

Document Element: Policy SA5 - Employment Allocations

Respondent: CBRE

Date received: 31/05/2024 via Web

Summary:

Our representations focus on the soundness of the Local Plan. Please see our full representations, which are provided in our separate West Midlands Interchange representations document dated May 2024, for further detail. We object to the soundness of the Local Plan in relation to the four tests of soundness set out within the NPPF. The key element of our objection relates to the wash over of Allocation E33 (WMI) with Green Belt. Other matters relate to Development Management Policies EC1, EC2, NB6B and NB6C.

Full text:

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a) Positively Prepared

- We do not contest the strategy for collecting data or preparing the evidence base for the draft Local Plan. We consider that the allocation selection for the sites set out within Policies SA3 and SA5 meet the area's objectively assessed needs. - It is however considered that the decision to retain the West Midlands Interchange ("WMI") allocation within the Green Belt instead of reviewing the Green Belt Boundaries to remove the site does not allow for the effective delivery of the employment allocation within the plan. Retention of the Green Belt

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b) Justified

- No significant justification has been provided for not reviewing the Green Belt boundaries for just the WMI allocation. The NPPF sets out that authorities are not required to review their Green Belt boundaries, however other Green Belt land has been released within this plan for housing delivery. As such, a review of the Green Belt boundaries has been undertaken as part of the local plan.

- Moreover, it is noted that in the Regulation 18 and previous Regulation 19 Draft Plans, the developable area (minus community park areas) of WMI were shown as being removed from the Green Belt. There has been no justification provided as to the change to the previous two plans to now wash over the entire of WMI with Green Belt.

c) Effective

- The draft local plan includes development management policies that are not considered to be effective due to their wording.

- Policies EC1 and EC2 support the delivery of employment land 'in line with their allocation and/or substantive planning permission'. Reference to 'and/or substantive planning permission' does not allow for variations to extant consents in order to effectively deliver employment sites to meet operational needs. As such, in order for the policies to be effective, this wording should be removed from both policies.

- Policies NB6B and NB6C support energy efficiency on new non-residential development. To effectively deliver these policies the wording should be more precise, and set out specific parameters for developers to comply with.

- Finally to support the effective delivery of West Midlands Interchange within the plan period, the site should be removed from the Green Belt to allow for the effective and efficient delivery of this employment allocation without the need to demonstrate 'very special circumstances' for any future development that may be necessary, particularly to meet the operational needs of occupiers of the site. The site, by reason of its extant DCO, has already been assessed against 'very special circumstances' for removal of the site from the Green Belt by the SOS.

d) Consistent with National Policy

- In line with Paragraphs 142, 145, 147 and 148 of the NPPF we contest that the washing over of the E33 allocation with the Green Belt designation (i.e. excluding the WMI Green Infrastructure) would be inconsistent with the key Green Belt

characteristics of openness and permanence. The construction of WMI commenced in July 2023, with preliminary earthworks to enable the development of the site, which will comprise urban form.

- The DCO grants development of rail-served warehousing, rail freight terminal and associated infrastructure outwith the WMI Green Infrastructure areas identified on site allocation E33.

- The allocation, in combination with the extant DCO, means that the site will no longer be consistent with the key Green Belt characteristics of openness and permanence.

- As set out in the Regulation 18 Issues and Options Plan and Regulation 19 Publication Plan, it has been accepted by the LPA previously that exceptional circumstances exist to justify the re-alignment of the Green Belt boundary to remove the developable area and retain the WMI Green Infrastructure area within the West Midlands Green Belt. The acceptability of WMI in this location, has also been considered by the Secretary of State in his determination of the DCO, which has been made and has been implemented.

- Therefore, the proposed Green Belt boundary should revert to the previous Regulation 19 Publication Plan approach of excluding E33 from the Green Belt and including the WMI Green Infrastructure areas within the Green Belt.

For our full representations please see the separate document 'SSDC Local Plan Review – Publication Plan (West Midlands Interchange), dated May 2024.'

Change suggested by respondent:

We proposed the following re-wording of the policies set out below (additional text in bold, removal of text strike through):

- Strategic Objective 6: to reflect logistics as one of SSDC's key sectors: 'Strategic Objective 6 sets out a strategy for economic development. The strategy seeks to retain existing employment and fosters sustainable economic growth, encouraging inward investment and job creation in key sectors such as advanced manufacturing and logistics and providing the skills to enable residents to access these jobs.'

- Policy SA5: The WMI employment site allocation (E33) is for a Strategic Rail Freight Interchange (SRFI) and will be progressed in-line with the Development Consent Order (DCO) that was granted permission on 4 May 2020. As noted, the DCO was implemented in July 2023. WMI remains washed over by Green Belt.

- Policy EC1: There will be strong in principle support for employment development within the development boundaries of these sites that is in line with their allocation and/or substantive planning permission and that result in significant job creation.

- Policy EC2: 'There will be strong in principle support for employment development within the development boundaries of these sites that is in line with their allocation and/or substantive planning permission and that result in significant job creation.'

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: