

BIRMINGHAM DEVELOPMENT PLAN 2031

EXAMINATION HEARINGS

Hearing Statement prepared on behalf Jon Flowith
and Partners

**MATTER E: Green Belt Policy and the Langley
SUE**

September 2014

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Introduction

OVERVIEW

1. This Hearing Statement has been prepared by CBRE who act on behalf Jon Flowith & Partners as agent for a number of land owners with land adjacent to Mere Green, Sutton Coldfield. For completeness and ease of reference, this Statement also refers to relevant details included in previous representations by our Client's former advisors (Deloitte LLP), including the supplementary report on the Mere Green site prepared in April 2013 and supplied to update information included as part of the response to Development Plan Options consultation submitted in January 2013.

Matter E: Green Belt Policy, the Langley SUE Allocation

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?

2. To provide context to the specific responses made to questions 8 and 9 raised under this Matter, it is important to emphasise that we do not object to the current proposals to release Green Belt land (the Langley SUE). As noted in our response to Matter A, we consider that the Plan should seek to supplement the current supply of proposed key sites, and in particular identify additional sites which are deliverable, sustainable and which will also contribute to ensuring choice and competition in the market for land as promoted by the NPPF.
3. As a general point of principle in relation to the Plan's overall approach to the consideration of Green Belt release, the overriding problem with the approach adopted is that options for Green Belt release have been assessed more on a basis of their ability to meet an identified need for the provision of 6,000 new homes – hence the preferred site for release (Area C – The Langley SUE) is a very close fit. Adopting such an approach and working to a predetermined 'Green Belt housing target' ignores the availability of other appropriate sites within the Green Belt.
4. We consider the approach taken to date is a "fit for purpose" exercise based on known information, a simple logic to follow through is that other areas of Green Belt land release could facilitate more land to meet the needs of housing supply in Birmingham. For example, the Council's Green Belt Assessment of October 2013 identified our Client's site as a strong candidate for release from the Green Belt alongside the Langley SUE.

Question 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?

5. NPPF Paragraph 83 establishes the principle that Green Belt boundaries should only be altered in **exceptional circumstances** through the preparation or review of a Local Plan. What is capable of amounting to exceptional circumstances is a matter of law and once a Green Belt has been established and approved, it requires more than general planning concepts to justify an alteration. In order for exceptional circumstances to exist, a situation must exist which **necessitates** a revision of the Green Belt boundary. NPPF paragraph 84 goes on to emphasise that local planning authorities should take account of the need to promote sustainable patterns of development when reviewing Green Belt boundaries.
6. For Birmingham, there are simply insufficient sustainable and deliverable non-Green Belt site opportunities to meet the areas' objectively assessed housing needs. With the exception of the Langley SUE, the solution being relied upon through the Plan is to resist further Green Belt land release in favour of an expectation that Birmingham's unmet housing growth will be accommodated within other authority areas within the GBSLEP area and potentially further afield. As we have explained in our response to Matter F,

there is currently a lack of certainty that this approach will deliver this unmet requirement in full and / or when the housing is required.

7. It is accepted that exceptional circumstances to release land from the Green Belt could not be said to exist if there are alternatives to Green Belt land to which a strong degree of certainty can be attached in terms of their deliverability and which also respond well to the various pillars and principles of sustainable development. However, for Birmingham such opportunities simply do not exist for the reasons outlined above, thereby providing the exceptional circumstances necessary to justify a revision to Green Belt boundaries.

Question 9a: 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 a justification, including SA, to release other specific area(s) of Green Belt for development?

8. As explained through the response to question 8 under this Matter, there is a clear justification to release other specific area(s) of Green Belt land for housing development beyond the selection of the Langley SUE.
9. There are other areas that are appropriate for Green Belt land release which could be delivered for housing in the Plan period, providing sustainable and deliverable sites of appropriate scale more related to existing services and facilities in much sought after areas of the Sutton Coldfield locality (more so than the Langley SUE).
10. Our Client's land at Mere Green (see site plan at **Appendix 1** to this Hearing Statement) provides an opportunity to deliver an urban extension that is very well located and connected to the existing built up area. This site forms part of Land Parcel A1 included within the Council's Green Belt Assessment Report of October 2013. The southern part of Land Parcel A1 (which includes our Client's site) scored very well in the assessment and was recommended in the Report to be taken forward for consideration for residential development.
11. The main strategic benefits of our Client's land are set out in **Appendix 2** to this Statement¹. To further illustrate the sustainability credentials and performance of the land at Mere Green, an assessment has been completed applying similar SA themes and objectives to those used by the Council's consultants in its SA of the BDP. The assessment, which is reproduced at **Appendix 3** of this Statement² demonstrates the strong overall sustainability performance of the Mere Green site.

Such a wider approach to land release would bolster alternative provision, more choice and allow more homes to be brought forward early in the Plan period than one large allocation of 6,000 units. The ability of our Client's site to contribute towards 5 year housing land supply and the delivery of dwellings in the short term is an important benefit given the constraints to such supply highlighted by the technical work carried out by PBA.

¹ Also see 'Land between Sherifoot Lane and Worcester Lane, Mere Green: Options Consultation Supplementary Report' (30 April 2013).

² Also see 'Land between Sherifoot Lane and Worcester Lane, Mere Green: Options Consultation Supplementary Report' (30 April 2013).

Appendix 1: Land at Mere Green (Site Plan)



Appendix 2: Land at Mere Green (Overview of Strategic Benefits)

In summary, the land at Mere Green provides the opportunity to deliver an urban extension that is well related and connected to the existing built up area which already contains a range of services and facilities. This site is considered appropriate for a number of reasons, with the most significant considerations including:

- The land is adjacent to Mere Green, with pedestrian links between the site and the existing development being particularly strong;
- *The land is within close proximity of Mere Green (1Km) and Sutton Coldfield (3.3Km) centres which offer a range of existing facilities and services;*
- *The land is accessible to other key areas / settlements both within the administrative boundary (such as Birmingham City Centre and Sutton Coldfield) and outside (namely Lichfield, Walsall and Tamworth), which provide a wide range of higher order facilities and services as well as access to employment opportunities;*
- *There are a number of existing bus services which serve the local area and provide connections to surrounding centres / settlements. These could be enhanced as part of a wide sustainable transport planning strategy for an urban extension;*
- *The area has good strategic road connections – the A5127 (Lichfield Road) and the B4151- which are within close proximity of the site, providing connections to Lichfield, Sutton Coldfield, Tamworth, Walsall and other local areas / centres. Both roads also provide connections to a wider strategic highway network including the A38, A5 and M6 Toll;*
- *The existing built up area and communities of Mere Green and Sutton Coldfield provide a base around which to form an urban extension in terms of the built form, existing infrastructure and the broad range of services and facilities provided;*
- *The scale of land available provides an opportunity to create a ‘critical mass’ of development to make a significant positive impact against a range of sustainability measures. There is the ability to create a sustainable community, which is well planned and can be delivered to meet a range of land use needs;*
- *With the exception of the Green Belt, the site is unconstrained and is not sensitive in planning policy terms. There are no designated Sites of Special Scientific Interest, Scheduled Ancient Monuments, Ancient Woodland or Parks and Gardens of Historic Interest within the site or immediately adjacent to the site. There are local sites of ecological importance adjacent to the site, however, it is expected that these will not prevent the development of the wider site and can be responded to appropriately in order to ensure they are protected; and*
- *Following a high level assessment it is considered that the site makes a limited contribution to three of the purposes of including land within the Green Belt and its release and development would have a negligible impact on the wider Green Belt designation.*

Appendix 3: Land at Mere Green (Sustainability Performance)

Theme	Objectives	Potential Responses and Outputs
Natural Resources and Waste	<ul style="list-style-type: none"> ■ Resource Use ■ Waste Reduction and Minimisation ■ Efficient Use of Land 	<ul style="list-style-type: none"> ■ An urban extension provides a good opportunity to deliver development that has a high level of energy efficiency. ■ Material Selection (promote the use of local and sustainable sources). ■ Sustainable approach to waste and construction management. ■ Promote self-sufficiency principles such as through opportunities for on-site food production (i.e. allotments). ■ Whilst an urban extension will involve the development of greenfield land, it does provide the opportunity to properly plan the provision of a new community that maximises the benefits of the greenfield land being developed.
CO2 Emissions	<ul style="list-style-type: none"> ■ Sustainable design, construction and maintenance ■ Renewable Energy ■ Energy Efficiency ■ Sustainable Transport ■ Reduce the need to travel ■ Reduce climate change 	<ul style="list-style-type: none"> ■ In bringing forward an urban extension it is possible to ensure that a high level of sustainable design is achieved. ■ There is the potential to incorporate renewable energy generation technologies and facilities to further improve the sustainability of the development. ■ The buildings built could achieve high levels of energy efficiency through the use of appropriate building specifications and materials – incorporating passive design principles, as an integral part of the design of development. ■ The site is well connected and provides the opportunity for sustainable transport choices to be made. ■ Walkable Neighbourhoods – building on existing pedestrian links. ■ Proactively plan for public transport through the provision of enhanced linkages and the frequency of services to surrounding settlement / areas. ■ Create / enhance physical linkages to nearby / adjoining areas in the form of footpaths and cycleways. ■ Incorporate Green Travel Plans and 'Smarter Choice' initiatives.
Climate Change Adaption	<ul style="list-style-type: none"> ■ Manage climate change 	<ul style="list-style-type: none"> ■ The site is not at risk of flooding. ■ The opportunity exists to protect, enhance and extend green infrastructure within and adjacent to the site. ■ Use of flood management measures such as SUDS and Swales.

Historic Environment, Landscape, Biodiversity and Geodiversity	<ul style="list-style-type: none"> ■ Built and Historic Environment ■ Natural Landscape Biodiversity 	<ul style="list-style-type: none"> ■ There are no known features of historic interest within the site. ■ The development of an urban extension at the site could include a range of measures, ensure that any impact is minimised and where possible enhancements are made to specific parts of the existing landscape as part of the provision of open space. ■ A comprehensive landscape strategy can be developed to provide a clearly defined landscape setting to the development and to respond to important landscape and contextual considerations. ■ The land identified contains no SSSIs or LNRs or other biodiversity / ecology related designations (such as Ramsar sites). There are however locally important biodiversity sites adjacent to the site, and there is the potential to enhance their setting as part of the development of the subject site. ■ In advancing proposals for the development, a detailed assessment of the biodiversity and geodiversity of the site would be undertaken to identify any features of interest. There is likely to be scope to protect, maintain, enhance existing biodiversity features and create new areas as part of the masterplanning process. ■ The size of the site offers the potential to maintain and enhance biodiversity through the creation of multi-purpose Green Infrastructure (GI).
Pollution	<ul style="list-style-type: none"> ■ Air Quality ■ Water Quality ■ Soil Quality ■ Noise 	<ul style="list-style-type: none"> ■ The site is well connected and provides the opportunity for sustainable transport choices to be made. In particular, access to the cross-city rail line offers quick and convenient access to the wider public transport and rail network. ■ Noise emissions associated with certain users can be effectively controlled by being dealt with up front as part of a masterplanning exercise.
Economic Growth	<ul style="list-style-type: none"> ■ Economy and Equality ■ Learning and Skills 	<ul style="list-style-type: none"> ■ The site is well connected and provides the opportunity to include a mix of employment and leisure related provision in the urban extension. ■ Creating an urban extension will lead to the creation of jobs locally, both directly and indirectly. ■ Local apprenticeships could be offered in relation to the construction of an urban extension. ■ By accommodating an urban extension within the administrative boundary of Birmingham, there is the potential to enhance and retain the skills of the workforce within the city, and thereby enhance the local economy.

Communities,
healthy lifestyles
and equality

- Sense of Place
- Social and Environmental Responsibility
- Community Involvement
- Equality
- Poverty
- Health
- Crime
- Culture / Sport / Recreation

- An urban extension provides the opportunity to create a sense of place through the masterplanning process which can promote local distinctiveness. The provision of a well-designed, high quality built environment which incorporates areas of green space can be achieved when planning a large-scale development.
- The local community can be fully engaged throughout the planning and delivery of an urban extension.
- An urban extension can provide a range of housing types and sizes to ensure that all members of the community have the opportunity to live in this location, including those in need of housing assistance.
- As part of planning an urban extension the provision of improvement of health services can be ensured.
- The scale of land identified for an urban extension would enable the provision of areas of public open space, recreational facilities and community facilities, which would encourage healthy active lifestyles and participation in sport and cultural activities.
- In planning a new urban extension it is possible to create a safe and secure environment that will reduce the fear of crime.

Housing

- Housing

- Ability to make a significant contribution towards affordable housing requirements (and housing requirements more generally) and overall housing mix to create a diverse community.