

## **BIRMINGHAM PLAN 2031**

### **Statement by CPRE Warwickshire**

**MATTER E - Green Belt, Langley Sustainable Urban Extension and Peddimore Employment Allocation - Policies TP10, GA5 and GA6**

#### **Summary**

1.1 CPRE Warwickshire supports the protection of the Green Belt within Birmingham's boundary and the maintenance of established policies for its protection and for handling planning applications within it. We oppose the Langley Urban Extension and the Peddimore allocation. Both should both be omitted from the Plan and the Proposals Map.

1.2 Exceptional circumstances have not been demonstrated to justify removal of the Langley location from the Green Belt. The need for the housing proposed has not been clearly demonstrated and if there is a need in the future this does not justify release of any land from Green Belt now, prior to a Review of the Plan in 2021 or shortly thereafter.

1.3 The Peddimore proposal is inferior to the former major employment land allocation (in the 2010 Consultation Draft) at Washwood Heath. Exceptional circumstances have not been shown to justify this change of a major allocation from a suitable brownfield location to a greenfield site outside the urban boundary.

#### **Policy TP10 – Green Belt (Question E.1)**

2.1 Policy TP10 does not itself refer to the proposal to remove land from the Green Belt; this only appears in para 6.57 which follows the Policy in the text. The TP10 Policy wording applies to land that remains in the Green Belt.

2.2 The Policy states “There is a general presumption against inappropriate development within the Green Belt, and such development will not be permitted unless very special circumstances exist. Development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the relevant national planning policy.” This is a very general statement for such an important matter. The national policy that will apply is not named nor are any references to paragraphs in it given. The Policy does not define ‘inappropriate development’ which is critical in Green Belt policy.

2.3 In past Plans, what is permitted in Green Belt has been defined in the policy. TP10 does not list what is permitted, and does not refer to the NPPF (Section 9) which is the main national planning policy. The wording is inadequate and should include a summary of what development is permitted, and should refer to specific parts of the NPPF for full details.

2.4. We share the concern of our colleagues in West Midlands CPRE about the general support for outdoor sports and recreation proposals in the Green Belt. We believe this should specifically refer to supporting them only provided they do not impact on ‘the purposes and openness of the Green Belt’ in line with Para 89 of the NPPF. This would be a clearer test for development proposals to pass through. The current wording could permit development in the Green Belt which

does harm openness and under its purposes, whether for sports stadia or other intrusive building work.

2.5 We also share their concern that the policy on Gypsies and Travellers (TP33) is inadequate in relation to Green Belt. It says sites should only be allowed 'where there is no conflict with other relevant policies such as those relating to the protection of the Green Belt'.

2.6 Policy on provision for Gypsies and Travellers is to be addressed under Matter H.

## **GA5 Langley Sustainable Urban Extension (Question E.2)**

3.1 The Plan proposes to remove land from the Green Belt southeast of Sutton Coldfield (Proposal GA5), and allocates 6,000 houses on land between Walmley and the A38 and 80 ha of employment land north of Minworth at Peddimore (Proposal GA6). All the land is high-quality farmland which has been Green Belt since the 1950s. See marked-up A4 map extract (scale 1:25,000) attached.

3.2 The land proposed in the Plan to be taken out of the Green Belt currently makes a major contribution to the purposes for which land is included in Green Belt, and has done for many years. It is relatively high land which is seen from inside the city and is very open. There are small hamlets (Over Green, Grove End) and historic buildings (Old Langley Hall, Peddimore Hall). A particular feature is that it is well-drained arable land; it is farmed right up to the urban boundary and livestock grazing can be minimised. (Farming livestock is problematic next to a large urban area due to damage to fences, trespass, and risk of theft.) The A38 Sutton Bypass is well-landscaped into the countryside and does not intrude; it is not a prominent boundary up to which development could be allowed.

3.3 The land here meets all the purposes for a sound inclusion in the Green Belt.

3.4 The sole reason for proposing to locate 6,000 new dwellings east of Walmley and Sutton Coldfield and remove land from the Green Belt (5,000 by 2031) is the housing requirement specified in the Plan – 80,000 over the period 2011-2031.

3.5 The Secretary of State's statement of 1 July 2013 establishes that in considering planning applications, 'unmet demand' for housing is unlikely to outweigh harm to the Green Belt to constitute the very special circumstances justifying inappropriate development.

3.6 The Plan proposes 51,100 new dwellings over 20 years of which 5,000 would be on land now Green Belt, at Langley (policy PG1). The total forecast increase in households is given as 80,000 (plan para 4.4). The Plan proposes 45,000 dwellings on previously-developed sites within the built-up area.

3.7 This contrasts with the significantly higher figure for the capacity of the urban area that was set out in the Dec 2010 Consultation Draft Plan. Policy SP2 of that version of the Plan provides for 50,600 dwellings on brownfield sites. It is not clear why a lower figure is now being applied. Application of the 2010 Draft Plan's policies (Policies SP23 and SP24) which anticipated capacity of the urban area as 50,600 would enable the Langley SUE to be removed from the Plan.

3.8 CPRE has set out some detailed reasons why the capacity of the urban area may have been under-estimated; see its Statement on Matter A (CPRE West Midlands statement ref 512375 – pages 2-5). That Matter A statement also draws attention to the likelihood of housing numbers in the Black Country being lower than projected for the Plans now in force for those Boroughs; thus

there may be capacity in the Black Country Boroughs to accommodate some of Birmingham's needs.

3.9 The more recent study of housing by the Greater Birmingham and Solihull LEP of the area as a whole will not be available until after the Examination. The evidence on which 'exceptional circumstances' have been found to justify such a large alteration to the Green Belt boundary east of Sutton Coldfield are unsound. The case for altering the Green Belt boundary has not been proven.

3.10 The Plan proposes to release the Langleigh area from the Green Belt at an early stage. However, the capacity of the urban area (even on the lower figure in the current Plan of 43,000 dwellings) means that no need for any release of Green Belt land can arise until after 2023. To release the Langleigh location earlier would be unnecessary and would undermine the incentive to use brownfield sites within the urban area.

3.11 CPRE Warwickshire proposes that the Plan be amended to provide for a Review of the housing Policies (to commence in 2021). This would enable the position on population and housing requirements to be reviewed after the first five years of the Birmingham Plan. The developing position on migration, household size, urban capacity, windfalls and the ability of the Black Country area to meet some of Birmingham's needs would all be reviewed at that stage.

3.12 If at that stage there is still an overwhelming need for a major new housing location, options can be reassessed. In meantime the Langleigh area should remain in the Green Belt.

#### *Selection of Langleigh over other locations for an Urban Extension (Question E.6a)*

3.13 There are other parts of the Green Belt within the city boundary which were examined for possible release for new housing. The locations north and east of Sutton (Areas A and B) have a different landscape character from Area C, as they are more rolling and wooded and less prominent in wider views. Development of either of those areas would be as harmful as at Langleigh, as they are close to the older part of Sutton and are the closest part of the countryside to the historic town centre.

3.14 One factor that makes the release of Green Belt land east or southeast of Sutton undesirable and likely to produce an unsustainable development is that it could not be served effectively by public transport. The public transport access to the proposed Urban Extension or any alternative (Areas A or B) would be limited so that it would be a car-orientated development in practice. There is no railway station near the Langleigh location, and the Sutton Park line via Walsley is itself some distance from the proposed new allocation; and does not carry passenger services at present.

#### **GA6 Peddimore Employment Allocation (Questions E.3 and E6a)**

4.1 The proposal for an 80ha employment development of Green Belt land at Peddimore results directly from the proposal to use the large brownfield location at Washwood Heath (55 ha) for the train maintenance depot for High Speed 2. This proposal appeared in 2011, after the Consultation Draft Plan appeared in 2010. The Consultation draft proposed the use of 44 ha at Washwood Heath (the former Alstom and LDV factory sites) under Policy SP12, Core Employment Areas (p80).

4.2 The full area that could be allocated now at Washwood Heath is 54-55 ha. It is the optimal

location for major new industry in the City. This is the finding of the City Council's 2012 Employment Land Review (EMP2, para 5.4, page 23). It states

“The Washwood Heath sites are considered by the market as one of the best quality industrial opportunities in the City due to their ability to accommodate large footprints, with good access to the strategic highway and rail network and owners willing to work together to bring them forward for redevelopment in a comprehensive manner.”

4.3 Policy GA6 fails to state that the preferable new site for B1 and B2 employment is Washwood Heath, within the urban area. It is only because the Washwood Heath location has been taken (at present) by HS2 Ltd for the HS2 train depot and maintenance sidings that the land is not available for employment use in the Plan. That should be reversed and the land included in the Plan for employment (B1 and B2 uses not B8 warehousing).

4.4 Paragraph 5.65 of the Plan, 'Why we have taken this approach' fails to state that the Washwood Heath location was preferred by the City Council until 2011, and that it is the HS2 proposal which prevents it being used for the purpose of providing a high quality new employment area.

4.5 If this proposal is dropped (because, for example, another location for the train maintenance depot is found), the Washwood Heath location can again be allocated as the major new employment site in the City - as it was in the December 2010 consultation draft.

4.6 The City Council cannot demonstrate exceptional circumstances to justify changing the Green Belt boundary to provide 80 ha of industrial land at Peddimore. It was open to the City Council to reject the HS2 train maintenance depot proposal, to set out to the Secretary of State for Transport the role that Washwood Heath would be playing in the city's development strategy, to press for a different location to be used for the proposed maintenance depot, and (if that failed) to petition against the HS2 Hybrid Bill seeking the deletion of the reservation for the depot. It has chosen not to petition against the Bill on this ground, except for a request for land not used for the depot to be made available for other industrial uses after 2025. It has chosen instead to propose the Peddimore location, despite the major conflict with Green Belt policies. A key factor in this is that the City Council owns the Peddimore site. It previously sought to obtain permission for an industrial use of Peddimore site in 1997. That was refused by the Secretary of State following a call-in Inquiry in 1999.

4.7 The Peddimore proposal is likely to provide only 40 ha of land for B1 and B2 uses, as up to 40 ha is permitted under the Policy to be used for B8 warehousing. Warehousing is a poor and wasteful use of land, especially Green Belt land. Moreover its location means it could not be served by a rail terminal.

4.8 The Peddimore location is much more accessible (by car) from residents of neighbouring areas of Warwickshire, Leicestershire and SE Staffordshire than it would be from the areas of Birmingham in which there is a lack of employment opportunities. (Public transport from those areas to Peddimore is not likely to be convenient.) Peddimore seems unlikely to achieve the aim of improving employment opportunities for those areas as opposed to other parts of the region. By contrast the Washwood Heath location is in a deprived part of Birmingham and was expected to bring considerable benefits in terms of new employment to Hodge Hill and Saltley, which Peddimore will not do.

4.9 Evidence has already been heard on the subject of Washwood Heath by the Commons Select

Committee examining the HS2 Bill, on 3 and 4 September 2014. The MP for Hodge Hill, Liam Byrne, and professional witnesses for the prospective developers of Washwood Heath gave detailed evidence. It was accepted by HS2 Ltd in response that the effect of the safeguarding of land at Washwood Heath was that the City Council was instead allocating land in the Green Belt for industry.

4.10 The transcripts of the three sessions show the detail of the evidence so far presented on the subject of Washwood Heath and Peddimore.

4.11 CPRE Warwickshire has included in its Petition against the HS2 Bill of May 2014 specific objection to the proposal to use Washwood Heath for the HS2 depot because it has resulted in the unwarranted allocation of Green Belt at Peddimore for the employment land needs of the city. (Our Petition has yet to be heard by the Select Committee.)

4.12 The characteristics of the Peddimore location as it is now are found at para 5.66-5.69 of the Plan. The description at para 5.66 of the Plan, "The site has low ecological and landscape value and sits within a low lying basin which provides an opportunity to visually contain large scale employment development" is not recognised. The land slopes south and provides a green backing to the Minworth and Curdworth area. It is one of the nearest areas of farmed countryside to the centre of the city. It has an agricultural value that should be retained; this value is unrecognised in the Plan. The Plan also describes the heritage sites within the allocated land (paras 5.68-5.69). These add to the reasons for not changing the boundary of the Green Belt at Peddimore.

### **Further alterations to the Green Belt boundary to release more land (Questions E.8 and E.9)**

5.1 There is no justification for further releases of Green Belt land for new housing or employment land with the Plan period.

5.2 Changing the Green Belt boundary around the east and/or north of Sutton Coldfield would add blocks of housing on the periphery of the urban area, and harm the setting and character of a distinctive town with a historic centre. It would be contrary to the purposes of the Green Belt (NPPF para 80). These areas of the Green Belt deserve some description.

5.3 The historic town of Sutton Coldfield is unusual in the Midlands in having good quality landscape on three sides. To its west is the exceptional landscape of Sutton Park, described at para 2.16 of the Plan as an asset of "national significance".

5.4 The landscape to the north of the town, called 'Area A' in the Questionnaire issued in the earlier consultation stage of 2012-13, is very visible. It has historic landscape features including a 19<sup>th</sup> century field system along Hillwood Common Road. It includes steeply sloping ground where development would be more evident and difficult to screen. It comprises a mix of large and small fields and parkland, with woodland copses, hedgerows along boundaries and lanes with hedgerow trees. The well-known landmark of the Sutton Coldfield TV transmitter dominates the area and draws the eye – making the open appearance of the landscape that much more significant. The land is valuable Green Belt because it is immediately north of built-up areas around Mere Green and east of dense development around Blake Street station, where the conurbation's built-up area suddenly stops.

5.5 'Area B' in the earlier consultation stage, east and northeast of Sutton, is one of good landscape quality between the edge of the urban area and the transport corridor formed by the M6

Toll and A38 roads. It includes ancient woodland and a wildlife corridor, with ridges and high ground visible from the open countryside to the east. It has some steeply sloping ground on which development would be more evident and difficult to screen, and a mix of large and small fields with woodland copses, hedgerows and hedgerow trees. It contains the slopes of the valley of Lindridge and Langley Pools, and historic farmsteads such as Wheatmoor farm and the estate of Ashfurlong Hall. Sites of Local Interest for Nature Conservation and a SINC are found here.

5.6 'Area B' is very important as the rural approach to Sutton Coldfield from Tamworth and in ensuring an effective Green Belt continues to separate the conurbation and the large urban area of Tamworth. Any release of Green Belt land here would risk gradually extending the conurbation to the line of the M6 Toll.

5.7 If the Plan is amended to require a review of housing requirements starting in 2021 (see 3.11-3.12 above), the need for additional employment land can be examined at that time.

***Attached: 1:25,000 scale Map extract showing Green Belt east of Sutton Coldfield, the Birmingham city boundary, and areas proposed for development and removal from the Green Belt - Langley Sustainable Urban Extension (GA5), and Peddimore Employment Allocation (GA6)***