend on the rate of economic recovery which is very difficult to predict.
- 4.10 The Infrastructure Delivery Plan (IMP1) and Site Delivery Plan (IMP2) also demonstrate that there are no major constraints to delivering the Langley SUE within the plan period. Developer interest has been expressed for almost the entire site and the land is being actively promoted by a consortium of developers.

Issue 5

Is there adequate justification for all the requirements of policy GA5, including preparation of a Supplementary Planning Document?

- 5.1 The requirements of Policy GA5 are consistent with the principles and policies in the NPPF and those within the Plan. The requirements cover the key issues concerned with the successful delivery of the policy. The justification for the requirements stem from the recommendations/ mitigation measures advised by technical assessments that have been undertaken. The “Connectivity” requirements have been informed by the Green Belt Travel Demand Report (TA9) and the Green Belt Development Movement Infrastructure Plan (TA7). The “Green space and ecology” requirements have been informed by the Green Belt Assessment (PG1), Landscape Character Assessment (PG5) and the Ecology Constraints and Opportunities Report (PG7). The “Historic Assets” requirements are advised by the Archaeology and Historic Environment Assessment (PG6) and the “Sustainability and design” requirements

reflect policies in the Plan relating to these issues, while the supporting facilities requirements reflect consultation with the Council's Children, Young People and Families Directorate and the relevant health authorities as discussed in answer to Question 4a) above.

- 5.2 The requirement for a 40 hectare green corridor reflects the site's urban fringe location and the desire to retain a connection to New Hall Valley Country Park which will remain as Green Belt. It is intended that this green corridor will incorporate playing fields and allotments in addition to public open space, and will include areas such as existing woodland which are not suitable for development. The minimum requirements for public open space for a development of this size are 30 hectares based on the standards set out in policy TP9 assuming an average household size of 2.5 persons per dwellings.
- 5.3 The NPPF states that supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery. The SPD will ensure that Langley SUE is planned positively and comprehensively, especially given the scale of development proposed. It will provide guidance, for example, on design parameters and the spatial layout and phasing of supporting facilities. The SPD will be important in the determination of planning applications and, therefore, assist applicants in making successful applications. A masterplan for the Langley SUE will shortly be commissioned, which will form the basis for the SPD.

Issue 6

a) Is there adequate justification, including Sustainability Appraisal and assessment of the transport, drainage, sewerage and other infrastructure implications, for the selection of the Peddimore site for employment development?

- 6.1 The Sustainability Appraisal 2013 (SUB3) appraised the release of Green Belt land "Area D" for employment development and predicts negative effects across a number of sustainability objectives (notably impact on natural resources and the efficient use of land), but states that there are also opportunities for mitigation of effects through good masterplanning. The SA recognises the balance to be struck between accommodating development within the existing urban area and meeting wider development needs. It acknowledges that the careful appraisal of the options for Green Belt release has assisted the process of identifying where development is likely to result in least impact and yield greatest benefit.
- 6.2 The Transport Analysis of Green Belt Options (TA3) provides an assessment and justification for the selection of Area D for employment development, having good access to the Strategic Road Network, which will be a key consideration for employers.
- 6.3 The Highways Agency, having reviewed the transport evidence, are content that the Strategic Road Network traffic impacts from the Green Belt sites in Sutton Coldfield are acceptable when accompanied by the identified mitigation measures.

6.4 The Strategic Flood Risk Assessment Level 1 (ES8) provides a high level assessment of the flood risk of all the proposed development sites in the BDP. Area D is completely unaffected by flood risk. The Environment Agency and Severn Trent Water have raised no objection to the allocation of Area D for employment development.

b) Is the development of the Peddimore site achievable within the expected timescale?

6.5 Significant infrastructure improvements are required before the Peddimore development can come forward including a new junction on the A38 which will provide access to the site. It is anticipated that the earliest date at which land will become available to the market for the development of new industrial units is in 2018/2019. The rate of delivery will depend upon the nature of demand and the type of occupier secured but is expected that the development will be completed during the plan period.

Issue 7

Is there adequate justification for all the requirements of policy GA6, including preparation of a Supplementary Planning Document?

7.1 The requirements of Policy GA6 are consistent with the principles and policies in the NPPF and those within the Plan. The requirements cover the key issues concerned with the successful delivery of the policy. The justification for the requirements stem from the recommendations/ mitigation measures advised by technical assessments that have been undertaken. The “Access improvements” have been informed by the Green Belt Travel Demand Report (TA9) and the Green Belt Development Movement Infrastructure Plan (TA7). The “Enhanced biodiversity and protecting heritage assets” and “Design and landscaping” requirements have been informed by the Green Belt Assessment (PG1), Landscape Character Assessment (PG5), Ecology Constraints and Opportunities Report (PG7) and the Archaeology and Historic Environment Assessment (PG6).

7.2 The NPPF states that supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery. The SPD will ensure that Peddimore is planned positively and comprehensively, especially given the scale of development proposed. It will provide guidance, for example, on design parameters, access and phasing of development. The SPD will be important in the determination of planning applications and, therefore, assist applicants in making successful applications. A masterplan will be prepared for Peddimore, which will inform the basis for the SPD.

Issue 8

Do exceptional circumstances exist which justify further alterations to the Green Belt boundary to release additional land for housing and/or employment development, either within the Plan period or as safeguarded land for development beyond the Plan period?

- 8.1 The need for growth to meet identified development needs is capable of being an exceptional circumstance, but it does not justify further alterations to the Green Belt boundary for housing and/or employment land in the BDP.
- 8.2 The Green Belt Assessment (PG3) considered all of the City's (very limited) Green Belt and identified key physical and environmental constraints. It assessed the role of each area against the NPPF purposes of the Green Belt resulting in the discounting of those areas for development as set out in Appendix 1 of the document. Detailed assessments were undertaken of the option areas A – D, concluding that areas A and B are more sensitive to development both in relation to the role and function of the Green Belt, but also in relation to their ecology, landscape and archaeology and historic environment. Further releases of land for development were viewed as highly undesirable for a combination of these reasons.
- 8.3 Additionally, in relation to housing, the Peter Brett Housing Delivery Report (PG4) advises that releasing additional land for housing within the Plan period will not increase delivery of housing output and strongly evidences the delivery rates arrived at. The report demonstrates that 5,000 dwellings is the maximum that can be reasonably expected to be delivered during the Plan period. The land allocated at Langley has capacity for 6,000 dwellings allowing flexibility should the market perform more strongly, and if not, allowing the remaining capacity to be delivered post 2031.
- 8.4 Given the lengthy plan period and the difficulty of looking as far ahead as 2031 (let alone beyond) and the existence of the ongoing GBSLEP process (which is examining means of meeting development needs across the GBSLEP area) there is no justification at this stage for allocating or safeguarding more of Birmingham's very limited Green Belt for housing development in the BDP.
- 8.5 In relation to employment development, the Landscape Character Assessment (PG5) judged Areas A, B and parts of C and D to be highly sensitive to development due to the large scale of buildings that would be associated with this type of development, which would result in reduced flexibility to design around existing landscape components and increased visibility from surrounding areas.
- 8.6 There is no further justification for the release of additional areas of Green Belt for employment development. The Peddimore proposal will increase the supply of best quality employment land considerably and together with the existing supply of land on brownfield sites provides sufficient supply to meet demand until 2026. Further best quality industrial development opportunities will emerge on brownfield sites within the urban area during the plan period as demonstrated recently by the

expansion of Jaguar Land Rover at their existing site at Castle Bromwich and the proposals in the Bordesley Area Action Plan (G4) for the Birmingham Wheels site. Furthermore the City Council's assessment of the Green Belt (PG3) demonstrates that there are no further areas of Green Belt which would be suitable for employment development due to physical and environmental constraints.

- 8.7 Should a shortage of land occur towards the end of the plan period cross boundary discussions would be held under the Duty to Co-operate to consider where any shortage could be met. However, as mentioned above in relation to housing, the BDP still has 17 years to run and it is simply not considered possible to second guess the need for employment land at or beyond the end of this period.
- 8.8 Accordingly, the allocation of further Green Belt land within the Plan period or safeguarding of land beyond the Plan period for housing and/or employment development is not considered appropriate or necessary.

Issue 9

a) If additional housing or employment land is required, or if the selection of the Langley SUE / Peddimore site(s) is found not to be justified, is there justification, including SA, to release other specific area(s) of Green Belt for development?

- 9.1 There is no justification, including SA and other technical assessments, to support the release additional area(s) of Green Belt for development. If the selection of Langley SUE/ Peddimore is found to be unsound there is no justification, including SA and other technical assessments, to support the release of other area(s) of Green Belt for development.

b) Would the development of the other area(s) / major greenfield site(s) be achievable within the Plan period, or

- 9.2 In terms of greenfield sites elsewhere in the City, there are no major identified issues to delivery. For example, there would be no delivery issues should North Worcestershire Golf Course be supported for development. However, the City Council does not support the allocation of North Worcestershire Golf Course for housing due to its important function as recreation and open space. The owners of the site have not explored alternative recreational activities.
- 9.3 For the reasons discussed above, the Council considers that the level of development proposed in the Green Belt around the north east of the City is the maximum that could reasonably be accommodated over the plan period. It also considers that no further major allocation could even be contemplated without detailed highways assessment of its likely impacts.

c) Should it/they be safeguarded for development beyond the Plan period?

- 9.4 The allocation of safeguarded land beyond the Plan period for housing and/ or employment is not supported by the technical assessments undertaken. In terms of housing, the evidence suggests that there will be land still available at the Langley SUE to meet development needs post 2031. In relation to employment development there is no further potential for additional development in the Green Belt.