



Hodgetts Estates

**LAND NORTH-EAST OF JUNCTION 10 M42,
NORTH WARWICKSHIRE**

Planning Statement





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Planning Statement

PUBLIC

PROJECT NO. 70075293

OUR REF. NO.RPT.007.JW.1

DATE: DECEMBER 2021

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PUBLIC



QUALITY CONTROL

Issue/revision	First issue	Revision 1
Remarks	Draft	Final
Date	11/11/2021	01/12/2021
Prepared by	James Warrington	James Warrington
Signature		
Checked by	Doug Hann	Doug Hann
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Authorised by	Doug Hann	Doug Hann
Signature		
Project number	70075293	70075293
Report number	Rpt.007.JW	Rpt.007.JW.1

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EXECUTIVE SUMMARY

This Planning Statement supports an outline planning application submitted on behalf of Hodgetts Estates, as part of ambitious proposals to create “*The Greenest Business Park in the West Midlands*”.

Land north-east of Junction 10 of the M42 motorway, North Warwickshire represents a highly sustainable site that is deliverable in the short-term to accommodate ‘Best in Class’ sustainable industrial warehouse development, and the provision of an overnight lorry parking facility.

Accordingly, this planning application seeks:

‘Outline planning permission for development of land within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial), and ancillary infrastructure and associated works, development of overnight lorry parking facility and ancillary infrastructure and associated works. Details of access submitted for approval in full, all other matters reserved’

We set out a high-level summary of the planning case below, demonstrating why the application should be approved without delay.

RATIONALE FOR DEVELOPMENT

EVIDENCE BASE

The site is in a strategic and highly sustainable location for the land uses proposed owing to its location adjacent to the Strategic Road Network, situated at the north-east quadrant of Junction 10 of the M42 motorway and north of the A5 Trunk Road, and close proximity to Birmingham Intermodal Freight Terminal.

Indeed, there is a plethora of publications and evidence base information that have been drawn upon to demonstrate the compelling commercial and economic need for the proposed development and specialist commercial and economic need assessments have been prepared in support of the application and to provide comprehensive assessments on the matter of need. These include an Employment Land Statement (September 2021), prepared by JLL, and an Employment Land Needs Assessment (November 2021), prepared by Nicol Economics.

In summary, the evidence base clearly identifies record levels of ‘take up’ of logistics and industrial buildings in the West Midlands over recent years, exacerbated by shifts in national priorities relating to the sector, which underpins an acute need in the area.

NATIONAL DRIVERS OF CHANGE

Beyond government policies, such as the Industrial White Paper, the ‘Levelling Up Agenda’ and the Government’s drive for economic growth, Brexit and the Coronavirus pandemic have had a significant impact on the demand for and nature of the distribution and warehousing sector.

The pandemic has led to a significant shift to online shopping, accelerating a trend that was already occurring, as consumers’ movements were restricted. Post-Covid predictions estimate that £83bn of



additional online retail sales will create demand for 63.9m sqft of logistics space across the UK by 2025 to meet the demands of the online retail sector alone.

Furthermore, the Brexit and the Coronavirus pandemic have highlighted supply chain weaknesses globally and nationally, which have had a severe impact on the regions manufacturers. The sector's response has been to increase storage capacity to ensure supply chain robustness in the face of these disruptions. Studies indicate that for every £1bn of private manufacturing investment in the UK, this creates demand for an additional 175,000 sq ft of warehouse space, regardless of the underlying shift in strategy. It is essential, therefore, that new logistics floorspace is provided in the right locations to ensure the Midlands' manufacturing base continues to thrive.

In addition, there has also been a significant shift in the approach to co-locating employment and residential development which is considered by industry experts to be essential to the Covid response and the creation of the sustainable communities of the future.

Overall, the picture has changed significantly in the past few years. Take up of industrial warehouse floorspace has accelerated and there is now a pressing need for new strategic employment sites, to address national trends, as well as at the regional, sub-regional and local level.

A CRITICAL LACK OF SUPPLY

These national drivers of change have contributed to a severely eroded supply of available land/buildings at the regional level in the West Midlands, bringing it to an all-time low. The evidence base submitted with this application clearly demonstrates that the area with the most acute shortage of logistics and industrial land/buildings is along the M42/A5 corridors.

Indeed, the site is identified in the West Midlands Strategic Employment Sites Study Phase 2 (May 2021) as the best-performing site for strategic-scale employment development when compared against a range of criteria and 50 other sites throughout the region.

In response to this identified need and supporting evidence base, HE is now bringing forward proposals to deliver a highly sustainable business park that would seek to combine 'Best in Class' logistics and industrial buildings and smaller SME buildings with significant amenities and social value benefits to local residents and communities.

As noted above, HE's aspiration is to create "The Greenest Business Park in the West Midlands".

PROPOSALS

The strategy is to deliver highly sustainable buildings targeted at national and international 'Blue Chip' businesses for headquarters (HQ) and 'campus' style facilities, as well as a meaningful number (up to 10% of total floorspace) of smaller incubator units for SMEs. These facilities respond directly to the findings of the Coventry & Warwickshire Sub-Regional Employment Market Signals Study (July 2019), for new business park developments to incorporate a quantum of smaller mixed-use units targeted at SMEs and growing businesses.

The proposals include a dedicated, secure, 150 space overnight lorry park with welfare facilities, 24hr security and fenced parking, to help address identified need and tackle known anti-social behaviour issues associated with fly parking locally.

Finally, the proposals also include a dedicated on-site training facility at the Hub Office (incorporating classrooms, meeting/presentation rooms, computer suits and office space), available



for use by local training and education programmes associated with the site as well as site occupiers.

POLICY POSITION

NATIONAL PLANNING POLICY AND REGIONAL STRATEGIES

The proposed development is wholly aligned with the NPPF's drive to build a strong and competitive economy, providing a strategic-scale level of floorspace within a key growth corridor as identified in WMSESS 2021.

In addition to meeting the requirements of the NPPF, the proposed development has clear alignment with economic strategies at regional and national levels, in particular the post-Covid economic response and WMCA's Spatial Investment Delivery Plan Revised Draft (February 2019) which identifies the A5 Corridor as a key growth corridor and target for significant future investment, as well as noting the strategic employment opportunities that exist at Junction 10 M42 motorway.

NORTH WARWICKSHIRE LOCAL PLAN

Local Plan Policy LP6 (Additional Employment Sites)

Turning to the North Warwickshire Local Plan, Policy LP6 states that significant weight should be afforded to proposals for employment development at sites within Area A of the West Midlands Strategic Employment Sites Study 2015 (or successor study, in this case WMSESS 2021) where such development would meet an identified need. WMSESS 2021 refers to Area A from the 2015 study as Area 2, which is broadly speaking the M42 Corridor.

The compelling evidence submitted with this application clearly demonstrates that there is an immediate need for additional large sites of the type proposed. Furthermore, there is a clear shortage of sites to meet strategic employment needs in this area. The application site is the joint top-performing site in WMSESS 2021 and, crucially, the only motorway junction site in the M42 Corridor that lies outside of the Green Belt.

Compliance with Policy LP6 is also reliant on meeting three criteria, which the proposed development accords with:

- The site located at the north-east quadrant of the Junction 10 of the M42 Motorway and will be accessed off the A5 Trunk Road, both of which are key components of the Strategic Highways Network.
- The site is highly accessible by a choice of modes of transport, many of which are sustainable alternatives to the car, and the infrastructure improvements are proposed as part of the application which will further enhance the accessibility of the site.
- The development parameters have been carefully devised to ensure the proposed development, as demonstrated comprehensively in the ES, does not result in any adverse impacts on residential amenity for nearby residents and businesses.

Policy LP6 is therefore engaged, and weighs significantly in favour of the proposed development.

Policy LP4 (Strategic Gap)

Policy LP4 designates the site as part of a Strategic Gap. Policy LP4 states that development within the Strategic Gap is acceptable where it does not significantly adversely affect the distinctive,



separate characters of the settlements of Tamworth and Polesworth with Dordon. The proposal allows the settlements of Tamworth (to which it aligns in land use) and Polesworth/Dordon to maintain their separate characters. It will not see the settlements coalesce, as there will remain a substantial gap between them of open agricultural land. As such the development, despite being large in scale, will not have a significant adverse impact on the separate identities or characters of the settlements. The visual and physical separation, whilst reduced to some extent, is still significant and so does not adversely affect the separate identities of the settlements.

Therefore, when applying Policy LP4 in looking at all relevant considerations, the proposals accord with policy, and when this is considered alongside Policy LP6 and the demonstrated strategic need for development on the site, when applied together the significant weight afforded to Policy LP6 in decision making firmly tips the planning balance in favour of development.

LORRY PARKING PROVISION

The proposed 150 space overnight lorry park and associated welfare facilities and infrastructure forms a key component and added benefit of the scheme. As set out in Chapter 9, there is a significant deficit of HGV parking capacity in the West Midlands region and in particular there is an urgent need for additional overnight lorry parking provision in the Junction 10 area.

Existing sites in the region are operating at capacity and thus around 34% of HGV's have to park in alternative, inappropriate locations. An overall need for additional HGV parking capacity in the West Midlands region has therefore been clearly identified.

Quantitative and qualitative assessments have been carried out to support and endorse the need case further, demonstrably justifying the proposed overnight HGV parking facility being located at the application site and also the capacity for up to 150 spaces and associated welfare facilities.

There are no alternative sites within the vicinity of Junction 10 that could accommodate this need, particularly associated with existing 'offsite' parking issues in Tamworth and along the A5 corridor. The NPPF demonstrates clear policy support for the development of additional HGV parking capacity as integral components of new warehousing and distribution schemes. The proposed development includes provision of such a facility, and in this regard it is the appropriate policy response.

Furthermore, noting the Borough's strategic location and demand for lorry parking, Policy LP34 gives weight to proposals that comprise lorry parking provision and facilities. The proposed development and provision of a new 150 space overnight lorry parking facility clearly accords with Policy LP34 also.

In addition to according with local and national planning policy, the proposed development also accords with the national drive for increasing overnight lorry parking provision in order to attract and retain new HGV drivers, including female drivers to the industry. This critical aspect of the application scheme is a significant benefit in the overall planning balance and should be afforded substantial weight in the determination of this application.

TECHNICAL CONSIDERATIONS

Chapter 11 summarises the technical planning matters, policies and material considerations relevant to the determination of the application.



The Environmental Statement (ES) has comprehensively considered the potential impacts of the development proposals in line with all necessary legislation, policy and guidance.

As demonstrated in the ES, with the adoption of mitigation measures where appropriate, the proposed development would not result in any significant adverse environmental effects, including in terms of traffic/highways and landscape/visual impacts.

Any environmental impacts identified can be suitably mitigated to acceptable levels.

Furthermore, the design of future development will be underpinned by the overarching High Quality Design Principles (HQDPs) and Design Parameters contained in the Design Guide to ensure that a high-level of sustainability and design quality is achieved.

In summary, there is no significant harm arising after mitigation. There are no technical planning reasons why the proposed development should not be approved.

Against this position, we must then look at the benefits of the scheme.

MATERIAL CONSIDERATIONS FURTHER SUPPORT THE PROPOSALS

PLANNING BENEFITS

Chapter 10 sets out the multitude of planning benefits that will be brought about by the application. These are not generic benefits that could arise out of any form of economic development. Rather, these benefits are directly tied to the location and nature of this particular application scheme and will give significant benefits directly to the Borough and its inhabitants.

Investment and construction are the positive and proactive response that is needed in order to encourage much needed sustainable economic growth in the post-pandemic world.

The creation of 776 to 1,295 FTE jobs locally and 471 to 786 FTE jobs throughout the region is a significant long-term benefit. Furthermore, the co-location and timing of these jobs in proximity to residential development would align with the delivery of major new housing sites at Polesworth with Dordon (site allocation H4) and Tamworth (site allocation H5), in the recently adopted Local Plan.

In addition to job creation, the proposed development would deliver a range of other benefits to society, including the benefits of increased connectivity, access to nature, biodiversity net gains, cultural awareness and the promotion of active and healthy lifestyles.

Furthermore, the applicant's aspirations to create "*The Greenest Business Park in the West Midlands*", underpinned by the overarching HQDPs, Design Parameters and sustainability measures set out in the Design Guide will ensure that future development at the site would become an exemplar in sustainable and resilient development and addressing climate change to deliver a range of environmental benefits.

These substantial and far-reaching scheme benefits should be afforded very significant weight in the overall planning balance.

PLANNING BALANCE

The proposed development therefore accords with the Development Plan as a whole and there are no material considerations which weigh against the proposals. There are significant benefits which weigh heavily in favour of the proposals.



In accordance with NPPF paragraph 11, therefore, planning permission should be granted without delay.

1

INTRODUCTION



1 INTRODUCTION

1.1 OVERVIEW

1.1.1. This Planning Statement has been prepared by WSP on behalf of Hodgetts Estates (herein referred to as 'HE' or 'the Applicant') in respect of its Land North-East of Junction 10 of the M42 motorway, North

1.1.2. Warwickshire ('the site'). A Site Location Plan is contained at **Appendix A**.

The purpose of this Statement is to assist North Warwickshire Borough Council ('NWBC' or 'the Council') and consultees in the consideration of a planning application seeking:

'Outline planning permission for development of land within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial), and ancillary infrastructure and associated works, development of overnight lorry parking facility and ancillary infrastructure and associated works. Details of access submitted for approval in full, all other matters reserved'

1.1.3. This Statement assesses the development proposals against the Development Plan, relevant national policy and other material considerations. It is accompanied by a suite of plans and technical reports which provide detailed evidence and assessment upon which the content of this Planning Statement is based.

1.2 ENVIRONMENTAL IMPACT ASSESSMENT

1.2.1. The proposed development falls under Schedule 3 of the EIA Regulations 2017 and is therefore subject to statutory EIA.

1.2.2. Under Schedule 2, it is a matter for the Local Planning Authority to determine the need for an EIA through the evaluation of the sensitivity of the site and surrounding area and whether the proposed development has the potential to result in likely significant environmental effects by virtue of its characteristics, location and nature of the effects (in accordance with Regulation 5 of the EIA Regulations 2017).

1.2.3. The applicant considers that an EIA is required to support the planning application and did not submit a request for an EIA Screening Opinion. An Environmental Statement (ES) has been undertaken in accordance with the 2017 EIA Regulations and an ES Scoping Opinion from NWBC dated 23 December 2020 and supplementary response dated 12 February 2021.

1.2.4. This Planning Statement should be read alongside the Environmental Statement (Volumes 1 to 4).

1.3 APPLICATION CONTENT

1.3.1. This Planning Statement forms part of a wider planning application for which a range of supporting reports and drawings have been prepared by the consultant team engaged by the Applicant. A full list of these documents is included within **Appendix B**.

1.4 REPORT STRUCTURE

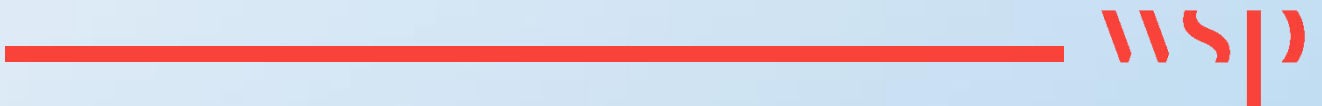
1.4.1. This Planning Statement is structured as follows:

- Chapter 2 – **Site Context** - describes the application site in terms of its existing conditions and its wider locational context;

- Chapter 3 – **Proposed Development** - sets out the details of the proposed development, the maximum development parameters sought and the overarching design and technical strategies that underpin the proposals;
- Chapter 4 – **Pre-Application Engagement** - details the pre-application engagement undertaken with NWBC, statutory and non-statutory consultees, political stakeholders, local residents and the business community;
- Chapter 5 – **Planning Policy** - provides an overview breakdown of relevant local and national planning legislation, policy and guidance;
- Chapter 6 – **Employment Need Position** - outlines the extensive evidence base that supports the overall employment need position;
- Chapter 7 – **Assessment of Employment Need and Alignment with Policy** - provides an assessment of the evidence base to demonstrate that the principle of development is acceptable and spatial justification for the development being located at the site, and how the scheme aligns with national planning policy and Local Plan Policy LP6;
- Chapter 8 – **Assessment of Strategic Gap Policy** - considers the proposed need case and spatial justification against the Strategic Gap policy (Policy LP4);
- Chapter 9 – **Lorry Parking Need and Assessment** - sets out the overnight lorry parking need case;
- Chapter 10 – **Scheme Benefits** - details the multitude of scheme benefits the proposed development would deliver for the area;
- Chapter 11 – **Other Material Considerations** - assesses the other material (technical) considerations of the scheme; and
- Chapter 12 – **Planning Balance** - concludes with the planning balance and why planning permission should be granted without delay.

2

BACKGROUND AND SITE CONTEXT



2 BACKGROUND AND SITE CONTEXT

2.1 HODGETTS ESTATES

- 2.1.1. Hodgetts Estates is a commercial property developer and investor, with a track record of delivering market leading business park developments in North Warwickshire.
- 2.1.2. Its flagship Core 42 Business Park at Dordon is home to established local employers including Greencore Group Plc, Bond International Ltd, Marshall Group Plc, and Grafton Group Plc and has delivered significant employment benefits to the area including over 500 fulltime jobs, regeneration of former industrial land, enhanced pedestrian and cycle links providing access to Penmire/Dordon Lakes and significant habitat creation, as well as substantial contributions towards staff training and sustainable transport measures locally.
- 2.1.3. In response to the compelling need for strategic-scale employment development in this location set out in this Planning Statement and supporting documents, Hodgetts Estates is now bringing forward proposals to deliver a highly sustainable business park that would seek to combine “Best in Class” logistics and industrial buildings and smaller SME buildings with significant amenities and social value benefits to local residents and communities. The aspiration is to create ‘The Greenest Business Park in the West Midlands’.

2.2 THE APPLICATION SITE

- 2.2.1. The land at the north-eastern quadrant of Junction 10 is bound by the M42 to the west, beyond which lies the border between the jurisdictions of NWBC and Tamworth Borough Council. The application site is bound by the A5 trunk road to the south, the agricultural land to the east and the village of Birchmoor to the north.
- 2.2.2. The land is owned entirely by Hodgetts Estates and is farmed each year. As such, the monocrop nature of the of arable farming is not conducive to extensive faunal and/or floral diversity, the majority of which is to be found around the periphery of the site.
- 2.2.3. There is a mature tree belt to the west and south-west of the site along the route of the M42 and Junction 10. To the south of the site is a mature hedgerow along the A5 boundary which contains intermittent semi-mature trees. There are also some thickets of self-set juvenile trees and shrubs surrounding an existing car park and hardstanding in the south of the site.
- 2.2.4. The site is transected by an oil pipeline, and a high pressure gas main pipeline lies to the east of the site. Development proposals have considered these pipelines, as well as their respective easements and consultations zones. Furthermore, two low voltage electricity lines also cross the site in an east-west / north-south axis respectively, with limited uncultivated vegetation around the base of each mast/pole.
- 2.2.5. A public bridleway (AE45) transects the site and a public footpath (AE46) borders the northern-eastern boundary of the site. These are essentially raised single lane farm tracks for the use of farm vehicles, which have grassed verges and banks down to the fields on each side.
- 2.2.6. The site is currently primarily served via an access at the A5 frontage which comprises a 16m wide dropped kerb arrangement with an access width of 8m. A secondary point of access lies to the east, from the A5 opposite Core 42 and via an existing farm track, which in part serves footpath AE46.

- 2.2.7. The hardstanding area in the south of the site was installed by contractors appointed by National Highways at the time of maintenance works to the A5 and M42 in the 1990's and 2000's, for use as an operations and storage yard. It has since been left vacant and is in state of disrepair. Unfortunately, it is often subject to littering and antisocial behaviour associated with existing lorry parking activity at the laybys on the A5 next to the main site entrance.
- 2.2.8. The site has no relevant planning history owing to its longstanding use as farmland and informal hardstanding.

2.3 SURROUNDINGS

- 2.3.1. In context with the wider Borough, the site lies in the northern half of North Warwickshire Borough, outside of the Green Belt – which covers of approximately 60% of the Borough. The site lies in the open countryside, to the west of the settlements of Polesworth and Dordon but more closely related to Tamworth to the west.
- 2.3.2. The site is situated between Tamworth, Dordon and Birchmoor, strategically located immediately north-east of Junction 10 of the M42.
- 2.3.3. The application site is positioned 300m east of Tamworth, one of the key employment centres in the region, and 20km from Birmingham, the second largest city in the UK and biggest employer in the Midlands.
- 2.3.4. The M42 provides direct links to the wider strategic motorway network including the M6, M40 and M5 as well as a series of key A roads in the West Midlands area, including the A5 which bounds the site to the south.
- 2.3.5. As shown in **Figure 2-1** below, the application site is the only undeveloped quadrant of Junction 10, which is surrounded by a cluster of business parks, industrial warehousing and other commercial development. In addition to St Modwen Park Tamworth to the south-east, the north-west quadrant comprises Relay Park – home to a Sainsbury's Distribution Centre and other businesses – and Tamworth Motorway Service Area (MSA) which includes some coach and HGV parking. The south-west quadrant comprises Centurion Park, which again hosts a range of businesses, particularly in the logistics and storage and distribution sector.
- 2.3.6. As such, the site is within an area characterised by similar commercial uses to that proposed, owing to its highly strategic location adjacent to Junction 10.

Figure 2-1 - Aerial image of the site and Junction 10 of the M42 Motorway

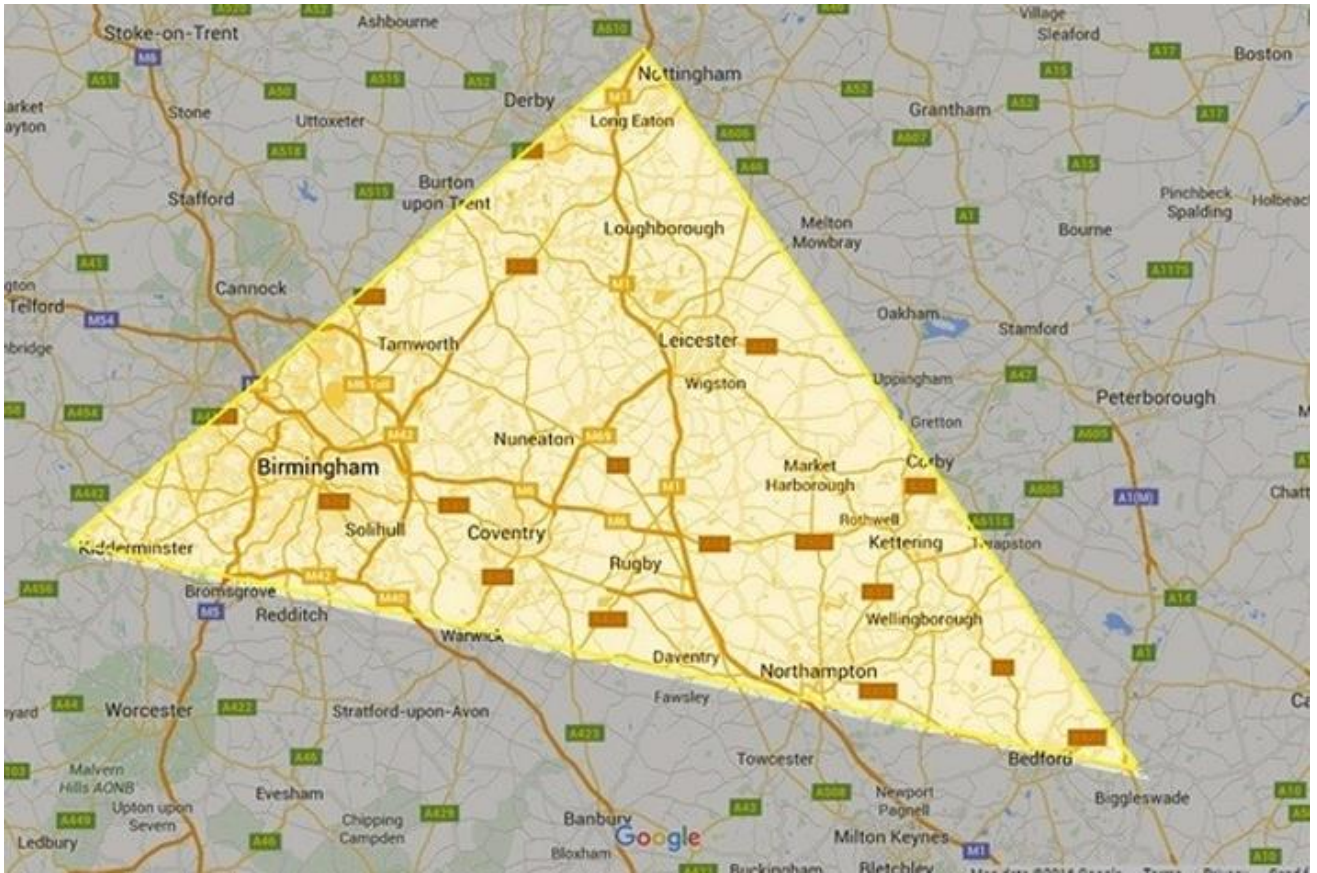


2.4 CONNECTIVITY

PROXIMITY TO STRATEGIC INFRASTRUCTURE

- 2.4.1. The locational advantages and spatial justification for the development at the site are comprehensively assessed in Chapter 7. A summary of the locational benefits is provided here for the purposes of describing the site context.
- 2.4.2. The site is located within the key 'Golden Triangle' for logistics, broadly formed of the M1 in the east, M6 in the south and M42 in the west.
- 2.4.3. This prime logistics market is located in the East and West Midlands because 85% of the UK population and the majority of the major sea ports are within 4.5 hours HGV drive time of the area, making it a highly sustainable location.

Figure 2-2 - The ‘Golden Triangle’ for Logistics Sites (Source: RCS Logistics)



- 2.4.4. Drilling down to the Borough-level, North Warwickshire lies at the crossroads of the country, with numerous major roads of national and regional significance passing through it.
- 2.4.5. The application site lies at an important east-west, north-south axis, immediately adjacent to the Strategic Road Network, specifically the M42 motorway and the A5. The M42 is key route into Birmingham from the north east and connects Birmingham with Nottingham and Derby in the East Midlands as well as providing connections to the wider national motorway network.
- 2.4.6. The A5 is one of the Midlands’ most important east-west road corridors, connecting businesses with ports, airports, rail freight interchanges and motorways, allowing them to access major UK and international markets. The route connects the M1 and M6 and intersects with the M42 and M69, four of the region’s busiest motorways. It also sits at the heart of the so-called “Logistics Golden Triangle”.¹ Furthermore, the A5 is the subject of strategic improvement proposals which form a key component of the strategy within the North Warwickshire Local Plan 2021 (‘the NWBC Local Plan’).
- 2.4.7. The application site lies just to the north of Birmingham Intermodal Freight Terminal (BIFT) located at Birch Coppice Business Park and meets the technical criteria for being a ‘rail-served site’.

¹ Midlands Connect: <https://www.midlandsconnect.uk/projects/roads/a5-corridor/>

PEDESTRIAN, CYCLE AND PUBLIC TRANSPORT ACCESS

- 2.4.8. A comprehensive assessment of the existing site connectivity is set out in the Transport Assessment (TA) (**Appendix 6.1 of ES Volume 3**). In summary, the site benefits from a reasonable level of pedestrian, cycle and public transport infrastructure and connections with the surrounding area. As stated in the TA, the existing infrastructure is considered to provide safe linkages between the site and local destinations.
- 2.4.9. The settlements of Birchmoor to the north, Polesworth with Dordon to the east and Tamworth to the west lie within a 2km walking distance, which is considered as the preferred maximum distance for commuting by foot, in accordance with guidance².
- 2.4.10. In terms of cycle access, a 5km catchment area centred on the site captures a significant proportion of the surrounding towns and villages within a comfortable cycling distance. This includes the densely populated residential areas east of Tamworth, such as Kettlebrook, Glascote, Glascote Heath, Belgrave, Wilnecote and Stoneydelph. To the northeast and east, residential areas within Polesworth, Dordon, Grendon, Baddesley Ensor, Birchmoor and Wood End would also be well within a comfortable cycling distance of the site.
- 2.4.11. In terms of public transport, existing bus stops are situated within 400m walking distance of the site at Birchmoor to the north (Bus Route No. 785 / 786) and A5 to the south (Bus Route No. 766 / 767), providing bus services east-west to the settlements of Nuneaton, Atherstone and Tamworth.
- 2.4.12. It should be noted that the settlements of Dordon and Polesworth and the east of Tamworth have been identified as significant housing growth areas in the respective North Warwickshire and Tamworth local plans to provide a minimum 3,270 dwellings (site allocation H4 and H5) and 1,100 dwellings (Policy HG2 – Tamworth Golf Course) respectively over the course of the respective plan periods. As such, these areas are anticipated to experience substantial population growth in years to come.
- 2.4.13. Overall, the site is easily accessible by foot and by bicycle from eastern Tamworth, Polesworth, Dordon, Grendon, Baddesley Ensor, Birchmoor and Wood End, as well as settlements further afield such as Atherstone and Nuneaton supplemented by public transport provision. As demonstrated in this application, HE is committed to implementing a sustainable transport and highways strategy that will increase and enhance connectivity further to maximise the potential to harness a substantial local workforce whilst providing added community benefits.

² Institution for Highways and Transportation document 'Guidelines for Providing for Journeys on Foot' (2000).

3

PROPOSED DEVELOPMENT



3 PROPOSED DEVELOPMENT

3.1 APPLICATION TYPE AND DESCRIPTION OF DEVELOPMENT

3.1.1. This planning application seeks outline planning permission (including approval of access with all other matters reserved) for the following development:

'Outline planning permission for development of land within Use Class B2 (general industry), Use Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial), and ancillary infrastructure and associated works, development of overnight lorry parking facility and ancillary infrastructure and associated works. Details of access submitted for approval in full, all other matters reserved'

3.1.2. The approval of the development parameters in outline would allow for the scheme to be developed in a number of ways, within established parameters, through the reserved matters process. This will provide flexibility for the development of the site to ensure it meets the needs of prospective end-user(s).

3.1.3. The Design & Access Statement and accompanying Design Guide set out the design rationale and overarching framework, including a series of High-Quality Design Principles (HQDP) and Design Parameters, to govern future development at the site.

3.2 DEVELOPMENT PARAMETERS

3.2.1. The following maximum and minimum parameters for the development to be contained within the development site (as indicated on the Parameters Plan contained at **Appendix C**) are as follows:

- New vehicular and pedestrian access from the A5 Trunk Road;
- Public Bridleway AE45 diverted within the development site, providing an enhanced route linking Birchmoor to the proposed green infrastructure, A5 Trunk Road and local services, such as bus stops located on the A5 Trunk Road and within St Modwen Park Tamworth;
- A substantial area of green infrastructure (over 9ha) principally to the north, south and east of the plots, incorporating open space, planting, landscaping, public rights of way, sustainable drainage system (SuDS) and a variety of wildlife habitats, provides a minimum development offset of 35m extending to 134m from the built development edge to the site boundary;
- Existing peripheral vegetation retained, enhanced and strengthened to provide a robust landscape buffer;
- Naturalistic earth mounds formed within the green infrastructure, utilising surplus cut material from the development site, to create a transitional zone between the developable area and development site perimeter and to provide visual mitigation where necessary;
- Up to 100,000 sqm (1,076,391sqft) of mixed Class B2, Class B8 and Class E(g)(iii) floorspace;
- Up to a maximum of 10% Class B2 / Class E(g)(iii);
- Maximum development height of +117.8m AOD at the less sensitive westernmost Plot A1 adjacent to the M42 motorway;
- Reduced maximum development height of +113m AOD at Plot A2, north of Plot A1 closer to Birchmoor;
- Reduced maximum development height of +111m AOD at the easternmost Plot B1, closer to Dordon;
- Reduced maximum development height of +102m AOD at Plot B2, at the entrance to site;

- Up to 150 space overnight lorry parking facility;
- Up to 400 sqm amenity building for overnight lorry parking facility (shop, restaurant/takeaway, laundry, gym, changing facilities, showers, toilets, etc);
- Creation of substantial landscaped buffer zones to the development site perimeter (in addition to the off-site areas for potential mitigation identified at Appendix D), as follows:
 - North - an extensive landscape buffer to the north of Plot A2 extending to 134m at its widest, reducing to 75m at the closest point to Birchmoor;
 - East - an extensive landscape buffer to the east of Plot A1 extending to 106m at its widest reducing to 49m to the north-east of Plot A2, and extending to 65m to the east of Plot B1 and Plot B2 and a minimum 35m to the north-east of Plot B1, where proposed building heights are lower;
 - South - a minimum 35m to the south of Plot A1 extending to 58m in the south-west corner of the plot close to J10 M42 and 35m-37m to the south of Plot B2;
 - West - a minimum 10m landscape buffer to the west of Plot A1 and Plot A2, where existing screening vegetation for the M42 motorway is extensive and mature.

3.2.2. For reference, green infrastructure is defined at Annex 2: Glossary in the National Planning Policy Framework (NPPF) 2021 as:

“A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.”

OFF-SITE AREAS FOR POTENTIAL LANDSCAPE AND VISUAL MITIGATION

3.2.3. As indicated on the plan showing the ‘Area of Interest’ for the purposes of the ES at **Appendix D**, a number of additional areas of land within the applicant’s control are included.

3.2.4. These areas are to provide potential landscape and visual impact mitigation and biodiversity enhancements through planting and footpath enhancements, as well as providing access to members of the public. These potential enhancements are set out in detail in section 3.5 of this chapter.

3.2.5. The accompanying ES and other technical reports and plans forming this submission have been prepared based on the aforementioned parameters.

3.3 RATIONALE FOR MIX OF USES AND MAXIMUM PARAMETERS SOUGHT

3.3.1. As detailed in the supporting Employment Land Statement³ prepared by JLL, the UK logistics market is growing substantially and within the last year alone the sector saw huge growth with take up of B2 and B8 uses hitting record high levels. During the COVID-19 pandemic, the lockdown accelerated trends in online shopping, increasing the proportion of goods purchased online by approximately 10%. This has increased demand in the ‘Big Box’ sector and particularly for ‘Big Box logistics’ and the need for new strategic employment development land, particularly for large scale logistics is therefore growing at a national, regional and sub-regional level.

³ JLL Employment Land Statement (September 2021)

- 3.3.2. The Big Box sector is a specific segment of the overall employment land market and is different to traditional forms of industrial development. It generally caters for logistics, although not exclusively, with units greater than 9,290sqm (100,000sqft) and often accommodating national or regional hubs, leading to inward investment.
- 3.3.3. The submitted Employment Land Statement forms part of a plethora of publications and evidence base information that collectively, demonstrate a significant need, both strategically and locally, for employment land suitable to deliver large-scale (Big Box) employment development in the short-term. This is covered in detail in Chapter 6, however, in summary, evidence clearly points towards there being a critical shortfall in available new strategic employment land in the M42 corridor, particularly for Big Box logistics.
- 3.3.4. Based on current evidence and past trends, the current supply of allocated and committed employment land across the West Midlands Combined Authority (WMCA) would appear to represent approximately 4.94 years supply. This is insufficient to meet demand and therefore there is an urgent need for additional strategic employment sites to be brought forward to provide a deliverable pipeline, especially adjacent to strategic highway network and close to motorway junctions. It is anticipated that 100 to 110 hectares of land per year is required across the whole West Midlands region to accommodate the planned growth⁴.
- 3.3.5. The rationale for the proposed scheme comprising up to 100,000sqm of mixed employment floorspace (of which up to 10% is Class B2 / Class E(g)(iii) floorspace) has therefore been based upon the greater need for Big Box logistics, a trend which will continue growing into the foreseeable future. Provision of potentially 100,000sqm (1,076,391sqft) of high-quality, strategically located B8 floorspace will help meet immediate demand and meet the criteria for Big Box development given the site is located at a motorway junction in a logistics hotspot within the Golden Triangle.

3.4 DESIGN

- 3.4.1. As stated at the outset of this chapter, the exact detailed design of the development will be submitted for approval as “reserved matters” in subsequent planning applications. A Design Guide has been prepared to provide an overarching framework for future applications to follow to ensure high quality, highly sustainable and appropriately designed development comes forward at the site.
- 3.4.2. The Design & Access Statement includes a number of illustrative masterplans (not for approval) which are included to demonstrate that the maximum 100,000sqm of floorspace, overnight HGV parking facility and ancillary development sought can be adequately accommodated within the maximum developable area and parameters. It should be noted that the illustrative masterplans only show how the scheme could potentially be laid out and demonstrate its flexibility in the type and size of units, with the final layout (either in entirety or in part) to be fixed as part of future reserved matters applications.
- 3.4.3. This approach will enable the site to be marketed with flexibility to appeal to a broad spectrum of national or internationally renowned operators, whilst also ensuring control over the design of future development(s).

⁴ Nicol Economics Employment Land Needs Statement (November 2021)

3.4.4. Full details of design and access are contained in the accompanying Design & Access Statement and Design Guide. This section provides an overview of the proposals for the purposes of providing context for the subsequent chapters in this Planning Statement.

QUANTUM

3.4.5. The total floorspace assessed for the purposes of the ES is up to 100,000 sqm (1,076,391sqft) of mixed Class B2, Class B8 and Class E(g)(iii) development. Given this aligns with the maximum floorspace parameter set out at ES Scoping stage and assessed in the ES and technical chapters, the total floorspace proposed is clearly within the acceptable limits.

3.4.6. Of the proposed 100,000sqm maximum floorspace parameter, this includes up to a maximum of 10% Class B2 / Class E(g)(iii) development.

LAYOUT

3.4.7. As this is an outline planning application, details of the proposed layout will be a reserved matter.

3.4.8. A Parameters Plan (contained at **Appendix C**) signifies the extent of the development plots which future reserved matters application will have to adhere to.

SCALE

3.4.9. Whilst exact details of the proposed scale will also be a reserved matter, as set out above, the proposed development and subsequent reserved matters applications will have to adhere to the following height parameters:

- Maximum development height of +117.8m AOD at the less sensitive westernmost Plot A1 adjacent to the M42 motorway;
- Reduced maximum development height of +113m AOD at Plot A2, north of Plot A1 closer to Birchmoor;
- Reduced maximum development height of +111m AOD at the easternmost Plot B1, closer to Dordon;
- Reduced maximum development height of +102m AOD at Plot B2, at the entrance to site;

APPEARANCE AND MATERIALS

3.4.10. Where the proposals are in outline only, no details of the proposed external materials are known at this stage. However, it is assumed, given the proposals comprise B2/B8 uses, that the materials will reflect the operational requirements associated with general industrial/logistics development, whilst striving to create high-quality design and finishes. This will ensure a high-quality environment and provide a visual mitigation between the proposed development and context of the wider setting.

ACCESS AND MOVEMENT

3.4.11. As set out in the Transport Assessment (TA), the proposed development would be served by a new signal controlled all-movements access junction at the A5. The proposed access layout has been designed in accordance with published guidance from National Highways, acting as the Highway Authority responsible for the A5 carriageway.

3.4.12. Details of the proposed development peak hour traffic generation have been agreed with officers at both Warwickshire County Council and National Highways and the resulting movements assigned to the surrounding highway network using the strategic traffic model that formed the basis of the Local Plan assessment.

- 3.4.13. The site is currently served by a reasonable level of infrastructure to accommodate predicted journeys by walking, cycling and public transport modes. However, HE is committed to delivering enhancements and, as such, the proposed development would deliver a range of substantial accessibility improvements, particularly for walking and cycling journeys, that would benefit site users as well as surrounding employment developments and residents more broadly. These are discussed further in section 3.5.

3.5 PROPOSED STRATEGIES

- 3.5.1. A number of overarching strategies have been implemented since the outset of the project to underpin and guide future scheme design, the construction and operational phases, as discussed below.

CLIMATE CHANGE ADAPTATION, ENERGY AND SUSTAINABILITY STRATEGY

- 3.5.2. HE is committed to sustainability and mitigating climate change impacts and accordingly has set a very high target for this development to be “*The Greenest Business Park in the West Midlands*”. As such, the proposals incorporate the following features and building standards:

- Targeting a BREEAM ‘Excellent’ Rating for all buildings;
- Energy Performance Certificate ‘A’ Rating for all buildings;
- Speculative buildings to be built to UK Green Building Council’s ‘Net Zero Carbon Ready’ standard for construction;
- At least 10% of energy generated from on-site renewable or low carbon sources (e.g. solar panels), and ensuring all buildings can be adapted to accommodate existing and future technologies (e.g. ‘solar PV ready’ steel portal frame, connected battery technology, etc);
- Air and/or ground source heat pumps to provide heating to all offices;
- Recyclable structure and cladding system;
- Use of low environmental impact and bio-based materials that also provide good insulation;
- High air tightness rating, mechanical ventilation heat recovery (MVHR) systems and sun awnings / brise-soleils to create ambient temperature and minimise the need for energy intensive heating and cooling to all buildings;
- Electric vehicle charging points and ‘rapid’ charging points, with ducting provided to all parking spaces to future proof the development;
- Ducting provided to lorry parking spaces for fully electric and hybrid electric lorries, to future proof all service yards and the overnight lorry parking facility;
- Showers and changing facilities provided to all units;
- Communal cycle parking, showers and changing facilities to be provided at the ancillary Hub Office, available for use by site occupiers as well as the general public (including staff of neighbouring business parks) to encourage walking and cycling to work;
- Rainwater harvesting to reduce water consumption, for measures such as flushing toilets, landscape watering and vehicle/interior cleaning;

- Minimise construction waste and topsoil and subsoil cut and fill to be balanced across site to avoid the need for materials to be removed from site;
- Develop a Sustainable Travel Plan to minimise single occupancy vehicle trips to and from the site; and
- Conserve and enhance biodiversity and achieve a significant biodiversity net gain across the site.

3.5.3. To help achieve these aspirations, a Design Guide has been developed in conjunction with leading professionals to provide both an overarching framework and parameters for future reserve matters applications, to ensure that any future development of the site would be brought forward in a cohesive manner that respects the locational context.

3.5.4. As part of the Design Guide, a series of High Quality Design Principles (HQDP) have been developed as follows:

- **HQDP 1:** Responding to the climate change emergency by designing in and future-proofing sustainability from the start across all aspects of building, infrastructure and landscape design, whilst allowing for adaptation and later enhancement to meet occupier requirements.
- **HQDP 2:** Maintaining a Strategic Gap between the development site and Polesworth with Dordon to the east, and Birchmoor to the north, utilising Hodgetts Estates' extensive land holdings, to create a strong landscape setting with views and legible routes to and from the site, connecting with the surrounding landscape.
- **HQDP 3:** Providing safe and convenient access for all users coming to and from the site, including the local community for leisure uses, commuters, and visitors.
- **HQDP 4:** Ensuring that prominent buildings are distinctive, distinguishable, and relate to human scale and operational requirements whilst minimising the wider visual impact. Larger warehouse elements will utilise varied ground levels and sympathetic building components to break up facades and screen service yards.
- **HQDP 5:** Generating a uniform architectural language and design of built form to enhance legibility and wayfinding for the site and surroundings. Creating a sense of place and respecting the distinctive and varied architecture of Birchmoor, Dordon, and Polesworth.
- **HQDP 6:** Encouraging healthy and active lifestyles through the incorporation and enhancement of landscaping features, and linkages between the site and surrounding area for recreation and leisure uses.

SUSTAINABLE TRANSPORT AND HIGHWAYS STRATEGY

3.5.5. From the outset, the transport strategy has been to take a holistic and inclusive approach to meet the following key aims:

- Promote sustainable forms of transport wherever possible;
- Minimise trips to and from the site by single occupancy private vehicles;
- Avoid impacts on the A5 trunk road and M42 motorway during peak times; and
- Reduce the volume of freight arriving solely by road.

3.5.6. The key aims of the sustainable transport and highways strategy would be achieved through implementation of the following measures:

- Over 3.5km of new and enhanced public footpaths, bridleways and footway/cycleway routes, linking the site with Birchmoor to the north and Dordon to the east, and opening up foot and bicycle commuting opportunities from settlements further afield including Polesworth and Tamworth;
- Provision of an enhanced bus stop to the south of the site on the east bound A5, providing a bus shelter with seating and segregated cycleway/footway;
- Cycle parking provided to all units in excess of the North Warwickshire design standards, incorporating a range of parking facilities to include indoor/outdoor secure and covered storage, and e-bike charge points, all located at or close to the pedestrian entrances to each building;
- Showers and changing facilities provided to all units and communal cycle parking, showers and changing facilities provided at the ancillary hub office, available to the staff of all site occupiers as well as the general public (including staff of neighbouring business parks) to encourage walking and cycling to work more broadly throughout the area;
- Preparation of a site wide Sustainable Travel Plan, setting out the commitment to promoting sustainable travel amongst all potential site occupants in order to minimise demand for car travel; and
- Where necessary, contributions towards offsite sustainable transport enhancements.

New Public Rights of Way and Cycle Routes and Improved Existing Public Rights of Way and Cycle Routes

3.5.7. The proposed enhancements to the Public Right of Way and footway/cycleway network in and around the site will improve pedestrian and bicycle permeability locally, allowing residents of Birchmoor, Polesworth, Dordon and Tamworth to access the cluster of employment sites at Junction 10 M42 and to the south of the A5 more easily. As such, it is envisaged that these enhancements will make it much easier for employees in these locations to commute to work by bicycle or foot, leading to offsite sustainable transport benefits.

Other Access Improvements

3.5.8. The internal layout does not form part of the formal planning application and is provided in illustrative form only at this stage to help demonstrate delivery of the required design elements. The following details set out the provision that would be made for each of the detailed infrastructure elements, in accordance with relevant design guidance and best practice. The details will also be set out with a Design Guide that is submitted as part of the planning application.

3.5.9. As shown within the Illustrative Masterplans contained in the Design & Access Statement, the proposed development would be served by a spine road with a carriageway width of 7.3 metres (one lane in each direction) that extends north from a new signal controlled all-movements junction at the A5 providing access to each plot via individual priority-controlled T-junctions. The route would be supported by shared use footways/cycleways and street lighting at each edge of the carriageway.

3.5.10. The Design & Access Statement and Design Guide include a range of infrastructure improvements designed to enhance the existing pedestrian, cyclist and public transport infrastructure serving the site and its surrounds. Anticipated improvements include the following:

- 3m wide dual use footway/cycleway to either side of the site road and access junction;

- 3m wide dual use footpath / cyclepath linking north from the site road to Birchmoor;
- 3m wide footpath / cycleway linking east from the site road to the nexus of Public Bridleway AE45 and Public Footpath AE45;
- A network and new and improved Public Footpaths, footpaths and cycleways crossing the broader area to promote sustainable modes of travel/commuting and local community health and fitness. This will include tarmac footpaths and cycleways and appropriate surfaces for bridleways, all of which would be compliant with the Equalities Act 2010 providing “access for all”;
- New enhanced bus stop to the south of the site on the east bound A5, providing bus shelter, associated street furniture and segregated cycleway and footway. Subject to the agreement of National Highways and the relevant bus operator, it is proposed that this will be a ‘green bus shelter’ as currently being delivered elsewhere in the West Midlands, incorporating the following sustainability features – made from recycled materials with green roof and solar panels to power digital information board;
- New enhanced fully signal controlled pedestrian crossing for the A5, compared to the existing junction staggered pedestrian crossing that passes through the central reserve;
- Electric vehicle charging points and rapid charging points installed to 10% of car parking spaces, with ducting provided to a further 15% to future proof the development – 25% in total;
- Ducting provided to 25% of lorry parking space for fully electric and hybrid electric vehicles, to future proof the development; and
- Car parking provided to all units at the North Warwickshire standard.

3.5.11. The implementation of these infrastructure improvements will help realise the aspirations to promote the use of more sustainable transport modes and encourage healthy and active lifestyles.

LANDSCAPE STRATEGY

3.5.12. The development parameters have been conceived to preserve and reinforce the separate identities of Polesworth, Dordon, Birchmoor and Tamworth. Whilst the proposed development will reduce the physical distance between the settlements, any perceived harm will be limited through carefully designed mitigation measures to maintain a functional and meaningful gap between them.

3.5.13. To the north and east of the development site, naturalistic earth mounds are proposed to be planted with native woodland species and interspersed with publicly accessible open parkland. These measures will both screen the existing developments currently visible along the A5 corridor as well as the new buildings that are being proposed.

3.5.14. As indicated above, the proposals incorporate the creation of substantial landscaped buffer zones to the development site perimeter, as follows:

- North - an extensive landscape buffer to the north of Plot A2 extending to 134m at its widest, reducing to 75m at the closest point to Birchmoor;
- East - an extensive landscape buffer to the east of Plot A1 extending to 106m at its widest reducing to 49m to the north-east of Plot A2, and extending to 65m to the east of Plot B1 and Plot B2 and a minimum 35m to the north-east of Plot B1, where proposed building heights are lower;
- South - a minimum 35m to the south of Plot A1 extending to 58m in the south-west corner of the plot close to J10 M42 and 35m-37m to the south of Plot B2;

- West - a minimum 10m landscape buffer to the west of Plot A1 and Plot A2, where existing screening vegetation for the M42 motorway is extensive and mature.

3.5.15. Through the creation of the aforementioned naturalistic earth mounds in the landscaped buffer zones to the north, south and east of the developable area, the buildings will be largely screened from view and as the native woodland planting and screening matures, the whole of the site would eventually be almost entirely screened from sensitive locations at Birchmoor, Polesworth with Dordon and the public right of way network locally.

3.5.16. **Figure 3-1** below demonstrates, indicatively, the extent of landscaping and planting that could be accommodated within the areas of off-site mitigation identified and the creation of dense planted areas along the site boundaries to mitigate visual impact.

Figure 3-1 - Extract of Indicative Landscaping Plan (Source: SLR)



3.5.17. In addition, as demonstrated in **Figure 3-1** above, as the applicant owns the entirety of the open land between the M42 motorway and Polesworth with Dordon in this location, it has also been able to incorporate offsite landscape mitigation measures and enhancements across the width of the Strategic Gap.

3.5.18. In total, some 6.51 hectares (16 acres) of off-site landscape mitigation measures and enhancements are proposed through native woodland planting, reinstatement of historic field boundaries and footpath enhancements, providing access to members of the public. The offsite measures would be secured in perpetuity through a legal agreement with the Council to prevent further expansion of development in those parts of the Strategic Gap.

- 3.5.19. The offsite landscape mitigation measures could also incorporate a new ‘community orchard’ and rural walkways next to Dordon and across the Strategic Gap, incorporating planting of local heritage fruit tree varieties.
- 3.5.20. Further details on the landscaping strategy can be found in the accompanying Design Guide and landscape plans.

BIODIVERSITY STRATEGY

- 3.5.21. The biodiversity strategy is driven by an aspiration to delivery significant biodiversity net gains, including the creation of over 9 hectares of on site and additional offsite habitats, including native woodlands, native shrublands, mixed hedgerows, wildflower meadows, wetland wildflower meadows, ornamental planting and amenity grassland, within wider green infrastructure⁵.
- 3.5.22. Further ecological enhancements proposed include:
- Bird and bat boxes to promote nesting and roosting;
 - ‘Insect hotels’ to provide refuge in suitable locations throughout the substantial area green infrastructure;
 - Bee hives and bee bricks for wild bees, placed close to wildflower meadow and wetland wildflower meadow habitats;
 - Butterfly banks, provide breeding opportunities and enhance connectivity between habitats for a range of butterfly and moth species and other invertebrates;
 - Buried logs ‘loggery’ and log piles, i.e. dead and decaying wood, which is an important wildlife habitat used by many species of reptiles, beetle and invertebrates;
 - Refugia/hibernacula for invertebrates, small mammals, reptiles, and amphibians;
 - Maintenance of ‘dark corridors’ through the site for foraging bats;
 - Creation of new wildlife corridors through provision of native woodland planting to the north and east of the site; and
 - Wildlife information boards tying in with the proposed new footpaths, cycleways and seating areas, to provide education/learning opportunities on notable habitats, species and features, as part of amenity enhancements.
- 3.5.23. The strategy will ensure that the proposed development accords with Government’s requirement for development proposals to achieve a minimum 10% Biodiversity Net Gain. This is appraised further in Chapter 11 of this Statement and also the ES.

DRAINAGE STRATEGY

- 3.5.24. The site is located entirely within Flood Zone 1 (land defined as having less than a 1 in 1000 annual probability of flooding from of river or sea water) and is defined as ‘less vulnerable’ leading to the conclusion the development is considered ‘appropriate’ in accordance with NPPF guidelines.
- 3.5.25. The site is considered to be at ‘low risk’ from all sources of flooding; fluvial, pluvial, tidal, sewer related, groundwater and artificial sources.
- 3.5.26. The proposed drainage strategy is that surface water runoff will be collected from the impermeable areas and directed via the underground network to SuDS in the form of an attenuations pond in the

⁵ NPPF 2021 Annex 2: Glossary

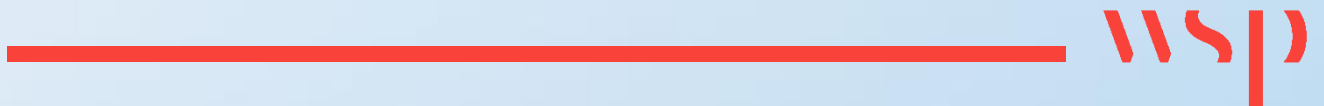


south of the site. From there, the outfall would be restricted to greenfield runoff rates to the manhole which forms part of the culverted watercourse in the south-west corner of the site.

- 3.5.27. Foul flows will be collected by an independent network and discharge to the nearest foul sewer located to the east of the development adjacent to the A5.

4

PRE-APPLICATION ENGAGEMENT



4 PRE-APPLICATION ENGAGEMENT

4.1 OVERVIEW

- 4.1.1. A detailed Statement of Community Engagement (SCE) has been prepared which provides details on the public consultation undertaken, methods implemented, and feedback received, highlighting how feedback has been considered, addressed and translates into amendments to the scheme design. This section provides a high-level overview of the pre-application engagement up to November 2021.
- 4.1.2. Given the prominence of the site and the potential scale of development, the applicants have front-loaded the process, undertaking pre-application discussions with NWBC over a period of 12 months.
- 4.1.3. A wide variety of statutory and non-statutory consultees have also been consulted since Autumn 2019 in order to ensure a comprehensive approach is taken with engagement and that a variety of interested parties can be provide feedback.
- 4.1.4. NWBC issued a Scoping Opinion on 23 December 2020 in response to an EIA Scoping Request submitted by WSP on 20 November 2020.
- 4.1.5. Over the past twelve months, since the ES Scoping exercise, technical work and engagement has been undertaken to support the forthcoming planning application and EIA.
- 4.1.6. Comments received by consultees and statutory bodies and have been incorporated with supporting reports and assessments where necessary.

4.2 PRE-APPLICATION ENGAGEMENT WITH NWBC AND KEY STAKEHOLDERS

- 4.2.1. Pre-application engagement has been undertaken with NWBC and key stakeholders as part of the formal pre-application process. Engagement has taken place with the majority of statutory consultees but also with a variety of non-statutory consultees in order to ensure a comprehensive approach is taken with engagement and that a variety of interested parties can be provide feedback.
- 4.2.2. A formal pre-application meeting was held (via video conference) on 26 November 2020. This meeting was attended by Jeff Brown (Head of Planning) and Dorothy Barratt (Forward Planning & Economic Development Manager) from NWBC and members of the project team, including HE and WSP acting as planning consultant. Following comments from planning officers at the meeting, scheme design was amended to add the Hub Office, to incorporate on-site training facilities (e.g., meeting rooms, presentation / conference rooms and computer suite) and communal cycle parking, showers and changing facilities, as well as site security, management suite and marketing function during construction.
- 4.2.3. On 19 February 2021, HE delivered a presentation to a group of NWBC Members to outline the proposals and provide opportunity to raise any questions or queries.
- 4.2.4. During August 2021, in advance of the public consultation exercise commencing, SP Broadway (engagement consultant) contacted members of NWBC's Executive Board, Planning and Development Board and Dordon Ward Members as the first stage in consulting a wider audience. These calls introduced HE's aspirations for creating "*The Greenest Business Park in the West Midlands*" and provided an overview of the proposals and key benefits.

- 4.2.5. HE has also been in frequent dialogue with leading members of the local business community to keep them abreast of the emerging proposals through personalised briefings.
- 4.2.6. Given that the application site is close to the local authority boundary with Tamworth Borough Council (TBC), just to the west of Junction 10 M42, HE met with members of the Planning Policy and Development and Growth and Regeneration Teams at TBC early on in the design process to provide details of the forthcoming proposals. TBC was again contacted at the time of the public consultation going live to provide them with an update on the scheme.
- 4.2.7. HE has also held initial discussions with WCC Public Right of Way (PRoW) Team regarding the proposed development to help shape the application and overall benefits package. WCC PRoW were highly supportive of the proposed PRoW and footway/cycleway enhancements, indicating that the proposals align with Dordon Parish Council's (DPC) proposals being advanced in the emerging Dordon Parish Neighbourhood Plan.
- 4.2.8. HE has also undertaken early discussions with the following parties in relation to the proposed development:
- Health and Safety Executive (HSE) – who confirmed that it would not 'advise against' the proposals based on design
 - Cadent Gas
 - Mainline Pipelines Limited
- 4.2.9. Pre-application feedback from NWBC, consultees and other stakeholders has been used to inform the development parameters, the design principles set out in the Design & Access Statement and Design Guide and to feed into each ES chapter and associated assessments.

4.3 EIA SCOPING

- 4.3.1. An EIA Scoping Report was submitted to North Warwickshire Borough Council on 20 November 2020 (as presented in **Appendix 1.2 of ES Volume 3**, together with a formal request for an EIA Scoping Opinion, in accordance with Regulation 15(1) of the EIA Regulations 2017.
- 4.3.2. A formal Scoping Opinion was subsequently received from the Council on 23 December 2020, followed by supplementary correspondence (dated 12 February 2021) following a request for clarification on a number of points, both of which are included in **Appendix 1.3 of ES Volume 3**. The full set out consultation responses to the Scoping request are contained at **Appendix 1.4 of ES Volume 3**. Further details on the Scoping Opinion and how it has informed the ES are provided in **Chapter 5 of ES Volume 2: Approach to EIA**.

4.4 PUBLIC CONSULTATION

- 4.4.1. In light of the ongoing COVID-19 pandemic, the public consultation strategy was progressed with social distancing guidelines in mind. WSP has undertaken a significant number of online consultations during the course of the pandemic and it has proven extremely effective. Online consultation drives inclusivity, reaches out to a far wider geographic area and tends to engage younger age groups who do not ordinarily attend traditional town hall consultation events, thereby leading to a broader spectrum of opinion. Furthermore, mindful of those who may be required to self-isolate and have concerns regarding COVID and are therefore housebound, online consultation allows such people to access all the information on the proposals and provide their feedback.

4.4.2. The public engagement exercise comprised the following:

- Inviting local people, business stakeholders and Local and Parish Councillors (elected members) to the virtual exhibition via a letter drop to a total of **1,147 properties**;
- Offering to speak (virtually) or present to key stakeholders one-on-one or collectively;
- Launching a website (<http://landne-j10m42.co.uk/>) to host a virtual public exhibition with plans and details of the proposals;
- Providing a variety of feedback mechanisms and channels of communication for enquires; and
- Responding to queries and requests for more information where appropriate.

4.4.3. The consultation website went live with a landing page on Friday 20 August 2021 to coincide with receipt of consultation letters via post. The landing page advised visitors of the website of the forthcoming consultation live date.

4.4.4. The consultation ran between 25 August 2021 and 17 September 2021 allowing sufficient time for a review of the proposals and responses to be made.

4.4.5. A total of **60** responses from local residents were completed via the questionnaire and a further **8** responses by email.

4.4.6. Overall, opinions varied across a wide spectrum of views from opposition to the proposals to strong support. The common issues and themes to emerge from the community engagement process can be summarised as follows:

- There is general support for job creation and local employment, particularly the provision of SME units.
- Concerns that there is not sufficient capacity on highway network to accommodate the proposals and that the A5 is already busy.
- Additional traffic from this new site east-bound on the A5 will increase air pollution in Dordon to the detriment of the residents of Dordon.
- The scheme having a negative impact in terms of sustainability.
- There has been a large increase in logistics development in the nearby area and as such there is a feeling that there is no need for more of this type of development.
- Whilst a number of stakeholders were concerned by the impact on the open countryside in terms of visual amenity, there were a number of stakeholders in support of the proposed landscaping scheme to mitigate visual impact.
- The area is the Meaningful Gap/Strategic Gap which is designated to provide a clear gap between Tamworth and Dordon/Polesworth.

4.4.7. These key themes are discussed, and the applicant's response to the concerns raised is provided, in Chapter 4 of the SCE and also addressed, where relevant, in the subsequent chapters of this Planning Statement.

4.5 CONCLUSION

4.5.1. In accordance with NWBC's Statement of Community Involvement, the NPPF and the Localism Act, the submitted SCE provides a chronology of the pre-application consultations that have been undertaken with NWBC, the local community and stakeholders to assist in the evolution of the proposed development.

- 4.5.2. HE has sought to engage with stakeholders and the community at the local level early in the planning process to identify technical issues and understand the community's views on the development proposals, which has resulted in changes to the submission proposals.
- 4.5.3. The process has identified what were the key considerations for the various parties and the proposed development has sought to accommodate these considerations where justified. Among the most frequently raised issues about the scheme were queries and concerns relating to transport and traffic management, landscape and visual impact, need and use.
- 4.5.4. HE has responded positively to the consultation feedback received. Following comments from planning officers at the meeting, the scheme design was amended to include the Hub Office, to incorporate on-site training facilities (e.g., meeting rooms, presentation / conference rooms and computer suite) and communal cycle parking, showers and changing facilities, as well as site security, management suite and marketing function during construction. This was in direct response to officer feedback and will provide a significant community benefit.
- 4.5.5. On this basis, HE has clearly demonstrated a positive and proactive approach to pre-application consultation, in accordance with paragraph 39 of the NPPF.

5

PLANNING POLICY, GUIDANCE AND LEGISLATIVE FRAMEWORK



5 PLANNING POLICY, GUIDANCE AND LEGISLATIVE FRAMEWORK

5.1.1. This chapter provides a summary of the planning policy and guidance documents and legislative framework most pertinent to the determination of this application. Full details of all relevant planning policies and guidance to the application are set out at **Appendix E**. A review of the extensive employment need evidence base is set out in Chapter 6.

5.2 LEGISLATIVE FRAMEWORK

5.2.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

5.3 LOCAL PLANNING POLICY AND GUIDANCE

5.3.1. The North Warwickshire Borough Council Local Plan September 2021 ('the Local Plan') is the current adopted Local Plan and sets out the vision and spatial planning strategy for North Warwickshire and allocates sites for new homes and employment land to meet local community and business needs up to 2033.

5.3.2. The Local Plan was adopted at Full Council on 29 September 2021.

5.3.3. The Local Plan policies relevant in the determination of this planning application are as follows:

- Policy LP1 – Sustainable Development
- Policy LP2 – Settlement Hierarchy
- Policy LP4 – Strategic Gap
- Policy LP5 – Amount of Development
- Policy LP6 – Additional Employment Land
- Policy LP11 – Economic Regeneration
- Policy LP12 – Employment Areas
- Policy LP14 – Landscaping
- Policy LP15 – Historic Environment
- Policy LP16 – Natural Environment
- Policy LP17 – Green Infrastructure
- Policy LP22 – Open Spaces and Recreational Provision
- Policy LP23 – Transport Assessments
- Policy LP25 – Railway Lines
- Policy LP26 – Strategic Road Improvements A5
- Policy LP27 – Walking and Cycling
- Policy LP29 – Development Considerations
- Policy LP30 – Built Form
- Policy LP33 – Water and Flood Risk Management
- Policy LP34 – Parking
- Policy LP35 – Renewable Energy and Energy Efficiency
- Policy LP36 – Information and Communication Technologies
- Policy LP39 – Employment Allocations

5.3.4. In addition, NWBC's Air Quality & Planning Supplementary Planning Document, published in September 2019, is a material local planning guidance document.

5.4 NATIONAL PLANNING POLICY AND GUIDANCE

5.4.1. The National Planning Policy Framework (NPPF) was updated in July 2021 and is a key material consideration in the determination of planning applications and contains a presumption in favour of sustainable development as well as overarching policy guidance in respect of economic growth and regeneration, a drive for more active and healthy lifestyles, transport and highways safety, preserving the historic environment and protecting and enhancing the natural environment.

5.4.2. The NPPF confirms that the Development Plan remains the statutory basis for the determination of planning application unless material considerations indicate otherwise. The NPPF constitutes guidance for Local Planning Authorities (LPAs) and decision-takers both in and drawing up plans as material considerations in determining applications.

5.4.3. Full details of all relevant NPPF paragraphs and policy are set out in **Appendix E**.

5.5 OTHER MATERIAL CONSIDERATIONS

CLIMATE CHANGE EMERGENCY

5.5.1. Following UK Parliament's climate emergency declaration on 1 May 2019, there has been a step-change in the approach to tackling climate change with the majority of local councils, NWBC included, declaring a climate change emergency and commitment to significantly ramping up measures to tackle climate change.

5.5.2. In addition to the parliamentary declaration on 1 May 2019, key announcements and declarations at the local and regional levels include:

- WMCA - declared a climate emergency and a vow to take urgent action to cut harmful emissions (28 June 2019).
- WCC - unanimously declared a climate emergency (25 July 2019) and in October 2021 committed to halving carbon emissions by 2030 and reaching net-zero emissions in the 2040s¹.

LEVELLING UP AGENDA

5.5.3. The current Government was elected on a pledge to address regional inequality and to level up the country.

5.5.4. As announced by Government on 19 September 2021, The Ministry of Housing, Communities and Local Government will become the Department for Levelling Up, Housing and Communities as the Government seeks to deliver on its central mission to level up every part of the UK.

¹ WCC (October 2021) - Warwickshire joins the global race to zero carbon emissions – Available: <https://www.warwickshire.gov.uk/news/article/2518/warwickshire-joins-the-global-race-to-zero-carbon-emissions>

- 5.5.5. On 18 November 2021, Government confirmed its support for the implementation of the HS2 eastern leg up to the East Midlands². The announcement came alongside publication of the Integrated Rail Plan (IRP).
- 5.5.6. The IRP sets out the government's proposals to transform the rail network in the North and Midlands. It is a £96 billion plan that outlines how major rail projects, including HS2 Phase 2b, Northern Powerhouse Rail and Midlands Rail Hub, will be delivered sooner than previous plans so that communities, towns and cities across the North and Midlands are better connected with more frequent, reliable and greener services and faster journey times.

ACHIEVING GOOD DESIGN

- 5.5.7. In terms of the national drive for achieving good design, a series of recent planning design guidance has been published which demonstrates that achieving good design is high on the Government's agenda and is helping influence policy-making and decision-taking, as demonstrated in the recent update to the NPPF (July 2021 update). Some of the key publications include:
- The National Design Guide, MHCLG (January 2021)
 - National Model Design Code, MHCLG (July 2021)
 - Guidance Notes for Design Codes, MHCLG (January 2021)
- 5.5.8. Further details are contained within Appendix E.

5.6 EMERGING DORDON NEIGHBOURHOOD PLAN

- 5.6.1. The Dordon Neighbourhood Plan Area was designated on 20 September 2017.
- 5.6.2. Since then, Dordon Parish Council (DPC) and specifically the Dordon Neighbourhood Plan Steering Group have been preparing a Neighbourhood Plan for Dordon ('the DNP').
- 5.6.3. In October 2021, DPC published a first draft DNP ahead of a 6-week consultation which commenced on 15 October 2021. The consultation ran until 27 November 2021. However, a further consultation, again on the Pre-Submission Neighbourhood Plan and supporting documents, commenced from 1 December 2021 and will run until 28 January 2022.
- 5.6.4. The draft DNP is clearly in the preliminary stages of plan preparation and, as such, it is some way off being submitted for examination and ultimately adoption. Until the public consultation has finished and the level of unresolved objections to relevant policies established, is not clear at present what weight, if any, should be attributed to the draft DNP and emerging policies in the determination of planning applications at this stage. As such, the draft DNP is not considered further in this Planning Statement.
- 5.6.5. The draft Dordon Design Guidance and Code (DDGC) was published alongside the emerging DNP in October 2021. The objective of the draft DDGC is "to provide bespoke design guidance and codes that future developments within the neighbourhood plan area must follow, in order to respond

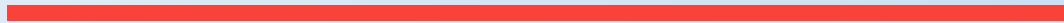
² <https://www.gov.uk/government/publications/integrated-rail-plan-for-the-north-and-the-midlands>



to Dordon’s special character”. It sets out a number of high level design principles that development should factor into scheme design, most of which relate to the proposed Local Plan allocation sites but some are relevant to other proposals – details of which are set out in **Appendix E**.

6

EMPLOYMENT LAND - EVIDENCE BASE



6 EMPLOYMENT LAND - EVIDENCE BASE

- 6.1.1. This chapter provides an overview and summary of the most relevant publications undertaken at national, regional, sub-regional and local levels that, collectively, demonstrate a significant need, both strategically and locally, for employment land suitable to deliver large-scale industrial development in the short-term.
- 6.1.2. There is a plethora of publications and evidence base information that could be drawn upon to demonstrate the compelling commercial and economic need for the proposed development, however this chapter captures those considered most relevant and as carrying the greatest weight for the purposes of determining the planning application.
- 6.1.3. This chapter should be read alongside the following chapters of the specialist commercial and economic need assessments produced by others, which provide comprehensive assessments on the matter of need:
- Employment Land Statement (September 2021), prepared by JLL:
 - Chapter 2 – Need for Strategic Employment Sites;
 - Chapter 3 – Demand for Employment Land for Big Box Development; and
 - Chapter 4 – Supply of Suitable Land for Big Box Development.
 - Employment Land Needs Assessment (November 2021), prepared by Nicol Economics:
 - Chapter 2 – Economic Context for the Development;
 - Chapter 3 – Economic Policy Context for the Development;
 - Chapter 4 – Methodology Used to Assess North Warwickshire Employment Land Needs;
 - Chapter 5 – The Nature and Role of the Logistics Sector Activity;
 - Chapter 6 – The Need for Space for Large Scale Employment Sites;
 - Chapter 7 – The Current and Future Supply of Employment Sites; and
 - Chapter 8 – Comparison of Demand and Supply.

6.2 NATIONAL NEED

SHIFTS IN THE NATIONAL PRIORITIES RELATING TO THE EMPLOYMENT AND DISTRIBUTION SECTORS

- 6.2.1. The Government’s “New Deal”, announced in the Prime Minister’s “Build, build, build” speech in June 2020⁸, reflects their resolve to significantly boost the economy both in response to economic effects of the Coronavirus pandemic, and in response to anticipated economic effects of Brexit.
- 6.2.2. Beyond government policies, two major events have had a significant impact on the demand for and nature of the distribution and warehousing sector:
- Brexit – the UK formally withdrew from the EU on 31 January 2021 when the transition period ended. The uncertainty surrounding the leadup to Brexit and consequential adjustment period following adoption of the formal trade deal has had a negative effect on supply chains and caused disruption and delays to the movement of goods throughout the UK and internationally.

⁸ <https://www.gov.uk/government/news/pm-a-new-deal-for-britain>

As a result, this is changing the way that businesses choose to operate and has led to an increased demand for warehousing capacity in the UK to safeguard against supply issues for retailers and manufacturers alike (i.e. to stockpile goods that cannot be transported as efficiently, or to import goods less frequently but in larger volumes); and

- The Coronavirus pandemic has resulted in a significant shift to online shopping, accelerating a trend that was already occurring, as consumers' movements were restricted. This will also result in greater need for more warehousing capacity. This was evidenced recently in Savills' presentation titled *The Road to Net Zero*⁹ in which the following points are most pertinent:
 - Broadly speaking, the pre-pandemic total of retail sales (in £ billions) compared to the online proportion was approximately 20%. Post-pandemic, the forecast is that both total retail sales and the online proportion of retail sales are project to grow to above 35% by 2025;
 - In terms of how that projected increase is quantified, using a forecast from Forrester, post-Covid predictions are estimated to be that £83bn of additional online retail sales will create demand for 63.9m sqft of logistics space required across the UK by 2025 to meet the demands of the online retail sector alone; and
 - Research from Prologis estimates that for every additional £1bn of online sales this results in, on average, an additional 775,000 sqft of demand for warehouse space.

6.2.3. In addition to Brexit and the Coronavirus pandemic, there has also been a significant shift in the need for co-locating warehousing and residential development (discussed later in this chapter).

6.2.4. Overall, the picture has changed significantly in the past few years. Take up of industrial warehouse floorspace has accelerated and there is now a pressing need for new strategic employment sites, to address national trends, as well as at the regional, sub-regional and local level.

INDUSTRIAL STRATEGY WHITE PAPER (UK GOVERNMENT, 2017)

6.2.5. The Government published an Industrial Strategy White Paper in 2017¹⁰ which outlined a new approach to how government and businesses can work together to shape a stronger, fairer economy. The strategy aims to help young people develop the skills they need to do the high-paid, high-skilled jobs of the future, create conditions where successful businesses can emerge and grow, and help businesses to invest in the future of the country.

6.2.6. The paper sets out a vision for the future economy and to boost the productivity, earning power and quality of life of the British people. Promoting industrial development is central to the strategy and by 2030 the aim is to have transformed productivity and earning power across the UK to become the world's most innovative economy and best placed to start and grow businesses, with upgraded infrastructure and prosperous communities across the country.

6.2.7. The government has committed to a large increase in public and private investment in research and development and public infrastructure funding will have doubled in a decade by 2022/23. The importance of working with local leaders and Local Enterprise Partnerships through Local Industrial Strategies is also an important element of the approach in order to build a dynamic economy and

⁹ Mofid, Kevin, Savills, *The Road to Net Zero* (October 2021)

¹⁰ Industrial Strategy: Building a Britain Fit for the Future (UK Government, November 2017) – Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/664563/industrial-strategy-white-paper-web-ready-version.pdf

support communities to thrive. The strategy makes specific reference to the importance of the West Midlands Mayoral Combined Authority's fund as it boosts the mayor's capacity and resources, including £5 million towards improved construction skills training schemes.

- 6.2.8. Overall, the ambition of the Industrial Strategy is to build a country fit for the future, confident and outward-looking to ensure increased productivity and earning power for society.

BETTER DELIVERY: THE CHALLENGE FOR FREIGHT (NATIONAL INFRASTRUCTURE COMMISSION, APRIL 2019) AND UK GOVERNMENT RESPONSE (AUGUST 2021)

- 6.2.9. The National Infrastructure Commission (NIC) produced 'Better Delivery: The Challenge for Freight'¹¹, by invitation from the Government, to advise on how to ensure an efficient low carbon freight system. The report concluded that the availability of land for freight distribution centres is crucial for the efficient operation of the sector and will become even more important in the future.

- 6.2.10. The NIC also made a series of recommendations to Government:

1. Decarbonisation of road and rail freight by 2050 – tackling environmental impacts by committing to decarbonising road and rail freight by 2050;
2. Better land use planning for freight – managing freight's contribution to congestion through better planning;
3. A new partnership for freight – establishing a new Freight Leadership Council, bringing together government and industry for accelerated progress on long term issues.

- 6.2.11. In August 2021, the Government issued its response¹² to the NIC report, confirming that it agreed with the recommendations.

THE INCREASED IMPORTANCE OF LOGISTICS DURING COVID-19 AND BEYOND (TURLEY ECONOMICS, DECEMBER 2020)

- 6.2.12. This report¹³ analyses the effect that the pandemic has had on the logistics sector, noting that everyone's dependence on logistics has been heightened: when everyone was asked to stay home, we relied on logistics to keep supply chains going to ensure our supermarket shelves were stocked, and for the delivery of food, medicine and supplies. It was an essential industry to keep going throughout lockdowns.

- 6.2.13. Take-up of warehouse space over Q1 – Q3 of 2020 was at record high levels, and by the end of Q3, 2020 take-up already exceeded average annual take-up. This trend was happening already, but Covid-19 acted as a catalyst to accelerate the trend and changed consumer habits.

¹¹ Better Delivery: The Challenge for Freight (National Infrastructure Commission, April 2019) – Available: <https://nic.org.uk/app/uploads/Better-Delivery-April-2019.pdf>

¹² Government Response to Better Delivery: A Challenge for Freight (UK Government, August 2021) – Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014140/government-response-to-better-delivery-a-challenge-for-freight.pdf

¹³ The Increased Importance of Logistics during Covid-19 and Beyond (Turley, December 2020) – Available: <https://www.turley.co.uk/news/logistics-key-economic-recovery>

- 6.2.14. Further, around three quarters of take-up related to new build premises, both build-to-suit and speculative builds.
- 6.2.15. The logistics sector is relatively quick to adapt, to develop and deliver economic opportunities, making it uniquely placed to contribute to the UK's economic recovery post-Covid.
- 6.2.16. Since the start of the pandemic, the retail sector has lost 125,000 jobs, whereas the logistics growth is of a scale that would support approximately 54,000 on-site jobs. On top of this, the sector can support construction jobs as new build developments are granted planning permission and start on site.
- 6.2.17. The planning system needs to support the continued delivery of space to enable logistics to efficiently function as demand for space continues to grow.

DELIVERING THE GOODS IN 2020 (BRITISH PROPERTY FEDERATION, 2020)

- 6.2.18. The findings of this report¹⁴ reflect a similar position – confirming that productivity in the logistics sector is forecast to increase by 43% over the next 20 years, reaching £114 billion by 2039 – higher than the national average growth forecasts.
- 6.2.19. This will directly result in growth in employment in the sector, and online sales are expected to continue to grow.
- 6.2.20. Logistics operators are committing to delivering social benefits through the provision of strategic skills training (such as apprenticeships) and delivering wider regeneration goals.
- 6.2.21. Furthermore, premises are increasingly promoting sustainability credentials such as public transport links and amenities, and energy efficiency and renewable energy.
- 6.2.22. The key recommendation from the report is that local plans should ensure alignment between levels of housing growth and logistics growth, providing the right quantity of space in the right locations.
- 6.2.23. The Covid-19 pandemic restrictions have accelerated this long-term adjustment, which is also associated with Brexit. Rapid changes are occurring to occupier requirements, in particular a trend towards larger footprint buildings which offer economies of scale and a shift for precautionary logistics in reaction to potential disruption of supply chains.
- 6.2.24. Despite the impact of the pandemic, warehousing and logistics have proved extremely resilient. Projections show continued expansion driving demand for space and larger employment, in accessible locations, suitably distanced from residential areas.
- 6.2.25. The industrial and logistics sector will be instrumental in the economic recovery of the UK. Logistics is an important part of the West Midlands economy as a business sector in its own right and as an enabler to the success of other businesses of all sizes and sectors. This aspect of recovery will not be possible without suitable strategic employment sites, such as the application site, to accommodate the necessary growth.

¹⁴ Delivering the Goods in 2020: The Economic Impact of the UK Logistics Sector (BPF, December 2020) – Available: <https://bpf.org.uk/our-work/research-and-briefings/delivering-the-goods-in-2020/>

BRITISH PROPERTY FEDERATION EMPLOYMENT LAND MANIFESTO (JULY 2021)

- 6.2.26. The BPF issued its latest manifesto¹⁵ in July 2021.
- 6.2.27. The manifesto sets out to suggest positively how planning for employment land can be improved. Much of the focus is on industrial and logistic uses, which are seeing tremendous growth in demand for space. The pandemic has certainly accelerated demand for more online shopping, but there are many other longer-term factors driving a race for industrial space: from the growth of biotech and other high-tech manufacturing to supply-chain changes coming from our new trading relationship with the EU and the world.
- 6.2.28. Accordingly, the BPF's top three priorities for a planning system that better plans for industrial and logistics are:
1. Recognising the needs of the industrial and logistics sector both as part of a green economic recovery but also its contribution to the other objectives of sustainable development;
 2. Enshrining this in national policy so that sufficient land is identified in the right locations for logistics requirements through the plan-making process;
 3. Ensuring appropriate and responsive policy mechanisms are in place to ensure a sufficient pipeline of employment land to meet modern societal needs.
- 6.2.29. The manifesto makes direct reference to North West Leicestershire District Council Local Plan (NWLDCLP) Policy EC2 as being a good example of how a "presumption in favour of sustainable logistics development" can operate at a local level and encourages more local authorities to adopt a similar approach. NWLDCLP Policy EC2 is the genesis for Policy LP6 in the NWBC Local Plan.

BIG BOX LOGISTICS MARKET UPDATES (JLL, AUGUST 2021 AND SEPTEMBER 2021)

- 6.2.30. JLL produced a UK Big Box Logistics Market Update in August 2021 for Half 1 (H1) of 2021¹⁶.
- 6.2.31. The update confirmed that following record demand in 2020, the market has continued its very strong momentum in 2021, with 21.4m sqft of Grade A floorspace taken up in H1, 78% of which was in new buildings. For the first time since H1 2021, the take up of speculatively built space exceeded that in new built-to-suit developments, highlighting the speed with which many companies need additional capacity that they can put into operation quickly. Take up in H1 was 58% higher than the 5-year half yearly average, with only a 3% vacancy rate of completed buildings which was a drop from 5% at the end of 2020.
- 6.2.32. Furthermore, the publication noted that retailers accounted for 67% of take-up in H1 2021 and that e-commerce sustained its position as a key driver of demand and accounted for 51% of total take-up, which aligns with a number of other publications and studies referred to in this chapter and specifically the rapidly increasing market share of e-commerce driving unprecedented demand for logistics floorspace.

¹⁵ BPF Employment Land Manifesto (BPF, July 2021) – Available: <https://bpf.org.uk/media/4313/bpf-employment-land-manifesto.pdf>

¹⁶ UK Big Box Logistics Market Update (JLL, August 2021)

- 6.2.33. The slightly more recent JLL Big Box Logistics Market Update Q3 2021¹⁷ confirms the sustained demand and supply issues in the sector, with retailers accounting for 65% of Grade A take-up during Q3 (of which e-commerce accounted for 48% of total Grade A take-up) and the vacancy rate of completed buildings down to just 2%.
- 6.2.34. Overall, the JLL publications conclude that this ongoing elevated demand for floorspace and critically low vacancy is anticipated to continue and that the market remains extremely active and fast-moving.

WHAT WAREHOUSING WHERE? UNDERSTANDING THE RELATIONSHIP BETWEEN HOMES AND WAREHOUSES TO ENABLE POSITIVE PLANNING (BRITISH PROPERTY FEDERATION, 2018)

- 6.2.35. On behalf of the British Property Federation, Turley produced this report¹⁸ to set out a series of recommendations aimed at delivering a clear vision – communities that function sustainability and are great places to live. In order to achieve this, the report makes clear that the logistics need to be in place to support modern ways of living, which means proactive and well-informed policy and planning practice which recognises the inextricable link between homes and warehousing, and the importance of the infrastructure to connect them.
- 6.2.36. The report details how there is a clear link between homes and warehousing, both in terms of quantum and location, which must be recognised in policy. Households generate demand for goods of all types, from cars to carpets to coffee to clothes. In turn car manufacturers require component parts; cafes require coffee bean deliveries and so on. Logistics is the sometimes invisible but always essential tie between demand and supply within the economy. Without it we would be running on empty – without cars or coffee. As the population grows and more homes are delivered across the country, additional space for the required logistics response will be needed to meet consumer demand. Logistics should therefore be a central consideration when planning for sustainable communities.
- 6.2.37. Indeed, the key findings of this publication directly correlates with the aforementioned *Delivering the Goods in 2020 publication* (BPF, 2020) which states that “*local plans should ensure alignment between levels of housing growth and logistics growth providing the right quantity of space in the right locations*”.

EUROPEAN MANUFACTURING OUTLOOK (SAVILLS, AUTUMN 2020)

- 6.2.38. At a European-scale, Savills’ European Manufacturing Outlook¹⁹ notes that the Coronavirus pandemic has created mass disruption to global supply chains and the pace to which consumer confidence and retail sales recover will be essential.
- 6.2.39. Looking back over a longer period, the publication notes that:

¹⁷ UK Big Box Logistics Market Update Q3 2021 (JLL, September 2021)

¹⁸ What Warehousing Where? Understanding the Relationship Between Homes and Warehouses to Enable Positive Planning (Turley, on behalf of British Property Federation, 2018) – Available: <https://static.turley.co.uk/pdf/file/2019-03/BPF%20What%20Warehousing%20Where%20Report.pdf>

¹⁹ European Manufacturing Outlook (Savills, Autumn 2020)

“Over the past five years, the UK has attracted £148bn of private manufacturing investment, creating demand for 26m sqft (2.4m sqm) of warehouse space from the sector. This indicates that for every £1bn of private manufacturing investment, this creates new demand for 175,000 sq ft of warehouse space.”

- 6.2.40. As such, despite the significant market share attributed to retailers and e-commerce in terms of logistics take-up, it is also essential that logistics provides for the wider supply chain and manufacturing sectors, such as the automotive industry, which is an especially prominent component in the West Midlands.

6.3 REGIONAL NEED – WEST MIDLANDS

WEST MIDLANDS COMBINED AUTHORITY

- 6.3.1. The WMCA Region which comprises 18 local authorities and three Local Enterprise Partnerships (LEPs) are working together to deliver the best possible outcomes for the residents and businesses of the West Midlands.
- 6.3.2. The WMCA has produced a range of evidence base documentation, including a Strategic Economic Plan (SEP)²⁰ and Strategic Employment Sites Studies which focus on the supply and demand of employment sites in addition to identifying future trends in the economy, specifically with regards to economic development throughout the region. More recently, WMCA has produced a highly relevant recovery action plan that focuses on kickstarting the economy in light of Covid-19. These documents are discussed further below.

Recharge the West Midlands

- 6.3.3. The recovery action plan titled ‘Recharge the West Midlands’ was published in June 2020²¹ in response to the ongoing economic emergency brought on by the Covid-19 pandemic. The document sets out the key immediate asks of the government from the West Midlands, which totals £3.2 billion of investment over the next three years. As the region generated 5.5% of the UK’s economic output it is crucial the region forms a substantial part of the Government’s plans for national economic recovery.
- 6.3.4. The plan sets out the ambitions, both in the short and longer term, for the region in order to recharge the economy. The West Midlands region has a substantially higher proportion of private sector-led innovation than elsewhere in the country and therefore emphasises the importance of investing in the region in order to safeguard and create thousands of jobs, build new homes and support an economic recovery, not just locally but for the UK as a whole.
- 6.3.5. The region is home to thousands of small and medium enterprises and these form a critical part of the automotive and manufacturing supply chains. These sectors have been impacted by the COVID crisis and targeted regional support is required to help these industries and their capability is critical to the long-term success of the West Midlands’ economy. A number of actions have been put in place by the West Midlands to help manage the impact of COVID-19, including reviewing

²⁰ West Midlands Strategic Economic Plan (WMCA, 2016) – Available: <https://www.wmca.org.uk/media/1382/full-sep-document.pdf>

²¹ Recharge the West Midlands (WMCA, June 2020) – Available: <https://www.wmca.org.uk/media/3975/west-midlands-economic-recovery-our-ask-and-offer-hd-spreads.pdf>

infrastructure plans to see what investment can be brought forward as soon as possible in order to boost the economy.

- 6.3.6. In light of the current economic climate, the report outlines that it is now critical, more so than ever, to help protect the business community by providing clear guidance and support that will give businesses the best chance of recovery and delivering a long-term plan that will enable economic growth.

Strategic Economic Plan

- 6.3.7. Recent market trends have highlighted that the output gap between the West Midlands and the rest of the UK will widen between now and 2030 and the SEP therefore focuses on a number of key areas and actions to create conditions for growth including connectivity and skills, exploiting the area's world class innovation infrastructure and improve business competitiveness. The SEP highlights the importance of the retention, growth and further expansion of the job market within the West Midlands to further support the region's ambitions to become an engine for growth. In particular, the WMCA seeks to create half a million jobs and generate an additional £7 billion gross value added by 2030.

Spatial Investment and Delivery Plan and A5 Growth Corridor Strategy

- 6.3.8. The WMCA's SIDP (Revised Draft February 2019²²) takes a comprehensive approach to land supply and development across the region in considering requirements for and delivery of both employment sites and housing delivery. The plan seeks to align planned housing and employment growth, so they are mutually supporting each other. The pipeline developed to underpin the SIDP includes major employment sites as well as housing sites.

- 6.3.9. The SIDP adopts the definition of Strategic Employment Sites used in previous regional study work i.e. Strategic Employment Sites are business development sites that can bring net additional activity and jobs to the region by:

- Attracting nationally or internationally mobile economic activity (including both mobile businesses and the suppliers that serve them); and
- Providing accommodation that would not otherwise come forward through the local planning system, principally because a) they are large sites, providing at least some 25 hectares and often much more b) they may be in greenfield locations.

- 6.3.10. The SIDP notes at Objective 4 that it “*will support the delivery of a competitive portfolio of employment sites*” and at Chapter 6 identifies “*Growth Corridor and Strategic Opportunity Areas*” which form part of the WMCA's programme of target investments. The A5 Corridor is one of the identified Growth Corridors and Appendix B of the SIDP sets out the commentary to justify its inclusion:

“[The A5 Corridor] is a growth corridor of sites along A5 from Rugby through Nuneaton, continuing into Tamworth, Lichfield and Cannock. Sites allocated in North Warwickshire and Nuneaton and Bedworth plans total 6,080 new homes supported by upgrades to A5. There are sites allocated in

²² Spatial Investment & Delivery Plan Revised Draft (WMCA, February 2019) – Available:

<https://governance.wmca.org.uk/documents/s2639/2019.02.13%20HLDB%20Revised%20SIDP%20appendix%20to%20covering%20paper%20-%20Public%20paper%20-%20FINAL.pdf>

and around Tamworth totalling over 4000 homes and a 10ha employment site adjacent to the A5... There are also strategic employment opportunities along the corridor including Tamworth at the A5/M42 junction.”

As such, the A5 Corridor is clearly identified as a key growth corridor and target for significant future investment and within the A5 Corridor, Junction 10 provides strategic employment opportunities.

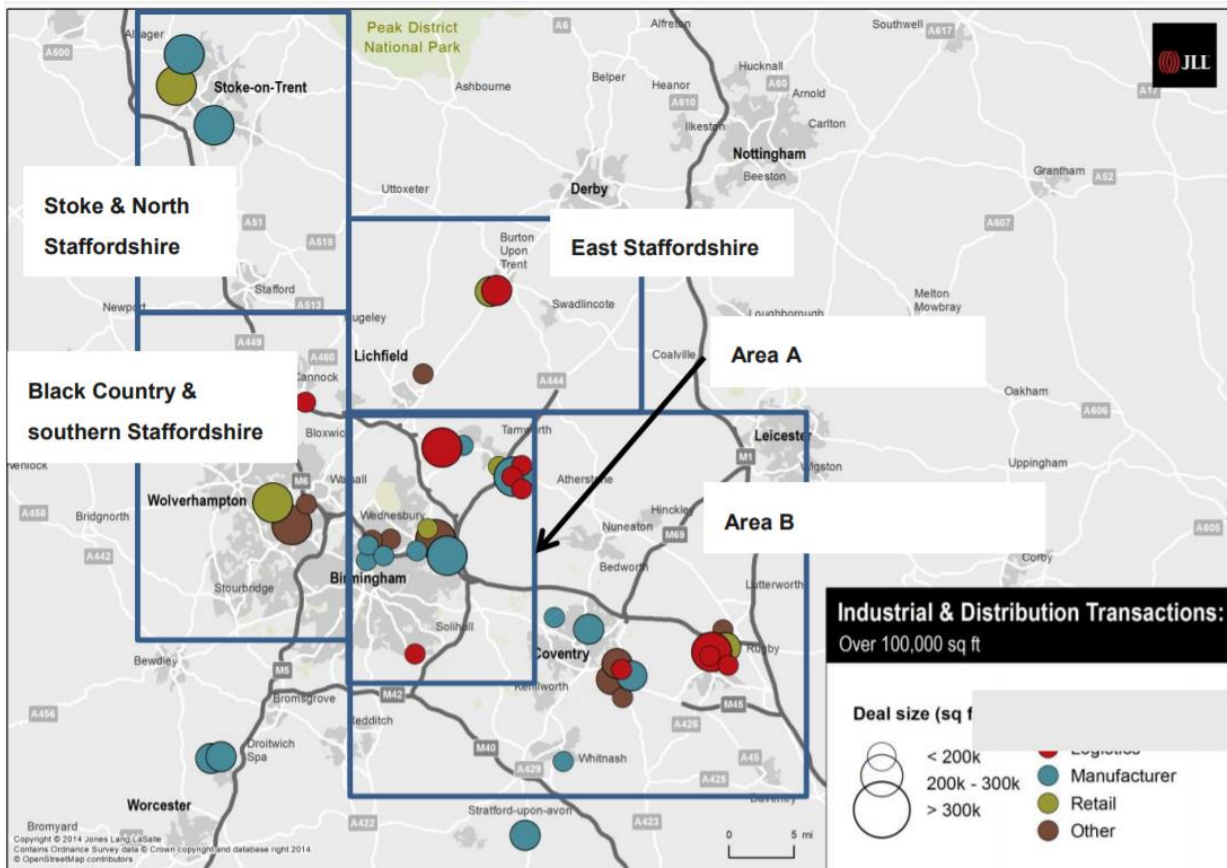
West Midlands Strategic Employment Sites Study (September 2015)

- 6.3.11. In 2015, a West Midlands Strategic Employment Sites Study (WMSESS) (Phase 1)²³ was produced on behalf of the WMCA Chief Executives. This study was completed following the adoption of the North Warwickshire Core Strategy and provides the evidence that was missing at the time of the Core Strategy EiP on what exactly is the strategic employment land need. The WMSESS 2015 is now accepted as being the appropriate evidence base document for identifying the quantum and nature of new strategic employment land that should be planned for. It is a document carrying substantial weight.
- 6.3.12. The study highlighted the significant scale of demand for strategic employment land which has eroded the supply of large units (i.e. greater than 10,000sqm / 107,639sqft) to a critical level in the West Midlands. Specifically, it highlighted three broad areas of highest demand and the highest pressure on a limited supply of deliverable strategic land. Of these, the M42 Corridor to the east of Birmingham (identified as ‘Area A’ as shown in **Figure 6-1** below) experienced the highest level of demand (paragraph 4.71). Furthermore, Area A was considered to offer the most accessible location as it offers the best travel times to the UK population, as well as access to multi-modal facilities which benefit logistic operators, in addition to benefiting manufacturers and their suppliers due to the proximity to the main automotive facilities. The application site lies within Area A.

²³ West Midlands Strategic Employment Sites Study (Phase 1) (Peter Brett Associates & JLL, September 2015) – Available:

https://www.northwarks.gov.uk/downloads/file/7526/ad25_west_midlands_strategic_employment_sites_study_2015

Figure 6-1 - Extract from WMSESS 2015 Showing 'Area A' (Source: JLL)



- 6.3.13. The study recognised demand for large scale industrial floorspace in the West Midlands was most intense along the M42 Corridor, where the boundaries of Birmingham, Solihull, North Warwickshire and Tamworth converge, however, conversely, it had the lowest level of immediate available supply.
- 6.3.14. The 2015 study concluded that if supply constraints were relieved in these areas this would add to economic growth and employment in the region in the manufacturing as well as distribution centres, but that larger-than-local policies would be a more effective way to bring forward new sites.

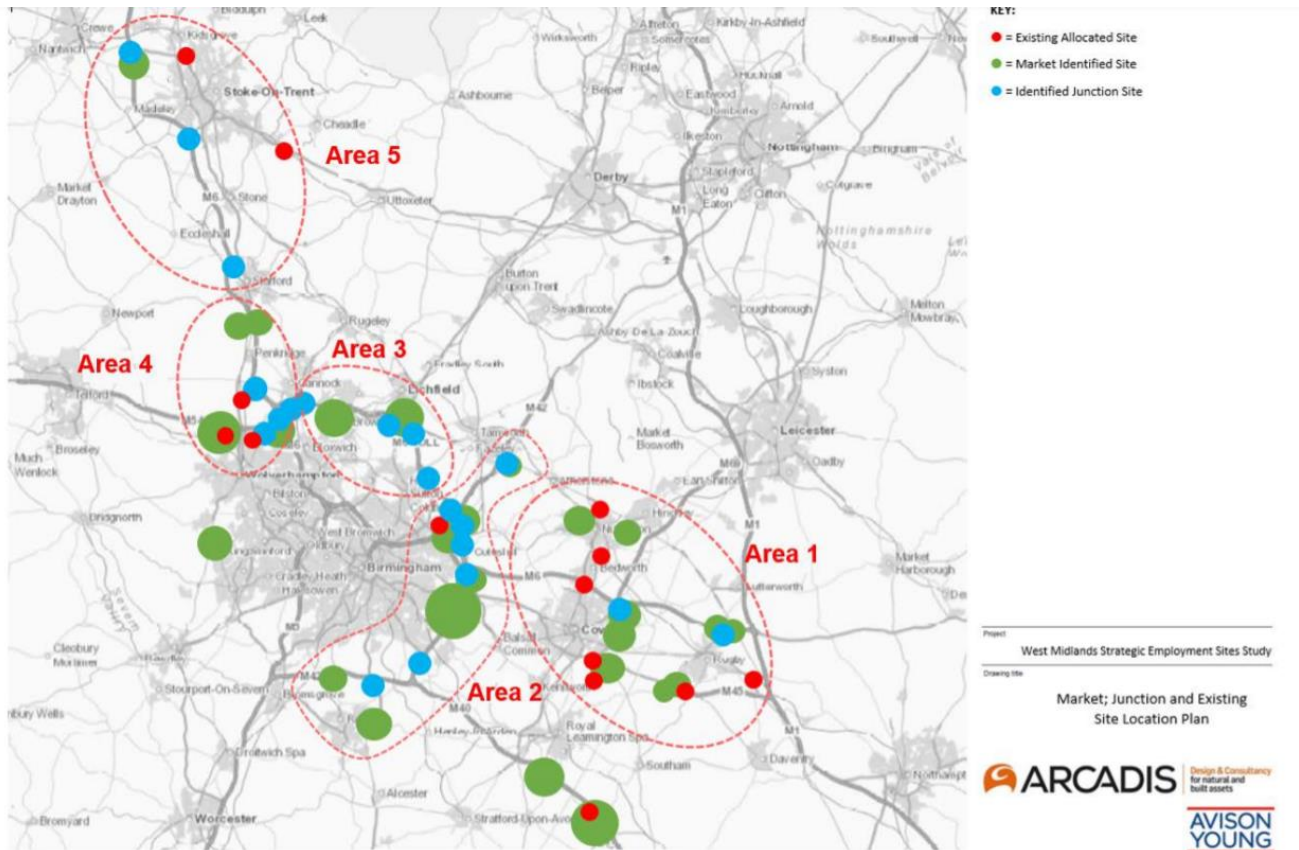
West Midlands Strategic Employment Sites Study Phase 2 (May 2021)

- 6.3.15. Following the Phase 1 study, preparation began on a second employment sites study for the West Midlands in 2018. The report was commissioned by Staffordshire County Council, on behalf of the three regional local enterprise partnerships, Coventry and Warwickshire, Greater Birmingham and Solihull and The Black Country, with input from the combined authority.
- 6.3.16. This Phase 2 study was published in May 2021²⁴ (WMSESS 2021) and is an update to the WMSESS 2015. It represents a more up-to-date position on the identified need and, importantly, also considers **where** sites could be brought forward to meet this need.

²⁴ West Midlands Strategic Employment Sites Study (Phase 2) (Avison Young, May 2021) – Available: https://www.northwarks.gov.uk/downloads/file/8776/west_midlands_strategic_employment_sites_study_2021

- 6.3.17. WMSESS 2021 identifies a shortfall in new Strategic Employment Sites and therefore outlines an urgent need to identify a pipeline of new sites to meet needs beyond the circa 7.41 years of supply that exist in allocations and committed sites throughout the WMCA.
- 6.3.18. WMSESS 2021 assesses options for locating new Strategic Employment Sites, including industry promoted sites, of which the application site is included. In brief, it considers that the 12 consented or allocated sites within the West Midlands region do not adequately meet the identified demand for large-scale employment development, and there is an urgent need for additional sites to be brought forward to provide a deliverable pipeline. Based on current take up rates, the sites assessed that were submitted during a Call for Sites to developers and land promoters, could provide a further 20.69 years' supply.
- 6.3.19. It recommends that the focus for identifying strategic employment sites should be in the following four clusters, or 'Key Locations':
- M6 East Corridor;
 - **M42 Corridor;**
 - Black Country and South Staffordshire; and
 - Stoke and North Staffordshire.
- 6.3.20. The M42 Corridor, also referred to in the report as 'Area 2' (formerly Area A in WMSESS 2015), and is defined as being between Junction 2 and Junction 10 of the M42 Motorway. Area 2 spans the following local authorities and motorway junctions:
- Bromsgrove District – Junction 2 – Junction 3;
 - Stratford-Upon-Avon District – Junction 3;
 - Solihull District – Junction 4 - Junction 7; and
 - **North Warwickshire Borough – Junction 7 – Junction 10.**
- 6.3.21. **Figure 6-2** below illustrates the extent of Area 2.

Figure 6-2 - Extract from WMSESS 2021 Showing 'Area 2' (source: Avison Young)



6.3.22. The table extracted from WMSESS 2021 at **Figure 6-3** (below) provides a breakdown of supply, both existing and potential, by area and number of years.

Figure 6-3 - Extract from West Midlands Employment Sites Study 2021 (Source: Avison Young)

Table 6.8 - Existing and Potential Supply in Key Locations (Source: Avison Young 2019)

	M42 Corridor	M6 East Corridor	M6 Toll	Black Country & South Staffs	Stoke & North Staffs	Years supply	Outside 5 clusters
Allocated/committed Sites	71 ha	264 ha	-	323 ha	83 ha		100 ha
Years supply	0.71	2.64	-	3.23	0.83	7.41	1
Industry Promoted Sites	905 ha	448 ha	152 ha	494 ha	70 ha		301 ha
Years supply	9.05	4.48	1.52	4.94	0.7	20.69	3
TOTAL	976 ha	712 ha	152 ha	817 ha	153 ha		401 ha
Years Supply	9.76	7.12	1.52	8.17	1.53	28.1	

- 6.3.23. As outlined in **Figure 6-3**, the M42 corridor has the lowest level of existing supply of *allocated/committed* sites (just 0.71 years supply), comprising solely one site (Peddimore Birmingham) out of the five areas studied.
- 6.3.24. By contrast, the supply of *potential* sites in the M42 corridor is the largest (9.05 years supply) and it is identified as a prime market facing location for Strategic Employment Sites, within which the site sits.

West Midlands Combined Authority: West Midlands Freight Strategy Supporting our Economy Tackling Carbon

- 6.3.25. The West Midlands Freight Strategy (December 2016)²⁵ provides a programme to deliver best practice in urban logistics management within the West Midlands. The vision sets out that by 2030, the West Midlands will have safer, more reliable, sustainable, and efficient freight and logistics movements to, from and within the West Midlands.
- 6.3.26. The logistics industry is recognised as an important employer, and freight transport as a major enabler of efficient business. Government recognises that working with industry at a regional level can have a significant impact on efficiency as well as reducing emissions and improving safety.
- 6.3.27. Importantly, freight and logistics movements are vital to the West Midlands economy and supply the goods and services used by its people every day. Freight movements do not simply occur but rather they reflect our economic activity and provide the means to trade nationally and internationally.
- 6.3.28. The strategy identifies efficient logistics and excellent connectivity are recognised as being important drivers of growth and the logistics industry in an important employer in its own right.
- 6.3.29. The Implementation Plan included in the strategy outlines that the West Midlands should undoubtedly be seen as a best practice beacon for the management of freight movement given its strategic location and importance.

6.4 SUB-REGIONAL NEED

THE COVENTRY AND WARWICKSHIRE LOCAL ENTERPRISE PARTNERSHIP

- 6.4.1. The Coventry and Warwickshire Local Enterprise Partnership (CWLEP) is an alliance of private and public sector organisations working towards a common, shared purpose: to grow the local economy, attract new jobs and investment, and increase prosperity. The CWLEP was created in 2011 and has strong links to the business community and considerable public sector insight and influence.

The Coventry and Warwickshire Strategic Economic Plan (2016)

- 6.4.2. The Coventry and Warwickshire Updated Strategic Economic Plan (CWSEP)²⁶ sets out how the CWLEP, along with its public, private and third sector partners, will grow the economy of the area over the short, medium and longer term. The plan outlines that it is key to build on Coventry and Warwickshire's central location, employment sites, distinctive businesses, innovation and cultural assets and highly talented workforce. The aim is that by 2025 Coventry & Warwickshire will be a

²⁵ West Midlands Freight Strategy: Supporting our Economy Tackling Carbon (WMCA, December 2016) – Available: <https://www.tfwm.org.uk/media/1207/west-midlands-freight-strategy.pdf>

²⁶ Coventry & Warwickshire Local Enterprise Partnership Updated Strategic Economic Plan (CWLEP, August 2016) – Available: https://www.cwlep.com/sites/default/files/cw_lep_strategic_economic_plan_2016.pdf

'high performing economy with our innovative businesses competing internationally, growing and providing better paid employment opportunities for all of our residents across both our rural and urban areas'.

- 6.4.3. The growth of the logistic sector within the area has been identified as one of the main sectors that has and will continue to contribute towards economic growth. It is therefore acknowledged that there is a particular need for additional strategic sites that are capable of accommodating the largest storage and distribution requirements.

Coventry & Warwickshire Local Enterprise Partnership: Building Our Industrial Strategy Green Paper Consultation Response

- 6.4.4. In its response²⁷, CWLEP welcomes the development of a national Industrial Strategy that will help to shape the future focus and direction of the UK economy.

- 6.4.5. Importantly, CWLEP supports the overall objective of the Strategy "improving living standards and economic growth by increasing productivity and driving growth across the whole country". Through the appropriate direction and funding sources, the Strategy should act as an enabling mechanism for addressing Coventry and Warwickshire's economic challenges and unlocking the vast potential and economic opportunities.

- 6.4.6. CWLEP forecasts that the net new employment growth will range from 21,000 – 28,000 by 2025 and that approximately 208,000 workers will be required to cover replacement demand and new growth. One of the key growth sector areas is logistics and a higher importance should be placed on supporting regions outside the Greater South East region.

Coventry & Warwickshire Sub-Regional Employment Market Signals Study

This study^[1] was commissioned by the six Local Authorities within the Coventry & Warwickshire Housing Market Area along with WCC and CWLEP to undertake an analysis and assessment of the market for employment land within the Coventry and Warwickshire sub-region, including the likely future demands across the sub-region.

The study identifies a number of key sectors driving current and future economic growth, including transport, R&D, advanced manufacturing and engineering, distribution and logistics, digital and creative, legal/professional/financial services, healthcare and energy.

In terms of North Warwickshire, the study notes that in terms of drivers of growth, the following pertinent points:

"North Warwickshire has seen one of the largest growths in terms of logistics and support facilities in the West Midlands...is surrounded by growing urban areas such as Birmingham and Coventry which is putting pressure on the Borough...demand for manufacturing employment land is declining but is growing for logistics [and] there are a number of regionally and nationally strategic road and rail connections passing through the District".

²⁷ Building Our Industrial Strategy: Green Paper Consultation Response (CWLEP, 2019) – Available: https://www.cwlep.com/sites/default/files/cwlep_industrial_strategy_green_paper_response_april_2017_0.pdf

^[1] Coventry & Warwickshire Sub-Regional Employment Market Signals Study (BBP Regeneration, July 2019)

In terms of the assessment of demand, analysis of the relevant evidence based relating to Big Box development is covered extensively in other sections of this Planning Statement and the supporting Employment Land Statement, prepared by JLL. However, it is pertinent to note that the study reinforces what is clearly evidenced in other publications: that there are a range of supply issues, including the significant demand for employment land in the “Big Box” category (over 100,000sqft) and most of the key locations for such demand (including the M42) no longer had any (or very little) development capacity.

In addition to the well evidenced Big Box demand, the study identifies the importance of Small Medium Enterprises (SMEs) and the valuable contribution smaller, more locally accommodating, schemes can provide. However, the study concludes that *“there has been very little, private sector, new, speculative industrial accommodation within the <5,000sqft (SME) category within recent years”* but foresees an opportunity for providing smaller, more local employment floorspace as part of new strategic and large scale developments to ensure a varied supply of accommodation across the sub-region.

CUSHMAN & WAKEFIELD - UK REGIONAL LOGISTICS AND INDUSTRIAL OUTLOOK SUMMER 2021

6.4.7. Cushman & Wakefield published its latest iteration of the UK Regional Logistics and Industrial Outlook report in Summer 2021²⁸.

6.4.8. In terms of the outlook for the West Midlands, the report stated that:

*“Record levels of take-up have fast eroded supply that fell by 30% during Q2 to an all-time low of 5.4 million sqft. The lack of stock is particularly acute for units above 200,000 sqft, with only four second-hand buildings available within that size band, of which three were under offer at end of June. The **majority of the active pipeline is comprised of units below that threshold meaning supply at the larger end of the market is likely to remain constrained for the foreseeable future....Generally, the quantum of space under offer at Q2 (2 million sqft of which 1.4 million sqft of existing/pipeline space) points to a continuing imbalance between demand and supply over the coming months.**”*

6.5 LOCAL NEED – NORTH WARWICKSHIRE

6.5.1. Local employment land need is assessed extensively in Chapter 2 of the JLL Employment Land Statement, the conclusions of which are drawn on below.

6.5.2. The spatial portrait of the NWBC Local Plan recognises that there has been an increase in employment land, particularly for logistics. Reference is made to Hams Hall and Birch Coppice, both large brownfield sites, benefitting from intermodal rail freight interchanges²⁹ (Paragraph 2.5), with the Borough being seen as a good place for logistics due to its location and the presence of major roads of national and regional significance³⁰.

²⁸ UK Regional Logistics and Industrial Outlook (Cushman & Wakefield, Summer 2021)

²⁹ NWBC Local Plan, paragraph 2.5 (NWBC, September 2021)

³⁰ NWBC Local Plan, paragraph 2.6 (NWBC, September 2021)

- 6.5.3. The NWBC Local Plan's principal evidence base is the 2013 Employment Land Review Update produced by G L Hearn. This study identified a need of between 190 hectares and 340 hectares for the Borough, based on labour demand and completions models respectively. Subsequently, in an Addendum to the Employment Land Review Update (April 2016), G L Hearn identified the need for employment land in the Borough would be 538 hectares (to 2031) based on past completions.
- 6.5.4. Despite the need identified in the evidence base, NWBC does not plan to accommodate this scale of need or strategic development. Instead, it seeks to accommodate only 'locally' arising need, based on an updated labour supply model. The Local Plan identifies a need of a minimum of 100ha of employment land (Policy LP5) of which 81 hectares is for B8 development.
- 6.5.5. Policy LP39 identifies four sites totalling 57.35ha as the employment allocations to help meet this need, along with extant planning permissions and allocations. The largest of these allocations is 42ha of land to the south of Horiba MIRA Technology Park and Enterprise Zone, with this site promoted for Class E(g)(ii) (Research and Development) and B2 (General Industrial) uses. However, none of the employment allocations would facilitate the delivery of large-scale B8 development and, in any case, most lie outside of Area 2.
- 6.5.6. As concluded in the JLL Employment Land Statement, none of the employment allocations are suitable and available for Big Box development for B8 use in the immediate future:
- The MIRA site is allocated principally for Class E(g)(ii) (research and development) and B2 uses;
 - Allocation refs: E1 (Holly Lane, Atherstone) and E3 (Playing fields south of A5, Dordon) are also restricted as to use. In addition, Proposal Site E1 is not available (being safeguarded for Aldi) and Proposal Site E3 requires relocation of the playing fields prior to construction.
 - Similarly, allocation ref: E2 (Land to the west of Birch Coppice, Dordon) requires the relocation of allotments prior to construction.
- 6.5.7. As such, the need for employment land for North Warwickshire remains significantly underestimated and demand will only be exacerbated by the absence of any Strategic Employment Sites as part of its employment allocations.
- 6.5.8. The WMSESS 2015 and 2021 studies evidence an imbalance of demand over supply in the area within which the application site is located (Area A / Area 2). Despite the latest findings endorsing the position from 2015, the WMSESS 2021 study was not considered as part of the evidence base for the NWBC Local Plan. As stated earlier in this chapter, WMSESS 2021 concluded that there is a limited supply of available land and an urgent need for additional sites to be bought forward. It also identifies the M42 Corridor (Area 2) as the prime market facing location for strategic employment sites in the West Midlands and an area with the shortest supply in terms of available land as a factor of take-up (only 0.71 years supply).
- 6.5.9. During examination of the NWBC Local Plan, the Inspector accepted this position, acknowledging in his Inspector's Report that "*a significant portion of North Warwickshire falls within Area A (as defined by the 2015 WMSESS and referred to by Policy LP6)*", however, he considered that there was no clear evidence as to what level of development should be delivered in the Borough as opposed to elsewhere (paragraph 178 of the Inspector's Report). Nevertheless, the Inspector clearly accepted that this was an issue that the plan was required to address in order to be consistent with national planning policy and concluded that 'Policy LP6a' (Policy LP6 in the adopted version) required inclusion via a Main Modification to provide a policy basis for additional employment land to be



delivered within 'Area A' (Area 2 in WMSESS 2021) and in order for the NWBC Local Plan to be found sound.

- 6.5.10. HE argued consistently throughout the preparation of the now adopted Local Plan that NWBC should identify sufficient employment land to meet the full needs of its area, including the wider need for strategic employment sites, and to make further site allocations accordingly (i.e. beyond those in Policy LP39). However, in the absence of new allocations being identified, HE supported in principle the inclusion of Policy LP6 to enable additional employment sites to come forward where there is an identified need.

7

PLANNING ASSESSMENT



7 PLANNING ASSESSMENT

7.1.1. This chapter draws conclusions from the most pertinent elements of the extensive evidence base at national, regional, sub-regional and local scales summarised in Chapter 6 in order to clearly establish an employment need and justify the principle of the proposed development. Alignment of the proposed development with local and national planning policy in respect of employment development is also assessed.

7.2 ASSESSMENT OF EMPLOYMENT NEED

7.2.1. Information from the British Property Foundation (BPF) confirms a widely held view that rapid growth being experienced in the logistics sector of the UK has been due to structural changes to high street retailing and a commensurate growth in e-commerce. This shift is permanent and has been accelerated by the ongoing Covid19 pandemic and the effects of Brexit.

7.2.2. There is extensive market evidence of robust growth in the warehousing and logistics sector of the economy of the West Midlands, with a strong and rapidly expanding need for large-scale storage and distribution and industrial units of the kind proposed in this case. The trend is for buildings of some 34,000sqm (365,973sqft) on average, an increase in size of over 40% since 2007.

7.2.3. The warehousing and logistics sector has proved resilient in the current pandemic. It is therefore to be expected that this sector will be instrumental in the post-pandemic recovery of the wider UK economy. In the West Midlands, in particular North Warwickshire, new logistics development will not only play a part in its own right but serve as an enabler to other business sectors.

7.2.4. From a review of the employment allocations in the Local Plan and the plethora of literature available in the Local Plan evidence base, recent employment land studies for the West Midlands and the spatial growth options identified by the WMCA, there is a critical shortfall in available new strategic employment land in the M42 Corridor, particularly for Big Box logistics. Indeed, none of the NWBC Local Plan employment allocations are suitable to accommodate the required strategic employment need.

7.2.5. Based on current evidence and past trends, the current supply of allocated and committed employment land across the WMCA would represent approximately 7.41 years supply. This is not sufficient to meet demand, let alone provide the choice of available buildings and sites necessary to make a functioning market, and there is an urgent need for additional strategic employment sites to be brought forward to provide a deliverable pipeline, especially adjacent to the strategic highway network and close to motorway junctions. It is anticipated that 100 to 110 hectares of land per year is required across the whole West Midlands region to accommodate the planned growth³¹.

7.2.6. The WMSESS 2021 study recognised demand for large scale industrial floorspace in the West Midlands was most intense along the M42 Corridor, where the boundaries of Birmingham, Solihull, North Warwickshire and Tamworth converge, however it had the lowest level of immediate available supply (just 0.71 years supply) despite having the largest *potential* supply of sites (9.05 years supply).

³¹ Employment Land Needs Statement (Nicol Economics, November 2021)

- 7.2.7. The M42 Corridor is widely considered to offer the most accessible location as it offers the best travel times to the UK population, as well as access to multi-modal facilities which benefit logistic operators, in addition to benefiting manufactures and their suppliers due to the proximity to the main automotive facilities³².
- 7.2.8. As such, Area 2 is agreed as being the most appropriate location for meeting this need because:
- This is where demand for such floorspace is highest;
 - This is the most accessible location in terms of proximity to the wider strategic road network and other associated industries.
- 7.2.9. However, a particular issue for delivery of new Strategic Employment Sites within Area 2 is that the majority of developer promoted sites are within the Green Belt. Of the 11 developer promoted sites, only one site lies outside the Green Belt. **This is the application site.**
- 7.2.10. The application site represents the only developer promoted site outwith the Green Belt and within Area 2 of the WMSESS 2021 that can meet the requirements of a Strategic Employment Site in the short term. Indeed, the site is identified as the joint best performing site in the WMSESS 2021 'High Level Site Assessment' when assessed against a range of criteria including motorway/trunk-road access, Local Plan allocations, statutory designations, public transport, flood risk, ground conditions, ecology, topography, proximity to existing settlements and air quality. Furthermore, and crucially, it is the only site not located within the Green Belt.
- 7.2.11. Accordingly, the employment need evidence base is robust and up to date. The WMSESS 2021 and specifically the recognition of the application site as the top performing site, a site which is not constrained by the Green Belt, and one which lies within a prime market facing location for Strategic Employment Sites, creates compelling need case and is a material consideration which should be afforded significant weight in the planning balance.

7.3 ALIGNMENT WITH BUILDING A STRONG, COMPETITIVE ECONOMY

- 7.3.1. The need for the proposed development, in terms of planning policy need, commercial market need, socio-economic considerations and the alignment with economic policies and strategies (as set out in Chapter 6), demonstrates the alignment of the proposed development with the NPPF's focus on building a strong, competitive economy (paragraph 81).
- 7.3.2. As set out in Chapter 11 and extensively within the ES, the creation of a significant number of jobs associated with the proposed development – an estimated 255 to 283 person years of temporary construction employment and an estimated 776 to 1,295 full-time equivalent (FTE) net additional jobs at the local level, with an additional 471 to 786 FTE jobs at the regional level – aligns with the NPPF's requirement to support economic growth and productivity.
- 7.3.3. The proposed development allows North Warwickshire to draw on its strengths (as required by paragraph 82) by maximising the opportunity associated with the Borough's location on the M42 corridor. Despite the recent adoption of the new Local Plan, the Borough's existing employment land supply is insufficient (both quantitatively and qualitatively), particularly with regards B8 floorspace. The Local Plan allocations do not allow for Big Box or strategic-scale B8 development to be delivered during the plan period and therefore does not draw on the area's strengths nor does it

³² JLL Employment Land Statement (September 2021)

meet the locational requirements of large-scale logistics operations which are widely acknowledged to be a key area of growth in the Borough, hence during examination of the Local Plan the Inspector required the inclusion of a new strategic employment policy (Policy LP6) in order for the emerging plan (at the time) to be found sound.

- 7.3.4. The proposed development will enable North Warwickshire to ‘address the challenges of the future’ (paragraph 82) in providing a strategic-scale employment site at a time of national, regional and local undersupply of such sites. The ability to respond to the future challenges includes the capacity of North Warwickshire to enact a post-Covid economy recovery, which will only be possible with sufficient land in the right places to meet commercial and economic requirements. Furthermore, the delivery of the proposed development will allow new businesses to invest in North Warwickshire and allow existing North Warwickshire-based businesses to expand and adapt, thus meeting the requirements of paragraph 82 of the NPPF.
- 7.3.5. The urgency of need might be accentuated by post covid recovery, but the need is driven by structural changes in the economy, trade and retail which are permanent and enduring trends which need to be met.
- 7.3.6. During examination of the Local Plan, it was clear that the submission draft Local Plan would not currently meet the requirements of NPPF paragraph 83, which gives increased importance to the distribution sector, specifically noting that planning policies and decisions should recognise and address the locational requirements of the storage and distribution operations at a variety of scales and in suitably accessible locations. Paragraph 83 also states that planning policies should be flexible enough to enable a rapid response to changes in economic circumstances, which the submission draft Local Plan would have failed to achieve. Consequently, the Inspector required the introduction of a new strategic employment policy (Policy LP6) which, subject to meeting several criteria and balanced with other policies in the plan, would enable additional employment sites to come forward to meet an identified need within the strategic growth area referred to as ‘Area 2’ (essentially the M42 Corridor) in the WMSESS 2021.
- 7.3.7. The proposed development is wholly aligned with this requirement of the NPPF, providing a strategic-scale level of floorspace within a key growth corridor and, crucially, at the site identified as the top-performing site for strategic-scale logistics floorspace in the West Midlands (WMSESS 2021). As well as the leading location for strategic-scale logistics development in the West Midlands, the proposed development is in a highly accessible and sustainable location to promote sustainable transport modes, which will be enhanced further as part of the proposals. Compliance with Policy LP6 of the Local Plan is discussed in greater detail later in this chapter.
- 7.3.8. In addition to meeting the requirements of the NPPF, the proposed development has clear alignment with economic strategies at regional and national levels. This includes the WMCA’s recovery action plan (Recharge the West Midlands) and Spatial Investment and Delivery Plan as well as Government’s Industrial White Paper and should be afforded significant weight in the planning balance.
- 7.3.9. Crucially, the application site location within a key growth corridor and proximity to residential settlements responds directly to the BPF drive for logistics being a central consideration when planning for sustainable communities. In addition to being able to draw on an already substantial population, the site is in proximity to large housing allocations in the NWBC Local Plan, including Allocation H4 (Land to the east of Polesworth and Dordon) for a minimum of 2,000 new houses in

and Allocation H5 (Land west of Robey's Lane, adjacent to Tamworth) for a minimum of 1,270 new houses.

- 7.3.10. Furthermore, the proposed development is envisaged to come forward in the short-term which will likely align with these significant housing allocations beginning to deliver new houses and therefore a requirement for employment opportunities, in particular Allocation H5 which is subject to two live planning applications (refs: PAP/2017/0257 and PAP/2018/0755) for 500 and 1,540 houses respectively. The ability for the site to accommodate a significant quantum of employment floorspace and be co-located with substantial existing and new housing development is a further material consideration that should be afforded significant weight in the planning balance.

7.4 ALIGNMENT WITH LOCAL PLAN POLICY LP6

- 7.4.1. As set out in Chapter 5, Policy LP6 is titled 'Additional Employment Land' and reads as follows:

Policy LP6:

Significant weight will be given in decision taking to supporting economic growth and productivity, particularly where evidence demonstrates an immediate need for employment land, or a certain type of employment land, within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or successor study) which cannot be met via forecast supply or allocations. The relevant scheme will be required to demonstrate: -

- i) access to the strategic highway network is achievable and appropriate;**
- ii) the site is reasonably accessible by a choice of modes of transport; and,**
- iii) it is otherwise acceptable, taking account of the living conditions of those nearby.**

- 7.4.2. For the avoidance of doubt, as stated in Chapter 5, "Area A" referred to in Policy LP6 is a reference to the M42 corridor in the West Midlands Strategic Employment Sites Study of 2015. The successor Study – The West Midlands Strategic Employment Sites Study of 2021 – refers to the M42 corridor as "Area 2".

- 7.4.3. Paragraph 7.55 of the adopted Local Plan (which was introduced by virtue of Main Modification 40 during examination) reads as follows:

Area A encompasses land covered by the Strategic Gap, designated Green Belt, and land which is not in Categories 1, 2, 3 or 4 of plan policy LP2. This policy does not automatically override other policies, but recognises that there are particular locational requirements specific to certain employment uses and economic benefits to addressing needs in these locations. As such, any weight accorded to proposed employment provisions by virtue of this policy will be considered in the context of the policies in the plan as a whole in arriving at a balanced assessment.

- 7.4.4. In addressing the policy the first step is to demonstrate that there is "*..... an immediate need for employment land, or a certain type of employment land ...*". The extensive evidence base set out in the preceding chapter, the assessment of employment need set out in this chapter and the

substantial evidence contained in the submitted reports prepared by JLL and Nicol Economics provide a compelling case of the immediate need for B8 and B8 floorspace, and in particular large floorplate units. Policy in this respect is fully met.

7.4.5. The policy continues that such need is to be met “within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or successor study) which cannot be met via forecast supply or allocations”. The application site is located within Area A of the WMSESS 2015 (Area 2 of the WMSESS 2021).

7.4.6. The proposal thus fully accords with Policy LP6, and thereby benefits from the ‘significant weight’ in decision taking that the policy provides. The accord and support Policy LP6 provides should be afforded significant weight in the planning balance.

7.4.7. Policy LP6 does, however, require eligible schemes to also meet three criteria, as follows:

- i) access to the strategic highway network is achievable and appropriate;
- ii) the site is reasonably accessible by a choice of modes of transport; and,
- iii) it is otherwise acceptable, taking account of the living conditions of those nearby.

7.4.8. With the employment need rigorously assessed and the principle of development firmly established, the remainder of this chapter sets out the spatial justification for the proposed need – ie why the development must come forward specifically at this site within Area A / Area 2 – and in doing so demonstrates how the scheme fully complies with each of the Policy LP6 criteria.

7.4.9. The following sections should be read alongside the following chapters of the specialist commercial and economic need assessments produced by others, which provide comprehensive assessments on the ability of the site to meet the established need:

- Employment Land Statement (September 2021), prepared by JLL:
 - Chapter 5 – Ability of Site to Meet Demand/Need
- Employment Land Needs Statement (November 2021), prepared by Nicol Economics:
 - Chapter 9 – Economic and Social Benefits from the Proposal
- Rail Terminal Connectivity Assessment (November 2021), prepared by MDS Transmodal.

COMMERCIAL REQUIREMENTS FOR BIG BOX LOGISTICS

7.4.10. As stated in the JLL Employment Land Statement³³, Big Box units offer a specific type of employment floorspace to the market. In short, they:

- Are over 9,290 sqm (100,000 sqft) but often up to 92,900 sqm (1 million sqft);
- Cater for the logistics sector, with the manufacturing sector also an important element;
- Often accommodate a national or regional hub in a wider network for an international or national company;
- Usually require new or modern premises with high build standards (e.g. high eaves height);

³³ Employment Land Statement (JLL, September 2021)

- Location is frequently all important, particularly motorway or trunk road access, but also increasingly the availability of labour; and
- Procurement of the units, due to the size of the premises, are often on a build-to-suit basis, which requires large serviced plots of development land.

7.4.11. According to JLL, there are three basic criteria for development land to meet the principal requirements of Big Box occupiers:

- Location;
- Land; and
- Labour.

Location

7.4.12. Quick access to the national motorway or strategic trunk road network is fundamental in order to provide certainty in the despatch and delivery of goods. Modern operators seek to be as risk averse as possible in order to function properly. Congested A or minor roads, particularly those that must route through built up and residential areas, are resolutely avoided by occupiers.

Land

7.4.13. Available and serviceable sites that are directly served by motorway or strategic trunk road junctions are at a premium and represent the best and most sustainable means of serving manufacturers, retailers and logistics operators. Examples include Birch Coppice and Hams Hall in the Borough of North Warwickshire and i54, Ansty Park and Rugby Gateway in the wider West Midlands. All have attracted significant big box development in recent years, including some notable inward investment.

7.4.14. Land that can accommodate very large buildings (i.e. 30,000 sq. m / 300,000 sq. ft+) and/or a cluster of different sized buildings, and can operate without any restrictions, is in particularly high demand. This usually requires flat or level sites in excess of 25 hectares (62 acres).

Labour

7.4.15. Big Box logistics typically requires a significant workforce and so it is logical to locate such development close to settlements to harness local labour. Crucially, the application site location within a key growth corridor and proximity to residential settlements responds directly to the BPF drive for logistics being a central consideration when planning for sustainable communities. In addition to being able to draw on an already substantial population, the site is in proximity to large housing allocations in the NWBC Local Plan, including Allocation H4 (Land to the east of Polesworth and Dordon) for a minimum of 2,000 new houses in and Allocation H5 (Land west of Robey's Lane, adjacent to Tamworth) for a minimum of 1,270 new houses.

Alignment of the Proposed Development with Commercial Requirements

7.4.16. The proposed development would meet all of the Big Box requirements. The development proposes a quantum of floorspace that can accommodate Big Box logistics (up to 100,000sqm) whilst still providing the potential for smaller mixed use (general industrial and light industrial) units (up to 10,000sqm).

7.4.17. Included in the Design & Access Statement are a number of illustrative masterplans to demonstrate the range and flexibility of unit sizes that the site could potentially accommodate. Units of 654,000

sqft and 350,000sqft unit are shown. However, unit sizes could range from 100,000 sqft to 1,000,000sqft in size.

7.4.18. In addition, there is potential for much smaller units, ranging from 5,000 sqft to 20,000 sqft, to be provided to cater for the needs of local SMEs. This is a direct response to the recommendations of the Coventry and Warwickshire Sub Regional Employment Market Signals Study 2019, which considers that large developments should enable the development of smaller units. The development would therefore not only cater for Big Box logistics but also enable smaller units to accommodate an identified sub-regional need.

7.4.19. In terms of the site meeting commercial requirements for the type of development proposed and required to meet the critical need, the JLL report concludes as follows:

“The site is clearly suitable for the development proposals. It represents an obvious market opportunity which stands out locally, sub-regionally and regionally. We can think of no better site, which is not constrained by the Green Belt, which is served so well by both a motorway junction and a rail port, well related to large parts of the West Midlands’ conurbation and located in the heart of the country. This view is shared by the authors of the Stage 2 West Midlands Strategic Employment Sites Study, which gives the highest rating to this site out of the 31 developer promoted sites appraised.”

ALTERNATIVE SITES IN AREA 2

7.4.20. In addition to the principal occupier requirements outlined above which in itself limits the number of available alternatives and the site demonstrably accords with, a key planning and logical consideration when considering the most appropriate site within Area 2 is to focus on areas outside the Green Belt.

7.4.21. As noted in Chapter 7, the WMSESS 2021 includes 11 possible developer promoted sites in Area 2 that could be brought forward to meet the urgent need. However, 10 of these lie within the Green Belt. The first site to consider, therefore, should be the site that lies outside of the Green Belt, not least as the evidence base report ranked it the best performing site. This is the application site.

7.4.22. Being outside of the Green Belt, the site is much more deliverable in planning terms than the other motorway junctions in ‘Area 2’ given the stringent policy constraints that effect Green Belt development and as it can meet the occupier requirements set out above, therefore the other developer promoted sites within Area 2 are discounted.

7.4.23. Furthermore, as concluded in the JLL Employment Land Statement, none of the employment allocations are suitable and available for Big Box development for B8 use and in any case, most lie outwith Area 2.

7.4.24. It follows that there are no other available alternative sites that could meet the requirements for Big Box logistics within Area 2 and therefore the application site is the most appropriate location for the proposed development.

CONNECTIVITY

Proximity to Strategic Road Network

7.4.25. Situated within the ‘Golden Triangle for Logistics’, North Warwickshire lies at the crossroads of the country, with numerous major roads of national and regional significance passing through the Borough.

- 7.4.26. This prime logistics market is located in the East and West Midlands because 85% of the UK population and the majority of the major sea ports are within 4.5 hours HGV drive time of the area.
- 7.4.27. The application site lies at an important east-west, north-south axis, immediately adjacent to the Strategic Road Network, specifically the M42 motorway and the A5 trunk road. The M42 is a key route into Birmingham from the north east and connects Birmingham with Nottingham and Derby in the East Midlands as well as providing connections to the wider national motorway network. Furthermore, the A5 is a strategic growth corridor subject of national and regional improvement proposals, as set out in Chapter 6, which also form a key component of the spatial strategy in the Local Plan.
- 7.4.28. NPPF makes clear that major development should be located in sustainable locations, easily accessible by a range of transportation modes.
- 7.4.29. The application site is in a highly sustainable location on a motorway junction, close to the rail freight interchange. The M42 corridor has been identified as a key growth corridor and an area experiencing high demand in the logistics sector due to its proximity to Birmingham and its connectivity to other motorways, making it an excellent location to base logistics businesses.

Proximity to Residential Areas

- 7.4.30. NPPF paragraph 81 requires local planning authorities to positively and proactively encourage sustainable economic growth. Paragraph 82 notes that policies and decisions should make provision for storage and distribution operations in suitable accessible locations.
- 7.4.31. The settlements of Birchmoor to the north, Polesworth with Dordon to the east and Tamworth to the west lie within a 2km walking distance, which is considered as the preferred maximum distance for commuting by foot, in accordance with guidance³⁴.
- 7.4.32. In terms of cycle access, a 5km catchment area centred on the site captures a significant proportion of the surrounding towns and villages within a comfortable cycling distance. This includes the densely populated residential areas of east Tamworth, such as Kettlebrook, Glascote, Glascote Heath, Belgrave, Wilnecote and Stoneydelph. To the northeast and east, residential areas within Polesworth, Dordon, Grendon, Baddesley Ensor, Birchmoor and Wood End would also be well within a comfortable cycling distance of the site.
- 7.4.33. The applicant is committed to implementing a sustainable transport and highways strategy that will enhance existing connectivity further to maximise the potential to harness a substantial local workforce whilst providing added community benefits through increased and enhanced connectivity.
- 7.4.34. This means it has a large local population in close proximity who can readily access the new employment uses, reducing the need to travel further afield. As clearly stated by the BPF³⁵, it is logical to put new employment uses in these areas, close to the labour catchment. This directly supports the foundational principles of the planning system – ensuring the right types of land uses are in the right places to support growth and protect and enhance the environment (NPPF paragraph 8).

³⁴ Institution for Highways and Transportation document 'Guidelines for Providing for Journeys on Foot' (2000).

³⁵ What Warehousing Where? Understanding the Relationship Between Homes and Warehouses to Enable Positive Planning (Turley, on behalf of British Property Federation, 2018)

7.4.35. As stated, in addition to the proposed transport and connectivity improvements, the application site location within a key growth corridor and proximity to residential settlements responds directly to the BPF drive for logistics being a central consideration when planning for sustainable communities. In addition to being able to draw on an already substantial population, the site is in proximity to large housing allocations in the NWBC Local Plan, including Allocation H4 (Land to the east of Polesworth and Dordon) for a minimum of 2,000 new houses in and Allocation H5 (Land west of Robey's Lane, adjacent to Tamworth) for a minimum of 1,270 new houses. Indeed, Allocation H5 is subject to two live planning applications (refs: PAP/2017/0257 and PAP/2018/0755) for 500 and 1,540 houses respectively. The ability for the site to accommodate a significant quantum of employment floorspace and be co-located with substantial existing and new housing development is a further material consideration that should be afforded significant weight in the planning balance.

7.4.36. Furthermore, neighbouring Tamworth Borough Council is tightly constrained by its boundary and not able to meet its employment needs within the Borough, hence 14ha of its employment need has been accommodated in the NWBC Local Plan. Junction 10 is on the border between Tamworth Borough and North Warwickshire. As such, the location is ideally placed to provide jobs, logistics and warehouse floorspace and economic benefits to Tamworth also. This locational suitability for meeting Tamworth's need was further endorsed, during the examination of the Tamworth Local Plan 2006-2031 by the Statement of Common Ground between Tamworth Borough Council and St Modwen Developments Limited³⁶ (SMDL), which stated that:

"The current outstanding SMDL application for 25.4 hectares (14.1 hectares net) in North Warwickshire has not been allocated by North Warwickshire Borough Council to meet its own needs...it is particularly well placed to meet the employment needs arising from Tamworth."

7.4.37. It should be noted that, despite the proximity to a number of nearby settlements, the proposed development parameters have been carefully considered and devised to ensure the amenity impacts of the proposed development on nearby residents are minimised. This is demonstrated further in Chapter 12 which comprehensively assesses the various technical considerations of the scheme, including in terms of visual, traffic, noise, air quality and other environmental impacts.

Walking and Cycling Accessibility

7.4.38. As indicated at several points in this Planning Statement, the overarching sustainable transport strategy will ensure that significant walking and cycling enhancements are delivered, including:

- Over 3.5km of new and enhanced public footpaths, bridleways and footway/cycleway routes, linking the site with Birchmoor to the north and Dordon to the east, and opening up foot and bicycle commuting opportunities from settlements further afield including Polesworth and Tamworth; and
- Cycle parking provided to all units in excess of the North Warwickshire design standards, incorporating a range of parking facilities to include indoor/outdoor secure and covered storage, and e-bike charge points, all located at or close to the pedestrian entrances to each building.

³⁶ Statement of Common Ground between TBC and SMD (May 2015) – Link:

https://www.tamworth.gov.uk/sites/default/files/planning_docs/L_examinationdocs/EX6-SoCG-TBCandSt-Modwens-Development.pdf

Proximity to Public Transport

- 7.4.39. In terms of public transport, existing bus stops are situated within 400m walking distance of the site at Birchmoor to the north (Bus Route No. 785 / 786) and A5 to the south (Bus Route No. 766 / 767), providing bus services to the east-west.
- 7.4.40. The sustainable transport strategy includes provision of an enhanced bus stop to the south of the site on the east bound A5, providing a bus shelter with seating and segregated cycleway/footway. This enhanced bus stop will be supported and its usage encouraged by the aforementioned 3.5km of new and enhanced public footpaths, bridleways and foot/cycleway routes. The proposals also include enhanced footway/cycleway links to the bus stops north of the site in Birchmoor. Furthermore, HE are in ongoing discussions with relevant bus operators in the area which could lead to further enhancements to local bus services.
- 7.4.41. This further adds to the site's sustainability credentials as it means that workers at the employment site will be able to commute to work on public transport easily.

Proximity to Rail Freight Terminals

- 7.4.42. The application site lies just to the north of Birmingham Intermodal Freight Terminal (BIFT) located at Birch Coppice Business Park and meets the technical criteria for being a 'rail-served site'.
- 7.4.43. The application site is also located close to Hams Hall rail freight terminal (less than 10 miles).
- 7.4.44. A Rail Terminal Connectivity Assessment has been prepared by MDS Transmodal, a consultancy of transport economists which specialise in freight modes of transport. The assessment pays particular regard to the benefits of the application site and proposed development being within close proximity to Hams Hall rail freight terminal, but particularly BIFT.
- 7.4.45. The assessment concludes that the road-based warehouse development is justifiable and deliverable in both planning and road traffic terms in its own right. However, due to the site's close proximity to BIFT, the proposed development can also, in practice, be classified as rail-served, and a proportion of the resultant traffic can therefore be expected to arrive or depart using rail freight.
- 7.4.46. Locating new employment uses close to freight terminals supports the Government's wider economic objectives to build a strong, responsive and competitive economy whilst also protecting the environment, because multi-modal logistics networks can minimise road transportation, limit air pollution and reduce the inherent carbon involved in freight transport. Indeed, Government planning policy (NPPF and NPS for National Networks) promotes the location of logistics facilities, where feasible, at sites which offer genuine modal choice to shippers.
- 7.4.47. This is for two principal reasons:
- It creates the conditions where rail freight can become cost competitive when compared with road haulage, generating so called user benefits; and
 - Rail freight is recognised as being a more sustainable mode of transport, generating wider societal benefits (non-user benefits) when compared with road haulage.
- 7.4.48. Birch Coppice Business Park has evolved over the past two decades to concentrate industrial and warehousing development with an on-site rail terminal. Such sites are designated as Strategic Rail Freight Interchanges (SRFIs). The proposed development would be located on the northern side of the A5, opposite the Birch Coppice, with the gate-to-gate distance via the public road network being

just 500m. The proposed development therefore meets the criteria for being classified as ‘rail-served’ which means that future occupiers will have the potential to access the BIFT facilities on the same basis as those currently located within Birch Coppice Business Park.

- 7.4.49. This has benefits from a traffic impact perspective as a proportion of the resultant traffic at the proposed development could therefore be expected to arrive or depart using rail via BIFT. Given that position, analysis has forecast (using the GB Freight Model) that around 10% of loaded inbound and outbound traffic could be expected to move by rail freight via BIFT.
- 7.4.50. Taking vehicles off the highway network has benefits in terms of reducing traffic impact across the national, regional and local highway networks, and also potentially significant impacts in terms of reduction in pollutants being emitted into the atmosphere. It was subsequently estimated that the forecast modal shift from road to rail will, in terms of GHG emissions, generate a saving of just under 5,800 tonnes of carbon dioxide equivalent per annum. Based on the current MSB rate (weighted average) of £0.34 per HGV-km removed from the road network, the forecast modal shift equates to annual non-user benefits of around £3.5 million.
- 7.4.51. It is therefore concluded that whilst the road-based proposed development is not dependent on access to the BIFT in order to be acceptable in terms of highways impact (and has been assessed on that basis), the proposed development at the application site would conform with the Government’s current policy with respect to promoting modal choice and the location of large-scale logistics facilities. Both user and non-user benefits are likely to be generated. The proposed development therefore accords with NPPF paragraph 106 and the national drive towards modal shift to reduce road freight wherever possible.
- 7.4.52. It is also worth noting that the Hams Hall and BIFT are located at Junction 9 and 10 of the M42 respectively, making the application site the only site located in Area A / Area 2, as identified in the WMSESS 2021, outside of the Green Belt and classed as ‘rail-served’ in practice.

Proximity to Airports

- 7.4.53. Additionally, the site is within close proximity to three different airports making it exceptionally well-connected for international distribution. East Midlands Airport (EMA) is 25 minutes away (21.3 miles), Birmingham City Airport is 20 minutes away (14.1 miles) and Coventry Airport is 40 minutes away (25.5 miles).
- 7.4.54. Midlands Connect carried out a study called *International Gateways Strategy Overview*³⁷. Birmingham and East Midlands airports are central to this evidence-based study that covers various analysis themes that are of ‘absolute importance’ to support Midlands businesses growth, including air freight in the Midlands. In relation to EMA, the report states it:
- “is the UK’s leading airport for dedicated freight services, and the hub of air parcels traffic for all of the global express operators such as DHL and UPS, as well as the Royal Mail. This includes direct longhaul freight services to major freight hubs in Cincinnati, Louisville, New York, Philadelphia, Dubai and Hong Kong, and substantial tonnage to Sub-Saharan Africa, Asia and North America.”*
- 7.4.55. Furthermore:

³⁷ International Gateways Strategy Overview (Midlands Connect, April 2017)

“EMA operates on a 24/7 basis, using its excellent motorway connections, and the space it has to develop dedicated distribution facilities. It has the potential to grow further, increasing its importance as a European freight hub...”

7.4.56. As the second largest freight handling airport in the country, second only to Heathrow, EMA is home to the UK's largest dedicated air cargo operation, making it the country's most important airport for express freight. Handling over 440,000 tonnes of freight each year, EMA is a hub for major logistics operators owing to its central location and being within a 4-hour HGV drive to 90% of the population of England and Wales.³⁸

7.4.57. Junction 10 of the M42 is the closest motorway junction within North Warwickshire / Warwickshire to EMA.

CONCLUSIONS ON ALIGNMENT WITH POLICY LP6

7.4.58. With the employment need case firmly established in Chapters 6 and 7, thus engaging Policy LP6, having considered the particular locational requirements for Big Box logistics and the extensive spatial justification for the proposed development being located at the application site, the proposed development clearly accords with the three criteria required by Policy LP6:

i) access to the strategic highway network is achievable and appropriate;

7.4.59. The site located at the north east quadrant of Junction 10 of the M42 motorway and will be accessed off the A5 trunk road, both of which are key parts of the strategic highways network.

7.4.60. As set out in detail in Section 8 of the TA, the proposed development would be served by a signal-controlled access junction at the northern edge of the A5 carriageway. The proposed site access layout has been prepared in accordance with all necessary guidance, including the design Manual for Roads and Bridges, and incorporates input from WCC Highways and NH during the pre-application stage. The required visibility splays and junction intervisibility zone can be achieved through the proposed access arrangement. Specific traffic modelling has shown how the access would operate satisfactorily once the development is operational. The proposed access layout is shown in drawing ref: F19123/07 Revision A, which is appended to the TA.

7.4.61. The proposed access arrangements and location of the applications site satisfy the first criterion of Policy LP6 therefore.

ii) the site is reasonably accessible by a choice of modes of transport;

7.4.62. As demonstrated in detail in this chapter, the site is highly accessible by a range of transport modes:

- **Road** – the site is located adjacent to the Strategic Road Network (Junction 10 M42 and A5 trunk road) providing direct links to a network of nationally significant highways.
- **Foot** - The settlements of Birchmoor to the north, Polesworth with Dordon to the east and Tamworth to the west lie within a 2km walking distance.
- **Cycle** - In terms of cycle access, a 5km catchment area centred on the site captures a significant proportion of the surrounding towns and villages within a comfortable cycling distance, including the eastern half of Tamworth, Dordon, Polesworth, Grendon, Baddesley Ensor, Birchmoor and Wood End. Upgrades to surrounding public rights of way and the creation of new public rights of

³⁸ <https://www.eastmidlandsairport.com/about-us/cargo/>

way and footway / cycleways will further enhance accessibility by foot and bicycle, bringing a greater number of residents from the surrounding area within commuting distance of the site.

- **Bus** - Existing bus stops are situated within 400m walking distance of the site at Birchmoor to the north (Bus Route No. 785 / 786) and A5 to the south (Bus Route No. 766 / 767), providing bus services to the east-west. Further enhancements to this local bus services through an enhanced bus stops on the A5 will only improve accessibility by bus.

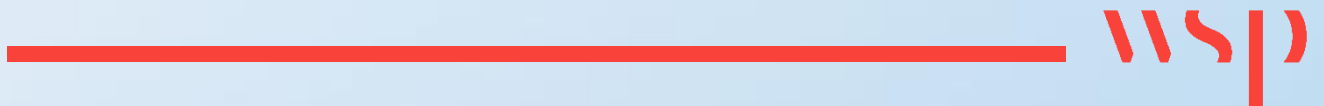
- 7.4.63. The applicant is committed to implementing a sustainable transport and highways strategy that will enhance existing connectivity further to maximise the potential to harness a substantial local workforce whilst providing added community benefits through increased and enhanced connectivity.
- 7.4.64. Consequently, the site has a large local population in close proximity who can readily access the new employment uses, reducing the need to travel further afield. It is logical to collocate new employment uses in these areas close to existing and future residential area, i.e. close to the labour catchment.
- 7.4.65. A further important factor is the fact that, as set out in the Rail Terminal Connectivity Assessment, the site is located close to BIFT and meets the criteria to be considered 'rail-served'. Forecasts estimate a 10% modal shift of freight travelling to and from the site from road to rail, which equates to annual non-user benefits of around £3.5 million.
- 7.4.66. Overall, the site is highly accessible by a choice of modes of transport, many of which are sustainable alternatives to the car, and the proposed infrastructure improvements will further enhance the accessibility of the site.
- iii) it is otherwise acceptable, taking account of the living conditions of those nearby.
- 7.4.67. The development parameters have been carefully devised ensuring that the proposed development does not result in any adverse impacts on residential amenity for nearby residents and businesses.
- 7.4.68. The development parameters include substantial areas of green infrastructure (over 9ha) principally to the north, south and east of the plots, incorporating open space, planting, landscaping, public rights of way, sustainable drainage system (SuDS) and a variety of wildlife habitats, and provides a minimum development offset of 35m extending to 134m from the built development edge to the site boundary. Naturalistic earth mounds will be formed within the green infrastructure, utilising surplus cut material from the development site, to create a transitional zone between the developable area and development site perimeter and to provide visual mitigation where necessary. For reference, the distance between the nearest residential dwellings in Birchmoor and the maximum extent of the developable area (i.e. Plot A2 on the submitted Parameters Plan) is c.85m at the narrowest point – a significant distance.
- 7.4.69. In addition, a comprehensive ES and planning submission package confirms that the proposed development, with the adoption of mitigation measures where appropriate, would not result in any significant adverse environmental effects, including in terms of landscape/visual, noise and air quality impacts. Technical planning and environmental matters and compliance with relevant local and national planning policy, guidance and legislation are discussed further in Chapter 11 of this Planning Statement, drawing on the extensive Environmental Impact Assessment work contained in the ES.



- 7.4.70. The proposed development is wholly suitable at the application site, according with the relevant Policy LP6 criteria and therefore significant weight should be given in favour of approving the application.
- 7.4.71. The next chapter assesses the implications of developing the site on the Strategic Gap designation (Policy LP4).

8

ASSESSMENT OF STRATEGIC GAP POLICY



8 ASSESSMENT OF STRATEGIC GAP POLICY

8.1 INTRODUCTION

- 8.1.1. The preceding chapters have clearly and demonstrably provided the need case and spatial justification for the proposed development being located on land north east of Junction 10 of the M42. Furthermore, alignment with national planning policy and Local Plan Policy LP6 has been demonstrated.
- 8.1.2. Whilst Policy LP6 is engaged and should be afforded significant weight in the determination of the application, the reasoned justification associated with Policy LP6 requires that these benefits should be balanced against other policies contained in the NWBC Local Plan. As such, this chapter considers the other key locational consideration which is that the application site is designated as Strategic Gap by virtue of Local Plan Policy LP4.
- 8.1.3. An assessment of technical planning policies is provided in Chapter 11 to ensure a comprehensive appraisal of the proposed development and all relevant planning policy and guidance and other material considerations has been provided when arriving at the planning balance in Chapter 12.

8.2 POLICY POSITION

- 8.2.1. As stated in Chapter 5, the Local Plan introduced a designation of a Strategic Gap between the settlements of Tamworth and Polesworth with Dordon.
- 8.2.2. Policy LP4, originally referred to this as a “meaningful gap”, however the adopted version of the plan was modified to refer to it as a “Strategic Gap” to better reflect its function.
- 8.2.3. The evolution of Strategic Gap policy must be noted. HE engaged with the Local Plan at all stages of its preparation, including making representations in writing and at examination hearings to raise concerns with the initial draft policy reference to maintaining “visual” separation and that only “small scale” development would be acceptable within the Strategic Gap. As we set out in full in our representations dated October 2021 (**Appendix F**), development which physically and visually intrudes on the gap can still provide a clear sense of separation and many different considerations need to be taken into account when assessing the purpose of a strategic gap, including distance, topography, intervisibility and the sense of leaving a place and arriving somewhere else.
- 8.2.4. The Inspector was clear that the purpose of the policy is about preventing neighbouring towns merging (coalescence) and therefore reference to small scale development must be removed as that would render the Gap policy more stringent than Green Belt³⁹. He sets out that within the gap certain parcels are less sensitive than others, such that certain schemes could be designed to be suitably accommodated there. Whilst visual and physical separation remain as considerations, they do so in the context of ensuring development proposal do not significantly adversely affect the distinctive and separate characters of Tamworth and Polesworth with Dordon.
- 8.2.5. Accordingly, the adopted wording of Policy LP4 states that:

³⁹ NWBC Local Plan Inspector’s Report, paragraph 241 (PINS, 2021)

“In order to maintain the separate identity of Tamworth and Polesworth with Dordon, a Strategic Gap is identified on the Policies Map in order to prevent their coalescence. Development proposals will not be permitted where they significantly adversely affect the distinctive, separate characters of Tamworth and Polesworth with Dordon. In assessing whether or not that would occur, consideration will be given to any effects in terms of the physical and visual separation between those settlements.”

- 8.2.6. The supporting text which accompanies the policy states that:
- “The purpose of policy LP4 is to retain and respect the separate identities and characters of the settlements of Tamworth and Polesworth with Dordon to avoid their coalescence. The Strategic Gap seeks to retain and maintain the sense of space, place and separation between these settlements so that when travelling through the strategic gap (by all modes of transport), a traveller should have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entering the second settlement”.
- 8.2.7. Viewing the policy and supporting text in its entirety, it is clear that the purpose of the policy is to “*maintain the separate identity of Tamworth and Polesworth with Dordon*” with the strategic gap’s sole policy purpose “*to prevent coalescence*”. The gap is not identified for any other purpose, e.g., landscape quality, environmental quality or amenity.
- 8.2.8. Further, the policy clearly envisages development taking place in the gap. Policy clearly states that “Development proposals will not be permitted where they significantly adversely affect the distinctive, separate characters of Tamworth and Polesworth with Dordon”. The bar is set high in referring to the impact on the distinctive separate characters needing to be significantly adverse for the policy to be engaged. Plainly, development proposals that do not have a significant adverse impact are not in conflict with policy and therefore appropriate in this regard.
- 8.2.9. In terms of assessing the impact, policy is clear in setting out that “*consideration will be given to any effects in terms of the physical and visual separation between those settlements*”. By expressing that consideration will be given to any effects in terms of visual and physical separation, the policy is not stipulating that they are the only factors, rather they are considerations that should be taken account of when assessing impact. There may be other considerations also, and as set out earlier Policy LP6 and significant weight in decision making of meeting strategic employment need would also be another important consideration.
- 8.2.10. Indeed, the reasoned justification adds further clarity in how to apply the policy. The consideration is the “sense of space, place and separation between these settlements so that when travelling through the strategic gap (by all modes of transport), a traveller should have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entering the second settlement”. This clarifies that the policy focus is on maintaining the separate identities and distinctive characters of the settlements, with the gap to allow the experience of leaving one settlement before arriving at another. It is not only the physical and visual separation of settlements but also the experience of the journey between settlements, the sense of leaving one settlement, travelling through a gap before entering the next settlement.

8.3 METHODOLOGY: HOW TO DEFINE AN EFFECTIVE GAP BETWEEN SETTLEMENTS

8.3.1. As set out by SLR in Chapter 10 of ES Volume 2, Strategic and Local Gaps (sometimes also known as Green Gaps or Green Wedges) are used by many planning authorities to ensure that settlements retain their separate identities. The precise wording of policies relating to strategic gaps varies, but many have now converged on a set of fundamental principles, underpinned by research and appeal decisions.

8.3.2. One of the most quoted research documents regarding the functionality of strategic gaps was prepared for the Office of the Deputy Prime Minister (“Strategic Gap and Green Wedge Policies in Structure Plans, Main Report”, ODPM, 2003). This review notes that many authorities accept that the robustness of a gap depends on much more than the physical distance between settlements, or visibility between settlements. For example, in 1998 the Inspector on the Eastleigh Local Plan Inquiry stated that the following factors (often known as the Eastleigh Criteria) should be used to define the effectiveness of a gap (see paragraph 4.15 of the ODPM report):

- Distance;
- Topography;
- Landscape character/type;
- Vegetation;
- Existing uses and density of buildings;
- Nature of urban edges;
- Inter-visibility (the ability to see one edge from another);
- Intra-visibility (the ability to see both edges from a single point);
- The sense of leaving a place [and arriving somewhere else].

8.3.3. Careful application of the Eastleigh Criteria means that the gaps between settlements will vary in their size and character – some may be over a kilometre wide and others just a few hundred metres or even less – the key is whether the factors above work together to maintain a perception of separation between the settlements. Equally as important, the careful application of the Eastleigh criteria means that some development within a designated gap could be possible, provided that the sense of separation between settlements is not undermined.

8.3.4. This approach has been confirmed in various Policy frameworks including: The Policy Framework for Gaps produced by the Partnership for Urban South Hampshire (known as PUSH, produced in 2008), The Fareham Landscape Assessment 2017 (LDA) and Core Strategy (adopted 2011), the Horsham District Planning Framework (adopted 2015), the Basingstoke and Deane topic paper on the function of strategic gaps (2014) and resulting strategic gap policy and Tonbridge and Malling Local Plan policy CP5.

8.3.5. In summary, whilst there are many terms being used to define the function of a gap, all are agreed that it should focus on the character of the settlements and sense of separation between them, which depends upon several factors rather than just distance and views.

8.3.6. This position is further supported by the Planning Advisory Service note, ‘Planning on the Doorstep: The Big Issues – Green Belt’ (Peter Brett Associates 2015)’, which in relation to the second purpose of Green Belt (i.e. preventing neighbouring towns merging into one another⁴⁰) states:

“A ‘scale rule’ approach should be avoided. The identity of a settlement is not really determined just by the distance to another settlement; the character of the place and of the land in between must be taken into account. Landscape character assessment is a useful analytical tool for use in undertaking this type of assessment.”

8.4 ASSESSMENT OF THE POTENTIAL EFFECTS OF DEVELOPMENT USING THE EASTLEIGH CRITERIA

DISTANCE

8.4.1. The minimum physical distance between the edge of Dordon / Polesworth and Tamworth at the application site is approximately 1.2km. For comparison, the minimum physical distance between the edge of Dordon / Polesworth and Tamworth throughout the whole of the Strategic Gap is roughly 830m along the route of Birchmoor Road/Green Lane and only about 850m along the route of the B5000. The minimum distance between Dordon / Polesworth and Birchmoor is approximately 300m.

8.4.2. The physical distance between the edge of Birchmoor and existing large scale commercial development to the south is approximately 765m. The proposed development would not affect the physical distance between Birchmoor and Tamworth or between Birchmoor and Dordon / Polesworth.

8.4.3. The proposed development would reduce the physical distance between Dordon / Polesworth and Tamworth by approximately 430m leaving a physical gap of approximately 777m (circa 0.75km) at its narrowest. It would reduce the physical gap between Birchmoor and commercial development to the south to a length of between approximately 155m and 95m.

8.4.4. We note that in the surrounding area there are smaller gaps between settlements which remain effective e.g., the gaps of approximately 500m between Coventry and Nuneaton, of approximately 500m between Church Lawford and Long Lawford and of approximately 370m between Hinckley and Barwell. Indeed, the gap between Dordon and Grendon will be only c.600m when site allocation H4 is built out. Furthermore, the gap between Atherstone and Grendon will be less than 50m (essentially the width of the West Coast Mainline) if site allocation H2 and Reserved Housing Site RH1 were to come forward for development. The NWBC Local Plan therefore sets two precedents very close to the application site where smaller gaps have been deemed to be effective.

8.4.5. The gap between settlements would therefore remain effective and would be formed by open arable land which would become increasingly rural in character as a result of proposed offsite planting and reinstatement of historic field boundaries.

TOPOGRAPHY

8.4.6. The topography of the site gently rises towards the north with the highest point of the site located along the edge of the settlement of Birchmoor. Land to the north, south and east of the application

⁴⁰ NPPF 2021 paragraph 138

site rises more sharply up to an elevation of between approximately 110 and 115m. A substantial spoil heap associated with Birch Coppice Colliery rises above the natural landform.

- 8.4.7. The site is therefore at a relatively low point in the landform and at an elevation which would correspond with that of existing large-scale commercial development to the south (St Modwen Park Tamworth).
- 8.4.8. Earth mounds have been proposed around the perimeter of the site, with varying gradients and heights, to merge into the existing landform. These would be planted with mixed, native woodland to soften their appearance within the landscape.
- 8.4.9. The landform across the gap assists with creating a sense of separation with residential development at higher elevations and existing and proposed commercial development at lower elevations close to Junction 10 M42.

LANDSCAPE CHARACTER

The Changing Landscape

- 8.4.10. For the purposes of the landscape and visual impact assessment it has been assumed that the site would continue in its current use in the absence of the proposed development, but employment allocations would be built out and ongoing construction of large-scale commercial buildings to the south would continue to intensify increasing the visual influence of large scale employment uses on the land between Dordon and Tamworth.
- 8.4.11. Historically, this area has become increasingly built up with the development of Relay Park and the motorway services to the west and commercial warehouses to the south and south-west of the site (St Modwen Park Tamworth and Centurion Park respectively). Commercial development associated with the edge of Tamworth has already breached the M42 and it is reasonable to expected that this trend will continue in the future. In addition, the route of HS2 extends to the west of the site which would further urbanise the area, whilst providing a hard physical boarder between Tamworth and Polesworth / Dordon, in combination with M42 motorway.
- 8.4.12. The character of the landscape to the immediate south and west of the site is strongly influenced by large-scale commercial development and infrastructure. Settlement is present to the north and east of the proposed development on elevated ground.

Impacts of the Proposed Development

- 8.4.13. Proposed built form within the site has been contained in the southern corner of the site, adjoining existing large-scale commercial development and infrastructure, forming the fourth, commercial quadrant at the motorway junction. Large-scale commercial development is already characteristic of this part of the landscape.
- 8.4.14. Off-site reinstatement of historic hedgerow boundaries and the extension and creation of woodland corner copses would reinforce the arable, open character of the landscape, between Dordon/ Polesworth and the proposed development, enhancing the scenic quality of the landscape and intensifying its rural character, creating a place in its own right. Proposed on and off-site planting would reduce the influence of both proposed and existing development and infrastructure. A clear sense of passing through an open, rural, intact landscape before entering an area of large-scale commercial development would remain and be enhanced.

VEGETATION

- 8.4.15. There is little vegetation within the site and off-site areas apart from boundary hedgerows to the south and west. In the adjoining landscape there are established hedgerow boundaries with corner woodland copses.
- 8.4.16. It has been proposed that historic field hedgerow boundaries, with corner woodland copses, be reinstated within off-site areas between Dordon / Polesworth and the proposed development. Planting has also been proposed along the prominent settlement edge of Dordon softening and reinforcing the settlement edge. This publically accessible planting could incorporate community orchards, hedgerows and native woodland. Woodland planting has also been proposed on earth mounds to the northern and eastern edges of the developable area breaking down the mass of built form and providing separation to Birchmoor.
- 8.4.17. There would significant areas of new native habitat planting within the site and off-site area which would reinforce historic patterns and help to provide physical and perceptual separation between the settlement edge and the commercial area to the south and west.

EXISTING USES

- 8.4.18. There is a clear difference in land use between the Tamworth and Dordon / Polesworth and between Birchmoor and large-scale commercial development to the south, although the arable land use is strongly influenced by commercial uses to the south and west and by the prominent, and elevated, settlement edge to the east. The land between the two settlements is characterised by arable fields with limited vegetation.
- 8.4.19. The gap is not free from existing built form with a number of residential properties to the north of the A5 within the gap, as well as the existing hardstanding at the main site entrance from the A5.
- 8.4.20. The proposed woodland planting on earth mounds along the northern and eastern edges of the site and the reinstatement of historic hedgerow boundaries with reinforcement by proposed corner copses would strengthen the rural character of the remaining land between the settlements and proposed built form.

NATURE OF URBAN EDGES

- 8.4.21. The existing landscape is characterised by prominent settlement edges on elevated ground to the east, the vegetated edge of Birchmoor to the north and large-scale commercial and employment uses and infrastructure, on lower ground, to the south and west. The character of existing edges is distinctly different. The proposed development has been located in the south west corner of the gap and it would align with, and form part, of the character of the existing large-scale commercial edge surrounding Junction 10 M42.
- 8.4.22. Proposed on and off-site planting would soften the existing commercial edge and reinforce the rural character of the gap creating a clear sense of separation between edges. In turn, this would help to create a more successful urban edge for Dordon, as noted within the North Warwickshire Landscape character Assessment (LCA)⁴¹.

⁴¹ Landscape character Assessment for North Warwickshire, FPCR LLP, 2010, main report p101

- 8.4.23. The proposed development would not change the character of the edge in its location but instead would form part of the existing urban edge.

INTER AND INTRA VISIBILITY

- 8.4.24. There are limited publicly accessible views from the edges of both Birchmoor and from Dordon / Polesworth. Viewpoint 5 and 20 provide the clearest views back from the edge of Dordon / Polesworth towards the proposed development and Viewpoint 1 and 18 provide the clearest views back towards the proposed development from the edge of Birchmoor.
- 8.4.25. From the edges of Dordon / Polesworth the proposed development would be seen, from elevated ground, across an open, rural landscape, set against a strong backdrop of existing large-scale commercial development. Potential views of built form would be partially screened by existing vegetation and would be progressively filtered as the proposed screening on the earth mounds matures. Importantly, proposed off-site planting, extending through existing fields and along the settlement edge of Dordon, would not only progressively screen potential views but would also enhance and strengthen the rural character of the landscape between settlements. The ZTV indicates that in the long term there would be no visibility of the proposed development from the edge of Dordon and filtered, intermittent visibility towards the proposed development from Polesworth.
- 8.4.26. Glimpsed views towards the site are available from Birchmoor through gaps in existing vegetation. The ZTV indicates that proposed planting on earth mounds to the north of the proposed development would entirely screen potential views in the long-term.
- 8.4.27. When walking on footpath AE46 and bridleway AE45, within the gap, there is clear intra-visibility of the proposed development and the settlement edge across open arable fields, which as noted above would become increasingly rural and with increased scenic quality, as a result of proposed off-site planting.
- 8.4.28. A clear sense of visual separation would remain between settlements and the proposed development, with the proposed development viewed in the context of existing commercial development of a similar character, across an increasingly rural and intact landscape.

THE SENSE OF LEAVING A PLACE AND ARRIVING SOMEWHERE ELSE

- 8.4.29. Vehicle users along the A5 and walkers along the PRow network are the key receptors who currently experience a sense of leaving the settlement, passing through an area of open landscape before entering an area of large-scale commercial development and extensive road infrastructure at Junction 10.
- 8.4.30. Viewpoints 9 and 11 illustrate representative views from the A5 towards existing arable fields. Should the proposed development be built, views towards an open, arable landscape would remain. Proposed off-site planting would enhance and strengthen the rural qualities of the remaining landscape and the proposed development has been located such that it would form part of the existing context of large-scale commercial development and infrastructure.
- 8.4.31. When walking along the PRow network (see Viewpoints 1, 3, 4 and 8) walkers would experience leaving the built up edge of the settlement, walking through open, rural, fields, with the proposed development distinct from the rural landscape within the context, and forming part of, the existing area of employment uses and infrastructure to the south and west. Proposed off-site planting would enhance the scenic quality and rural character of remaining fields within the gap.

8.4.32. A clear sense of leaving a place and arriving somewhere else would remain.

8.5 CONCLUSIONS OF THE GAP ANALYSIS

8.5.1. SLR has undertaken an assessment of the existing Strategic Gap and potential effects on the Strategic Gap as a result of the proposed development has been assessed using an established methodology (Eastleigh criteria).

8.5.2. As detailed in Chapter 10 of ES Volume 2, the comprehensive assessment of the proposed development in respect of the Strategic Gap concludes that:

- The gap between settlements would remain effective and would be formed by open arable land which would become increasingly rural in character as a result of proposed offsite planting and reinstatement of historic field boundaries. The size of the remaining gap is larger than existing examples of effective gaps between settlements in the local area;
- The landform across the gap assists with creating a sense of separation with residential development at higher elevations and existing and proposed commercial development at lower elevations;
- The proposed development would form part of a location for which there is an existing commercial character. The character and scenic quality of the remaining gap would become increasing rural and intact as a result of proposed off-site planting;
- There would significant areas of new native planting within the site and off-site area which would reinforce historic patterns and help to provide physical and perceptual separation between the settlement edge and the commercial area to the south and west;
- There is a clear difference in land use between Dordon / Polesworth and Birchmoor and large-scale commercial development to the southwest which relates to the existing uses in Tamworth. The quality and character of the remaining gap would be reinforced by proposed off-site planting;
- The proposed development would not change the character of the edge in its location but instead would form part of the existing urban edge.
- A clear sense of visual separation would remain between settlements and the proposed development, with the proposed development viewed in the context of existing commercial development of a similar character, across an increasingly rural and intact landscape; and
- A clear sense of leaving a place and arriving somewhere else would remain.

8.6 ALIGNMENT WITH STRATEGIC GAP POLICY

8.6.1. In the context of Policy LP4, should the proposed development be approved and implemented, the separate identities of Tamworth and Polesworth with Dordon would **remain**, both in relation to physical separation and in terms of their distinctive character. A sense of separation would **remain** whether travelling along the A5 or along PRoW within the gap; travellers would have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entering a second settlement. Indeed, the proposed commercial development in land use terms reflects the character of the Tamworth (to which the site adjoins), whereas once you have travelled across the gap to Dordon/Polesworth you reach a residential settlement (as you do with Birchmoor), clearly a settlement with a different and separate character. The gap at almost 1km as you travel along the A5 more than allows the separation and different characters to be appreciated and understood.

- 8.6.2. The gap's agricultural use and character will be reinforced through extensive landscaping proposals which would reinforce historic patterns and help to provide physical and perceptual separation between the settlement edge and the commercial area to the south and west.
- 8.6.3. Furthermore, any perceived harm and/or potential for further development and encroachment into the Strategic Gap can be mitigated by virtue of the fact that the entirety of land between M42 motorway and Polesworth with Dordon is in the applicant's ownership. As such, HE is proposing that the aforementioned extensive landscaping proposals to the east of the site be secured as open land in perpetuity through an agreement with the Council.
- 8.6.4. Taking all the above into account, when assessed against the Local Plan position, the development proposals accord with Policy LP4. The proposals allows the settlements of Tamworth (to which it aligns in land use) and Polesworth / Dordon to maintain their separate characters. It will not see the settlements coalesce, as a substantial gap will remain between them, in the form of open agricultural land. As such, the development, despite being large in scale, will not have a significant adverse impact on the separate identities or characters of the settlements. The visual and physical separation, whilst reduced to some extent, is still significant and so does not adversely affect the separate identities of the settlements either. Therefore, when applying Policy LP4 in looking at all relevant considerations, the proposals accord with policy, and when this is considered alongside Policy LP6 and the demonstrated strategic need for development on the site, when applied together the significant weight afforded to Policy LP6 in decision making firmly tips the planning balance in favour of development.

9

ASSESSMENT OF LORRY PARKING NEED



9 ASSESSMENT OF LORRY PARKING NEED

9.1 OVERVIEW

- 9.1.1. This chapter provides an overview and summary of the growing demand and significant need for lorry parking facilities, especially within the West Midlands region.
- 9.1.2. In doing so, it robustly justifies a key element of the proposed development, the provision of an overnight lorry parking facility (up to 150 spaces) including welfare facilities at the site, meeting a quantitative and qualitative need whilst also providing for parking associated with the proposed development (in accordance with NPPF paragraph 109 and Local Plan Policy LP34).
- 9.1.3. This chapter should be read alongside the report produced by MDS Transmodal: The Need Case for HGV Parking Facilities at M42 Junction 10 (October 2021) which provides a comprehensive assessment on the matter of need and suitability of the application site for a HGV lorry parking facility.

9.2 POLICY POSITION

NPPF

- 9.2.1. Paragraph 109 states that:

“Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.”

LOCAL PLAN

- 9.2.2. Policy LP34 (Parking) sets out NWBC’s position with respect to road vehicle parking. Lorry parking is specifically mentioned in the policy, with the relevant paragraph stating that:

“Proposals which reduce lorry parking (either informal or formal parking areas) should be accompanied by evidence to support its loss and explore opportunities for alternative provision. In recognition of the Borough’s strategic location and demand for lorry parking, the Council will give weight to lorry parking provision and facilities, and opportunities for alternative provision and for improved management in decision-taking.”

NATIONAL SURVEY OF LORRY PARKING

- 9.2.3. The Department of Transport (DfT) commissioned consultants AECOM in 2017 to undertake research on lorry parking demand in England.
- 9.2.4. The DfT’s in-house database of existing lorry parks was reviewed and updated as a desk-top exercise. Site surveys were then undertaken to confirm or otherwise the information contained on the DfT’s database e.g. parking capacity, cost, facilities available. Utilisation surveys were then undertaken at each of the identified ‘on-site’ and inappropriate ‘off-site’ parking locations.

9.2.5. The outputs from the National Survey of Lorry Parking provide clear support for the development of new HGV parking facilities, particularly in the West Midlands. The results of the Survey are discussed in further detail in Section 9.4 of this chapter.

OTHER MATERIAL DOCUMENTS

9.2.6. A number of other important publications form material considerations in respect of the lorry parking need case. Full details of the following documents are set out in the supporting Lorry Parking Need Assessment:

- Written Statement to Parliament (May 2018);
- Letter from MHCLG and DfT to Chief Planning Officers (May 2018);
- Lorry Parking Demand Assessment (2019);
- Letter to UK Logistic Sector from DfT, DWP and DEFRA (July 2021);
- Letter from DfT to HGV Licence Holders (September 2021); and
- Statement from DfT, 'More support to help people to become HGV drivers among package of government measures to ease risk of shortages', (September 2021).

9.2.7. The recurring theme throughout these documents is the critical need for new HGV parking facilities and the requirement for Government intervention through the planning process to alleviate the shortfall.

9.3 QUANTITATIVE NEED

9.3.1. The National Survey of Lorry Parking identified a significant deficit of HGV parking capacity in the West Midlands region.

9.3.2. The utilisation surveys reported that official 'on-site' parking facilities had a total capacity of 1,906 HGV spaces and that on average 1,663 spaces (87%) were occupied on a nightly basis. Existing sites are operating at capacity each night and around 34% of HGVs parking overnight in the region are doing so at inappropriate locations.

9.3.3. Demand for overnight HGV parking is approximately 132% of the installed capacity and Tamworth MSA (the only HGV parking area close to Junction 10) is operating at 92% capacity each night, above the critical 85% utilisation rate.

9.3.4. Furthermore, specific capacity issues have been identified for the A5 corridor and between Hams Hall and Dordon. This section is an important strategic route and it has been identified as a 'growth corridor' for freight travelling both north-south and east-west. As the logistics market expands there will be a growing need for additional HGV parking capacity within the 'growth corridor'.

9.3.5. As existing sites in the West Midlands region are operating over capacity this is resulting in approximately 34% of HGVs parking overnight in the region at unsuitable 'off-site' locations. These locations are unlikely to be providing basic amenities which is not acceptable.

9.3.6. An overall need for additional HGV parking capacity (and associated driver welfare facilities) in the West Midlands region and in the Tamworth/A5 corridor area has therefore been clearly identified.

9.3.7. As set out in detail in the Lorry Parking Need Assessment, to substantiate the quantitative need a number of assessments have been undertaken as follows:

- An estimate of the number of HGVs delivering to commercial properties in the immediate vicinity of the proposed overnight HGV parking facility on a daily basis:
 - This assessment established that there was a significant level of inbound HGV activity into the area immediately surrounding the proposed HGV parking facility – over 2,100 HGVs are estimated to be visiting the immediate hinterland of the M42 Junction 10 on a daily basis.
- Estimating the minimum HGV parking capacity that should be provided in the immediate vicinity of M42 Junction 10, using the Department for Transport’s own formula-based method for sizing Motorway Service Areas and Truckstops (derived from the the total number of HGVs passing on a daily basis, in this case on the which pass along the M42 and A5).
 - This assessment found that there is a high level of HGV traffic passing on the strategic road network (M42 and A5) – there are currently around 7,500 HGVs passing in each direction in the M42 daily, and a further 5,000 HGVs passing the site on the A5.
 - Therefore, using the DfT formula, a minimum capacity of 101 HGV parking spaces should therefore be provided in the vicinity of Junction 10. Noting that Tamworth MSA currently provides 65 HGV parking spaces, there remains a deficit of 36 HGV parking spaces in the vicinity of Junction 10.
- Parking Beat Surveys, undertaken in accordance with the same methodology carried out by the DfT’s National Survey of Lorry Parking, has quantified overnight lorry parking at known inappropriate non truck-stop locations within a 5km radius of M42 Junction 10.
 - The level of parking provision at Tamworth MSA is clearly inadequate. Based on the DfT’s own formula calculation, there is a deficit of parking capacity and the parking beat survey, undertaken within 5km of Junction 10 of the M42, suggests that on average 114 HGVs on a nightly basis are parking at inappropriate industrial area locations.
 - This is a substantial amount of informally parked vehicles which leads to an exacerbation of issues associated with such parking, including anti-social behaviour and criminal activity.

9.3.8. An overall quantitative need for additional HGV parking capacity in the West Midlands region has therefore been clearly identified, comprising of the identified deficit of 36 HGV parking spaces close to Junction 10 and the Parking Beat Survey evidence of an average of 114 HGVs parking inappropriately in non-truck stop locations each night.

9.3.9. Furthermore, the development will see the loss of the existing lorry layby spaces on the A5 at the front of the site. These need to be replaced on the site.

9.3.10. Therefore, the above demonstrate a clear quantitative need more than sufficient in justifying the proposed 150 space HGV parking facility. However, it is important to also consider the qualitative need case which reinforces the overall need case.

9.4 QUALITATIVE NEED

REQUIREMENT FOR HGV PARKING FACILITIES

9.4.1. By law, drivers are required to undertake statutory driving break periods and there is therefore a need to provide drivers with a facility to park their vehicles while out on the road so that these breaks can be undertaken. As a minimum, drivers should have the ability to take a break away from their work location, purchase refreshments and utilise bathroom facilities. For overnight rest periods, drivers should also have access to shower and breakfast facilities.

9.4.2. A deficit of suitable off-road lorry parking capacity in a particular area can lead to inappropriate and unsuitable parking, including on the public highway and this can lead to serious environmental consequences. This can include:

- Traffic congestion;
- Noise pollution emitted by lorries from running engines;
- Damage to pavement or footpath infrastructure;
- Litter and human waste given the absence of toilet facilities; and
- Crime.

CONSEQUENCES OF PARKING AT INAPPROPRIATE LOCATIONS

9.4.3. In the absence of adequate provision and facilities in the Junction 10 area and the significant amount of HGVs parking informally or illegally (as evidenced by the Parking Beat Surveys), this has led to issues of crime and anti-social behaviour in the Junction 10 area.

9.4.4. Evidence of these issues such as issued has reported in the Tamworth Herald in April 2021⁴² whereby drivers had been noted and reported to the authorities for carrying out anti-social behaviour.

9.4.5. Furthermore, screenshots taken from Motorway Buddy 'UK Freight Crime Hotspot Map' (**Appendix G**), which point to two crimes against HGVs that have occurred locally in Dordon and Tame Valley Industrial Estate. The UK Freight Crime Hotspot Map has been created by Motorway Buddy in conjunction with the TT Club and National Vehicle Crime Intelligence Service (NaVCIS) and displaying recorded cargo and fuel theft incidents by location.

HGV DRIVER SHORTAGE

9.4.6. HGV driver shortages and associated issues have been well publicised in national media, particularly during late Summer 2021 and remains a critical issue affecting the nation – an issue which reached breaking point in September 2021 when the fuel crisis occurred.

9.4.7. The driver shortage is recognised by Government as a key issue, as demonstrated in a selection of letters and ministerial statement summarised below:

- Letter to UK Logistic Sector from Grant Shapps MP, Therese Coffey MP and George Eustice MP regarding HGV driver shortage sent 20 July 2021;
- Letter from Baroness Vere of Norbiton (DfT) regarding HGV driver shortages, sent 25 September 2021;
- Statement from DfT, 'More support to help people to become HGV drivers among package of government measures to ease risk of shortages', published 25 September 2021;

9.4.8. A recurring theme is that the absence of adequate overnight HGV parking facilities and access to appropriate welfare facilities for drivers is contributing to the shortage of drivers. This in particular reduces the number of female HGV drivers and younger drivers who are put off by the lack of appropriated and safe places to rest. This means there is an ageing workforce and greater reliance

⁴² Tamworth Herald (2021) – Available: <https://www.birminghammail.co.uk/news/midlands-news/disgusting-lorry-drivers-using-tamworth-20423626>

on migrant labour. Whilst short term government measures are in place to address this shortage, for the long term a qualitative improvement of safe and appropriate parking and overnight facilities is essential to support the road freight sector, which itself is essential for the retail and industrial sectors.

9.5 ASSESSMENT OF ALTERNATIVE SITES

- 9.5.1. An assessment of the applicant site confirms that it meets all the criteria suitable for a lorry parking location and therefore the proposed site at Junction 10 of the M42 should be considered suitable for hosting HGV parking facilities providing both short and long-term requirements.
- 9.5.2. The assessment work undertaken by MDS Transmodal concludes the site is suitable for a lorry parking facility for a number of reasons, including:
- A significant level of inbound HGV activity into the area immediately surrounding the proposed HGV parking facility;
 - A high level of HGV traffic passing on the strategic road network (M42 and A5);
 - A need to replace Tamworth MSA, which is currently due to be demolished to facilitate the development of HS2 Phase 2b; and
 - The A5 Transport Partnership have identified a need for additional HGV parking capacity along the A5 'growth corridor'.
- 9.5.3. Given the identified deficit in HGV parking capacity across the West Midlands this site meets the criteria defining a suitable location for HGV parking to a high level in addition to the planning parking facilities required by road haulage operators and drivers.

TAMWORTH MSA

- 9.5.4. As indicated above, whilst an expansion of Tamworth MSA (to provide an additional 38 spaces) was approved in 2020 (application ref: PAP/2020/0224), as demonstrated already in this chapter, there would still be a deficit of 36 spaces based on the DfT calculation alone, which when aggregated with the evidence from the Parking Beat Surveys justifies the proposed 150 space overnight HGV parking facility at the application site. Indeed, the approval of an expansion to Tamworth MSA further endorses the already clear evidence that Junction 10 is in high demand for overnight HGV parking provision.

LAND AT MARSH LANE, HAMS HALL (M42, JUNCTION 9)

- 9.5.5. In January 2021, WSP submitted representations against the proposals for the development of a 200 space overnight truckstop with associated facilities on land at Marsh Lane, Hams Hall near Junction 9 of the M42 (application reference: PAP/2020/0295). A copy of the representations is contained at **Appendix H**.
- 9.5.6. Whilst it is understood the application is still live and has yet to be determined, as set out in the representations and summarised below, WSP raised significant concerns over the proposal.
- 9.5.7. Fundamentally, the proposed Junction 9 scheme lies in the Green Belt and constitutes inappropriate development. Green Belt policy is a very high policy bar. The applicant for the Junction 9 scheme simultaneously attempts to justify compliance with NPPF paragraph 148 and run a very special circumstances (VSC) case, both of which are reliant on an alternative sites assessment which seeks to demonstrate that there are no alternative suitable sites available outside the Green Belt.

- 9.5.8. Having reviewed the applicant's submission documents and justification for Green Belt release, the alternative sites assessment does not provide a suitable assessment of alternative sites as it excludes an available, suitable and deliverable alternative site that lies outside the Green Belt and is therefore sequentially preferable.
- 9.5.9. Furthermore, there is a demonstrable demand for additional overnight lorry parking at Junction 10 to reduce the burden on Tamworth MSA and also mitigate the potential for its future closure as a result of HS2 Phase 2B without adversely impacting on the residential areas in the vicinity. Accordingly, there is no evidence in the applicant's submission to substantiate why a substantial number of sites in the Birch Coppice Industrial Estate area, outside of the Green Belt, are deemed inappropriate sites for providing overnight lorry parking provision to constitute exclusion from the alternative sites' assessment.
- 9.5.10. As a result of the flawed alternative sites assessment the applicant does not provide sufficient justification to demonstrate that the proposed development requires a Green Belt location and is a sequentially preferred site in the area. Very special circumstances therefore cannot exist for the same reasons as those found to be flawed in the context of paragraph 148. Therefore, the submitted justification is not sufficient evidence to demonstrate that the proposed development accords with the tests of Green Belt policy, specifically compliance with NPPF paragraphs 137 and 149 and NWBC Local Plan Policy LP2.
- 9.5.11. Other material considerations include the fact that a facility at Junction 9 would not address the demand for overnight parking along east-west routes, specifically the strategic A5 Trunk Road which is also an identified growth corridor.

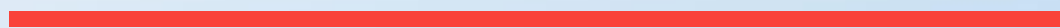
9.6 CONCLUSIONS ON LORRY PARKING NEED

- 9.6.1. As demonstrated in this chapter and the Lorry Parking Need Assessment submitted with this application, there is a significant deficit of HGV parking capacity in the West Midlands region and in particular there is an urgent need for additional overnight lorry parking provision in the Junction 10 area.
- 9.6.2. Existing sites in the region are operating at capacity and thus around 34% of HGV's have to park in alternative, inappropriate locations. An overall need for additional HGV parking capacity in the West Midlands region has therefore been clearly identified.
- 9.6.3. Quantitative and qualitative assessments have been carried out to support and endorse the need case further for this element of the proposed development, demonstrably justifying the proposed overnight HGV parking facility being located at the application site and also the capacity for up to 150 spaces and associated welfare facilities.
- 9.6.4. There are no alternative sites within the vicinity of Junction 10 that could accommodate this need directly adjacent to the Strategic Road Network and a motorway junction. The proposed Junction 9 overnight lorry parking scheme, that remains at live application at the point of writing, lies in the Green Belt and constitutes inappropriate development. Green Belt policy is a very high policy bar. Furthermore, the associated alternative sites assessment does not provide sufficient justification to demonstrate that the proposed development requires a Green Belt location and is a sequentially preferred site in the area, especially when considering the availability and suitability of the application site and established critical need at Junction 10.

- 9.6.5. The NPPF demonstrates clear policy support for the development of additional HGV parking capacity as integral components of new warehousing and distribution schemes. The proposed development includes provision of a substantial overnight lorry parking facility, providing capacity for up to 150 vehicles and associated driver welfare facilities.
- 9.6.6. Furthermore, noting the Borough's strategic location and demand for lorry parking, Policy LP34 gives weight to proposals that comprise lorry parking provision and facilities. The proposed development and provision of a new 150 space overnight lorry parking facility clearly accords with Policy LP34.
- 9.6.7. In addition to according with local and national planning policy, the proposed development also accords with the national drive for increasing overnight lorry parking provision. This critical aspect of the overall scheme is a significant benefit in the overall planning balance and should be afforded substantial weight in the determination of this application.

10

PLANNING BENEFITS OF THE PROPOSED DEVELOPMENT



10 PLANNING BENEFITS OF THE PROPOSED DEVELOPMENT

- 10.1.1. Fundamental to the purpose of the planning system is to contribute to sustainable development, and achieving sustainable development comes in the form of delivering on three overarching objectives – which deliver economic, social and environmental benefits (paragraph 8), against which every decision should be judged (paragraph 9).
- 10.1.2. NPPF states that planning policies and decisions should encourage multiple benefits and a presumption in favour of sustainable development exists in order to deliver upon this overarching purpose to pursue sustainable development in a positive way (paragraph 10).
- 10.1.3. Where any adverse impacts of a development proposal do exist, these are to be weighed against the benefits. Only where identified adverse impacts would demonstrably outweigh the identified benefits, should planning permission be refused (paragraph 11).
- 10.1.4. This section sets out the many significant planning benefits of the proposed development, identified as economic, social and environmental benefits.

10.2 SOCIO-ECONOMIC CONTEXT

- 10.2.1. **Chapter 13 of ES Volume 2** comprehensively considers the socio-economic effects of the proposed development.
- 10.2.2. In order to assess the socio-economic effects of the proposed development, WSP has identified and interpreted baseline information on a variety of socio-economic indicators. The indicators have been grouped into a number of subject areas. Taken together, these subject areas provide a robust indication of the socio-economic strengths and weaknesses of a local area.
- 10.2.3. The main thematic areas considered within the baseline assessment are as follows:
- Population;
 - Economic activity;
 - Employment structure;
 - Education and skills;
 - Health conditions; and
 - Deprivation.
- 10.2.4. The baseline assesses the economic and social conditions at a range of spatial scales (impact areas), and across different time periods, utilising the most up-to-date data at the time of the assessment.

BASELINE ASSESSMENT

- 10.2.5. The key findings from the baseline assessment (**Appendix 13.1 of Volume 3**) are as follows:
- **Population** – Dordon ward and Tamworth have a very similar age breakdown to England and Wales as a whole, whereas North Warwickshire has a higher proportion of older people (aged 65+) than the local and national comparisons.

- **Economic Activity** – In general, economic activity levels are lower at ward level than regional level, but higher than national level. The proportion of the working age resident population who were claiming out of work benefits in Dordon ward was higher than the rates for North Warwickshire and Great Britain as a whole, but lower than the rates in Tamworth.
- **Employment Structure** – The proportion of people employed in higher skilled occupations in Dordon ward was notably lower than the comparative figures for North Warwickshire, Tamworth and England and Wales as a whole.
- **Education** – At the ward level, the proportion of people with no qualifications was higher than the rates across North Warwickshire and Tamworth and across the country as a whole. Concurrently, the proportion of residents within Dordon ward with higher level qualifications was significantly lower than North Warwickshire, Tamworth and England and Wales averages.
- **Health** – Male and female life expectancy at birth (for the period 2017-2019) were lower in North Warwickshire and Tamworth than England.
- **Deprivation** – The neighbourhood impact area (North Warwickshire 002B) is ranked among the 50% most deprived areas in England. The LSOA is ranked in the 30% most deprived across the living environment and education, skills and training domains. Overall, the area has average levels of deprivation.

10.3 SOCIO-ECONOMIC BENEFITS

EMPLOYMENT GENERATION

Construction Phase – Temporary Socio-economic Effects

- 10.3.1. During demolition and construction, the proposed development is estimated to generate around 255 to 283 person years of temporary construction employment. This net additional construction employment would generate gross value added (GVA) to the regional economy of around **£17.9 million to £19.9 million**.
- 10.3.2. There will also be opportunities to provide training, apprenticeships and work experience in a range of construction trades. For example, there will be opportunities for local young people to gain NVQ Level 2 and Level 3 training and practical experience in a range of different construction and engineering trades. Initiatives of this sort are typically run by a training provider in partnership with the main contractor for the construction programme. The applicant is committed to delivering these benefits which can be delivered through agreements where necessary.

Operational Phase – Permanent Socio-economic Effects

- 10.3.3. Once complete and operational the proposed development will create an estimated 776 to 1,295 full-time equivalent (FTE) net additional jobs at the local level, with an additional 471 to 786 FTE jobs at the regional level.
- 10.3.4. It is estimated that the jobs to be supported by both the proposed development and the supply chain linkages could contribute approximate GVA to the West Midlands economy of up to **£62.5 million to £104.2 million annually in perpetuity**.
- 10.3.5. All of the socio-economic effects identified in the assessment are anticipated to be beneficial and, as such, no mitigation measures are proposed.

OTHER ECONOMIC BENEFITS

- The completed development would provide at least £1 million of local tax revenue for use on local services every year.
- As a Strategic Employment Site, the proposed development presents an opportunity to attract a significant multi-national and/or national operator(s) to the area which could potentially provide jobs and sustained economic benefits for local area for generations to come.
- There is also potential to provide small mixed use starter units for local businesses and SMEs, noting the shortage of such identified in the Coventry & Warwickshire Sub-Regional Employment Market Signals Study, July 2019.
- The delivery of up to 100,000sqm of new employment floorspace supports the Government's objectives to address regional inequalities (eg "levelling up").
- NWBC identifies in its Sustainable Community Strategy that its vision for North Warwickshire in 2026 is a place where people want to live, work and visit. Directing significant new employment opportunities close to build up areas represents positive planning, offering equality of opportunity for people to access work.
- As identified by Turley Economics and JLL, the logistics sector is relatively quick to adapt to changing circumstances, to develop and deliver economic opportunities, and can support significant new jobs, making it uniquely placed to contribute to the UK's economic recovery post-Covid. This scheme will help to address unemployment in the locality, which is particularly important in light of the devastating impact that the pandemic and the associated lockdowns have had on the economy and people's livelihoods.
- Mindful of the shift in consumer habits, exacerbated by the Coronavirus pandemic and the resultant surge in demand for additional warehouse space and specifically identified in the Prologis research that estimated for every additional £1bn of online sales this results in, on average, an additional 775,000 sqft of demand for warehouse space. Also, the evidence produced by Savills which estimates that for every £1bn of private manufacturing investment, this creates new demand for 175,000 sq ft of warehouse space. As such, given the pent-up demand for employment land in Area 2, relieving the existing supply constraint through the delivery of new industrial / logistics land at the application site will add to economic growth and employment in the Borough and have wider benefits across the West Midlands, in the manufacturing, retail and distribution sectors.
- Furthermore, the co-location and timing of the substantial job creation estimated, in proximity to residential development, would align with the delivery of major new housing sites at Polesworth with Dordon (site allocation H4) and Tamworth (site allocation H5), in the recently adopted North Warwickshire Local Plan.

10.3.6. The above economic benefits are substantial, meet policy and strategic aspirations and therefore carry very significant weight as a material consideration.

SOCIAL BENEFITS

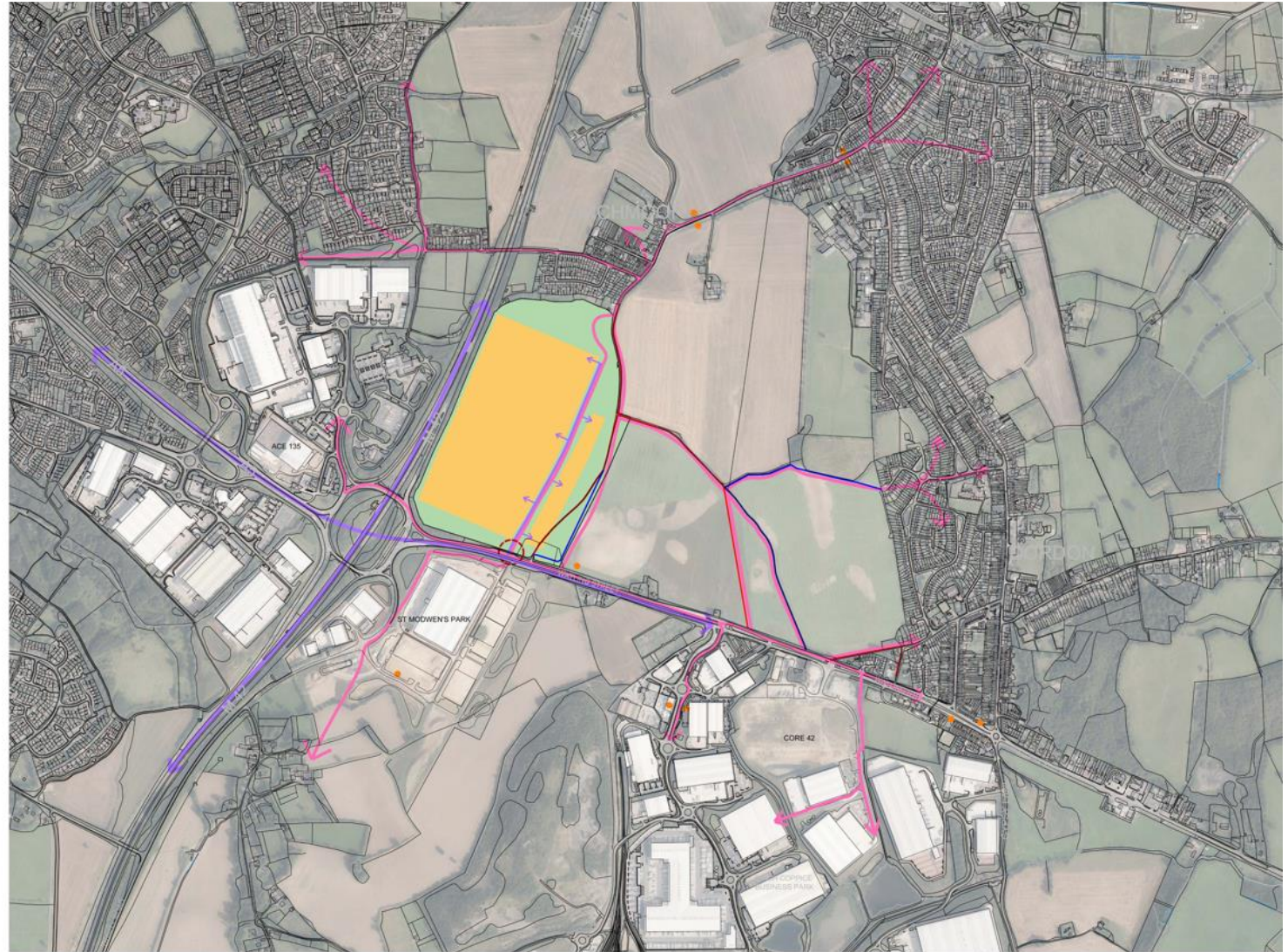
Enhanced Connectivity

- Over 3.5km of new and enhanced on and offsite public footpaths, bridleways and footway/cycleway routes, linking the site with Birchmoor to the north and Dordon to the east, and

opening up foot and bicycle commuting opportunities from settlements further afield including Polesworth and Tamworth;

- 3m wide dual use footway/cycleway to either side of the site road and access junction;
- 3m wide dual use footpath / cyclepath linking north from the site road to Birchmoor;
- 3m wide footpath / cycleway linking east from the site road to the nexus of Public Bridleway AE45 and Public Footpath AE45;
- The network of new and improved Public Footpaths, footpaths and cycleways crossing the site and broader area will promote sustainable modes of travel/commuting and create local community health and fitness benefits. These will include tarmac footpaths and cycleways and appropriate surfaces for bridleways, all of which would be compliant with the Equalities Act 2010 providing “access for all”;
- All cycleways/footways will be designed to the required technical standard, in accordance with Cycle Infrastructure Design: Local Transport Note 1/20 (July 2020), subject to the agreement of WCC PRow and Cycling Teams;
- The associated benefits of active travel brought about by the scheme, including:
 - Decarbonising transport, both for the site and trips further afield to surrounding settlements and business parks; and
 - Helping to achieve improved public health (both physical and mental health).
- New enhanced bus stop to the south of the site on the east bound A5, providing bus shelter, segregated cycleway and footway and associated street furniture. Subject to the agreement of National Highways and the relevant bus operator, it is proposed that this will be a ‘green bus shelter’ as currently being delivered elsewhere in the West Midlands, incorporating the following sustainability features – made from recycled materials with green roof and solar panels to power digital information board;
- New enhanced fully signal controlled pedestrian crossing for the A5, compared to the existing junction staggered pedestrian crossing that passes through the central reserve;
- Cycle parking provided to all units at in excess of the North Warwickshire Borough standard, incorporating a range of parking facilities to include indoor/outdoor parking, secure parking, covered parking and e-bike charge points, all located at or close to pedestrian entrances;

-  SITE BOUNDARY
(80.3 acres / 32.36 Ha)
-  PEDESTRIAN/BICYCLE ACCESS ROUTES
-  VEHICULAR ACCESS ROUTES
-  ROUTE OF PROPOSED NEW PUBLIC RIGHTS OF WAY
-  ROUTE OF EXISTING/DIVERTED PUBLIC RIGHTS OF WAY
-  NEW ACCESS JUNCTION
-  BUS STOPS
-  DEVELOPMENT PLOTS
-  GREEN INFRASTRUCTURE



Hub Office

- A Hub Office which will act as a site office incorporating management suite, security and maintenance functions and a marketing space during construction of the buildings. The Hub Office will also act as a communal training facility for use by local training and education programmes associated with the site as well as site occupiers. These parties will be able to use the communal facilities including meeting room, presentation room, computer suite and office space.
- Furthermore, The Hub Office will incorporate communal bike parking and male and female changing rooms and showers that are open to use by the general public, to encourage local residents to cycle/walk to work, be they working at the site or cluster of other business park sites nearby. The inclusion of the Hub Office was in direct response to feedback received from planning officers during pre-application discussions.

Training, Education and Skills

- The development proposals provide the opportunity to create new apprenticeships on site, during the construction phase. These apprenticeships will offer hands-on experience and training to young people, through partnership with the local training colleges. This benefit directly helps to meet the Council's wider priority to raise educational attainment (as set out within the Sustainable Community Strategy 2009-2026).
- Training and education facilities (e.g., meeting rooms, presentation / conference rooms and computer suite) are to be provided in the ancillary Hub Office, available to site occupiers and local education and training providers, to run courses and programmes associated with the site.
- HE has contacted several local employment and training providers to understand how the proposals can link in with existing programmes. So far, discussions have been positive and dialogue will continue with the local education providers and programmes during the course of the planning application and beyond.

Access to Nature

- Over 9 hectares of publicly accessibly green infrastructure to be provided across the site, including significant new habitat creation as well as parkland to the south of Birchmoor and seating/relaxing areas within and on existing and proposed PRow and footway/cycleway routes surrounding the site.
- An additional 6.5 hectares of offsite green infrastructure incorporating native woodland and hedgerow planting and a community orchard, along the route of the existing and enhanced PRow network.

Promoting Healthy and Active Lifestyles

- The aforementioned foot and cycleway enhancements will encourage active travel patterns and exercise, which can help mitigate physical and mental health issues.
- Fitness trail around site and linking into existing fitness trail at St Modwen Park Tamworth and provision of hydraulic gym equipment that is free and accessible to all.

Providing Cultural Awareness and Celebration of the Area's Heritage

- Information boards on new footpaths to provide details of local heritage, including mining history, A5 Watling Street and Hall End Hall.
- Incorporation of public art into the scheme in collaboration with the local artists. Public art might reflect the history of the area (A5 Watling Street (roman road), for instance) to capture and inspire the imagination of future generations.

Community Funding

- Creation of a new 'Land at Junction 10 Community Fund' to provide funding and support local community projects. It is envisaged that this could be administered by a 'Land at Junction 10 Community Fund Committee' with representatives from neighbouring communities including Dordon and Polesworth Parish Councils, other community groups and local education establishments. Similar community funds have been successfully delivered as part of strategic employment developments elsewhere in the Midlands.

Combating Anti-Social Behaviour and Crime

- The provision of a 150 space overnight lorry parking facility and associated welfare facilities will help combat the anti-social behaviour and criminal activity that can arise from informally and/or illegally parked HGVs overnight.
- As set out in Chapter 9, this is acknowledged as a key issue in the Junction 10 area and the benefits of the scheme in addressing this local issue should be given considerable weight.

10.3.7. All of the above social benefits meet policy and strategic objectives and carry very significant weight as material considerations.

10.4 ENVIRONMENTAL BENEFITS

SUSTAINABILITY MEASURES

- Delivery of new high quality Net Zero Carbon Ready standard warehousing space to respond to a strategic location.
- All buildings will be BREEAM 'Excellent' as a target, and Energy Performance Certificate (EPC) 'A' rating.
- Creation of new pedestrian and cycle links throughout the site for members of the public.
- Creation of over 9 hectares of green infrastructure incorporating significant habitat creation, to include native woodland, native shrubland, mixed native hedgerows, wildflower meadows, wetland meadows and amenity grassland in addition to formal planting surrounding the buildings.
- An additional 6.5 hectares of offsite green infrastructure incorporating native woodland and hedgerow planting and a community orchard, along the route of the existing and enhanced PRow network.
- Significant biodiversity net gains of 19.26 units (an estimated 30.3% gain in relation to the existing value) across the site and offsite, through the extensive new habitat creation.
- Sustainable features would include:

- Generate at least 10% of energy from on-site renewable or low carbon sources, and ensure the buildings can easily accommodate future connections to advancing technology – e.g., ‘solar PV ready’ steel portal frame and connected battery technology;
- Electricity to sitewide infrastructure (e.g., street lighting, Hub Office, etc) to be 100% renewably generated;
- Air and/or ground source heat pumps to provide heating for offices;
- Rainwater capture (for flushing toilets, water landscaping area and cleaning interiors and vehicles);
- Sustainable drainage system (SuDS) to mitigate onsite flood risks;
- LED lighting with both motion and daylight sensors;
- Car EV ‘rapid’ and ‘fast’ charging points to 10% of all spaces, with futureproofed (ducting) to a further 15% of spaces (25% in total);
- Ducting provided to 25% of lorry parking spaces for fully electric and hybrid electric vehicles, to future proof development;
- Fully recyclable structure and cladding system;
- Use of low environmental impact and bio-based materials that also provide good insulation;
- High air tightness rating and sun awnings / brise-soleils to create ambient temperature and negate need for energy intensive mechanical heating and cooling;
- Topsoil/subsoil cut and fill balance achievable across site;
- Communal cycle parking, showers and changing facilities at ancillary Hub Office, available for use by site occupiers and general public (including staff of neighbouring business parks);
- Showers and changing facilities to all buildings on site, to promote walking and cycling to work;
- Preparation of a Site Materials Management Plan (SMMP) to minimise construction waste from site.

- 10.4.1. Locating the development proposals at the application site will provide an opportunity to support the two nearby rail freight terminals (Hams Hall and Birmingham Intermodal Freight Terminal (BIFT)), which are far more sustainable mode of freight distribution than road.
- 10.4.2. Research undertaken has forecast that around 10% of loaded inbound and outbound traffic from the site could be expected to move by rail freight via BIFT. Alone, that modal shift from road to rail would generate a significant carbon saving of just under 5,800 tonnes per annum.
- 10.4.3. To put that into context, it is broadly the same level of carbon dioxide as that produced by around 2,750 typical mid-sized diesel powered cars during the course of a year, which is a further sustainability benefit of the development.
- 10.4.4. All of the above environmental benefits meet policy and strategic objectives and carry very significant weight as material considerations.

10.5 CONCLUSION ON SCHEME BENEFITS

- 10.5.1. This chapter has summarised the key scheme benefits that the proposed development would deliver, if approved and implemented.
- 10.5.2. In addition to the compelling employment and lorry parking need cases and spatial justification set out in chapters 6-9, these substantial and far-reaching scheme benefits should be afforded very significant weight in the overall planning balance, which at this point is tilted heavily in favour of the proposed development.



- 10.5.3. The following chapters assesses the other material considerations, particularly the technical planning and environmental matters that must be weighed against the identified benefits thus far. Doing so enables the planning balance to be robustly and fairly considered in the final chapter of this Planning Statement (Chapter 12).

11

OTHER MATERIAL CONSIDERATIONS



11 OTHER MATERIAL CONSIDERATIONS

11.1 OVERVIEW

- 11.1.1. This chapter focusses on appraising the proposed development in the context of technical planning policies and guidance contained in the Development Plan, NPPF and NPPG.
- 11.1.2. An Environmental Impact Assessment (EIA) has been undertaken in support of the application. This section of the statement should be read alongside the Environmental Statement (ES) and its conclusions.
- 11.1.3. For the avoidance of doubt, the technical ES chapters to be read alongside relevant sections of this chapter are as follows:
- Chapter 6 – Highways, traffic and transport
 - Chapter 7 – Noise
 - Chapter 8 – Air quality
 - Chapter 9 – Land and soils
 - Chapter 10 – Landscape and visual impact
 - Chapter 11 – Nature conservation and biodiversity
 - Chapter 12 – Flooding and drainage
 - Chapter 14 – Cultural heritage and archaeology
- 11.1.4. Chapter of the ES (Socio-Economics) has already been discussed in the previous chapter when assessing the scheme benefits.

11.2 DESIGN, CLIMATE CHANGE AND SUSTAINABILITY

- 11.2.1. The application is accompanied by Design and Access Statement (DAS) and Design Guide, prepared by Chetwoods Architects which should be referred to for further details.
- 11.2.2. The DAS considers the architectural vision, inspiration and overarching design principles.
- 11.2.3. The Design Guide has been developed in conjunction with leading professionals to provide both an overarching framework and parameters for future reserved matters applications, to ensure that any future development of the site would be brought forward in a cohesive manner that respects the locational context.

HIGH QUALITY DESIGN PRINCIPLES

- 11.2.4. To ensure compliance with both local and national planning policy⁴³ in respect of design and sustainability, as part of the DAS and Design Guide, a series of High Quality Design Principles (HQDP) and associated 'Design Parameters' have been developed.
- 11.2.5. This will ensure that policy and guidance requirements will translate into the design of future development (to be approved via reserved matters) such that it will be visually attractive, resulting from good architecture, sensitively laid out and incorporating effective landscaping whilst being sympathetic to local character and history, including surrounding built form and landscape setting.

⁴³ NPPF paragraph 126 – 132; Local Plan Policies LP1, LP14, LP29, LP30 and LP35

Indeed, sustainability is of paramount importance to HE, such that it aspires to create “*The Greenest Business Park in the West Midlands*”.

11.2.6. The HQDP’s that will ensure future development meets HE’s sustainability aspirations are set out below:

- **HQDP 1:** Responding to the climate change emergency by designing in and future-proofing sustainability from the start across all aspects of building, infrastructure and landscape design, whilst allowing for adaptation and later enhancement to meet occupier requirements.
- **HQDP 2:** Maintaining a Strategic Gap between the development site and Polesworth with Dordon to the east, and Birchmoor to the north, utilising Hodgetts Estates’ extensive land holdings, to create a strong landscape setting with views and legible routes to and from the site, connecting with the surrounding landscape.
- **HQDP 3:** Providing safe and convenient access for all users coming to and from the site, including the local community for leisure uses, commuters, and visitors.
- **HQDP 4:** Ensuring that prominent buildings are distinctive, distinguishable, and relate to human scale and operational requirements whilst minimising the wider visual impact. Larger warehouse elements will utilise varied ground levels and sympathetic building components to break up facades and screen service yards.
- **HQDP 5:** Generating a uniform architectural language and design of built form to enhance legibility and wayfinding for the site and surroundings. Creating a sense of place and respecting the distinctive and varied architecture of Birchmoor, Dordon, and Polesworth.
- **HQDP 6:** Encouraging healthy and active lifestyles through the incorporation and enhancement of landscaping features, and linkages between the site and surrounding area for recreation and leisure uses.

DEVELOPMENT PARAMETERS

11.2.7. The Parameters Plan signifies the extent of the development plots which future reserved matters application will have to adhere to. The parameters have been carefully devised to ensure that the proposed development would not result in any adverse impacts on residential amenity for nearby residents and businesses, whilst respecting and preserving the separate identities of neighbouring settlements.

11.2.8. The development parameters include substantial areas of green infrastructure (over 9ha) principally to the north, south and east of the plots, incorporating open space, planting, landscaping, public rights of way, sustainable drainage system (SuDS) and a variety of wildlife habitats, provides a minimum development offset of 35m extending to 134m from the built development edge to the site boundary.

11.2.9. In terms of the built form, whilst exact details of the proposed scale will also be a reserved matter, the proposed development and subsequent reserved matters applications will have to adhere to the following height parameters:

- Maximum development height of +117.8m AOD at the less sensitive westernmost Plot A1 adjacent to the M42 motorway;

- Reduced maximum development height of +113m AOD at Plot A2, north of Plot A1 closer to Birchmoor;
- Reduced maximum development height of +111m AOD at the easternmost Plot B1, closer to Dordon;
- Reduced maximum development height of +102m AOD at Plot B2, at the entrance to site.

11.2.10. The maximum height parameters have been deliberately set to ensure the maximum development height is lower than the maximum height approved at St Modwen Park Tamworth to the south, and to mitigate visual impact as far as practicable.

LANDSCAPING

11.2.11. From a landscape design perspective, the significant new landscaping proposals will provide future development with a pleasant setting, softening the built form, Dordon settlement edge and the appearance of the buildings, whilst maintaining intervisibility of the enhanced rural landscape when viewed from the Strategic Gap.

11.2.12. The extensive tree planting proposed would also serve an additional purpose of softening the built form and mitigating landscape and visual impact whilst helping to mitigate climate change impacts, which is supported by NPPF⁴⁴.

11.2.13. Landscaped areas have been purposely designed to provide an interactive space which promotes walking, nature conservation and health and wellbeing. The majority of the landscaped area will be fully accessible to the local community and potential employees to enjoy and engage with.

SUSTAINABILITY AND RESPONDING TO CLIMATE CHANGE

11.2.14. The Design Guide will ensure a range of sustainability measures are adopted in future design, including, but not limited to:

- Delivery of new high quality Net Zero Carbon Ready standard warehousing space to respond to a strategic location;
- All buildings will be BREEAM 'Excellent' as a target, and Energy Performance Certificate (EPC) 'A' rating;
- Electricity to sitewide infrastructure (e.g., street lighting, Hub Office, etc) to be 100% renewably generated;
- Air and/or ground source heat pumps to provide heating for offices;
- Rainwater capture for flushing toilets, water landscaping area and cleaning interiors and vehicles;
- Sustainable drainage system (SUDS) to mitigate onsite flood risks;
- LED lighting with both motion and daylight sensors;
- Car EV 'rapid' and 'fast' charging points to 10% of all spaces, with futureproofed (ducting) to a further 15% of spaces (25% in total);

⁴⁴ NPPF paragraph 131

- Ducting provided to 25% of lorry parking spaces for fully electric and hybrid electric vehicles, to future proof development;
- Fully recyclable structure and cladding system;
- Use of low environmental impact and bio-based materials that also provide good insulation;
- High air tightness rating and sun awnings / brise-soleils to create ambient temperature and negate need for energy intensive mechanical heating and cooling;
- Topsoil/subsoil cut and fill balance achievable across site;
- Preparation of a Site Materials Management Plan (SMMP), which can be conditioned to any planning permission to minimise construction waste from site.

11.2.15. Considering the above, the proposed development will deliver a strategic-scale employment development whilst ensuring it is appropriately, sustainably and resiliently designed for its location and context.

11.2.16. As such, the design of the proposed development is in full accordance with Local Plan Policies LP1, LP14, LP29, LP30 and LP35 as well as paragraphs 126-132 of the NPPF.

11.3 TRAFFIC, TRANSPORT AND HIGHWAYS

11.3.1. A Transport Assessment (TA) forming part of the EIA, prepared by Bancroft Consulting, supports the planning application and examines in detail the existing transport conditions around the site and the anticipated impacts of the development. The TA also details all the transport modelling and assessment work that underpins the ES.

11.3.2. In addition, a Framework Travel Plan (FTP) has been prepared to support the application.

TRANSPORT STRATEGY

11.3.3. As stated in Chapter 3 of this Statement, from the outset, the transport strategy has been to take a holistic and inclusive approach to meet the following key aims:

- Promote sustainable forms of transport wherever possible;
- Minimise trips to and from the site by single occupancy private vehicles;
- Avoid impacts on the A5 trunk road and M42 motorway during peak times; and
- Reduce the volume of freight arriving solely by road.

11.3.4. The key aims of the sustainable transport and highways strategy would be realised through the implementation of the following measures:

- Over 3.5km of new and enhanced public footpaths, bridleways and footway/cycleway routes, linking the site with Birchmoor to the north and Dordon to the east, and opening up foot and bicycle commuting opportunities from settlements further afield including Polesworth and Tamworth;
- Provision of an enhanced bus stop to the south of the site on the east bound A5, providing a bus shelter with seating and segregated cycleway/footway;

- Cycle parking provided to all units in excess of the North Warwickshire design standards, incorporating a range of parking facilities to include indoor/outdoor secure and covered storage, all located at or close to the pedestrian entrances to each building;
- Showers and changing facilities provided to all units and communal cycle parking, showers and changing facilities provided at the ancillary Hub Office, available to the staff of all site occupiers;
- Preparation of a site wide sustainable FTP, setting out the commitment to promoting sustainable travel amongst all potential site occupants in order to minimise demand for car travel; and
- If necessary, further contributions towards offsite sustainable transport enhancements, to ensure the site is accessible by a choice of modes of transport.

ACCESS PROPOSALS

11.3.5. The proposed development would be served by a new signal controlled all-movements access junction at the A5. The proposed access layout has been designed in accordance with published guidance from National Highways, acting as the Highway Authority responsible for the A5 carriageway.

11.3.6. The site is currently served by a reasonable level of infrastructure to accommodate predicted journeys by walking, cycling and public transport modes. However, HE is committed to delivering enhancements and, as such, the proposed development would deliver a range of improvements that should ensure substantial improvements in accessibility, particularly for the most sustainable walking and cycling journeys, that would benefit all users.

TRAFFIC MODELLING

11.3.7. The scope of the TA was discussed extensively in advance of its submission with officers of WCC, Staffordshire County Council (SCC) and National Highways (NH) (formerly Highways England) as the highway's authorities responsible for the adjoining road network. A Scoping Study was submitted to WCC, acting as the Local Highway Authority (LHA), SCC and NH, as the Strategic Highway Authority (SHA), as part of formal pre-application consultation in October 2019.

Baseline Assessment

11.3.8. The defined study area identified in the TA comprises Junction 10 of the M42 motorway, the proposed site access, and the existing Birch Coppice Business Park access. The study area for further detailed assessment comprises the following junctions:

- M42/A5 Junction 10 Signal Controlled Gyratory
- Proposed A5/Site Access Signal Controlled Junction
- A5/Birch Coppice Access Signal Controlled Junction

11.3.9. Committed development has been taken into consideration using the WCC the strategic traffic model that formed the basis of the Local Plan assessment, as agreed with WCC for the TA modelling exercise, which informed all capacity analyses.

11.3.10. As detailed in the TA, the majority of development traffic is expected to arrive and depart the site via the west, with a split of around 80% associated with the west and 20% with the east.

11.3.11. The TA provides details of all network traffic flows for the relevant locations that have been extracted from the Paramics modelling exercise (using the local area strategic traffic model) for each of the following scenarios:

- 2021 Reference Case plus development
- 2026 Reference Case plus development
- 2031 Reference Case plus development
- 2031 Local Plan plus development

Impacts

Construction

11.3.12. During the construction phase, any highways, transport and access impacts will be temporary and likely limited to construction and delivery vehicles accessing and egressing the site. Any adverse environmental impacts arising from the construction phase can be suitably mitigated through the implementation of a Construction Environmental Management Plan (CEMP), which can be conditioned to any planning permission forthcoming.

Operational

11.3.13. The proposed development will have a broadly neutral impact on the environment of the local highway network, with almost no adverse impacts of greater than a minor adverse effect and transport improvement works proposed that would contribute to mitigating any moderate adverse effects.

11.3.14. **Table 11.1**, extracted from the ES, provides a summary of the highways and transport impacts.

Table 11-1 - Summary of Impacts - Highways and Transport

Impact	Geographical Importance	Sensitivity	Magnitude of Impact	Adverse / Beneficial	Significance of Effect
Severance	Local	Low	Negligible	Adverse	Negligible
Driver Delay	Local	Low	Minor	Adverse	Minor
Pedestrian Delay	Local	Low	Negligible	-	Negligible
Fear and Intimidation	Local	Low	-	-	-
Accidents and Safety	Local	Low	Negligible	Adverse	Negligible

11.3.15. In addition to the impacts identified above, none of which are deemed to be higher than a minor adverse significance or effect, the FTP should serve to reduce the volume of development traffic generated and therefore reduce any detrimental highways and transport effects caused by traffic flows associated with the proposed development.

CONCLUSION

- 11.3.16. The proposed access arrangement has been designed in accordance with all necessary guidance and in consultation with WCC.
- 11.3.17. Having undertaken traffic modelling in accordance with a Scoping Study agreed with WCC, the TA concludes that the proposed development would have a broadly neutral impact on the environment of the local highway network.
- 11.3.18. During the active construction phases of the proposed development, a CEMP will be prepared and implemented in order to minimise the risk of potential environmental impacts and to mitigate against the potential impacts associated with construction vehicles.
- 11.3.19. Driven by a sustainable transport strategy, the TA in fact details several improvements primarily on the basis of providing sustainable transport benefits. The proposed development would deliver the following improvements that should serve to benefit both the proposed development and existing users alike:
- Provision of signal-controlled crossings at the proposed access on the A5 as an alternative to the dropped kerb priority arrangement that exists to the east serving the bus stop.
 - Improvements to the existing bus stop facility with the segregation of cyclists and pedestrians to minimise potential conflict.
 - Enhanced links to the bus stops north of the site in Birchmoor.
 - Delivery of an internal shared footway/cycleway link that extends between the A5 and Birchmoor, ensuring that pedestrians and cyclists are able to bypass the Junction 10 of the M42 and gain access to the established network of employment facilities to the south from Tamworth, Polesworth and Birchmoor.
 - Upgrading of existing public footpaths and bridleways as well as provision of new public footpaths / bridleways / cycleways extending to the east of the site, providing pedestrians, cyclist and all users with a higher quality route that avoids the A5 corridor.
 - Replacing the existing substandard parking laybys at the A5 with a designated lorry parking facility for up to 150 vehicles, with associated driver facilities.
 - Showers and changing facilities provided to all units.
 - Communal cycle parking, showers and changing facilities at the ancillary Hub Office, available for use by site occupiers and the general public (including staff of neighbouring business parks) to encourage walking and cycling to work.
- 11.3.20. Furthermore, adoption of the FTP principles and occupier-specific FTP's in due course will further promote the use of sustainable travel patterns and in doing so reduce highways, transport and access impacts further below an already acceptable level.
- 11.3.21. In light of the above, the development would not result in adverse impacts on the capacity or safe functioning of the highway or local road network and therefore accords with paragraph 111 of the NPPF which states that development should only be refused on highways grounds if there would an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.
- 11.3.22. Furthermore, the sustainable transport strategy, multitude of connectivity enhancements and adoption of a FTP will ensure that the proposed development also accords with paragraph 112 of the NPPF and Local Plan Policy LP23.

11.4 RESIDENTIAL AMENITY CONSIDERATIONS

SEPARATION FROM RESIDENTIAL AREAS

11.4.1. The development parameters ensure significant 'no development' buffers will be enforced.

11.4.2. The distance between the settlement boundary / nearest residential dwellings to the site in Birchmoor and the maximum extent of the developable area is between 155m and 95m. The nearest point of the developable area to the western edge of Dordon would be close to 1km. The development parameters ensure significant separation between the developable areas of the site and the surrounding residential areas.

11.4.3. Landscape and visual impact is assessed further in Section 11.5. This sub-section focuses on noise, air quality and lighting impacts.

NOISE

11.4.4. The methodology for assessing the effects of noise and vibration was agreed with NWBC's Pollution Control Officer. The assessment comprised an assessment of construction noise and vibration and development generated noise and road traffic noise during operation.

11.4.5. The development generated road traffic noise assessment considered the following scenarios, for which traffic data has been generated:

- 2026 do-minimum opening year;
- 2026 do-something opening year;
- 2041 do-minimum future year; and
- 2041 do-something future year.

11.4.6. Operational noise break-out from the proposed development has been assessed for service yard/haulage operations and car park use.

Baseline Assessment

11.4.7. Baseline noise level surveys were undertaken to establish the prevailing levels and noise environment at the following locations, which were selected as representative of the closest existing noise-sensitive receptors:

- Birchmoor Village ('Receptor R01');
- Dwellings on A5 Watling Street ('Receptor R02'); and
- Dwellings of Birchmoor Road ('Receptor R03').

Impacts

11.4.8. Having modelled anticipated noise impacts during construction and operational phases of the development against the recorded baseline noise levels, the construction and operational phase impacts are considered to be **not significant** at the closest existing noise-sensitive receptors.

Mitigation

11.4.9. As no significant effects are currently identified, mitigation measures are not considered warranted for the reasons outlined above. Additionally, a robust design capacity of 25% has been assumed for both daytime and night-time periods; should a lower intensity of use be exercised at night-time then

noise levels could be reduced from those presented in this assessment and the need for mitigation unwarranted.

- 11.4.10. Once a detailed masterplan(s) is put forward in subsequent reserved matters applications, then such matters may be investigated further.

Conclusion

- 11.4.11. WSP has clearly and robustly assessed the potential significance of noise and vibration impacts arising from the proposed development. The clear conclusion reached is that the proposed development, during both construction and operational phases, would result in residual environmental effects that are considered **not significant** at the closest residential receptors.
- 11.4.12. In light of the above, the proposal will not result in an adverse impact in terms of noise and therefore the proposal is in full accordance with Local Plan Policy LP29(9) and paragraph 185(a) of the NPPF.

AIR QUALITY

- 11.4.13. An Air Quality Assessment (AQA) has been prepared by WSP Air Quality as part of the Air Quality Chapter of the ES in order to assess the potential effects of the proposal on local air quality during the construction and operational phases.
- 11.4.14. The methodology for assessing the effects of air quality was agreed with NWBC's Pollution Control Officer. The assessment comprised an assessment of construction fugitive dust and particulate matter emissions and, once operational, road vehicle exhaust emissions.

Baseline Assessment

- 11.4.15. A baseline modelling exercise has been carried out for the proposed development, accounting for the identified sensitive receptor locations included in the operational phase assessment. The baseline modelling exercise was informed by local authority monitoring data, including diffusion tubes along the A5, a review of local emissions sources, a review of DEFRA background pollutant concentrations and identification of nearby ecological conservation sites and designated habitats.

Impacts

Construction Phase

- 11.4.16. Potential construction phase air quality impacts from fugitive dust emissions were assessed as a result of earthworks, construction and trackout activities on vehicles visiting the site.
- 11.4.17. Based on the current local air quality in the area, the proximity of sensitive receptors to the roads likely to be used by construction vehicles and the likely numbers of construction vehicles and requirements for Non-Road Mobile Machinery (NRMM) that will be employed across the proposed development site, the impacts are considered to be *negligible* and thus **not significant**.

Operational Phase

- 11.4.18. Dispersion modelling was undertaken in order to predict pollutant concentrations at sensitive locations as a result of emissions from the local highway network both with and without the proposed development in place.

11.4.19. Review of the dispersion modelling results indicated that predicted air quality impacts as a result of traffic generated by the proposed development were not significant at any sensitive location (e.g. residential dwellings) in the vicinity of the application site.

11.4.20. The residual impacts of the proposed development on local air quality will be of *negligible* significance which is adjudged to be **not significant**.

Mitigation

11.4.21. It is considered that the use of good practice control measures, secured by a Construction Environmental Management Plan (CEMP), would provide suitable mitigation for the proposed development to ensure that the potential construction phase impacts remain at an acceptable level. The CEMP can be secured by pre-commencement planning condition by NWBC.

11.4.22. The changes in pollutant concentrations attributable to traffic emissions associated with the operational phase of the proposed development (i.e., impacts on local air quality) are predicted to be of *negligible* significance and adjudged to be **not significant**. Future users of the proposed development will not be exposed to concentrations that exceed any of the relevant air quality objectives. However, the below measures (which form part of the proposals) will facilitate local air quality enhancement.

- A sustainable FTP aiming to encourage occupants to adopt travel behaviour in favour of sustainable travel modes such as public transport, which would be of benefit to local air quality.
- The provision of electric vehicle and bike charging stations, with optional extra future charging points available.

Conclusion

11.4.23. WSP has clearly and robustly assessed the potential significance of air quality impacts arising from the proposed development. The clear conclusion reached is that the proposed development, during both construction and operational phases, would result in residual environmental effects that are considered **not significant** at all sensitive receptors.

11.4.24. In light of the above the proposal will not result in a negative impact in terms local air quality and therefore accords with Local Plan Policy LP29(9) and paragraphs 185 and 186 of the NPPF.

EXTERNAL LIGHTING

11.4.25. As the application is in outline, the exact details of future development at the site are not yet known. As such, external lighting can be assessed at a later stage via an external lighting assessment which can be secured by planning condition to ensure accordance with paragraph 185(c) of the NPPF.

11.5 LANDSCAPE AND VISUAL IMPACT

11.5.1. A full Landscape and Visual Impact Assessment (LVIA), in accordance with the Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013) has been undertaken by experienced chartered landscape architects, SLR Consulting.

11.5.2. The LVIA provides an assessment of the existing landscape, drawing upon published landscape character assessments and site-specific assessments, to identify landscape character at local and site-wide levels (landscape receptors). Fieldwork identified a range of potential views that represent groups of people (visual receptors) who may be affected by the proposed development. These have

included views obtained from a variety of distances and orientations within the landscape representing, for example, users of public rights of way: residents; and local roads.

- 11.5.3. The LVIA also provides an assessment of the potential effects of the proposed development on the Strategic Gap between the settlements of Tamworth, Polesworth with Dordon, and Birchmoor. As the impacts of the proposed development on the Strategic Gap have already been comprehensively assessed in Chapter 8, the following sub-sections focus on the impacts on the development on landscape character and visual impact.
- 11.5.4. The methodology used in the LVIA, as well as the extent of the Study Area, Landscape Character Assessments and viewpoint locations have been agreed with NWBC through the scoping process.

BASELINE ASSESSMENT

- 11.5.5. The site is not within any national designations for valued landscapes, such as AONBs or National Parks.
- 11.5.6. At a national scale the site is included within Natural England's National Character Area 97: Arden. The north-eastern part of this area is described as an "*industrial area based around a former Warwickshire coalfield, with distinctive colliery settlements*". The assessment also notes that transport infrastructure is a key characteristic.
- 11.5.7. At a county scale the Warwickshire Landscape Guidelines (November 1993) classifies the site as part of the Arden Landscape Character Area (LCA) within Landscape Character Type (LCT) Wooded Estatelands.
- 11.5.8. At a district level the North Warwickshire Landscape Character Assessment (August 2010) identifies the site as part of LCA 5 Tamworth Fringe Uplands which is described as a "*fragmented landscape with a complex mix of agricultural, industrial and urban fringe land uses*", "*heavily influenced by adjacent settlement edges of Tamworth and Dordon and by large scale modern industry at Kingsbury, and in the vicinity of the M42 motorway junction*" with "*Generally large, open arable fields between urban land uses*".
- 11.5.9. At a local level the LVIA confirmed that the character of the landscape was strongly influenced by large-scale commercial buildings and the prominent, elevated, settlement edge and the noise, movement and lighting associated with it. The site itself is part single large-scale, irregular, arable field, with a gently rising landform and included mixed, native boundary hedgerows, with woodland copses within its periphery.

IMPACTS

- 11.5.10. The assessment concluded that there would be a moderate and negative level of effect on the overall arable field and its gently rising landform.
- 11.5.11. There would be a minor / moderate and negative short-term effect on the sense of stillness which would reduce to minor in the longer term.
- 11.5.12. There would be a minor / moderate, short-term negative effect on existing boundary vegetation which over time would become moderate and positive due to the reinstatement of historic field boundaries and proposed woodland copses and native woodland planting around the edges of the site which would create a net gain in structural vegetation.

- 11.5.13. The effect of proposed lighting would be limited as the site is already affected by high light levels emitted by surrounding employment uses and infrastructure. In any case, impacts of external lighting would be assessed and controlled by planning condition to ensure they meet acceptable standards.
- 11.5.14. The level of effect on the localised area of LCA 5 Tamworth Fringe Uplands would be less than significant (minor/moderate) but negative in the short-term since large-scale commercial development is already a characteristic of the local area. The level of effect would reduce over time to minor as proposed planting became established and the proposed development became less intrusive within the character area. The proposed inclusion of off-site areas including the reinstatement of historic hedgerows and publicly accessible landscape which would soften the existing prominent edge of Dordon and would help to mitigate potential effects on overall character.
- 11.5.15. The overall visibility of the proposed development was determined by the preparation of a Zone of Theoretical Visibility (ZTV) and refined by field survey.
- 11.5.16. The ZTV indicated that, as a result of the retention of existing trees and the provision of proposed naturalistic earth mounds with woodland planting, that theoretical visibility would be largely contained within the site. There would be some visibility on elevated ground to the north-east and towards the edge of Polesworth within the Polesworth school grounds filtered by a combination of the reinstatement of historic field boundary hedgerows and proposed planting within the proposed publicly accessible landscape which extends along the eastern edge of the off-site area.
- 11.5.17. An assessment was made of the effect on the views of residents (on the edge of Birchmoor, Polesworth, Dordon and Freasley), of walkers on public rights of way (including AE45, AE46, AE48, AE52 and AE55), on vehicular users (along Birchmoor Road, the M42 and the A5) and users of areas of open space (including Kitwood Avenue Recreation Ground and the Junction 10 motorway services). Photomontages from a series of views are provided at **Figure 10.2 of ES Volume 4**.
- 11.5.18. The visual assessment concluded that visual effects would be localised, and significant negative effects would be limited to changes to the views available from PRoW AE45 and AE46.

MITIGATION

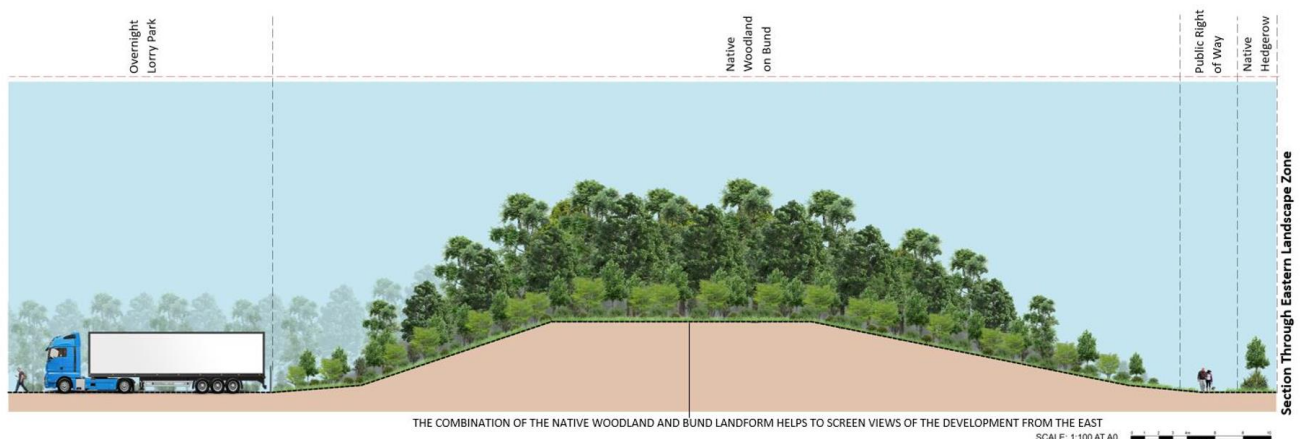
- 11.5.19. Measures to avoid or reduce potential landscape and visual effects would be inherent within the design. Aspects of the design which have been considered in relation to this include the following:
- Location of buildings moved to the southern end of the site to minimise potential visual effects on residents on the edge of the settlement of Birchmoor and to maintain a sense of separation between the settlement and the proposed development;
 - Provision of parkland, at the northern end of the site adjacent to the settlement of Birchmoor, with localised earth mounds which would be planted with mixed native trees and shrubs to filter views from the settlement edge;
 - Historic field boundaries would be reinstated in the area to the east of the site with provision of mixed, native hedgerow and tree planting to reinforce the rural character of the landscape;
 - An area of publicly accessible landscape would be provided along the western edge of Dordon to screen existing housing, present along the ridgeline, and to create a soft green edge to the settlement. It is proposed that this area would include orchard planting and this would provide connection from the existing / proposed PRoW network to the proposed area of open space

transfer identified within the Local Plan (site OS1) and allow the provision of circular walking routes;

- Copses of mixed native trees would be provided where appropriate at the corners of existing fields to reinforce the local character and help to filter views from the settlement and PRow towards the proposed development;
- Earth mounds would be created along the eastern edge of the site which would be densely planted with mixed, native trees to help screen and filter views of the proposal and to reinforce the sense of openness within the remaining arable landscape to the east. Earth mounds would be carefully modelled to fit with the existing landform and would take account of restrictions and easements such as the high pressure gas pipeline;
- Existing native tree and shrub planting along the western boundary of the site with the M42 would be reinforced with new mixed native planting where required to filter views from the M42;
- SuDS would be provided at southern end of the site which would be planted and this zone would mirror the approved frontage of St Modwen Park Tamworth, on the opposite side of the A5.

11.5.20. For reference, **Figure 11-1** below provides an illustrative landscape section in the eastern part of the site to demonstrate, indicatively, the beneficial impacts that the extensive landscaping proposals would have in terms of mitigating visual impact and intervisibility of the development when viewed from the nearby PRow and indeed when viewed from the west of Dordon. It is anticipated that the northern landscaped area would provide a similarly dense area of planting and landscaped mounding to mitigate visual impact and intervisibility of the development when viewed from Birchmoor.

Figure 11-1 - Illustrative Landscape Section of Eastern Landscape Section



CONCLUSION

11.5.21. The development proposed would be viewed within a context of existing large-scale commercial development to the immediate south and west. This characteristic would intensify as proposed employment allocations are built out in the future. Visual effects would reduce over time as proposed native woodland planting on earth mounds matured, with the massing of built form becoming progressively filtered by proposed planting.

11.5.22. The assessment of the potential effect of the proposed development on the Strategic Gap (set out in detail in Chapter 9) concluded that the gap between settlements would remain effective and would

be formed by open arable land which would become increasingly rural in character as a result of proposed extensive offsite planting, landscaping and reinstatement of historic field boundaries.

- 11.5.23. As such, the proposed development through the delivery of an extensive landscaping scheme and green infrastructure at the site would accord with paragraph 174 of the NPPF and Local Plan Policies LP14 and LP17.

11.6 ECOLOGY, BIODIVERSITY AND GREEN INFRASTRUCTURE

- 11.6.1. An Ecological Assessment has been prepared by Aspect Ecology as part of the ES. It assesses the effects on biodiversity and wildlife as a result of the proposed development. In particular, it assesses the potential loss, disturbance, damage and enhancement to biodiversity.

- 11.6.2. Key legislative and policy requirements of relevance to ecology and nature conservation have been taken into account during the design of the proposals, particularly when considering mitigation and enhancement measures, with features and species of nature conservation interest protected and enhanced where possible in line with the aims of the policies.

BASELINE ASSESSMENT

- 11.6.3. In addition to the desktop study of available ecological background information on the site and its surrounds, the site was surveyed in July 2020 in order to ascertain the general ecological value of the land contained within the boundaries of the site and to identify the main habitats and ecological features present.

- 11.6.4. The site itself is dominated almost exclusively by habitats of negligible ecological value, being mostly intensively managed arable land. Habitats of value are limited to field boundary habitats including hedgerows and a small number of trees. In addition, an offsite area of mature scrub provides some ecological value, with connectivity to the wider landscape, and accordingly is taken into consideration in consideration. The proposals incorporate substantial buffers of vegetation to the site boundaries, minimising any potential long-term effects of the proposals on associated receptors.

- 11.6.5. In addition to the retention of boundary vegetation, the incorporation of considerable open space and landscape planting will provide compensation for any losses of vegetation and represent ecological habitat enhancements. Similarly, the site offers few existing opportunities for protected species, such that minimal mitigation measures are required, albeit new habitats will provide additional opportunities for faunal species and construction safeguards are proposed.

IMPACTS

Construction

- 11.6.6. All statutory ecological designations are well-removed and separated from the site, whilst the site is not located within any identified Impact Risk Zones associated with ecological designations that are of relevance to the proposed development. Accordingly, no significant adverse effects on any statutory ecological designations are anticipated as a result of construction activities.

- 11.6.7. The site itself is not subject to any non-statutory nature conservation designations, whilst, the nearest such designations are well-separated and removed from the site (with the M42 acting as a significant barrier). Accordingly, no significant adverse effects on any non-statutory ecological designations are anticipated as a result of construction activities.

11.6.8. The ES concludes that, construction effects on hedgerows and trees prior to mitigation are considered to be **moderate, adverse** and **medium-term**, and could be **significant** at the local level.

11.6.9. In terms of wildlife (fauna):

- Construction effects on roosting bats are considered to be **slight, adverse** and **medium-term**, and **non-significant**.
- Construction effects on foraging and commuting bats are considered to largely relate to temporary increases in lighting levels, and would be **slight, adverse** and **short-term** and **non-significant**.
- Construction effects on badgers are considered to largely relate to construction site hazards and disturbances should individuals enter the site, and would be **slight, adverse** and **short-term**, and **non-significant**
- Construction effects on birds are **slight, adverse** and **short-term**, and **non-significant**.

Operational

11.6.10. All statutory ecological designations are well-removed and separated from the site, which is not located within any identified Impact Risk Zone associated with offsite designations that are of relevance to the proposals. In addition, specific wintering bird surveys carried out at the site to date indicate that the site is not of any functional importance to bird species, including those associated with identified offsite ecological designations.

11.6.11. Accordingly, the ES concludes that **no significant adverse effects** on any statutory ecological designations are anticipated as a result of operational activities.

11.6.12. The site itself is not subject to any non-statutory nature conservation designations, whilst the nearest such designations are well-separated and removed from the site. Accordingly, **no significant adverse effects** on any non-statutory ecological designations are anticipated as a result of operational activities.

11.6.13. Potential adverse effects on hedgerows in the absence of mitigation are considered to be **slight, adverse** and **long-term**, and **non-significant** at the **local level**.

11.6.14. In terms of wildlife (fauna):

- Operational effects on roosting bats (should they be present) are considered to be **slight, adverse** and **long-term** and **non-significant**
- Effects on foraging and commuting bats from the completed development prior to mitigation are considered to be **slight, adverse** and **long-term**, and **non-significant**
- Effects on badgers from the completed development prior to mitigation are considered to be **slight, adverse** and **long-term**, and **non-significant**
- Likely effects on bird species as a result of the operational phase of development would be **slight, adverse** and **long-term**, and **non-significant**.

MITIGATION

11.6.15. A number of mitigation measures are embedded into the proposed development parameters, which have therefore been considered as part of the assessment. Further 'mitigation by design' would be incorporated during the detailed design process (at reserved matters planning stage), albeit does not form an integral part of the proposed parameters.

- 11.6.16. Particular ecological mitigation measures incorporated within the parameters design and therefore relate to the identified operational effects as a result of the proposals include:
- Retention of the majority of boundary hedgerows and associated boundary vegetation within landscape buffers along the margins and through the site; and
 - Creation of substantial areas of natural green space (measuring approximately 9ha), to include the provision of native grassland and shrub planting.
 - In total, some 6.51 hectares (16 acres) of off-site landscape mitigation measures and enhancements are proposed through native woodland planting, reinstatement of historic field boundaries and footpath enhancements, providing access to members of the public. The offsite measures would be secured in perpetuity through a legal agreement with the Council to prevent further expansion of development in those parts of the Strategic Gap.
- 11.6.17. A range of specific ecological mitigation measures are recommended in the ES which can be secured via planning condition.
- 11.6.18. Landscaped areas and buffers will be provided around the site boundaries, in particular associated, including new wildlife habitat creation. Where new landscaped areas and buffers are included, these will be planted with native species including shrubs of wildlife value, along with wildflower grassland providing increased wildlife habitat provision, and managed in the long term to maximise habitat value.
- 11.6.19. Furthermore, a Biodiversity Impact Assessment (BIA) has been undertaken based on indicative landscaping proposals to give an indication of the potential biodiversity net gain that could be delivered on site as a result of the proposals. The BIA demonstrates that, based on indicative details at this stage, a significant Biodiversity Net Gain of 19.26 units (an estimated 30.3% gain in relation to the existing value) can be delivered as part of the proposed development. Well in excess of current guidance and emerging legislation.

CONCLUSION

- 11.6.20. Following implementation of the mitigation and enhancement measures set out above, the ES concludes that all adverse construction and operational effects of the proposed development on ecological receptors are considered to be reduced to **non-significant levels**, whilst a number of **positive effects** have been identified in regard to individual ecological receptors and in particular the substantial potential Biodiversity Net Gain is considered to be a **significant benefit** of the scheme.
- 11.6.21. As such, the proposed development conserves and enhances the natural environment and will deliver net gains for biodiversity, thereby according with paragraphs 174 and 179-180 of the NPPF and Local Plan Policies LP16 and LP17.

11.7 LAND AND SOILS

- 11.7.1. The site is currently in agricultural use and given the scale of the proposals, assessment of the environmental impacts on agricultural land and soils was scoped into the ES.
- 11.7.2. The methodology for the assessment of agricultural land quality involved an initial desk-top study followed by a detailed Agricultural Land Classification (ALC) field survey.

BASELINE ASSESSMENT

11.7.3. **Table 11.2** summarises the results from the ALC survey to establish the baseline.

Table 11-2 - ALC Results

ALC Grade	Description	Area (ha)	Area (%)
2	Very good	29	91
3b	Moderate	2	6
Non-Ag	Non-agricultural	1	3
Total		32	100

IMPACTS

Construction Phase

11.7.4. The proposed development involves the development of approximately 29 ha of Grade 2 “good quality” agricultural land. The soil resources will be stripped for reuse in landscaping wherever possible, but the loss to agricultural use, and consequently the loss of agricultural land, is a permanent and adverse effect.

11.7.5. The adverse effects on agricultural businesses also commences at the start of the construction phase. In this case the effect is limited. The land is farmed by the applicant, who is also the site promoter, and no machinery or farm buildings will be lost as part of the proposals. The business will continue unabated, therefore.

Operational Phase

11.7.6. The effects on soil and land quality, and the direct and permanent effects on farm businesses, commenced at the construction phase. Being permanent effects, they continue throughout the operational phase.

11.7.7. The proposed development is for a mixed employment development and an overnight lorry parking facility, and associated development. As a consequence, there should be no reason why users of the facility might venture wider afield and cause trespass or other adverse effects on surrounding farmland and farm businesses.

11.7.8. Any adverse effects on agricultural land and occupying farm businesses are specific to, and limited to, the proposed site. Whilst other development may be proposed or underway in the wider area affecting agricultural land, those effects are not directly related to the agricultural effects of the proposed development. That includes other land owned and farmed by the same farmer, located in the Local Plan allocation ref: E2 (land to the west of Birch Coppice, Dordon), which, if it was also to be developed there would be a greater impact, but this would still be a negligible impact cumulatively.

CONCLUSION

- 11.7.9. The proposed development will result in the permanent loss of 29 ha of Grade 2 agricultural land. The ES concludes that this is a moderate adverse significance effect. The wider area surrounding the junction and the application site is predicted to be mostly of best and most versatile (BMV) quality. In the local context this loss of good quality land is of reduced significance as a consequence.
- 11.7.10. Whilst there is expected to be a small localised effect on the farming contract business that carries out the farming operations. The overall effect is a **negligible adverse effect**.
- 11.7.11. As such, whilst the proposed development would in part conflict with paragraph 174(b) of the NPPF, as demonstrated in the overall planning balance in Chapter 12, this harm would be significantly outweighed by the employment need case (which is of national importance) and the multitude of benefits the proposed development would deliver.

11.8 GEO-ENVIRONMENTAL

- 11.8.1. Phase 1 and 2 Site Investigations have been undertaken, with reports (refs: 70530-1 and 70530-2 Rev 2) submitted as part of the planning application documents.
- 11.8.2. Following the recommendations of the desk-based assessment (Phase 1), intrusive investigations (Phase 2) were carried out (including window trial pits and cable percussive boreholes) to develop a ground model that summarises the ground investigation data, and highlight any uncertainties, and provide a geo-environmental appraisal for the site and the proposals. A series of recommendations are set out in the Site Investigation reports.
- 11.8.3. In summary, the ground conditions are well suited to the type of development proposes which has several advantages:
- The site is characterised as characteristic situation 1, meaning no ground gas protection measures are considered necessary;
 - The underlying Halesowen Formation would be a suitable bearing stratum for shallow foundations, which are far less intrusive and energy intensive than other forms of foundations; and
 - The site has a concrete classification of Design Sulphate Class DS-1 and an Aggressive Chemical Environment for Concrete as AC-1, meaning no special precautions are necessary.
- 11.8.4. Adherence to the recommendations of the Phase 2 investigation and adoption of appropriate mitigation measures will ensure that the proposal will be compliant with Policy LP29(9) of the Local Plan and paragraph of 183 the NPPF.

11.9 FLOOD RISK, DRAINAGE AND HYDROLOGY

- 11.9.1. An assessment of existing conditions has been made using numerous sources of information including Environment Agency (EA) data and mapping, proposed development plans, the aforementioned Phase 1 & 2 Site Investigations, and the Magic Map application.

BASELINE ASSESSMENT

- 11.9.2. The site is not located within close proximity to any watercourse or surface water features. The nearest water body is Kettle Brook which is located approximately 325m south west of the site across the M42, which ultimately connects to the Coventry Canal west of Tamworth.
- 11.9.3. The site is underlain by topsoil and then varieties of the Halesowen Formation, ranging from weathered clayey gravelly sands to rock strength sandstone.
- 11.9.4. Overall, the geology/hydrogeology underlying the site indicates permeability and therefore a medium sensitivity to environmental change and pollution.
- 11.9.5. The EA maps confirm the site is situated within Flood Zone 1, defined as having less than a 0.1% (1 in 1000 annual probability of tidal/fluvial flooding). As such, the tidal and fluvial flood risk is considered to be low.
- 11.9.6. The EA maps also show that some parts of the site are currently susceptible to a high risk of surface water flooding, this is primarily due to the current topography of the site and will therefore be reduced due to the proposed levels and drainage design. As such the risk of surface water flooding to the development is considered to be low.
- 11.9.7. There is no risk to any flooding from artificial sources to the site.
- 11.9.8. There are no public sewers within the site, the nearest foul and surface water sewers are to the west and east of the site adjacent to the M42 and Dordon respectively.

DRAINAGE STRATEGY

- 11.9.9. Due to the increased impermeable areas, the surface water runoff from the site will be managed and discharged at a restricted rate by the use of SuDS features in the form of a detention basin. Drainage networks and conveyance SuDS features will be designed to accommodate the 1 in 100 year rainfall event runoff with a 20% allowance for climate change and discharge this to SuDS features and then ultimately to the existing sewer network to the south of the site.
- 11.9.10. There will be a requirement to divert an existing land drain that runs across the development in a north east to south west direction as part of the works.
- 11.9.11. The foul flows will be conveyed to a private pumping station and discharged via a new rising main to the nearest Severn Trent Water foul infrastructure to the east of the site.
- 11.9.12. To manage the flood risk associated with the operational phase of the proposed development, a surface water drainage strategy has been produced in line with the FRA (**Appendix 12.1 of Volume 3**). This strategy is to be delivered in accordance with the national and local policies to ensure that the flood risk is not increased as a result.
- 11.9.13. Petrol interceptors will be provided to treat the HGV yard areas prior to discharge into the attenuation pond.
- 11.9.14. All drainage features shall be maintained in line with the typical maintenance regime included within the FRA (**Appendix 12.1 of Volume 3**).

CONCLUSION

- 11.9.15. It is considered that due to the appropriate design considerations outlined in the FRA and Drainage Strategy Report (**Appendix 12.1**) there are no significant construction or operational phase risks associated with:
- Flood risk;
 - Physical contamination due to sediment and silts; and
 - Spillages and leaks.
- 11.9.16. Furthermore, whilst there will be long term, permanent effects of the proposed development on the water supply and sewage infrastructure, given the proposed use these are likely to be of **negligible significance**.
- 11.9.17. Overall, following the adoption of the recommended mitigation measures, the impacts of the proposed development on the water environment during construction and operational phases are considered to be of **negligible significance** and therefore accords with paragraph 167 of the NPPF and Local Plan Policies LP29 and LP33.

11.10 CULTURAL HERITAGE AND ARCHAEOLOGY

- 11.10.1. Chapter 14 of the ES considers the potential effects of the proposed development on cultural heritage and archaeology.
- 11.10.2. It reports the outcome of the assessment of likely significant environmental effects arising from the proposed development upon the historic environment. The focus of the assessment is on buried heritage assets (archaeological remains) and above ground heritage assets (buildings, structures, monuments and areas of heritage interest); the latter includes the historic character and setting of designated heritage assets.
- 11.10.3. **Appendix 14.1 of ES Volume 3** provides a desk-based study and includes a review of available information to determine the baseline conditions in the site and surrounding study area. This assessment consisted of an analysis of existing written, graphic, photographic, electronic information and a site walkover, in order to identify the likely heritage assets within the site and wider study area and determine their significance. The desk-based study was supported by a site visit.

BASELINE ASSESSMENT

Designated Heritage Assets

- 11.10.4. The site does not contain any nationally designated (protected) heritage assets, such as scheduled monuments, listed buildings, conservation areas, registered battlefields or registered parks and gardens.
- 11.10.5. The closest listed building is the Grade II listed Hall End Hall, constructed in the late 17th-early 18th century, located 750m south east of the site. A group of four Grade II listed buildings is located at Freasley between 830m and 930m south west of the site.
- 11.10.6. There are no scheduled monuments, registered battlefields, registered parks and gardens or conservation areas within the 1km outer study area.

Non-designated Heritage Assets

- 11.10.7. There are a number of known non-designated features of heritage interest within the site, as identified during the course of this study. These comprise two possible prehistoric or Romano-British enclosures recorded during a geophysical survey of the proposed development area in October 2020, as well as evidence for field boundaries, possible plough headlands, the site of a post medieval sheep wash and the site of a small post medieval farmstead known as Leisure Barn.
- 11.10.8. The site has potential to contain possible, previously unrecorded, archaeological remains.

IMPACTS

- 11.10.9. The ES concludes that archaeological survival is anticipated to be high as the majority of the site has not been previously developed. There is a moderate potential for prehistoric activity and a moderate potential for Romano-British activity, possibly of medium to high heritage significance depending upon the nature, survival and extent of any remains present. There is a high potential for medieval and post-medieval agricultural activity of low significance to be present.
- 11.10.10. **Table 11.3** summarises the construction phase effects prior to mitigation.

Table 11-3 - Construction phase effects (prior to mitigation)

Heritage asset (receptor)	Heritage significance	Magnitude of Change	Significance of Environmental Effect (prior to mitigation)
Possible prehistoric remains. (Moderate potential)	Medium or High (where geophysical survey features correlate with sustained activity)	High (Substantial Harm)	Moderate or Major Adverse Permanent, Long Term Effect (Significant)
Possible Roman remains (Moderate potential)	Medium or High (where geophysical survey features correlate with sustained activity)	High (Substantial Harm)	Moderate or Major Adverse Permanent, Long Term Effect (Significant)
Possible later medieval and post-medieval remains. (Moderate to High potential)	Low	High (Substantial Harm)	Minor Adverse Permanent, Long Term Effect (Not Significant)

- 11.10.11. The operational stage effects are entirely confined to setting impacts on designated heritage assets within the study area. **Table 11.4** summarises the operational phase effects (prior to mitigation).
- 11.10.12. The impacts would arise principally from potential change to the setting of built heritage assets associated with the introduction of the proposed new buildings.

Table 11.4 – Operational phase effects (prior to mitigation)

Heritage asset (receptor)	Heritage significance	Magnitude of Change	Significance of Environmental Effect (prior to mitigation)
Hall End Hall, Grade II listed building	Medium	None (No Harm under the terminology of the NPPF)	Negligible (Not Significant)

MITIGATION

- 11.10.13. In order to mitigate the potential effects on all buried heritage assets, further investigative works were required in order to clarify the nature, survival, condition and extent of any archaeological assets that may be affected. A programme of archaeological trial trenching to be completed in advance of the determination of the planning application was agreed with WCC’s archaeological advisor.
- 11.10.14. The physical trial trenching commenced in late September 2021 and was completed in November 2021. At the time of submission, the Archaeological Evaluation Report was still being prepared. The results of this evaluation will inform the mitigation strategy for all archaeological assets that could be affected.
- 11.10.15. Mitigation could take the form of a targeted excavation (preservation by record) well in advance of the commencement of ground works across all areas where disturbance is proposed. Alternately a programme of 'strip, map and record' could be employed alongside the preliminary construction works (site strip) to ensure all potential archaeological remains would not be removed without record. Such works can be secured by pre-commencement planning condition.
- 11.10.16. The potential adverse effect on the setting of the Grade II listed Hall End Hall Farmhouse could be derived from changes to how the asset is understood and experienced due to the presence of the proposed development. No significant adverse effects have been identified pertaining to the Grade II Listed Building and, as a result, no mitigation is proposed.

CONCLUSION

- 11.10.17. The ES concludes that, following the implementation of an archaeological mitigation strategy, the residual effects of the proposed development would be **negligible**.
- 11.10.18. The heritage value of the Grade II listed Hall End Hall Farmhouse is medium. The residual effect would be **negligible**.
- 11.10.19. Therefore, the proposed development would conserve the historic environment and in doing so accord with paragraph 194 of the NPPF and Local Plan Policy LP15.
- 11.10.20. Indeed, the undertaking of archaeological investigation works provide a greater understanding of the history and heritage of the site and area, which can positively inform future research, form part of interpretation boards around the site and in doing so generate greater cultural awareness.

11.11 UTILITIES INFRASTRUCTURE

11.11.1. As shown on the Parameters Plan, there is an oil pipeline which runs through the site. The pipeline crosses from north to south through the site continuing outside the application red line boundary to the north and south.

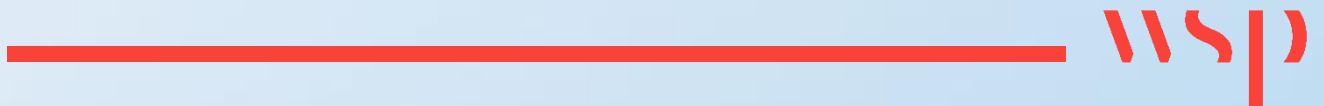
11.11.2. Furthermore, a high pressure gas pipeline lies to the east of the application site, on land in the applicant's control, which too runs north to south.

11.11.3. As part of the pre-application and design development processes, the applicant consulted with Health and Safety Executive (HSE), Mainline Pipelines Ltd and Cadent Gas to understand the consultation zones and easements surrounding the pipelines, which has helped shape the development parameters and plot locations to ensure the necessary restrictions are adhered to.

Therefore, the presence of these pipelines are not considered to be a constraint which precludes development of the application site. By contrast, the presence of the high pressure gas pipeline immediately east of the application site acts as a barrier to future expansion of the site to the east.

12

THE PLANNING BALANCE



12 THE PLANNING BALANCE

- 12.1.1. NPPF paragraph 11 sets out the presumption in favour of sustainable development.
- 12.1.2. For decision-taking this means that where development proposals accord with an up-to-date development plan, local planning authorities should approve without delay.
- 12.1.3. This final section of the Planning Statement draws together the planning case that has been discussed in the previous sections and concludes on the main questions for NWBC to determine.

12.2 ALIGNMENT WITH POLICY

- 12.2.1. There has been a change in the thrust of national policy, in particular, adding increased importance on the need to plan positively for the delivery of new logistics and distribution floorspace.
- 12.2.2. This is also reflected in the increasing and thorough body of regional strategies and evidence base that identifies the real and pressing need for more strategic employment floorspace, and the existing high demand, specifically within Area 2 (i.e., the M42 Corridor).
- 12.2.3. There is a compelling and established strategic need for employment land in the Borough.
- 12.2.4. In assessing the proposal against the development plan as a whole under S38(6) the proposal accords with the plan, as set out in this statement. The key policies are LP6 and LP4.
- 12.2.5. Policy LP6 sets out that significant weight will be given to commercial development, especially where there is an immediate need for employment land, or a certain type of employment land and the site lies within Area A of the WMSESS 2015 or successor study (Area 2 in WMSESS 2021). This application demonstrates a compelling and immediate need case and the site is located within this area and identified in the WMSESS 2021 as the joint best performing site against a range of criteria and other sites across the West Midlands region. Therefore, the proposal fully accords with Policy LP6 and gains the significant weight in decision making that the policy provides.
- 12.2.6. Compliance with Policy LP6 is also reliant on meeting three criteria, which the proposed development accords with:
 - The site is located at the north-east quadrant of the Junction 10 of the M42 motorway and will be accessed off the A5 trunk road, both of which are key components of the Strategic Highways Network.
 - The site is highly accessible by a choice of modes of transport, many of which are sustainable alternatives to car, and the infrastructure improvements proposed as part of the application will further enhance the accessibility of the site.
 - The development parameters have been carefully devised to ensure the proposed development, as demonstrated comprehensively in the ES, does not result in any adverse impacts on residential amenity for nearby residents and businesses.
- 12.2.7. LP6 provides significant weight in the planning balance, therefore.
- 12.2.8. Policy LP4 designates the site as part of a Strategic Gap. Policy LP4 states that development within the Strategic Gap is acceptable where it does not significantly adversely affect the distinctive, separate characters of the settlements of Tamworth and Dordon with Polesworth. The evidence set out in this Planning Statement and the Landscape & Visual Impact Assessment within the ES clearly

and demonstrably confirms that the proposed development would maintain the separate identifies of Tamworth and Polesworth with Dordon and not cause coalescence. Furthermore, HE is committed to securing the retention of proposed offsite landscape and visual mitigation measures within the Strategic Gap in perpetuity to ensure that a substantial Strategic Gap is maintained. The proposed development, despite its scale, therefore accords with Policy LP4.

- 12.2.9. Our position is that there is no conflict with other policies of the plan. As such, the proposal should be approved unless other material considerations indicate otherwise. The technical studies and EA have considered the scheme impacts.

TECHNICAL PLANNING MATTERS

- 12.2.10. Chapter 11 summarised the technical planning matters and material considerations relevant to the determination of the application.
- 12.2.11. The Environmental Statement (ES) has comprehensively considered the potential impacts of the development proposals in line with all necessary legislation, policy and guidance.
- 12.2.12. As demonstrated in the ES, with the adoption of mitigation measures where appropriate, the proposed development would not result in any significant adverse environmental effects, including in terms of traffic/highways and landscape/visual impacts.
- 12.2.13. Any environmental impacts identified can be suitably mitigated to acceptable levels.
- 12.2.14. Furthermore, the design of future development will be underpinned by the overarching High Quality Design Principles (HQDPs) and Design Parameters contained in the Design Guide to ensure that a high-level of sustainability and design quality is achieved.
- 12.2.15. In summary, there is no significant harm arising after mitigation. There are no technical planning reasons why the proposed development should not be approved without delay.
- 12.2.16. Against this position, we must then look at the benefits of the scheme.

12.3 MATERIAL CONSIDERATIONS FURTHER SUPPORT THE PROPOSALS

PLANNING BENEFITS

- 12.3.1. Chapter 10 sets out the multitude of planning benefits that will be brought about by the application. These are not generic benefits that could arise out of any form of economic development. Rather, these benefits are directly tied to the location and nature of this particular application scheme and will give significant benefits directly to the Borough and its inhabitants.
- 12.3.2. Investment and construction are the positive and proactive response that is needed in order to encourage much needed sustainable economic growth in the post-pandemic world.
- 12.3.3. The creation of 776 to 1,295 FTE jobs locally and 471 to 786 FTE jobs throughout the region is a significant long-term benefit. Furthermore, the co-location and timing of these jobs in proximity to residential development would align with the delivery of major new housing sites at Polesworth with Dordon (site allocation H4) and Tamworth (site allocation H5), in the recently adopted North Warwickshire Local Plan.
- 12.3.4. In addition to job creation, the proposed development would deliver a range of other benefits to society, including the benefits of increased connectivity, access to nature, cultural awareness and the promotion of active and healthy lifestyles.

- 12.3.5. Furthermore, applicant's aspirations to create "*The Greenest Business Park in the West Midlands*", underpinned by the overarching HQDPs, Design Parameters and sustainability measures set out in the Design Guide will ensure that future development at the site would become an exemplar in sustainable and resilient development and combating climate change to deliver a range of environmental benefits.

Weight to be afforded to Scheme Benefits

- 12.3.6. These substantial and far-reaching scheme benefits should be afforded very significant weight in the overall planning balance.

12.4 CONCLUSION

- 12.4.1. The proposed development therefore accords with the Development Plan as a whole and there are no material considerations which weigh against the proposals. There are significant benefits which weigh heavily in favour of the proposals.
- 12.4.2. In accordance with NPPF paragraph 11, therefore, planning permission should be granted without delay.

Appendix A

SITE LOCATION PLAN



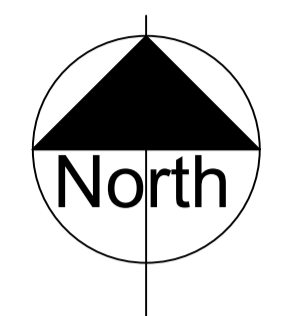
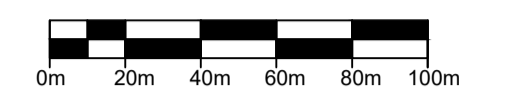


Notes:

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NB.

- SUBJECT TO SURVEYS, CONSTRAINTS & PLANNING.
- RED LINE BLUE LINE INDICATIVE ONLY.

- RED LINE BOUNDARY
79.97 acres / 32.36 Ha
- OTHER LAND UNDER THE CONTROL OF THE APPLICANT
102.94 acres / 41.66 Ha

Rev	Revision Description	Date	Author	Reviewer
P4	Updated details in key, drawing title block and added OS map caption	15.10.21	SAN/NH	
P3	Boundaries updated to client comments	15.10.20	MM/NH	
P2	Blue line revised.	12.08.20	MB/NH	
P1	First Issue	11.08.20	MB/NH	

PRELIMINARY

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Project
LAND NORTH EAST OF J10 M42, DORDON

Client
HODGETTS ESTATES

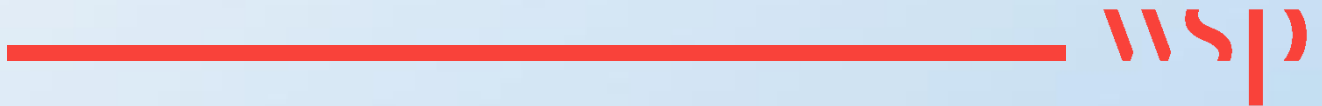
Drawing Title
RED AND BLUE LINE PLAN

Scale	Size	Drawn	Checked	Date
1:2000	A1	MB	NH	11/08/2020

Project	Originator	Zone	Level	Type	Role	Number	Rev
4263	CA	00	00	DR	A	00066	P4

Appendix B

SCHEDULE OF PLANNING APPLICATION DOCUMENTS

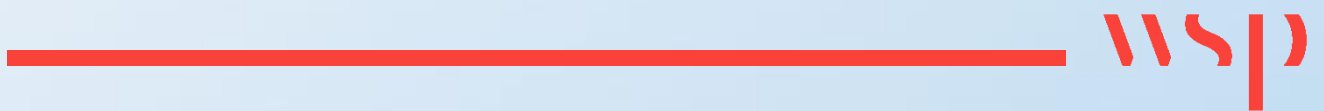




Drawing/ Document Reference/Date	Drawing/Document Title (Author)	Scale	Revision
<u>Architectural drawing pack</u>			
4263-CA-00-00-DR-A-00066	Red and Blue Line Plan (Site Location Plan) (Chetwoods)	1:2000	P4
4263-CA-00-00-DR-A-00074	EIA Site Location Plan (Chetwoods)	1:2000	P5
4263-CA-00-00-DR-A-00075	Parameters Plan (Chetwoods)	1:1500	P16
<u>Environmental Statement</u>			
RPT.ES.VOL1.NTS.1	Volume 1: Non-Technical Summary (WSP)	-	1
RPT.ES.VOL2.JW.2	Volume 2: Main Report (Various)	-	2
RPT.ES.VOL3.JW	Volume 3: Technical Appendices (Various)	-	-
RPT.ES.VOL4.JW	Volume 4: Figures and Illustrations (Various)	-	-
<u>Other documents</u>			
Dated 02/12/21	Application Form (WSP)	-	-
Let.005.DH.JB	Application Cover Letter (WSP)	-	-
4263-CA-00-XX-RP-A-06001	Design & Access Statement (Chetwoods)	-	-
Dated September 2021	Employment Land Statement (JLL)	-	5
Dated November 2021	Employment Land Needs Assessment (Nicol Economics)	-	-
220053r_draft ver6 final	HGV Parking Facility Need Assessment (MDS Transmodal)	-	-
220053r_rail_final	Rail Terminal Connectivity Assessment (MDS Transmodal)	-	-
Rpt.007.JW.1	Planning Statement (WSP)	-	1
Rpt.005.SCE.1	Statement of Community Engagement (WSP)	-	1
70530-1	Phase 1 Desk Study and Preliminary Risk Assessment Report (Ground and Project Consultants Ltd)	-	-
70530-2	Phase 2 Ground Investigation Report (Ground and Project Consultants Ltd)	-	2
MJP/10369	Connectivity Strategy (KTA)	-	-

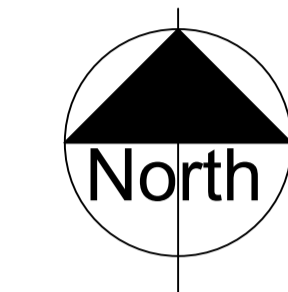
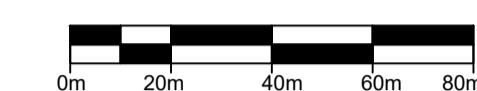
Appendix C

PARAMETERS PLAN





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 Building areas are liable to adjustment over the course of the design process due to the ongoing construction detailing developments.
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 The CDM hazard management procedures for the Chetwoods aspects of the design of this project are to be found on the 'Chetwoods - Hazard Analysis and Design Risk Assessment' and/or drawings. The full project design team's comprehensive set of hazard management procedures are available from the Principle Designer appointed for the project.
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 Any dimensions given are to be confirmed with site measure.



- Development Site Boundary (79.97 acres / 32.36 Ha)
- Plot A1 - up to 117.8m AOD
- Plot A2 - up to 113m AOD
- Plot B1 - up to 111m AOD
- Plot B2 - up to 102m AOD
- Zone for green infrastructure to include open space, planting, landscaping, site road & SuDS
- Land required for access
- Public bridleway (to be diverted where necessary)
- Gas pipeline with 3m easement zone on both side

Rev	Revision Description	Date	Author	Reviewer
PLANNING EIA				
32 Frederick Street, Birmingham, B1 3HH			+44 (0)121 234 7500 www.chetwoods.com	



Project
LAND NORTH EAST OF J10 M42, DORDON

Client
HODGETTS ESTATES

Drawing Title
PARAMETERS PLAN

Scale	Size	Drawn	Checked	Date			
1:1500	A1	MB	NH	30/10/2020			
Project	Originator	Zone	Level	Type	Rate	Number	Rev.
4263	CA	00	00	DR	A	00075	P16

Appendix D

EIA AREA OF INTEREST PLAN



NOTES:

Please note Title Plans have been scaled using Ordnance Survey features which may have altered over time. Complete accuracy cannot be guaranteed without further on-site survey.

Any dimensions given are to be confirmed with site measure.

Subject to Surveys, constraints & planning.

Red Line indicative only.

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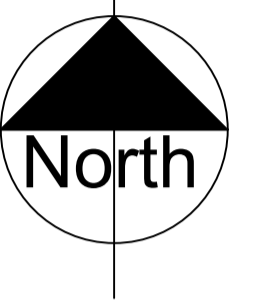
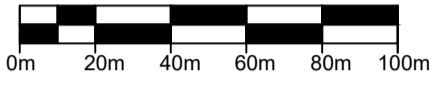
Subject to statutory approvals and survey.

Building areas are liable to adjustment over the course of the design process due to the ongoing construction detailing developments.

Please note the information contained within this drawing is solely for the benefit of the employer and should not be relied upon by third parties.

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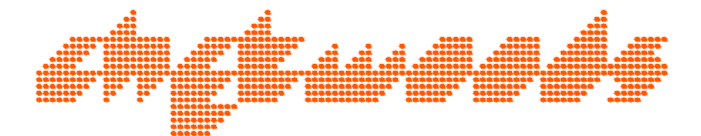
- RED LINE BOUNDARY
79.97 acres / 32.36 Ha
- OTHER LAND UNDER THE CONTROL OF THE APPLICANT
102.94 acres / 41.66 Ha
- AREAS FOR POTENTIAL OFFSITE LANDSCAPE AND VISUAL MITIGATION
6.51 Ha / 16.09 acres

P5	Updated details in key, title block, scale bar & added OS map caption	21.10.21	SAN/NH
P4	Updated comments	03.11.20	MB/NH
P3	Updated comments	02.11.20	MB/NH
P2	Offsite landscape area revised.	22.10.20	mb/NH
P1	First Issue	20.10.20	mb/NH

Rev	Revision Description	Date	Author/Reviewer
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PLANNING EIA

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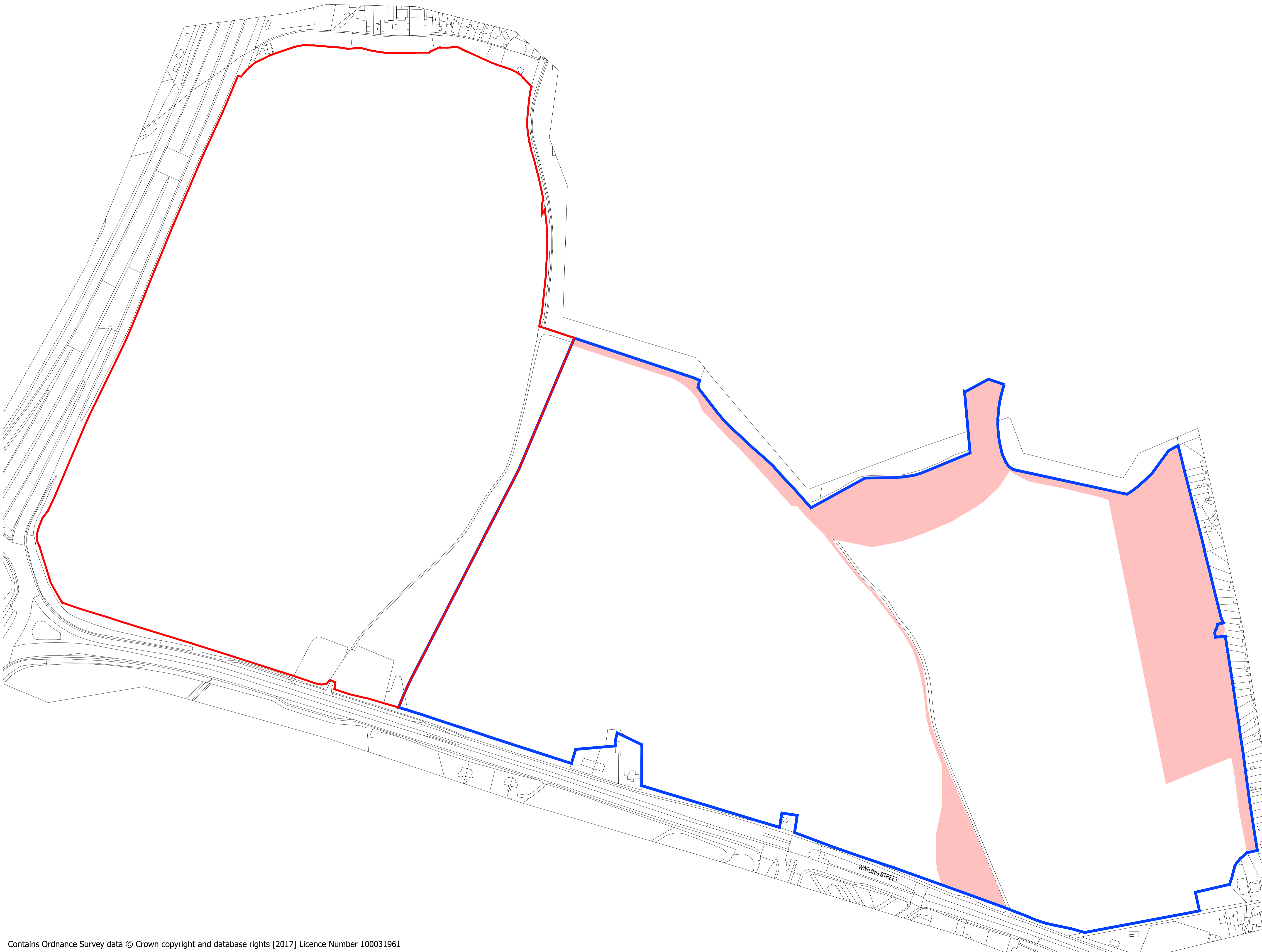
Project
LAND NORTH EAST OF J10 M42, DORDON

Client
HODGETTS ESTATES

Drawing Title
EIA SITE LOCATION PLAN

Scale	Size	Drawn	Checked	Date
1:2000	A1	MB	NH	19/10/2020

Project	Originator	Zone	Level	Type	Role	Number	Rev.
4263	CA	00	00	DR	A	00074	P5



Appendix E

RELEVANT PLANNING POLICY AND GUIDANCE



RELEVANT PLANNING POLICY AND GUIDANCE

This appendix sets out national and local planning policy and guidance that is relevant to the determination of the application.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The National Planning Policy Framework (NPPF) was updated in July 2021 and is a key material consideration in the determination of planning applications and contains a presumption in favour of sustainable development as well as overarching policy guidance in respect of economic growth and regeneration, a drive for more active and healthy lifestyles, transport and highways safety, preserving the historic environment and protecting and enhancing the natural environment.

The NPPF confirms that the Development Plan remains the statutory basis for the determination of planning application unless material considerations indicate otherwise. The NPPF constitutes guidance for Local Planning Authorities (LPAs) and decision-takers both in and drawing up plans as material considerations in determining applications.

Achieving Sustainable Development:

Sustainable development means meeting the needs of the present without compromising the ability of future generations to meet their own needs (paragraph 8). The planning system has three overarching objectives in achieving sustainable development: economic, social and environmental.

Planning should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).

At the heart of the NPPF is the 'presumption in favour of sustainable development' ("the presumption") set out at paragraph 11, which establishes the planning principles in pursuing sustainable development in a positive way. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

Decision-Making

Paragraph 38 encourages decision makers to work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and seek to approve applications for sustainable development, where possible.

Paragraph 39 identifies the significant potential that early engagement provides in terms of improving the efficiency and effectiveness of the planning system. This includes the early involvement of statutory consultees.

Paragraph 45 requires LPAs to consult the appropriate body when considering developments around major hazard sites, installations or pipelines, or for development around them.

Building a Strong, Competitive Economy:

Paragraph 81 encourages a strong, competitive economy where:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and

productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”

Paragraph 82 states that planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.*

Paragraph 83 requires planning policies and decisions to: “*recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and **for storage and distribution operations at a variety of scales and in suitably accessible locations**”.*

Sustainable travel and transport

Paragraph 100 states that:

“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks”

Paragraph 105 adds that:

‘... Significant development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes’;

Paragraph 107 outlines that planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.

Paragraph 110 states that:

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

Paragraph 111 is clear that “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”

Paragraph 112 goes on to state that:

“Within this context, applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”

Making effective use of land

Paragraph 120 states that, inter alia, planning policies and decisions should:

“a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;”

Paragraph 122 requires that planning policies and decisions need to: “reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability.”

Achieving Well Designed Places

Paragraph 126 states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development that creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective

engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 128 states that:

“To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.”

Paragraph 129 goes on to state that:

“Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.”

Paragraph 130 sets out a number of design criteria that development proposals should clearly demonstrate to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Are sympathetic to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 131 recognises that:

“trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

Paragraph 132 states that:

“Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”

Paragraph 134 states that, for decision-makers, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

Paragraph 154 requires that new development is planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”*

Paragraph 155 encourages the increased use and supply of renewable and low carbon energy and heat, stating that plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);*
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and*
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”*

Paragraph 157 requires that, in determining planning applications, local planning authorities should expect new development to:

- “a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”*

Paragraph 167 requires that development does not increase risk of flooding elsewhere and, where appropriate, applications are supported by a site-specific Flood Risk Assessment.

Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.”*

Conserving and Enhancing the Natural Environment:

Paragraph 174 sets out that planning policies and decisions should contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services and preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

NPPF takes forward the Government’s strategic objective to halt overall biodiversity loss⁴⁵, as set out at Paragraph 179, which states that planning policies and decisions should contribute to and enhance the natural and local environment by:

‘identifying and pursuing opportunities for securing measurable net gains for biodiversity’

The approach to dealing with biodiversity in the context of determining planning applications is set out at Paragraph 180:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.’*

⁴⁵ DEFRA (2011) ‘Biodiversity 2020: A strategy for England’s wildlife and ecosystem services’

Paragraph 183 guides policy-making and decision-taking to ensure that:

“a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”

Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

Paragraph 186 goes on to say that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants.

Paragraph 188 states that, in terms of policy-making and decision-taking, the focus should be on whether proposed development is an acceptable use of land.

Conserving and Enhancing the Historic Environment

Section 16 deals with ‘Conserving and Enhancing the Historic Environment’. The NPPF recognises that heritage assets are an irreplaceable resource which ‘should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’ (paragraph 189).

The NPPF requires the significance of heritage assets to be considered in the planning process, whether designated or not. The NPPF also sets out the test in relation to ‘substantial’ and ‘less than substantial’ harm (paragraph 194 to paragraph 202).

NORTH WARWICKSHIRE LOCAL PLAN

The North Warwickshire Local Plan was adopted on 29 September 2021 and replaced the saved policies from the North Warwickshire Local Plan 2006 and the Core Strategy 2014.

Policy LP1 (Sustainable Development) states that:

“All development proposals must:

- *be supported by the required infrastructure;*
- *be consistent with the approach to place making set out through development management policies, including, where relevant;*
 - *integrate appropriately with the natural and historic environment, protecting and enhancing rights of way network where appropriate;*
 - *demonstrate a high quality of sustainable design that positively improve the individual settlement’s character, appearance and environmental quality of an area;*
 - *deter crime;*
 - *sustain, conserve and enhance the historic environment;*
 - *provide, conserve and enhance biodiversity; and,*

- *create linkages between green spaces and wildlife corridors.*

Development should protect the existing rights of way network and where possible contribute to its expansion and management.”

Policy LP2 (Settlement Hierarchy):

“Development within the Borough will be proportionately distributed and be of a scale that is in accordance with the Borough’s settlement hierarchy. Development will be commensurate with the level, type and quality of day to day service provision currently available and the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers.”

Category 1: Market Towns of Atherstone with Mancetter and Polesworth with Dordon and the Green Belt Market Town of Coleshill.

Category 2: Settlements adjoining the outer boundary of the Borough

Development will be permitted directly adjacent to built up areas of adjoining settlements if:

- the site lies outside of the Green Belt or Strategic Gap,
- development would integrate clearly with wider development;
- has a clear separation to an existing North Warwickshire settlement to ensure the character of North Warwickshire settlements are preserved; and
- linkages are made to existing North Warwickshire settlements to ensure connectivity between places especially via walking and cycling.

Policy LP4 (Strategic Gap) states that:

“In order to maintain the separate identity of Tamworth and Polesworth with Dordon, a Strategic Gap is identified on the Policies Map in order to prevent their coalescence. Development proposals will not be permitted where they significantly adversely affect the distinctive, separate characters of Tamworth and Polesworth with Dordon. In assessing whether or not that would occur, consideration will be given to any effects in terms of the physical and visual separation between those settlements.”

Paragraph 7.28 provides the reasoned justification for Policy LP4, stating that:

“The purpose of policy LP4 is to retain and respect the separate identities and characters of the settlements of Tamworth and Polesworth with Dordon to avoid their coalescence. The Strategic Gap seeks to retain and maintain the sense of space, place and separation between these settlements so that when travelling through the strategic gap (by all modes of transport), a traveller should have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entering the second settlement.”

Policy LP5 (Amount of Development) states that:

“Between 2011 and 2033 the Council will make provision for a minimum of:

- *9,598 new dwellings,*
- *100 hectares of employment land (subject to policy LP6), and*
- *19 permanent residential gypsy and traveller pitches between 2019 and 2033.*

The actual amount of development delivered over the Plan period will be governed by the provision of infrastructure to ensure developments are sustainable.”

Policy LP6 (Additional Employment Land) was introduced during the examination of the Local Plan to provide a policy mechanism for additional employment land to come forward outside of the defined allocations where evidence demonstrates an immediate need for employment land:

“Significant weight will be given in decision taking to supporting economic growth and productivity, particularly where evidence demonstrates an immediate need for employment land, or a certain type of employment land, within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or successor study) which cannot be met via forecast supply or allocations. The relevant scheme will be required to demonstrate:

- (i) access to the strategic highway network is achievable and appropriate,
- (ii) the site is reasonably accessible by a choice of modes of transport,
- (iii) it is otherwise acceptable, taking account of the living conditions of those nearby.”

Paragraph 7.46 provides the reasoned justification for Policy LP6, stating that:

“Area A encompasses land covered by the Strategic Gap, designated Green Belt, and land which is not in categories 1, 2, 3 or 4 of plan policy LP2. This policy does not automatically override other policies but recognises that there are particular locational requirements specific to certain employment uses and economic benefits to addressing needs in those locations. As such, any weight accorded to proposed employment provision by virtue of this policy will be considered in the context of the policies in the plan as a whole in arriving at a balanced assessment”.

Policy LP11 (Economic Regeneration) states that:

“The delivery of employment generating uses, including the redevelopment of existing employment sites and farm diversification, should reflect the need to broaden the employment base, improve employment choice and opportunities for local people.

All employment land will be protected unless it can be demonstrated that there is no realistic prospect of the site being used for employment purposes. Evidence would need to demonstrate that:

- *The site is no longer commercially viable; and,*
- *It has been marketed for an appropriate period of time, usually no less than 12 months.*

Support and encouragement will be given to established / lawful rural businesses to expand where this has no significant and demonstrable harm in particular on the character of the area.

Proposals for new development and redevelopment of existing employment land outside of development boundaries will be considered against Policy LP1 and LP2 and should seek to retain the rural character, appearance and openness of the countryside (including in respect of Policy LP3, Green Belt).”

Policy LP12 (Employment Areas) states that:

“The rail freight terminals at Birch Coppice and Hams Hall are of strategic significance. Development proposals on these two estates will be encouraged to use these terminals. Existing rail sidings on other sites will be safeguarded.”

Policy LP14 (Landscape) states that:

“Within landscape character areas...development should look to conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced as appropriate.”

A Landscaping Proposals

New development should, as far as possible retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity through further hard and soft landscaping. The Council will seek replacement or enhancement to such natural features where their loss results from proposed development.

Development proposals should be designed so that existing and new conservation features, such as trees and hedgerows and water bodies are allowed to grow to maturity without causing undue problems, or are not unacceptably compromised by development, for example by impairing visibility, shading or damage.

Development will not be permitted which would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows (other than where appropriate avoidance, mitigation, or compensation has been taken and any minimised harm is justified having considered the policies in this plan as a whole).

B New Landscape Features

The landscape and hydrological impacts of development proposals which themselves directly alter the landscape, or which involve associated physical change to the landscape such as recontouring, terracing, new bunds or banks and new water features such as reservoirs, lakes, pools and ponds will be assessed against the descriptions in the Landscape Character Areas. Particular attention will be paid in this assessment as to whether the changes are essential to the development proposed; the scale and nature of the movement of all associated materials and deposits, the cumulative impact of existing and permitted schemes, the impact on the hydrology of the area and its catchment, any consequential ecological impacts and the significance of the outcome in terms of its economic and social benefits.

New landscape schemes will look to use native species and incorporate benefits for biodiversity. Species that are invasive or problematic to the natural environment will be avoided.”

Policy LP15 (Historic Environment) recognises the contribution of the historic environment to shaping the distinctiveness of the Borough, its contribution to quality of life and place as well as acknowledging it as a finite and non-renewable resource. NWBC commits to protecting and where possible enhancing heritage assets and recognises that development may need to be limited in order to conserve or protect the historic environment from inappropriate proposals.

Policy LP16 (Natural Environment) states that NWBC recognises the importance of the natural environment to the Borough’s local character, identity and distinctiveness. The quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced as appropriate relative to the nature of development proposed. This policy seeks to minimise impacts on, and provide net gains for biodiversity.

Policy LP17 (Green Infrastructure) requires development proposals to demonstrate how they contribute to maintaining and enhancing a comprehensive and strategically planned Green Infrastructure network. With reference to the Warwickshire, Coventry and Solihull Sub-Regional Green Infrastructure Strategy and Offsetting sub-regional Strategy for Green Infrastructure and the local green infrastructure resource development should:

- Identify, maintain and enhance existing Green Infrastructure assets where possible;
- In all cases should optimise opportunities to create links between existing Green Infrastructure within the district and to surrounding sub-regional networks;
- Help deliver new Green Infrastructure assets where specific need has been identified.

Policy LP22 (Open Spaces and Recreational Provision) encourages development proposals to provide a range of new on-site and open space recreational provision such as parks and amenity space, sport or recreation facilities and semi-natural areas such as woodland wherever appropriate to the area to the development. The design and location of such spaces should be accessible to all users; have regard to the relationship with surrounding uses, enhance the natural environment, protect and improve green infrastructure and link to surrounding areas where appropriate.

Policy LP23 (Transport Assessments) states the following:

“Transport Assessments appropriate to the scale of development proposed, will be required to accompany development proposals (including that that is below the indicative threshold in Appendix G). Assessments will also be required where there is a cumulative effect created by additional floor space or traffic movement on the site or in the vicinity, or where there are demonstrable shortcomings in the adequacy of the local transport network to accommodate development of the scale proposed.

These Assessments should address impacts on both the local and strategic highway networks and should be scoped so as to be bespoke to the nature of the development proposals. They should also ensure that proposals provide appropriate infrastructure measures to mitigate the adverse impacts of development traffic and other environmental and safety impacts either individually or cumulatively. Appropriate provision for, or contributions towards the cost of any necessary highway improvements should also be addressed. Widening opportunities to access new developments for all sections of the community will need also to be addressed through the provision and enhancement of public transport services and facilities together with walking and cycling facilities.”

In relation to Travel Plans, the policy states:

“Development will be expected to link with existing road, cycle and footpath networks. Developments that are likely to generate significant amounts of traffic and particularly larger developments will be expected to focus on the longer-term management of new trips; encourage the use of public and shared transport as well as appropriate cycle and pedestrian links. Increasing the opportunity to access these developments for all sections of the community should be addressed. This will be secured through a Travel Plan and/or financial contributions which will be secured either through planning conditions or the provisions of Section 106.”

Policy LP25 (Railway Lines) states:

“The Borough Council supports, in principle, proposals for the replacement of lawful buildings, structures and uses, including those with permission, if their demolition or removal is required by HS2 Ltd., or their ability to continue to operate as such would be compromised. Particular regard will

be had to the aim of relocation as close to an existing lawful building, structure or use, as practicable, and as otherwise compliant with the policies, in this plan to minimise disruption and assist in ensuring the continued vitality of the Borough.”

In relation to High Speed Rail, it states, inter alia:

“The line of the proposed High Speed 2 railway Phases 1 and 2b through North Warwickshire will be safeguarded and are shown on the Policies Map...The traffic implications and impact of growth in adjoining area and from development related to High Speed rail will need to be addressed and mitigated through encouraging sustainable transport solutions and measures, including traffic calming and access constraints on the rural road network.”

Policy LP26 (Strategic Road Improvements A5) states that, inter alia:

“ A study has been undertaken in respect of the future of the A5 Trunk Road and the outcome of this will become a material planning consideration in respect of future development proposals that might impact on the A5. The Council will work alongside the appropriate Agencies to develop the A5 Strategy and options and funding opportunities for its dualling.”

Policy LP27 (Walking and Cycling) states that all developments should consider what improvements can be made to encourage safe and fully accessible walking and cycling. Encouragement will be given to establishing and promoting responsible access to the natural environment.

Policy LP29 (Development Considerations) states that development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to, and development should manage the impacts of climate change through the design and location of development. It sets out a range of criteria that new development should meet, including:

- Be adaptable for future uses and take into account the needs of all users;
- Maintain and improve the provision of accessible local and community services;
- Encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities;
- Provide safe and suitable access to the site for all users;
- Avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution; and in this respect identification of contaminated and potentially contaminated land will be necessary prior to determination of proposals depending on the history of the site and sensitivity of the end use;
- Protect and enhance the historic and natural environment; and
- Manage the impacts of climate change through the design and location of development including sustainable building design and materials, sustainable drainage, water efficiency measures, use of trees and natural vegetation and ensuring no net loss of flood storage capacity.

Policy LP30 (Built Form) sets out a number of design criteria that development proposals should adhere to, including a requirement for its layout, form and density to respect and reflect the existing pattern, character and appearance of its setting. A number of general principles are expected in all development, including:

- Ensure that all of the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings;
- Make use of and enhance views into and out of the site both in and outside of the site;
- Reflect the characteristic architectural styles, patterns and features taking into account their scale and proportion,
- Reflect the predominant materials, colours, landscape and boundary treatments in the area;
- Ensure that the buildings and spaces connect with and maintain access to the surrounding area and with the wider built, water and natural environment;
- Are designed to take into account the needs and practicalities of services and the long term management of public and shared private spaces and facilities;
- Create a safe, secure, low crime environment through the layout, specification and positioning of buildings, spaces and uses in line with national Secured by Design standards;
- Reduce sky glow, glare and light trespass from external illumination.

Policy LP33 (Water and Flood Risk Management) states that, for new development:

“Water runoff from new development must be no more than natural greenfield runoff rates and developments should hold this water back on the development site through high quality Sustainable Urban Drainage (SuDS), reducing pollution and flood risk to nearby watercourses...The multifunctional benefits of natural flood management, the re-naturalisation of watercourses and their floodplains and the safeguarding of land for local flood risk management schemes will be promoted when considering any developments in the Borough.”

Policy LP34 (Parking) requires that “adequate vehicle parking provision commensurate to a proposed development will be expected, as guided by the standards in the Document “Parking Standards”. Greater emphasis will be placed on parking provision in areas not served by public transport whilst lower provision within the main towns may be appropriate.”

In terms of Electric Vehicle Charging Points, Policy LP34 states that:

“Electric charging points will be provided as part of all relevant developments to an agreed specification and location dependent on the scheme proposed and applicable technical guidance. Rapid charging points will be provided on sites when located in the public realm...On commercial sites there will be employee and visitor rapid charging points.”

Policy LP34 also provides policy in relation to lorry parking, stating that:

“Proposals which reduce lorry parking (either informal or formal parking areas) should be accompanied by evidence to support its loss and explore opportunities for alternative provision. In recognition of the Borough’s strategic location and demand for lorry parking, the Council will give weight to lorry parking provision and facilities, and opportunities for alternative provision and for improved management in decision-taking.”

Policy LP35 (Renewable Energy and Energy Efficiency) requires new development to be energy efficient in terms of its fabric and use including, where viable, the production of 10% of operational energy from on-site renewables.

Policy LP36 (Information and Communication Technologies) requires new development to contribute to and be compatible with local fibre or other high speed broadband infrastructure. This will be demonstrated through a ‘Connectivity Statement’ submitted with planning applications where appropriate, based on the scale and nature of the proposed development.

Policy LP39 (Employment Allocations) confirms the location and site areas of the employment allocations contained within the NWBC Local Plan:

LP39 Employment Allocations		<i>Area (ha)</i>
	Category 1 – Market Towns	
	<i>Atherstone</i>	
E1	Land south of Rowlands Way east of Aldi	6.8
	<i>Polesworth / Dordon</i>	
E2	Land to the west of Birch Coppice, Dordon	5.1
E3	Land including site of playing fields south of A5 Dordon, adjacent to Hall End Farm	3.45
	Category 2 – Adjacent adjoining settlements	
E4	Land to the south of Horiba MIRA Technology Park & Enterprise Zone	42
	TOTAL	57.35

Supplementary Planning Documents/Guidance

NWBC Air Quality & Planning Supplementary Planning Document

In September 2019, North Warwickshire Borough Council (NWBC) released their SPD⁴⁶ on air quality and planning. Air quality is a material consideration that planners are required to take into account when making their plans and when taking planning decisions.

The NWBC Air Quality & Planning SPD aims to simplify the consideration of air quality impacts associated with development schemes and focus on incorporation of mitigation at design stage, countering the cumulative impacts of aggregated developments, providing clarity to developers and defining sustainability in air quality terms.

EMERGING DORDON NEIGHBOURHOOD PLAN

The Dordon Neighbourhood Plan Area was designated on 20 September 2017.

Since then, Dordon Parish Council (DPC) and specifically the Dordon Neighbourhood Plan Steering Group have been preparing a Neighbourhood Plan for Dordon (‘the DNP’).

In October 2021, DPC published a first draft DNP ahead of a 6-week consultation which commenced on 15 October 2021. The consultation is scheduled to run until 27 November 2021.

The draft DNP is clearly in the preliminary stages of plan preparation and, as such, it is some way off being submitted for examination and ultimately adoption. Until the public consultation has finished and the level of unresolved objections to relevant policies established, is not clear at present what weight, if any, should be attributed to the draft DNP and emerging policies in the

⁴⁶ North Warwickshire Borough Council (2019) *Air Quality & Planning Guidance* [online] Available at: https://www.northwarks.gov.uk/download/downloads/id/8247/air_quality_sdp_september_2019_adopted.pdf

determination of planning applications at this stage. As such, the draft DNP is not considered further in this Planning Statement.

EMERGING DORDON DESIGN GUIDANCE AND CODE OCTOBER 2021

Published alongside the emerging DNP in October 2021, the objective of the Dordon Design Guidance and Code is “to provide bespoke design guidance and codes that future developments within the neighbourhood plan area must follow, in order to respond to Dordon’s special character”.

It sets out a number of high level design principles that development should factor into scheme design. The document is heavily focused towards housing development and particularly Site H7 (now Site H5) in the Local Plan. Therefore, many of the design principles, such as those relating to attractive village centre and energy efficient housing, are not directly relevant the application proposals. Nevertheless, some of the more relevant design principles are:

- *Walking and cycling should be encouraged to support growth, limit the negative impacts of traffic congestion on the roads and create direct and memorable routes;*
- *Public transport should be used to support active travel and provide improved links between places;*
- *New development should respond to pedestrian and cyclist desire lines and integrate with the existing network of footpaths and cycle routes, enhancing these where possible and adding new routes that connect places of interest;*
- *New development proposals should not be visually intrusive. This should be achieved through appropriate scaling and design, including landscape;*
- *The scale and massing of new buildings should be consistent with the form and massing of neighbouring properties; and*
- *Include ‘soft’ edges to enable development to be better integrated with the wider landscape and ease the transition between the countryside and the urban area.”*
- *New development must explore and, where possible, adopt innovative and proactive approaches in respect of renewable energy systems and infrastructure and strive for good quality design that meets local and national targets in respect of CO2 emissions, with sustainable, low or net zero carbon as the aspiration.*

Sustainability

In terms of sustainability, the Design Guidance and Code states that:

“New development must explore and, where possible, adopt innovative and proactive approaches in respect of renewable energy systems and associated infrastructure, including community-led initiatives. New developments must strive for good quality design that meets local and national targets in respect of CO2 emissions, with sustainable, low or net zero carbon as the aspiration. This section introduces energy efficient technologies and strategies that could be incorporated in buildings, landscapes and neighbourhoods.”

Landscape and Biodiversity

In terms of landscape and biodiversity, the Design Guidance and Code states that any new development or any change to the built environment should:

- *“Minimise the impact on the natural environment ensuring that the design and layout of development protects the water courses, ancient woodland, local wildlife sites and hedgerows that provide valuable habitats to protect local wildlife;*
- *Protect woodlands, hedges, trees and road verges, where possible. Natural tree buffers should also be protected when planning for new developments;*
- *Avoid abrupt edges to development with little vegetation or landscape on the edge of the settlement and, instead, aim for a comprehensive landscape buffering;*
- *Include the creation of new habitats and wildlife corridors in the schemes. This could be by aligning back and front gardens or installing bird boxes or bricks in walls; and*
- *Propose wildlife corridors in the surrounding countryside by proposing new green links and improving the existing ones. This will enable wildlife to travel to and from foraging areas and their dwelling areas.”*

OTHER RELEVANT NATIONAL PLANNING AND DESIGN GUIDANCE

CLIMATE CHANGE EMERGENCY

Following UK Parliament’s climate emergency declaration on 1 May 2019, there has been a step-change in the approach to tackling climate change with the majority of local councils, NWBC included, declaring a climate change emergency and commitment to significantly ramping up measures to tackle climate change.

In addition to the parliamentary declaration on 1 May 2019, key announcements and declarations at the local and regional levels include:

- WMCA - declared a climate emergency and a vow to take urgent action to cut harmful emissions (28 June 2019).
- WCC - unanimously declared a climate emergency (25 July 2019) and in October 2021 committed to halving carbon emissions by 2030 and reaching net-zero emissions in the 2040s⁴⁷.

One of the measures NWBC has committed to taking is ensuring that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030 with a focus on renewable energy generation, provision of electric vehicle infrastructure, increased energy efficiency of buildings and proactively accelerating the delivery of net zero carbon new developments.

LEVELLING UP AGENDA

The current Government was elected on a pledge to address regional inequality and to level up the country.

As announced by Government on 19 September 2021, The Ministry of Housing, Communities and Local Government will become the Department for Levelling Up, Housing and Communities as the Government seeks to deliver on its central mission to level up every part of the UK.

⁴⁷ WCC (October 2021) - Warwickshire joins the global race to zero carbon emissions – Available: <https://www.warwickshire.gov.uk/news/article/2518/warwickshire-joins-the-global-race-to-zero-carbon-emissions>



On 18 November 2021, Government confirmed its support for the implementation of the HS2 eastern leg up to the East Midlands⁴⁸. The announcement came alongside publication of the Integrated Rail Plan (IRP).

The IRP sets out the government's proposals to transform the rail network in the North and Midlands. It is a £96 billion plan that outlines how major rail projects, including HS2 Phase 2b, Northern Powerhouse Rail and Midlands Rail Hub, will be delivered sooner than previous plans so that communities, towns and cities across the North and Midlands are better connected with more frequent, reliable and greener services and faster journey times.

ACHIEVING GOOD DESIGN

Separately, there has been a series of recent planning design guidance published which demonstrates that achieving good design is high on the Government's agenda and is helping influence policy-making and decision-taking, as demonstrated in the recent update to the NPPF (July 2021 update).

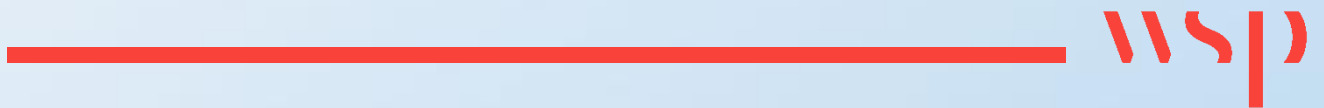
The updated NPPF makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide, National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Additionally, Government has committed to implementing a "fast track for beauty" in the planning system and considers that many of the recommendations made in the final report of the Building Better, Building Beautiful Commission (BBBBC) study on improving design quality can be captured by amending the NPPF. The updated NPPF captured these updates by introducing new paragraphs (paragraph 128 and 129) to ensure developers take design seriously, encourage greater enforcement during build out, and fast-track planning for 'beautiful' schemes.

⁴⁸ <https://www.gov.uk/government/publications/integrated-rail-plan-for-the-north-and-the-midlands>

Appendix F

WSP REPRESENTATIONS TO NWBC LOCAL PLAN (OCTOBER 2021)





Hodgetts Estates

LAND NORTH EAST OF J10 M42

Representation to North Warwickshire Local Plan
Main Modifications Consultation





Hodgetts Estates

LAND NORTH EAST OF J10 M42

Representation to North Warwickshire Local Plan Main
Modifications Consultation

TYPE OF DOCUMENT (VERSION) PUBLIC

PROJECT NO. 70075293

DATE: 7 OCTOBER 2020



Hodgetts Estates

LAND NORTH EAST OF J10 M42

Representation to North Warwickshire Local Plan Main
Modifications Consultation

WSP

8 First Street

Manchester


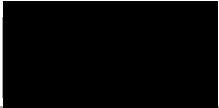
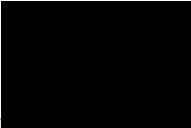
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QUALITY CONTROL

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks				
Date	7 October 2020			
Prepared by	Jen Potter			
Signature				
Checked by	James Warrington			
Signature				
Authorised by	Doug Hann			
Signature				
Project number	20075293			
Report number	rpt.004			
File reference	rpt.004.JP.20075293			

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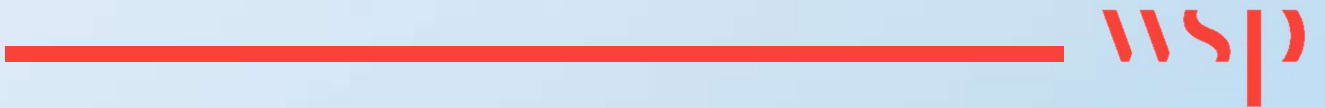
APPENDICES

APPENDIX A

SLR Memorandum on Draft Policy LP5 – Meaningful Gap

1

INTRODUCTION

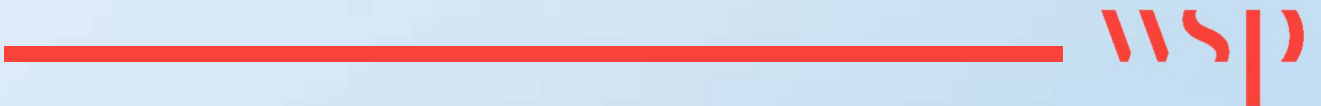


1 INTRODUCTION

- 1.1.1. This representation has been prepared on behalf of Hodgetts Estates, who has already made representations to the emerging plan process and has appeared at the earlier stages of the Examination Hearings.
- 1.1.2. Hodgetts Estates is the land owner of approximately 180 acres of arable farmland at the north-eastern quadrant of junction 10 of the M42 motorway near Tamworth (referred to hereafter as 'Land North East of J10'. Hodgetts Estates has further land ownerships at Core 42 Business Park, Dordon and site allocation E2 Land to the west of Birch Coppice, Dordon.
- 1.1.3. Land North East of J10 is bound by the M42 to the west, beyond which lies the border between North Warwickshire Borough Council (referred to hereafter as 'NWBC' or 'the Council') and Tamworth Borough Council. The Land North East of J10 is bound by the A5 trunk road to the south, the settlement of Dordon to the east and the village of Birchmoor to the north.
- 1.1.4. This representation is submitted to NWBC's consultation on the Potential Main Modifications (MM) July 2020 (Examination Library ref. NWBC20E) to the emerging North Warwickshire Local Plan (NWLP).
- 1.1.5. This representation focusses on MM25 (relating to Submission Policy LP5 Strategic Gap) and MM35 (relating to Submission Policy LP6a Additional Employment Land).
- 1.1.6. We set out where we support the proposed MMs and also our outstanding concerns. Where we raise objections, we set out how the proposed wording needs to be changed in order to make the plan sound.

2

MM25 – POLICY LP5 (STRATEGIC GAP)



2 MM25 – POLICY LP5 (STRATEGIC GAP)

2.1 INTRODUCTION

2.1.1. MM25 relates to draft policy LP5.

The wording of the MM is set out below, with changes in red. Proposed new wording is shown bold and proposed deletions are struck through.

LP5 ~~Meaningful~~ **Strategic** Gap

1) The ~~Meaningful~~ **Strategic** Gap between Tamworth and Polesworth and Dordon is defined on the ~~Proposals~~ **Policies** Map

2) Any development to the west of Polesworth & Dordon must respect the separate identities of Polesworth and Dordon and Tamworth and maintain a meaningful gap between them.

~~3 All new development within the gap should be small in scale and not intrude visually into the gap or physically reduce the size of the gap.~~

3 Development should not significantly reduce the visual separation between Polesworth with Dordon, and Tamworth.

2.1.2. We object to the existing wording of Policy LP5 at MM25 as set out in our detailed comments below.

2.1.3. This submission is supported by a ‘Memorandum (henceforth referred to as the ‘SLR Memorandum’ prepared by Jeremy Smith BSc (Hons), DipLA, CMLI, a chartered landscape architect with 29 years of experience, and a Director at SLR Consulting.

2.2 CHANGE FROM ‘MEANINGFUL’ TO ‘STRATEGIC’

2.2.1. In the Local Plan Submission Version 2018 (Examination Library ref. CD0/1), the policy referred to a ‘Meaningful Gap’, but it is now proposed to reword this to ‘Strategic Gap’.

2.2.2. As noted in the SLR Memorandum, ‘Strategic’ and ‘Local’ Gaps are sometimes also known as ‘Green Gaps’ or ‘Green Wedges’.

2.2.3. The term ‘Meaningful Gap’ originates from the Report to North Warwickshire Borough Council (Examination Library ref. AD29) on the North Warwickshire Core Strategy 2014 (Examination Library ref. CD6/2B), by the presiding Inspector, Mr A Thickett BA(HONS) BTP MRTPI Dip RSA. The use of the term ‘Meaningful’ as opposed Strategic/Local/Green Gaps or even Green Wedge is instructive as it demonstrates the Inspector did not intend that a policy designation be created.

2.2.4. We therefore have no objection to this change.

2.3 LANDSCAPE OBJECTIONS TO PART THREE WORDING

“Small in scale”

- 2.3.1. We support the removal of the original wording which required that development should be small in scale. We support the fact that the policy is permissive of development and, rightly, that development can be greater than ‘small scale’.
- 2.3.2. This stipulation was unnecessarily onerous and was not based on evidence. It precluded development opportunities which, whilst not ‘small in scale’, may still be appropriately and carefully designed so as to ensure that a meaningful gap is retained between Polesworth with Dordon, and Tamworth.
- 2.3.3. Hodgetts Estates has undertaken extensive feasibility work which demonstrates that development can be brought forward on a larger scale without undermining the gap between the settlements adjacent to the Land North East of J10.
- 2.3.4. In this way the original wording was not ‘justified’, and the policy failed this test of soundness.

“Visual Separation”

- 2.3.5. Whilst we support the removal of ‘small in scale’, the proposed alternative phrase, ‘visual separation’, is still not appropriately worded and therefore we object to the MM.
- 2.3.6. Focussing solely on the visual aspect of landscape assessment is not a justified or positively prepared approach.
- 2.3.7. The evidence base informing this policy is the *Assessment of the Value of the Meaningful Gap and Potential Green Belt Alterations January 2018* (Examination Library ref. CD6/10).
- 2.3.8. CD6/10 fundamentally fails to assess the strategic gap appropriately as it does not use the widely accepted ‘Eastleigh Criteria’. This is an established approach when undertaking such assessments and has been used by numerous other local planning authorities (LPAs) in the preparation of local plans.
- 2.3.9. The SLR Memorandum, submitted separately but also appended for ease, provides further background to the ‘Eastleigh Criteria’ and demonstrates how this standard approach has been taken by other LPAs across the UK. By way of an overview, the ‘Eastleigh Criteria’ confirms that the following factors are ALL important considerations when assessing the purpose of a strategic gap:
- Distance;
 - Topography;
 - Landscape character / type;
 - Vegetation;
 - Existing use and density of buildings;
 - The nature of urban edges;
 - Inter-visibility (the ability to see one edge from another);
 - Intra-visibility (the ability to see both edges from a single point); and
 - The sense of leaving a place and arriving somewhere else.

- 2.3.10. The SLR Memorandum makes clear that there is much more to consider than purely the visual separation of settlements.
- 2.3.11. The principle of the policy rightly acknowledges that some development could be acceptable within the gap. However, in its current wording and by virtue of the accompanying proposals map designation, in the case of the Land North East of J10, the policy is at risk of sterilising a very large parcel of land – in a very sustainable location – from any form of development. This is not positively prepared.
- 2.3.12. The reasoned justification to the policy should acknowledge that that not all the land within the designation will hold the same value and role in maintaining the gap. We bring out further justification on this point through the analysis of CD6/10 in the next section, and in the accompanying SLR Memorandum. The justification should acknowledge that development which physically and visually intrudes on the gap could still provide a clear sense of separation. It should also make clear what considerations will be taken into account when development proposals are assessed, namely, the Eastleigh Criteria, as these offer a clear framework for the LPA to properly assess the impact of development proposals within the gap.
- 2.3.13. In tandem, the proposals map should be amended to demarcate the area with arrows or be alternatively graded with less formal boundaries. A suitable example is found within Bedford Borough Council's local plan, an excerpt of which is set out in the SLR Memorandum. It uses arrows to show clearly where the important strategic gap is but, critically, the arrows do not extend to both sides of the gap, thereby showing that a level of appropriate development would be acceptable.
- 2.3.14. In addition, these changes should also be reflected in the proposed monitoring indicators for Policy LP5 (at page 73 of the MM).
- 2.3.15. Current wording referring to the “extent” of strategic gap, and “numerical loss of area defined as strategic gap (in hectares/square metres)” are rudimentary and overly simplistic – even when using the wording currently proposed in the MM. Given the numerous considerations that should be taken into account when assessing impact (as set out in the Eastleigh Criteria above), references within the monitoring indicator to “extent” and “numerical loss” are wholly inappropriate and should be removed.
- 2.3.16. Reference to “visual” separation should be deleted or replaced with “sense of” separation.

Critique of the Assessment of the Value of the Meaningful Gap and Potential Green Belt Alterations, January 2018

Approach to defining parcels for assessment

- 2.3.17. Land north east of J10 is identified in CD6/10 within Area 8. This is a significant parcel of land – some 73 hectares / 180 acres just within our client's ownership – yet is considered as a single parcel for its contribution to the meaningful gap. No finer assessment is provided to consider smaller parcels within Area 8.
- 2.3.18. It is worth noting the critical appraisal of the land parcels used within CD6/10 as set out at Table 2 of the ‘Critical Appraisal of Meaningful Gap Evidence Base’ (CD1/4 Local Plan Regulation 19 Response SLP429) prepared by Nicholas Pearson Associates on behalf of Hodgetts Estates.

- 2.3.19. This appraisal notes, inter alia, that the land parcels used within CD6/10 take forward those defined by NWBC within its own Meaningful Gap Assessment (August 2015), and that by doing so, CD6/10 is not an independent and objective assessment as is claimed at para. 1.1 of CD6/10.
- 2.3.20. CD6/10 states that if Area 8 were to be developed in its entirety, this would result in the merging of settlements. No consideration is given to acknowledge that part of the parcel could be developed appropriately without resulting in the merging of settlements, and conceivably provide several benefits such as creating ecologically-rich woodland, reinstating historic field boundaries, softening the hard ridgeline built-form of Dordon's western extent, or providing public open space, screening, etc.
- 2.3.21. Hodgetts Estates has undertaken extensive feasibility work at a finer assessment level to demonstrate that certain parcels within Area 8 could be appropriately developed whilst still maintaining the sense of separation between the settlements. This is possible because of the significant size of the parcel overall, and because the entire width of the parcel lies in a single ownership.
- 2.3.22. We object to the assertion that the entirety of the land identified as Area 8 'performs very strongly' as a strategic gap.
- 2.3.23. The SLR Memorandum sets out numerous examples of precedents from other local planning authorities demonstrating that only land required for the purposes of ensuring a sense of separation and openness should be designated in gap policy. For example, the Fareham Core Strategy states that *'in defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included'*.
- 2.3.24. Rather, it is the *functionality* of the strategic gap which should be preserved, not the open nature of any particular part of it.
- 2.3.25. Indeed, the recent Inspector's decision (ref. APP/R3705/W/15/3136495) for land south east of the M42 Junction, which is part of the same meaningful gap, provides further justification for this position. The Inspector notes that, given its size and the fact that it runs through a tree-lined cutting in this location, the M42 motorway provides a definitive boundary and clear separation to Tamworth and beyond. The motorway limits the perception of any harmful coalescence of Tamworth and Birchmoor. In the same way, the partial development of some parcels within Area 8 could maintain a meaningful gap between Polesworth and Dordon to the east and Tamworth to the west. This can be achieved by looking at the parcel comprehensively (rather than a piecemeal approach), because the entirety of the land is within one ownership.

Approach to assessing the role of each parcel

- 2.3.26. CD6/10 (at table 3.1) uses the second Green Belt purpose (to prevent neighbouring towns merging into one another) to assess land parcels for allocation as a meaningful gap. We do not consider that this approach is sound as, fundamentally, a strategic gap does not perform the same role as the Green Belt.
- 2.3.27. Nevertheless, the table shows that parcels of land are to be assessed for their 'contribution to the sense of separation'. Clearly, 'sense' refers to far more than simply the

visual aspect referred to in the proposed amended policy wording, as we have already stated.

- 2.3.28. The narrow focus in Policy LP5 on the 'visual separation' of settlements, as opposed to the successful functioning of a meaningful gap as a whole, does not align with the evidence base which is meant to inform it. It is an overly simplistic one-test policy that does not account for the accepted and more nuanced approach within the Eastleigh Test (ie 'sense of separation').
- 2.3.29. As currently drafted the policy also ignores the significant opportunities that exist to improve the landscape within the meaningful gap as part of partial development of the gap and soften the urban edges of Dordon, Birchmoor and St Modwens Park, Tamworth.
- 2.3.30. This contradictory approach is not justified and does not meet the tests of soundness.
- 2.3.31. The notation on the proposals map also needs to be revised to clearly show where the important strategic gap is but, critically, show that a level of appropriate development would be acceptable. The SLR Memorandum provides further explanation of this proposed change.

2.4 TESTS OF SOUNDNESS (NPPF 2012 PARAGRAPH 182)

NPPF test: is it positively prepared?

- 2.4.1. As currently worded, Policy LP5 is not positively prepared.
- 2.4.2. It could impede much-needed strategic employment development, for example, from coming forward in a sustainable location close to Birmingham Intermodal Freight Terminal, even if the need for such development is established and other local plan policies support development. In this regard, as worded, Policy LP5 contradicts Policy LP6a and creates unjustified tension in the NWLP.

NPPF test: is it justified?

- 2.4.3. Protecting only the visual separation of the settlements, as opposed to the 'sense' of separation does not align with the Council's own evidence base. This is not justified and is therefore unsound.
- 2.4.4. On this basis alone, if the Council wishes to rely Green Belt purpose 2 in CD6/10 as the means of assessing the acceptability of development within the Strategic Gap, then the policy must be reworded to align with the evidence base. It **must** make clear that development should not significantly reduce the **sense of separation** between Polesworth with Dordon, and Tamworth.

NPPF test: is it effective?

- 2.4.5. We support the principle of Policy LP5 being permissive of appropriate development where it meets certain criteria, as it enables the LPA to support proposals which align with other development plan policies like LP6a.
- 2.4.6. However, as currently drafted, it is overly restrictive and therefore not effective. The policy needs to set the appropriate levels of control so that appropriate development proposals aren't unduly restricted. Our proposed changes below ensure that the policy can be

effective in bringing forward appropriate development and maintaining control over inappropriate development.

NPPF test: is it consistent with national policy?

- 2.4.7. NPPF 2012 is clear throughout that the planning system must meet development needs, drive economic growth and help to meet the unmet requirements from neighbouring authorities (paragraphs 7, 20 and 182).
- 2.4.8. Unduly impeding the delivery of appropriate and sustainable economic development would fundamentally conflict with the main thrust of the NPPF.

Conclusion on tests of soundness

- 2.4.9. To conclude, the wording of Part Three does not meet the NPPF 2012 tests of soundness (paragraph 182):
- It is not positively prepared, as it would unduly limit the assessment of development proposals within the Strategic Gap, potentially hindering economic growth in the borough.
 - It is not justified, as it does not align with the approach taken in the Council's own evidence base which informs the Plan.
 - It is not currently effective, as it does not offer an appropriate mechanism for controlling inappropriate development and supporting appropriate development.
 - It is not consistent with national policy, which calls for local planning authorities to drive economic growth.

2.5 CONFLICT WITH PROPOSED NEW POLICY LP6A

- 2.5.1. We provide our full comments on proposed new policy LP6a in the next section of this representation. However, for completeness, we highlight here that Policy LP5, as currently drafted, conflicts with the proposed new Policy LP6a.
- 2.5.2. The clear thrust of new Policy LP6a is to significantly boost employment development in the borough, where the need for such development is clearly evidenced.
- 2.5.3. Land north east of J10 is within the corridor identified for strategic scale employment development in the West Midlands Strategic Employment Sites Study 2015 (WMSESS) (Examination Library ref. AD25) and the WMSESS 2020 Update (still in draft). It is well located next to a motorway junction and is not in the Green Belt. It is therefore the most logical and suitable location for new employment land within North Warwickshire.
- 2.5.4. Therefore, in order for new Policy LP6a to be deliverable, it will be essential that Policy LP5 does not unduly impede the potential for additional employment land to come forward in the borough in strategic locations such as this.
- 2.5.5. This clear conflict with Policy LP5 further demonstrates that Policy LP5 is unsound.
- 2.5.6. The proposed wording set out below would address this conflict by ensuring a more appropriate approach to assessing proposals in the Strategic Gap.

2.6 PROPOSED NEW WORDING OF POLICY LP5

2.6.1. In order for the emerging Local Plan to be found sound at examination, it should be reworded as follows:

LP5 Strategic Gap

1) The Strategic Gap between Tamworth and Polesworth and Dordon is defined on the Policies Map.

2) Any development to the west of Polesworth & Dordon must respect the separate identities of Polesworth and Dordon and Tamworth and maintain a meaningful gap between them.

3) Development should not significantly reduce the **visual sense** of separation between Polesworth with Dordon, and Tamworth.

2.6.2. In tandem, the proposals map should be amended to demarcate the area with arrows, or to alternatively grade the area with less formal boundaries.

2.6.3. Additionally, the associated monitoring indicators for Policy LP5 (at page 73 of MM) should be amended as follows:

Change to ~~extent~~ character of Strategic Gap

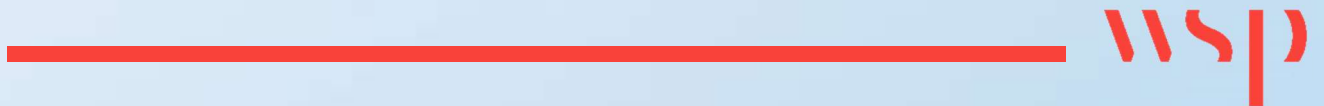
~~Numerical loss of area defined as Strategic Gap (in hectares/ square metres)~~

i. No significant reduction in **visual sense of** separation between built form of Polesworth with Dordon and Tamworth,

ii. Any exceptions to protection accorded via LP5 justified.

3

MM35 – POLICY LP6A (ADDITIONAL EMPLOYMENT LAND)



3 MM35 – POLICY LP6A (ADDITIONAL EMPLOYMENT LAND)

3.1 INTRODUCTION

3.1.1. MM35 relates to a proposed new policy: policy LP6a.

The wording of the proposed new policy is set out below.

LP 6a – Additional Employment Land

Significant weight will be given in decision taking to supporting economic growth and productivity, particularly where evidence demonstrates an immediate need for employment land, or a certain type of employment land, within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or any subsequent iteration or similar strategic study) which cannot be met via forecast supply or Local Plan allocations. Proposals supporting economic growth and productivity in that context will be looked upon favourably provided:

(i) access to the strategic highway network is achievable and appropriate;

(ii) the site is reasonably accessible by a choice of modes of transport; and,

(iii) the scheme is otherwise acceptable, taking account of the living conditions of those nearby and with regard to the plan as a whole.

3.2 GENERAL COMMENTS

3.2.1. Overall, given the findings of the Inspector to date, and based on the identified need, it is our view that further employment allocations should be made in the NWLP.

3.2.2. However, in the absence of new allocations being proposed, we support this policy which acknowledges that development can come forward where there is an identified need for more employment land or a certain type of employment land. This is key in allowing the borough to respond to and meet changing employment needs, thus aligning with NPPF and the economic strategy.

3.2.3. It addresses a significant shortcoming of the Submission Version Local Plan 2018 (Examination Library ref. CD0/1) by providing a policy mechanism to enable additional employment land to come forward outside of the proposed employment allocations through applications on windfall sites where there is an immediate need or particular need, subject to the various criteria set out.

3.2.4. We support the principle of the proposed new policy LP6a, in particular the acknowledgement that the plan must be positively prepared and sufficiently flexible to respond to emerging needs in terms of the amount of employment land or to meet specific needs. Factoring in the lead times for the preparation, submission and determination of major planning applications, developers must be supported in progressing development proposals to meet immediate needs.

- 3.2.5. This issue is highlighted by the fact that, in document AD29, Mr A Thickett concluded that a ‘principle modification’ was required to CD6/2B, namely: *“Inserting a commitment to review the Plan should ongoing reviews of employment and the need for Regional Logistics Sites identify a need to change the provision made in the plan”*. This work is ongoing in the form of the WMSESS 2020 Update so it is only right that policy LP6a is set out in NWLP should that work identify a need for strategic employment land.
- 3.2.6. We also support the reference to such development being in Area A on Figure 4.10 of the WMSESS 2015. This is a sound evidence base document which demonstrates the strategic need for employment land in Area A. Referencing this in the policy is a logical approach and provides clear guidance to prospective developers that Area A is the location for such development.
- 3.2.7. However, to be fully effective, the wording must be refined to provide sufficient clarity and for it to be effective in NPPF soundness terms. We set out our specific points below.

3.3 DETAILED COMMENTS ON POLICY WORDING

“A certain type of employment land”

- 3.3.1. We consider this element helpful in allowing the policy to react to changing and specific employment land requirements/needs but consider that the policy wording should be amended to refer to a type of employment land ‘or need’.

“Which cannot be met by forecast supply”

- 3.3.2. This phrase lacks clarity. It is not clear what is meant by ‘forecast supply’ and where this supply is derived from. We take this phrase to mean schemes that have been granted planning approval but not yet built out. We look to the Council to offer clarification on this point, and to confirm how it proposes to define its forecast supply.
- 3.3.3. No proposed reasoned justification is provided in the MMs to shed light on this, or to comment on.
- 3.3.4. Further, the phrase ‘cannot be met’ provides insufficient flexibility. There may be numerous legitimate reasons why a particular employment need cannot be met by an identified part of the Council’s forward supply. This may be on the basis of a geographical need, site size, location, or type of employment land.
- 3.3.5. Therefore, the phrase must be qualified to say where it cannot ‘reasonably’ or ‘realistically’ be met.

“Will be looked favourably on”

- 3.3.6. Given the significant shortfall of employment land, identified in WMSESS 2015 as well as other evidence base documents, the Council should be seeking to identify more strategic sites for new employment land. So in lieu of that, this policy should be demonstrating clearly that they will support appropriate proposals.
- 3.3.7. This wording is non-committal and must be strengthened so make clear that appropriate proposals will be supported. It must be positively prepared.

3.3.8. Developers make significant investments in preparing proposals for new development and the Council must provide the clarity and assurance that proposals which meet criteria identified within the policy **will** be supported.

3.3.9. The Council risks not attracting the investment that it needs in order to deliver on the plan's strategic objectives for growth.

Policy sub-criteria

3.3.10. Generally, Hodgetts Estates supports the criteria listed within Policy LP6a.

3.3.11. Land north east of J10 meets these criteria. It can:

I. deliver a suitable access to the strategic highway network;

II. be accessed by a choice of modes of transport; and

III. maintain sufficient landscape buffers to ensure the living conditions of those nearby are not adversely affected.

3.3.12. We do, however, query the wording of criteria (iii) as it confuses two points, namely, considering residential amenity, and ensuring consistency with the plan as a whole. This is ambiguous, and we suggest this is broken into two separate points to bring clarity, as follows:

(iii) the scheme takes account of the living conditions of those nearby, and

(iv) the scheme is otherwise acceptable, with regard to the plan as a whole.

3.4 WEST MIDLANDS STRATEGIC EMPLOYMENT SITES STUDY WMSESS (2015)

3.4.1. WMSESS 2015 concludes (from page 57 onwards) that the planned land supply for large industrial units in the region falls severely short. In particular, it notes that Area A, the M42 belt to the east of Birmingham (within which the Strategic Gap is situated), has only 3.7 years' supply of employment land and there remains a significant need for new strategic employment development.

3.4.2. The clear message from central government (NPPF paragraph 8a) is that sustainable development involves an important economic objective; namely, to build a strong and competitive economy by providing sufficient employment land to support growth. This, along with the findings of WMSESS 2015, demonstrates the importance and need for new strategic-scale employment development to be delivered in strategic locations like the M42 corridor.

3.4.3. Hodgetts Estates fully endorses the findings of the WMSESS in this respect.

3.4.4. We are aware that a well-advanced 2020 update is in preparation and we understand that it is imminently due to be published. We think it is important that this report is considered as part of this consultation as it will provide the most up to date position. We understand that it confirms that employment demand is even higher than it was in 2015, and so it further endorses the need for this new policy.

- 3.4.5. This position is likely to have been exacerbated by the ongoing Covid-19 crisis which has increased the proportion of online retail and consequently the demand for warehouse and logistics floorspace¹.

Land north east of Junction 10

- 3.4.6. The land owned by Hodgetts Estates is identified in the WMSESS as within Area A.
- 3.4.7. Area A is a strategic location and focal point for logistics activities in the borough. Three of the four quadrants of land at J10 are either in active employment use or have permission for new employment uses, which forms an established employment cluster at the junction. This area is also served by a rail freight interchange which means it is well placed to sustainably accommodate additional levels of employment delivery for the duration of the new plan period. Furthermore, it would enable the modal shift (ie from road to rail freight) advocated by the National Infrastructure Commission in its report, Future of Freight: Managing Congestion 2018.
- 3.4.8. This strategic location is adjacent to Tamworth and close to Category 1 Settlement, Polesworth with Dordon, meaning there is a ready made workforce sustainably located nearby. The delivery of new jobs in this sustainable location is a valuable and important material consideration and would meet Strategic Objective 3 of the emerging Local Plan.
- 3.4.9. This point is supported by the report, 'What Warehousing Where? Understanding the Relationship between Homes and Warehouses to Enable Positive Planning', published in 2018 by the British Property Federation.
- 3.4.10. These factors demonstrate the sustainable credentials of the Land North East of J10 and support our case that it is a sustainable and suitable location for future employment growth for the borough – the central aim of Policy LP6a.

3.5 CONFLICT WITH POLICY LP5

- 3.5.1. As mentioned above, as drafted Policy LP5 conflicts with this proposed new policy LP6A by potentially restricting the delivery of strategic employment land within the Strategic Gap and ignoring the fact it is identified within Area A in the WMSESS 2015.
- 3.5.2. Land within Area A is the key future development location in the borough for strategic employment schemes and would assist with the delivery of Policy LP6a. Its status as part of the Strategic Gap, therefore, causes some conflict in and of itself.
- 3.5.3. Policy LP6a refers to the importance of considering a site against the other policies in the plan (including LP5). It is essential, therefore, that the Council provides clarification as to the weighting of policies within the plan. In our view the 'significant weight' to be attributed

¹ Take-up of UK logistics space is 111% higher than this time last year, according to the latest research by global real estate advisor CBRE: <https://news.cbre.co.uk/another-record-breaking-quarter-for-uk-logistics-take-up-in-q3-2020/>

to the delivery of new employment land at LP6A Additional Employment Land must outweigh the considerations of LP5 Strategic Gap.

- 3.5.4. The proposed changes we put forward in the previous chapter would resolve this inherent conflict by setting out a more measured and refined Strategic Gap assessment.

3.6 PROPOSED NEW WORDING OF POLICY LP6A

- 3.6.1. In order for the emerging Local Plan to be found sound at examination, it should be reworded as follows:

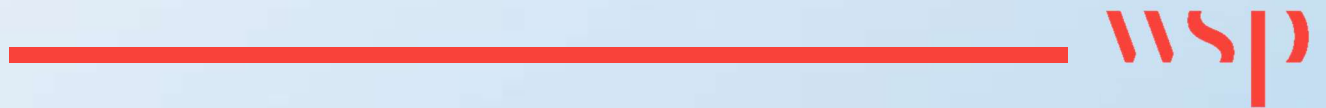
LP6a – Additional Employment Land

Significant weight will be given in decision taking to supporting economic growth and productivity, particularly where evidence demonstrates an immediate need for employment land, or a certain type of employment land **or need**, within Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or any subsequent iteration or similar strategic study) which cannot **reasonably or realistically** be met via forecast supply or Local Plan allocations. **The LPA will actively support and encourage** proposals supporting economic growth and productivity ~~in that context will be looked favourably upon~~ provided:

- (i) access to the strategic highway network is achievable and appropriate;
- (ii) the site is reasonably accessible by a choice of modes of transport; and,
- (iii) the scheme ~~is otherwise acceptable, taking~~ **takes** account of the living conditions of those nearby; and ~~with regard to the plan as a whole~~
- (iv) the scheme is otherwise acceptable, with regard to the plan as a whole.**

Appendix A

SLR MEMORANDUM



2.0 THE PURPOSE AND FUNCTION OF GAPS: A REVIEW OF OTHER STRATEGIC GAP POLICIES IN ENGLAND

Strategic and Local Gaps (sometimes also known as Green Gaps or Green Wedges) are used by many planning authorities to ensure that settlements retain their separate identities. The precise wording of policies relating to strategic gaps varies, but many have now converged on a set of fundamental principles, underpinned by research and Appeal Decisions. In this section of my paper I have reviewed some of this research and also provided examples of strategic gap policies.

One of the earliest and most quoted research documents regarding the functionality of strategic gaps was prepared for the Office of the Deputy Prime Minister ("*Strategic Gap and Green Wedge Policies in Structure Plans, Main Report*", ODPM, 2003). This review notes that many authorities accept that the robustness of a gap depends on much more than the physical distance between settlements, or visibility between settlements. For example, in 1998 the Inspector on the Eastleigh Local Plan Inquiry stated that the following factors (often known as the Eastleigh Criteria) should be used to define the effectiveness of a gap (see paragraph 4.15 of the ODPM report):

- *Distance;*
- *Topography;*
- *Landscape character/type;*
- *Vegetation;*
- *Existing uses and density of buildings;*
- *Nature of urban edges;*
- *Inter-visibility (the ability to see one edge from another);*
- *Intra-visibility (the ability to see both edges from a single point);*
- *The sense of leaving a place [and arriving somewhere else].*

Careful application of the Eastleigh Criteria means that the gaps between settlements will vary in their size and character – some may be over a kilometre wide and others just a few hundred metres – the key is whether the factors above work together to maintain a *perception of separation* between the settlements. Equally importantly, the careful application of the Eastleigh criteria means that some development within a designated gap could be possible, provided that the sense of separation between settlements is not undermined.

The Policy Framework for Gaps produced by the Partnership for Urban South Hampshire (known as PUSH, produced in 2008) provides guidance for Local Planning Authorities on formulating strategic gap policies, and this builds on the Eastleigh Criteria. It states that the land within a designated gap should "*perform an important role in defining the settlement character of the area and separating settlements at risk of coalescence*", and "*in defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included...*" Furthermore, it states that "*the designation of a gap ... does not completely preclude development. Proposals which would not adversely affect the function of the gap and which would otherwise be acceptable in planning terms could be permitted.*"

The Fareham Landscape Assessment 2017 (LDA, section 3.0 chapter 3.0), provides an up to date assessment of strategic gaps within Fareham District, and this also focuses on the perception of separation:

***Separation of settlements** ... is not just about preventing physical coalescence, i.e. development within one settlement running continuously into the next with no physical space or barrier to separate them. It is also not just about maintaining a visual gap and preventing visual coalescence between settlements - while this can often be a key factor in achieving separation, it is perfectly possible for two settlements to be in sight of one another (e.g. on either side of a valley) and still maintain their separate identities because of the nature of what lies between them.*

*For a gap to be effective, it is the **perceived 'sense of separation'** that is critical, the ability for anyone to 'feel' and to understand where one place ends and another different place begins, and to experience a clear sense of moving out of one and into the other. There can be no hard and fast rules about how big a gap needs to be to achieve that perception of separation. This will be dependent entirely on the particular character of the settlements and the land that lies between them. What is critical, however, is that there is a clear and distinctive experience of leaving one settlement behind, passing through another quite different area (the 'gap') before entering another separate settlement. This experience of travelling from out of one place into another can be both physical and visual. Importantly, the 'bit in between' needs to have integrity and distinct character as an entity or place in its own right, rather than simply be a physical space or feature, such as a field or a block of woodland etc., in order for the two settlements to feel distinct and separated.*

On this basis, the effectiveness and integrity of the gap in providing a sense of separation will be maintained where:

- *There is no actual physical coalescence between the two settlements;*
- *There is no perceived visual coalescence (this does not necessarily mean that there needs to be a visual barrier between them but that the appearance of one settlement coalescing with another is avoided);*
- *Measures designed to block views between built areas do not in themselves undermine the sense of visual separation that is reinforced by long-distance views between settlements;*
- *There is a strong and well-defined boundary between the settlement and the gap, so that it is clear where the edge of the settlement lies and the gap begins;*
- *There is a clear and distinct experience of leaving one settlement behind, passing through another quite different and distinct area (the 'gap') before entering another separate settlement;*
- *The gap has sufficient scale and coherence of character to be experienced as a place, or entity in its own right (e.g. an intact area of open farmed countryside) rather than simply a transitional space between urban areas.*

The Fareham Landscape Assessment, which is an SPD, thus supports the principles advocated by the Eastleigh Inspector, and focuses on the *perception of separation* between settlements.

Policy CS22 of the Fareham Core Strategy (which was adopted in 2011) states that “**development proposals will not be permitted either individually or cumulatively where it significantly affects the**

integrity of the gap...” This policy therefore accepts that development could occur provided that the integrity (or functionality) of the gap remains unharmed. Policy CS22 goes on to state that ***“in defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included”***. The clear implication here is that if any parcel of land within the gap designation is not integral to the function of providing a sense of separation between settlements, then it should not be included in the designation.

The Horsham District Planning Framework (adopted 2015) also concentrates on the *sense of a break* between settlements:

Policy 27: Settlement Coalescence. Landscapes will be protected from development which would result in the coalescence of settlements. Development between settlements will be resisted unless it can be demonstrated that (inter alia) there is no significant reduction in the openness and ‘break’ between settlements.

Importantly, this policy recognises that some development within a gap could be possible, provided that it does not undermine the sense of a break between settlements.

In Basingstoke and Deane the topic paper on the function of strategic gaps (2014) states that:

Strategic gaps are defined in paragraph 6.12 of the Revised Pre Submission Local Plan as a planning tool to prevent coalescence of settlements and maintain their separate identity. Strategic gaps have not been specifically defined to protect the countryside or landscape. Paragraph 6.13 of the Revised Pre-Submission Local Plan adds that a clear gap between settlements helps maintain a sense of place for both residents of, and visitors to, the settlements on either side of the gaps. When travelling through a strategic gap a traveller should have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entered the second settlement.

Accordingly, paragraph 6.15 of the adopted Basingstoke and Deane Local Plan states that:

A clear gap between settlements helps maintain a sense of place for both residents of, and visitors to, the settlements on either side of the gaps. When travelling through a strategic gap (by all modes of transport) a traveller should have a clear sense of having left the first settlement, having travelled through an undeveloped area and then entered the second settlement.

The Tonbridge and Malling Local Plan policy CP5 (on strategic gaps) focuses on the *functionality* of the gap rather than just physical and visual separation:

Unless justified by special circumstances, development will not be proposed in the LDF or otherwise permitted that would harm the function of the mid-Kent Strategic Gap as a physical break maintaining the separation and separate identities of the built-up areas of Maidstone, Medway Towns and the Medway Gap.

In summary, there are many terms being used to define the function of a gap, but all are agreed that it should focus on the ***sense of separation*** between settlements, which depends upon several factors rather than just distance and views.

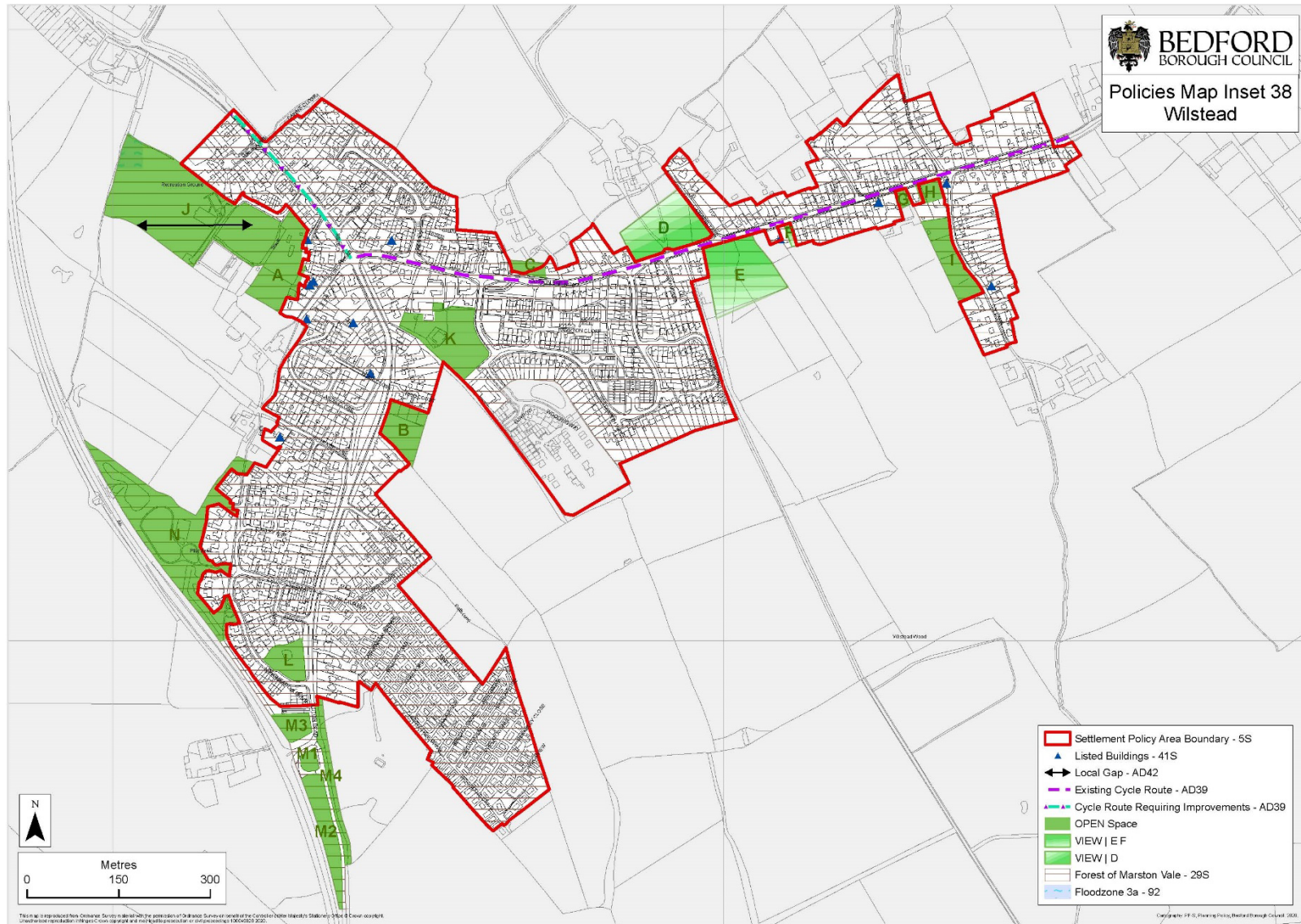
3.0 RECOMMENDATIONS

Based upon the research and best practice cited above the draft policy and proposals map presents a number of issues:

- point 3 as amended by the Inspector talks only of visual separation and the size of the gap, whereas the sense of separation between settlements relies on many more factors. As the Fareham Landscape Assessment says, it is quite possible for two settlement edges to have intervisibility, and yet still retain a sense of separation.
- point 3 as drafted also does not acknowledge the fact that a development that physically and visually intrudes on the gap could still provide a clear sense of separation;
- the proposals map identifies that a very large area should be sterilised from development, but it is possible that development could be accommodated within this area which would still allow for a meaningful gap between the settlements.

Therefore, I recommend the following changes:

- Point 3 of the draft policy be changed in one of the two following ways, either of which would ensure that any new development should not harm the **integrity** and **functionality** of the gap. Either:
 - (a) *“Development should not significantly reduce the **sense of** separation between Polesworth and Dordon, and Tamworth.”*, or;
 - (b) Point 3 should be deleted and only points 1 and 2 should be retained, since these achieves the same ends.
- The proposals map should be amended to replace the meaningful gap designation with arrows, such as within the Bedford Borough Council policies map (see Figure 1 below) or alternatively with graded, less formal boundaries.
- The changes above should also be carried forward in the associated Monitoring Indicators and Monitoring Targets for Policy LP5, as follows:
 - The existing Monitoring Indicators referring to *“Change to extent/ character of Strategic Gap”* and *“Numerical loss of area defined as Strategic Gap (in hectares/ square metres)”* are overly simplistic and potentially exclude all development. The reference to extent and numerical loss of area should be deleted.
 - The reference to *“visual separation”* in the Monitoring Targets should be deleted or replaced with *“sense of separation”*.





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Appendix G

EXTRACTS FROM UK FREIGHT CRIME HOTSPOT MAP

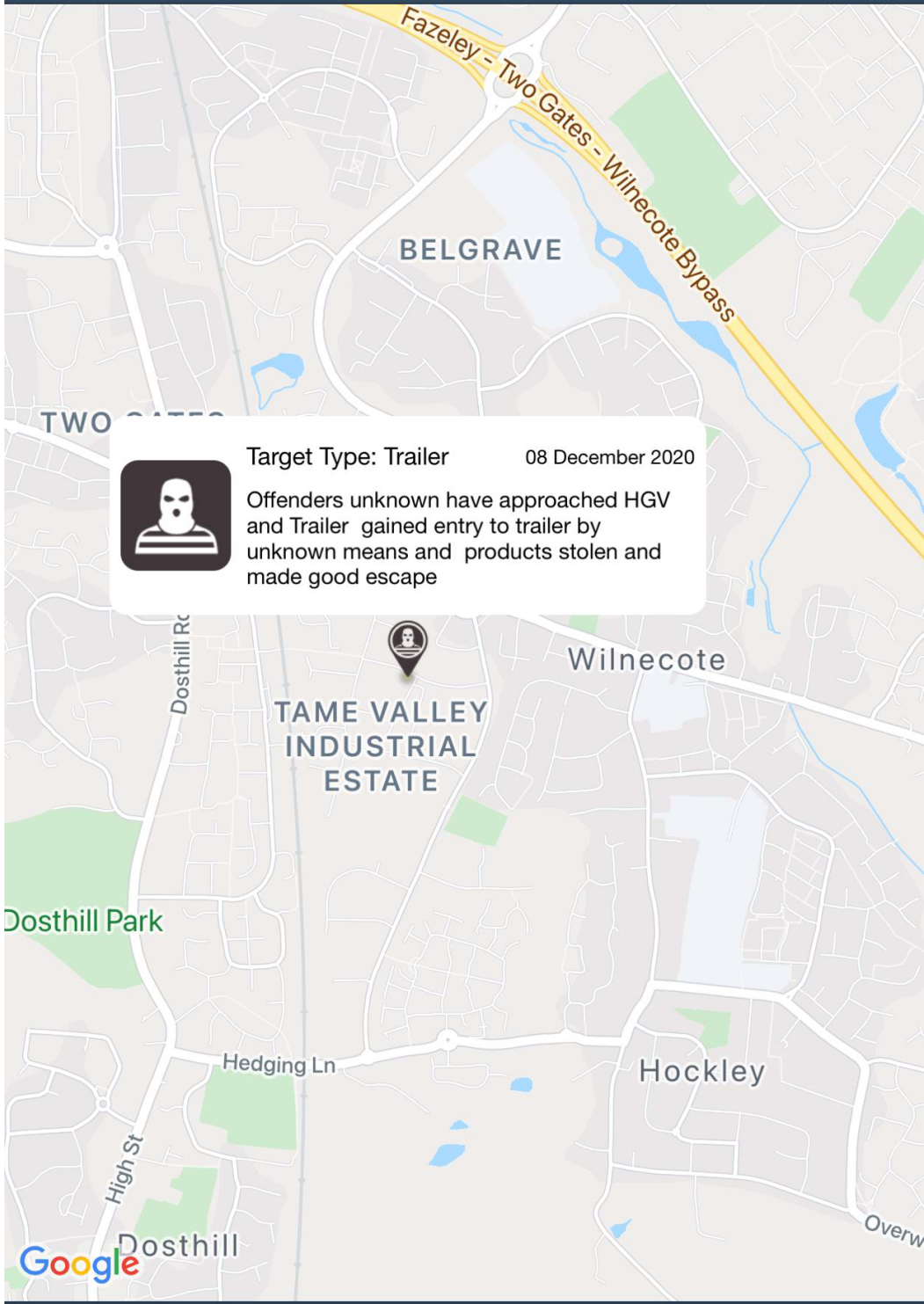




SEARCH



Search



Target Type: Trailer 08 December 2020

Offenders unknown have approached HGV and Trailer gained entry to trailer by unknown means and products stolen and made good escape

List

Map



SEARCH



Search



List

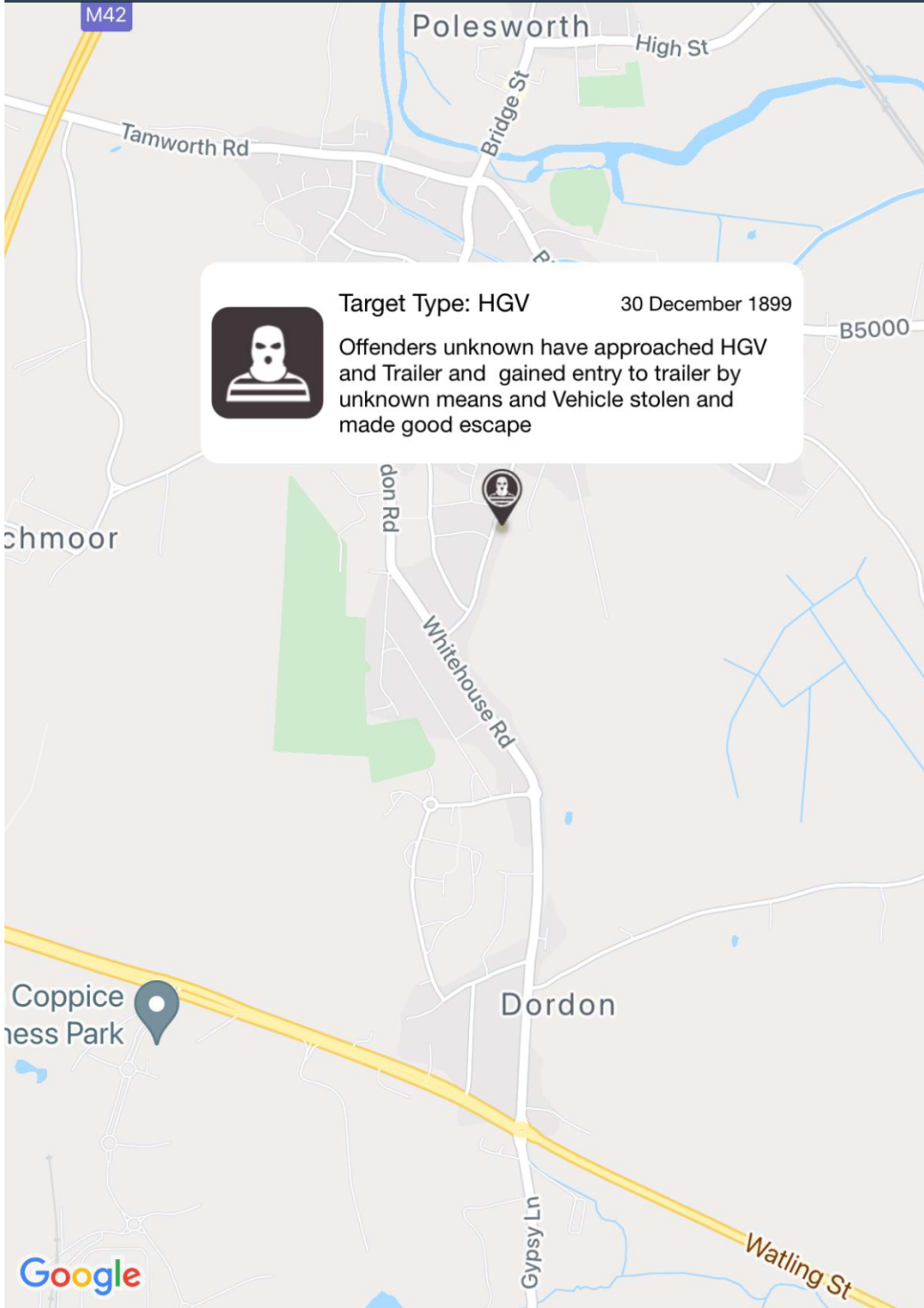
Map



SEARCH



Search



List

Map

Appendix H

**REPRESENTATIONS TO
APPLICATION REF: PAP/2020/0295**





Mr J Brown
North Warwickshire Borough Council
Council House
South Street
Atherstone
Warwickshire
CV9 1DE

Our Ref: let.001.DH.JB
25 January 2021

Dear Jeff,

Application Ref: PAP/2020/0295 - Land at Marsh Lane, Hams Hall

I write on behalf of Hodgetts Estates to make representations to the above planning application which seeks outline planning permission for the development of a 200 space overnight truckstop with associated facilities on land at Marsh Lane, Hams Hall near Junction 9 of the M42 (also referred to as “the application site”).

Summary

In summary, these representations make the following points and request that NWBC consider these and treat them as material considerations in the determination of this planning application:

- The proposed scheme lies in the Green Belt and constitutes inappropriate development. Green Belt policy is a very high policy bar. The applicant simultaneously attempts to justify compliance with NPPF paragraph 146 and run a very special circumstances (VSC) case, both of which are reliant on an alternative sites assessment which seeks to demonstrate that there are no alternative suitable sites available outside the Green Belt;
- Paragraph 146 sets a lower bar than VSC, but if proposed development does not meet the paragraph 146 criteria then a higher bar of VSC must be overcome. On the basis the planning case fails the paragraph 146 test then it cannot prove a VSC case exists for the same reasons and those found to be flawed in the paragraph 146 context;
- The alternative sites assessment submitted with the application however is fundamentally flawed as it has not properly assessed all alternative sites. In particular, it excludes land north east of Junction 10 M42 despite that land being within the general catchment of alternative sites assessed, comprising a site which is being promoted for the development of an overnight lorry parking facility, and lies outside the Green Belt;
- Indeed, the alternative sites assessment excludes hundreds of hectares worth of non-Green Belt land in the Birch Coppice Industrial Estate area by making sweeping generalisations in terms of the suitability of sites in the Birch Coppice Industrial Estate area and the apparent inability for two MSA’s/facilities to co-exist in close proximity. This is not evidentially robust as:
 - There is no evidence to suggest that two facilities cannot co-exist in close proximity, rather there is in fact a strong case *for* two facilities to be provided in close proximity as the Tamworth MSA facility is at/above capacity suggesting great demand in the location;
 - The large area at J10 is not all close to residential areas; and

- Proximity to residential areas does not automatically mean that such a development would be inappropriate (as demonstrated by the proximity of Tamworth MSA to residential properties).
- As a result of the flawed alternative sites assessment, the applicant does not provide sufficient justification to demonstrate that the proposed development site is sequentially the preferred site and thus requires Green Belt release – it therefore conflicts, rather than accords, with Green Belt policy set out in the NPPF and NWBC Core Strategy Policy NW3.
- Furthermore, the Tamworth Services MSA could still be lost due to HS2 Phase 2B meaning a new facility at J10 M42 would be extremely important to satisfy the current high demand; and
- The applicant's site would not address the need for HGV parking for the 'east-west' routes, particularly those which use the A5 Trunk Road, which is a major growth corridor, part of the strategic road network and major freight and logistics route – a facility on land north east of Junction 10 M42 would provide this.

Green Belt justification

NPPF paragraph 134(c) states that one of the purposes of the Green Belt function is to “safeguard encroachment of urban development in the countryside”.

Paragraph 143 states that “*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*”.

Paragraph 144 provides guidance to local planning authorities when considering applications for development in the Green Belt:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

A number of exceptions to inappropriate development in the Green Belt are set out in paragraph 145, none of which apply to the development of a greenfield site for an overnight lorry parking facility, and consequently the applicant seeks to demonstrate compliance partly with the additional forms of development that are not deemed inappropriate (paragraph 146) and partly demonstrating very special circumstances based on the need for such provision in the area.

The certain other forms of development set out in NPPF paragraph 146 that are also “*not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it*” include the provision of “*local transport infrastructure which can demonstrate a requirement for a Green Belt location*”. The applicant's case for Green Belt release to facilitate the proposed development is centred around this policy criterion which it considers to be of “*direct relevance to this planning application*” (Planning Statement Addendum paragraph 2.8). As such, there is a two-level test that must be passed in order for the applicant's case to be deemed acceptable:

- Test 1 – The applicant must demonstrate a requirement for a Green Belt location; and
- Test 2 – Even if this can be achieved, the proposed development must not conflict with the purposes of the Green Belt.

Having undertaken a detailed review of the applicant's submission documents, whilst the need for lorry parking provision in the Birch Coppice / Hams Hall is demonstrated in the submission – and indeed there is no dispute of this need – as a result of the flawed alternative sites assessment (discussed further below) the applicant does not provide sufficient justification to demonstrate that the proposed development requires a Green Belt location and that it is the sequentially preferred site in the area. Therefore, the proposed development cannot be said to accord with NPPF policy 146(c) and therefore the Green Belt tests have not been met to justify the development of a Green Belt site (test 1).

Additionally, the development of an overnight lorry parking facility in the Green Belt would not, in our opinion, preserve openness or the safeguard encroachment of urban development in the countryside and therefore conflicts with the purposes of the Green Belt, irrespective of the locational case (test 2).

Paragraphs 3.56 – 3.60 of the applicant's Planning Statement Addendum attempts to justify that if NWBC were to disagree with the paragraph 146 case then VSC still exists and therefore the proposed development should be approved regardless. The applicant then states the same reasons given in its paragraph 146 case for the VSC case, including a statement suggesting *“there are no known appropriate alternative facilities or sites capable of providing the required HGV spaces”*, which we demonstrate below to be incorrect. Whilst paragraph 146 sets a lower bar than VSC, if the proposed development does not meet the paragraph 146 criteria then a higher bar of VSC must be overcome. On the basis the planning case fails the paragraph 146 test then it cannot prove a VSC case exists for the same reasons and those found to be flawed in the paragraph 146 context.

Alternative sites assessment

Focusing on the locational case, at paragraph 3.18 of the Planning Statement Addendum, the applicant states that:

“a sequential approach was undertaken to explore alternative sites which could feasibly accommodate a truckstop of a comparable size to the one that this application proposes. The search was focused on land within and near to the nationally identified HGV parking shortage “hotspot” of Hams Hall to Dordon (Birch Coppice). This hotspot is almost entirely located within North Warwickshire's administrative boundary, consequently the majority of the alternative sites assessed are within North Warwickshire”

The site on land north east of Junction 10 M42 is being promoted for a proposed overnight lorry parking facility, as set out in Statement of Common Ground (SoCG) between Hodgetts Estates (HE), Moto and the RHA regarding a main modification to emerging policy to propose a reserved site allocation for a Motorway Service Area (MSA) at the site (LP Examination ref SoCG.04 M9).

In promoting the Junction 10 M42 site for an overnight lorry parking facility, the following documents (all of which are publicly available on the NWBC Examination in Public webpage and are appended to this letter) should be a material consideration in the determination of application ref: PAP/2020/0295 and the sequential assessment of sites with Green Belt policy in mind:

- Statement of Common Ground (SoCG) between Hodgetts Estates (HE), Moto and the Road Haulage Association (RHA) pertaining to a main modification proposing a reserved site

allocation for an MSA at on land north east of Junction 10 M42 (LP Examination ref. SoCG.04 M9);

- Plan showing location of the proposed MSA, which HE identified as 'RMSA1' (LP Examination ref. SoCG.04 M9a);
- Letter of support from the RHA (LP Examination ref. SoCG.04 M9b); and
- Letter of support from Bancroft Consulting (LP Examination ref. SoCG.04 M9d).

With reference to the SoCG documents, all of these were submitted to the LP Examination in December 2018 and uploaded to the NWBC website / made available to the public in April 2019, so have been a matter of public record for some time and the LPA is well aware of the position therefore. With this in mind, there is no reasonable justification as to why the applicant has excluded land north east of Junction 10 M42 from its alternative sites assessment.

Particular attention should be paid to the letter of support from the Road Haulage Association (RHA), which supports land north east of Junction 10 M42 for delivering a new MSA and overnight lorry parking facility, demonstrating the site's suitability. This is discussed further in this letter when addressing comments made about proximity to Tamworth MSA.

Turning back to the alternative sites' assessment, paragraph 3.19 of the applicant's Planning Statement Addendum goes on to state that *"this assessment considered a range of sites that are both within and outside the Green Belt"*.

Whilst this is correct, as outlined above, crucially, the alternative site assessment did not include land north east of J10 M42 which, as stated above, is in fact a demonstrably and sequentially preferable site to the application site.

As a result, paragraph 3.22, which summarises the results of the alternative site assessment and swiftly concludes that *"the application site was the most suitable site for a truckstop in North Warwickshire Borough"*, is a flawed statement and therefore the submitted justification is not sufficient evidence to demonstrate that the proposed development accords with the tests of Green Belt policy, specifically compliance with NPPF policy 146(e) and NWBC Core Strategy Policy NW3.

Suitability of alternative sites close to Birch Coppice Industrial Estate

Paragraph 3.23 contains a number of sweeping statements to downplay the suitability of alternative sites close to the Birch Coppice Industrial Estate, stating that:

"Other sites close to Birch Coppice Industrial Estate, although not located within the Green Belt, fall in close proximity to the residential areas of Dordon and Freasley and they are too close to Tamworth MSA, which already provides HGV parking. A new additional truckstop in this location would do less to control or meet the excess demand for HGV parking spaces with an existing facility so close, and could also reduce the opportunity for the site to provide a road safety function. This is because Government advise motorists to stop and take a break at least 15 minutes every two hours of driving. Thus, having two sites which offer the facilities for HGV drivers to stop and take a break within a close proximity to each other restricts driver's ability to take the recommended rest time, potentially jeopardising the road safety function of these roadside facilities."

There are two points to clarify here:

1. There is no evidence to suggest that two facilities cannot co-exist in close proximity, rather there is in fact a strong case in favour of two facilities being provided in close proximity as the current Tamworth MSA is at or over capacity, there is clear evidence of strong demand at this location and HGVs needing to park in the area at less desirable locations; and
2. Proximity to residential areas does not automatically mean that such a development would be inappropriate (as demonstrated by the proximity of Tamworth MSA) and to exclude hundreds of hectares worth of sites near to Birch Coppice Industrial Estate as a result is a flawed approach.

1. Proximity to Tamworth MSA

The area surrounding Junction 10 M42 accommodates numerous large scale industrial and logistics buildings including:

- Birch Coppice Industrial Estate;
- Core 42 Business Park;
- Kingsbury Link;
- Centurion Park; and
- Relay Park.

Additionally, Birmingham Intermodal Freight Terminal (BIFT) is located at Birch Coppice Industrial Estate. Numerous smaller scale industrial developments and logistics hubs are also located nearby, including Aldi's UK Head Office and Distribution Centre and TNT Depot at Atherstone.

As such, the J10 area is likely to attract significant daily numbers of inbound HGVs undertaking deliveries of freight for storage and processing. These vehicle movements will generally be undertaken by HGVs located outside the area and therefore operated by drivers that will potentially require parking and welfare facilities prior to their allocated delivery time slots at the respective developments.

The provision of a new overnight lorry parking facility near to Tamworth MSA would therefore not *"do less to control or meet the excess demand for HGV parking spaces with an existing facility so close, and could also reduce the opportunity for the site to provide a road safety function"*, as incorrectly stated in the applicant's submission.

On the contrary, it would provide a dedicated facility to address the need which exists and has been specifically identified at Junction 10 M42 (National Lorry Parking Survey, 2017¹) - more so than the proposed facility at Junction 9, which is further away and would therefore result in greater diversion distance. It would also increase the range of options available to lorry drivers in this location, thus preventing lorries from parking on nearby roadsides/laybys and residential estates and the known conflicts which arise, including amenity and crime issues associated with this type of ad hoc parking.

As set out in the RHA's letter of support for development of a facility on land north east of Junction 10 M42, the site is deemed suitable to provide additional lorry parking need in the Birch Coppice Industrial Estate area for a number of reasons, with the following most pertinent in the context of these representations:

¹ National Lorry Parking Survey (2017) - <https://www.gov.uk/government/publications/national-survey-of-lorry-parking>

- The National Lorry Parking survey (2017) (table 5.47, page 94) quotes an on-site utilisation rate of 92% for Tamworth MSA. At page 52, the survey classifies a utilisation rate of 85% or greater as being 'critical' and above this figure sites can be regarded as being full; and
- The existing lorry parking spaces and associated facilities could be lost due to the construction of HS2 Phase 2B which would only exacerbate further the identified shortage in the immediate vicinity of Junction 10.

Of particular note is the fact that Tamworth MSA is operating at 92% capacity and therefore must be considered to be a highly suitable and popular location for HGV drivers and given this MSA cannot expand on its current site and may well be lost due to HS2 Phase 2B, it is entirely appropriate and of critical importance that a further facility is brought forward at Junction 10. Therefore, the applicant's suggestion that it would be somehow inappropriate for a second overnight lorry parking facility to be located near to Tamworth MSA is not justified.

The National Lorry Parking Survey also states (at pages 33-34) that HGV drivers prefer to use dedicated truck parks rather than MSAs. Therefore, in addition to providing much needed additional capacity at Junction 10, a dedicated overnight parking facility would provide choice to the market and facilities better suited to the requirements of HGV drivers.

Finally, the proposed development at Junction 9 is in fact situated closer (than the land north east of Junction 10 M42) to extended lorry parking facilities approved at Corley Services (MSA) under appeal ref. APP/R3705/W/17/3192501, which are located close to Junction 1 of the M6.

2. Proximity to residential areas

In terms of impacts on residential areas, the applicant suggests that sites in the Junction 10 area are "too close to residential areas".

Firstly, the land at J10 M42 is extensive and thus can more than adequately accommodate a lorry park facility without coming in close proximity of Dordon, Freasley or any other local settlements.

Indeed, proximity is not necessarily an issue. The proximity of Tamworth MSA to residential development in Tamworth illustrates that noise will not necessarily be an issue at land north east of Junction 10 M42 (with Dordon and Freasley) as claimed in the applicant's planning justification. Furthermore, St Modwen's Park Tamworth which is nearing completion, would act as a significant acoustic barrier preventing noise negatively affecting residents of Freasley to the south, which are located approximately 1km away.

In any case, overnight lorry parking facilities are typically well managed facilities with on-site management and security in place to prevent anti-social behaviour, out-of-hours arrivals and general loitering. They are designed to attract HGV drivers away from 'fly-parking' along the roadside in the area served and thereby ensure a positive impact on amenity and health and safety overall, rather than negative.

The site at J9 does not address the need for HGV parking for the east-west routes, particularly those which use the A5 Trunk Road

Another important material consideration in the determination of the Junction 9 application is that the site would not address the need for HGV parking for the east-west routes, particularly those which use the A5 Trunk Road.

It is well known that the A5 Trunk Road is part of the strategic road network and a major freight and logistics route. Indeed, it is identified as a major growth corridor in the following Local Plan Examination documents:

- A Strategy for the A5 2012 (LP Examination ref. CD8/18B);
- A5 Action Plan 2016 (LP Examination ref. CD8/18C); and
- A5 Supporting Growth and Movement in the West Midlands 2018 - 2031 (LP Examination ref. CD8/18D).

Birch Coppice Business Park and Daventry Intermodal Freight Terminal, both identified as Regional Logistics Sites (RLSs) in the 'West Midlands Regional Spatial Strategy (WMRSS) Phase Two Revision – Draft Preferred Option', are located on the A5 Trunk Road.

West Midlands Interchange (a recently consented SRFI in South Staffordshire), Birch Coppice/BIFT and Magna Park (Europe's largest dedicated distribution location) are all significant logistics facilities located on the A5 Trunk Road corridor. Should the Hinckley Rail Freight Interchange, currently the subject of a live DCO application, be granted consent this would place further demand on the A5 corridor for dedicated HGV parking facilities.

Other notable industrial developments located on the A5 Trunk Road are Core 42 Business Park, St Modwens Park Tamworth, Centurion Park, Relay Park and Hinckley Park.

The Junction 9 proposals would not easily address any of the east-west lorry traffic serving these aforementioned developments without leading to unnecessary diversions and the consequential environmental impacts of increased journey times for HGV drivers. The A5 Trunk Road should therefore be served by sufficient overnight lorry parking to accommodate east-west traffic in the identified growth corridor, which would require an alternative site to that located at Junction 9.

Summary

The proposed scheme lies in the Green Belt and constitutes inappropriate development. Green Belt policy is a very high policy bar. The applicant simultaneously attempts to justify compliance with NPPF paragraph 146 and run a very special circumstances (VSC) case, both of which are reliant on an alternative sites assessment which seeks to demonstrate that there are no alternative suitable sites available outside the Green Belt;

Having reviewed the applicant's submission documents and justification for Green Belt release, the alternative sites assessment does not provide a suitable assessment of alternative sites as it excludes an available, suitable and deliverable alternative site that lies outside the Green Belt and is therefore sequentially preferable.

Furthermore, there is a demonstrable demand for additional overnight lorry parking at Junction 10 to reduce the burden on Tamworth MSA and also mitigate the potential for its future closure as a result of HS2 Phase 2B without adversely impacting on the residential areas in the vicinity. Accordingly, there is no evidence in the applicant's submission to substantiate why a substantial number of sites in the Birch Coppice Industrial Estate area, outside of the Green Belt, are deemed inappropriate sites for providing overnight lorry parking provision to constitute exclusion from the alternative sites' assessment.



As a result of the flawed alternative sites assessment the applicant does not provide sufficient justification to demonstrate that the proposed development requires a Green Belt location and is a sequentially preferred site in the area. Very special circumstances therefore cannot exist for the same reasons as those found to be flawed in the context of paragraph 146. Therefore, the submitted justification is not sufficient evidence to demonstrate that the proposed development accords with the tests of Green Belt policy, specifically compliance with NPPF paragraphs 134 and 146(c) and NWBC Core Strategy Policy NW3.

Other material considerations include the fact that a facility at Junction 9 would not address the demand for overnight parking along east-west routes, specifically the strategic A5 Trunk Road which is also an identified growth corridor.

I trust these representations are duly considered in the determination of planning application ref: PAP/2020/0295. Should you have any queries then please do not hesitate to contact me at your earliest convenience.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Doug Hann'.

Doug Hann
Director

cc: Hodgetts Estates

Enc : Statement of Common Ground (SoCG) between Hodgetts Estates (HE), Moto and the Road Haulage Association (RHA) pertaining to a main modification proposing a reserved site allocation for an MSA at on land north east of Junction 10 M42 (LP Examination ref. SoCG.04 M9);

Plan showing location of the proposed MSA, which HE identified as 'RMSA1' (LP Examination ref. SoCG.04 M9a);

Letter of support from the RHA (LP Examination ref. SoCG.04 M9b); and

Letter of support from Bancroft Consulting (LP Examination ref. SoCG.04 M9d).

Statement of Common Ground between Hodgetts Estates (“HE”), Moto Hospitality Ltd (“Moto”) and the Road Haulage Association (“RHA”) regarding a main modification proposing a reserved site allocation for a Motorway Service Area in the event that HS2 Phase 2b comes forward during the plan period

1.0. Background

1.0. This Statement of Common Ground has been prepared to set out the areas of agreement between Hodgetts Estates (“HE”), Moto (“Moto Hospitality Ltd”) and the Road Haulage Association (“RHA”), who have interests in North Warwickshire Borough. It sets out a suggested main modification to make the North Warwickshire Local Plan (“CD0/1”) sound. Specifically, it sets out a suggested main modification proposing a reserved site allocation for a Motorway Service Area (“MSA”) in the event that HS2 Phase 2b comes forward during the plan period.

1.1. It follows on from representations SLP133 and SLP429, position statements on Matter 7 (refs. PS.M7.02 and PS.M7.09) and the letter from the RHA to the Inspector dated 21st December 2018.

2.0. HS2 timing

2.1. The Published Timeframe for delivery of HS2 Phase 2b is as follows:

- January 2013 – Preliminary Route for Phase 2b published;
- November 2016 – Preferred Route for Phase 2b published;
- July 2017 – Government confirmed the route of HS2 Phase 2b;
- October 2018 – Working Draft Environmental Statement published for consultation;
- Early 2020 – Hybrid Bill to be deposited with Parliament;
- Late 2022 – Main civils design work commences;
- Early 2023 – Royal Assent;
- Mid 2023 – Start of Construction;
- Early 2024 – Main civils construction works are due to commence;
- Mid 2031 – Delivery of first trains for infrastructure testing; and
- Late 2033 – First passengers travel on full HS2 services.

- 2.2. Construction is expected to start at the southern end of the line and work its way northwards to Leeds. Tamworth is located in Community Area 1 (the most southern part of the new line). It is anticipated that Tamworth Services will be acquired by HS2 Ltd on or before 2023.
- 2.3. MSAs have significant lead in times, which, as evidenced by proposals between junction 5 (“J5”) and J6 of the M42 at Solihull (ref. PL/2015/51409/PPOL), can often take four or more years to proceed through the planning application process alone. The whole process from site identification, through planning to construction and delivery can take much longer. It is, therefore, wholly appropriate for consideration to be given to the need for a replacement MSA and any associated policy provision for such set out in CD0/1.

3.0. CD0/1 conflict with NPPF

- 3.1. Para. 31 of NPPF 2012 requires local planning authorities (“LPAs”) to work with transport providers, such as MSA operators, to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as roadside facilities for motorists. NWBC are therefore obliged to work with Moto and other transport providers to plan for the provision of roadside facilities.
- 3.2. In PS.M7.02, Collins & Coward on behalf of Moto confirmed that no response has been received to Moto’s representations to the DSLP (SLP133). Planning Officers further confirmed at the examination hearings for Matter 7 on 27th February 2019 that no contact had been made with Moto or any other operator to that point. The requirement under para. 31 of NPPF for the LPA to work with transport providers has not therefore been satisfied.
- 3.3. Para. 152 of NPPF 2012 requires LPAs to seek opportunities to achieve each of the economic, social, and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered.
- 3.4. Below, reference is made to HS2 Phase 2b Working Draft Environmental Statement Volume 2: Community Area Report LA01: Lea Marston to Tamworth (“WDES”) and in particular Chapter 12, paras. 12.4.9, 12.4.10, 12.4.11 and 12.4.12 (extracted below for ease of reference):

Impact magnitude

- 12.4.9 The magnitude of impact focuses on the number of jobs that would be affected by the Proposed Scheme, either through displacement or possible job loss. It also considers the implications of this impact in relation to the scale of economic activity and opportunity in the area.

Sensitivity

- 12.4.10 The sensitivity of resources considers the following:
- availability of alternative, suitable premises;
 - size of the local labour market;
 - skill levels and qualifications of local people; and
 - levels of unemployment.

Significance of effects

- 12.4.11 Taking account of the sensitivity of the resource and the magnitude of impact, it is currently expected that the significance of the resultant effects would be as set out in Table 30.

Table 30: Significance of effects on resources

Resource	Impact magnitude	Sensitivity	Significance of effect
Tamworth Services	High	Medium	Major adverse
Redrow House	High	Low	Moderate adverse
Travelodge Tamworth M42	Moderate	Medium	Moderate adverse
DFS Distribution Centre	High	Low	Moderate adverse

- 12.4.12 Tamworth Services would be demolished. Tamworth Services is located in a unique location based on the volume of traffic and its ability to integrate with the road network at Junction 10. It is considered that the Tamworth Services would have difficulty in finding suitable alternative premises i.e. near to an existing junction or through the provision of a new junction to allow direct access from the road network without disrupting traffic flows. The effect on the businesses based at the Tamworth Services, and their employees, is assessed to be major adverse and therefore significant.

3.5. The WDES establishes the effect of HS2 on Tamworth Services as being “*major adverse and therefore significant*” triggering the requirement in NPPF 152 for alternative options which reduce or eliminate such impacts to be pursued and where adverse impacts are unavoidable measures to mitigate the impact should be considered. The DSLP as drafted does not explore alternative options and does not consider measures to mitigate the impact in clear conflict with NPPF 2012 para. 152.

3.6. Para. 155 of NPPF 2012 states it is essential for early engagement and collaboration with neighbourhoods, local organisations and businesses to take place. The HS2 Consultation Route (published January 2013), the Preferred Route

(published November 2016), and the Confirmed Route (July 2017) have all indicated that the route will require the demolition of Tamworth Services. Each route was published prior to submission of the DSLP and has acted as a trigger point for the LPA to begin early engagement and collaboration with Moto. This essential early engagement and collaboration has not taken place in conflict with para. 155 of NPPF 2012.

- 3.7. Para. 156 of NPPF 2012 requires LPAs to set out strategic policies to deliver, inter-alia, the provision of commercial development and infrastructure for transport. With regard to MSAs, this requirement has not been satisfied.
- 3.8. Para. 162 of NPPF 2012 requires LPAs to work with providers to, inter-alia, assess the quality and capacity of infrastructure for transport, and its ability to meet forecast demands. In relation to MSAs, the requirements under para. 162 are also not satisfied therefore.

Conclusions

- 3.9. Accordingly, as presently drafted and as demonstrated above, CD0/1 is in conflict with paras. 31, 152, 155, 156 and 162 of NPPF 2012 and is therefore inconsistent with national policy. It is not legally sound as it has not been positively prepared, it does not seek a positive solution to address the identified major adverse significant harmful environmental and socio-economic effect in terms of the loss of Tamworth Services¹.

4.0. Location specific justification

DfT Circular 02/2013

- 4.1. The need for MSAs is set out in Annex B to the Department for Transport (“DfT”) Circular 02/2013. This requires the spacing between MSAs for safety and welfare of motorists to be no greater than 28 miles (para. B6). In the absence of Tamworth Services, the distance between Donnington Park MSA and Hopwood Services MSA would be 46 miles. At the moment, Tamworth Services sits 25 miles from Hopwood MSA and 21 from Donnington Park MSA so it is strategically placed to serve the M42, particularly north of the M6.
- 4.2. There is only a 10-mile length of the M42 motorway capable of satisfying the need for a replacement MSA for Tamworth Services, in compliance with the 28-mile maximum separation distance set out in Circular 02/2013. This being three miles to

¹ Set out further at paras. 4.11 and 4.12 of this submission.

the north and seven miles to the south of J10.

HS2 safeguarding and Green Belt

- 4.3. Much of the land adjacent to the M42 to the north and south of J10 is blighted by HS2 and the Green Belt for Birmingham, meaning it is either not available to provide for an alternative location for Tamworth Services or unsuitable given the availability of land at J10.
- 4.4. The safeguarding route for HS2 passes to the east of J11 of the M42². The route does not impact upon the existing roadside facilities there (Shell petrol station and McDonald's restaurant) but means they cannot be expanded and upgraded to meet full MSA requirements. Moto confirms that given the presence of these facilities, an alternative location for a MSA at J11 are unviable.

Solihull proposals

- 4.5. There are two live planning applications for MSAs on the southern section of the M42. Namely, a scheme promoted by Extra MSA Group (ref. PL/2015/51409/PPOL) between J5 and J6 and an Applegreen PLC scheme (ref. PL/2016/02754/MAJFOT) at J4. The distance from these proposed facilities to Tamworth Services is 14 miles and 18 miles respectively. However, the distance between the proposed facilities and Donnington Park MSA would be 35 miles and 39 miles, well in excess of the 28 miles recommended maximum set out in Circular 02/2013.
- 4.6. Furthermore, the justification for the a new MSA on the southern part of the M42 was identified by the Secretary of State in 2009, when it was established there was "*a significant need for a new MSA in this area for highways safety reasons.*" This need pre-dates the route for HS2 being proposed as going through Tamworth Services in 2013, so it was established in a scheme-off scenario and based on an assumption that Tamworth Services would not be demolished.
- 4.7. The provision of one or both of these proposals will therefore not address the need for a new MSA at J10, when construction of HS2 proceeds in 2023.

A5 Trunk Road

- 4.8. The location of Tamworth Services at J10 is key to serving traffic both on the M42 and A5 trunk road. Indeed, DfT Circular 02/2013 requires the maximum distance between signed services on the strategic road network/trunk roads to be the equivalent of 30 minutes driving time.

² Refer to WDES: Volume 2: LA03 Appleby Parva to Ashby-de-la-Zouch map as attached.

- 4.9. The A5 forms part of the Trans-European Transport Network acting as a local distributor and serving a high proportion of commercial traffic (both eastbound and westbound) between Birmingham and Coventry to the M1. The A5 provides resilience for other strategic roads including the M6 and M6 Toll which often experience congestion. It is also designated as a diversionary route in response to accidents occurring on the M42, M69 and M1. Tamworth Services therefore serves an important secondary function for the A5 trunk road (in addition to the M42), especially when a diversion is in place routing motorway traffic along the A5, due to an incident on the any of the M42, M69 or M1.
- 4.10. As noted in the letter from RHA (attached and outlined further below), the A5 is also a major freight artery with several major logistics and business parks along its length, including Daventry Intermodal Freight Terminal, Magna Park Lutterworth and Birch Coppice Business Park (incorporating Birmingham Intermodal Freight Terminal), as well as several others planned for the future (e.g. Hinckley Park, near J1, M69 by IM Properties). Flows on the M42 at J10 will therefore increase and an MSA at this junction will continue to facilitate future growth in the area.

HS2 Phase 2b Working Draft Environmental Statement

- 4.11. The Working Draft Environmental Statement for HS2 Phase 2b identifies that a major adverse significant harmful environmental effect will be caused by HS2 in terms of the loss of jobs in this location. At para. 12.4.12 of the Working Draft Environmental Statement Volume 2: LA01, it is noted that:

Tamworth Services is located in a unique location based on the volume of traffic and its ability to integrate with the road network at Junction 10. It is considered that the Tamworth Services would have difficulty in finding suitable alternative premises i.e. near to an existing junction or through the provision of a new junction to allow direct access from the road network without disrupting traffic flows. The effect on the businesses based at the Tamworth Services, and their employees, is assessed to be major adverse and therefore significant.

- 4.12. These harmful effects would be largely mitigated through provision of a new MSA at J10, given that the existing businesses would not have to be displaced and their employees could transfer straight across to the new site, which is located in the same travel to work area.

National Survey of Lorry Parking, Department for Transport, 2017

- 4.13. The National Survey of Lorry Parking (“NSLP”) identifies that utilization rate of existing lorry parking provision in the West Midlands is at 87% (Table 5.1, NSLP). The report confirms that at utilisation rates of 85% or more, the availability of suitable parking becomes critical and it is very difficult for additional drivers to find parking spaces (para. 5.2.3, NSLP). Essentially, this means that facilities are considered to be full at utilisation rates of 85%+. At Table 5.47 of the NSLP, Tamworth Services is identified as having a utilization rate of 92% (critical and full).
- 4.14. There are 65 HGV parking spaces together with 18 spaces for coaches and 257 car parking spaces at Tamworth Services. Loss of these without adequate provision of replacements would exacerbate the already critical lorry parking position, both locally and regionally.³
- 4.15. The NSLP also identifies excess demand for lorry parking in the West Midlands of 613 spaces. This national evidence document points to the need for additional lorry parking in the West Midlands. CD0/1 should therefore set out policies for provision of additional lorry parking, preferably on or near to the strategic road network, to address the identified regional undersupply and offset parking which will be lost at Tamworth.

Letter from the DfT and Department of Housing Communities and Local Government (“DHCLG”), 18 May 2018

- 4.16. During Matter 7, HE made reference to the letter addressed to all Chief Planning Officers (including North Warwickshire) from the DfT and DHCLG which brought the severity of the lorry parking issue to the attention of LPAs. It confirmed that the shortage of overnight lorry parking has grown more acute since the previous 2010 study and noted that “*Capacity constraints at formal lorry parking facilities frequently translate into problematic ‘fly-parking’⁴, for example in laybys and industrial estates which lack proper parking facilities.*” It also commented on a related issue of on-road “*daytime lorry parking in the vicinity of some distribution centres.*”

Written statement to Parliament – Road haulage update, 21 May 2018

- 4.17. Following on from the letter from DfT and DHCLG, in a written statement to

³ This position is supported the RHA to the Inspector dated 21st December 2018.

⁴ RHA does not endorse the term ‘fly-parking’, first coined by Helen Whately MP in a debate in the House of Commons, as it signals that the activity is illegal when the majority of the time it is not. “Inappropriate parking” is preferred therefore.

parliament, Minister of State for the DfT, Jesse Norman set out further details in relation to road haulage, including agreement with Highways England to “*assist local authorities in actively identifying areas of lorry parking need and potential solutions, including in the context of specific planning applications where these might help alleviate the situation.*” Furthermore, “*to give increased priority to the provision of lorry parking across the strategic road network.*”

RHA letter

- 4.18. The attached RHA letter of 21st December 2018 makes reference to the recent appeal decision (ref. APP/R3705/W/17/3192501) at the existing MSA at Corley in North Warwickshire for additional HGV parking incorporating associated infrastructure and works in the Green Belt. The RHA letter confirms that “*There the presiding Inspector gave weight to our [RHA’s] submission in support of the proposals*”. Furthermore, that “*many of the site specific justifications apply similarly to Tamworth.*”

5.0. Main Modification and Additional Modifications

- 5.1. HE, Moto and RHA agree to suggest the following Main Modifications and Additional Modifications to reflect the above:

Statement of Common Ground between HE, Moto and RHA

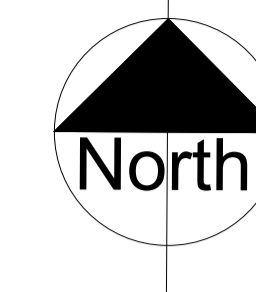
Proposed Text

Main Modification	Chapter	Page	Policy / Supporting Text	Proposed Modification	Referenced
			LP40 (a)	<p>LP40 (a) – Reserved Motorway Service Area Site</p> <p>The following site is allocated as a reserved Motorway Service Area to be released when evidence demonstrates that the land forming Tamworth Services, the Motorway Service Area and associated facilities north-west of junction 10 of the M42 motorway is required for HS2 Phase 2b:</p> <p>RMSA1 Land north-east of J10 of the M42 opposite the existing MSA 12 ha</p>	<p><i>Agreed with Hodgetts Estates, Moto and RHA</i></p> <p><i>Reason: for soundness</i></p>

			<p>Reasoned Justification</p> <p><i>Additional Reserved Land for Motorway Service Area</i></p> <p><i>The route of HS2 Phase 2b crosses the site of Tamworth Services, the Motorway Service Area located north-west of J10 of the M42. HS2 Phase 2b is due to be complete and operational by late 2033, although construction works are due to commence in 2023. The HS2 safeguarding route, which is also safeguarded in the Local Plan under Policy LP27 and shown on the Proposals Map covers the whole of Tamworth Services, which would be demolished to make way for HS2. In order to take account of this and to allow an additional element of flexibility, a site is reserved to the north-east of J10 of the M42 to allow for provision of a new Motorway Service Area.</i></p> <p><i>The National Survey of Lorry Parking (DfT, 2018) and associated letter to Local Planning Authorities from the Department of Transport and Department of Housing Communities and Local Government point to a critical need for additional lorry parking at J10 of the M42, and the West Midlands in general. In order to address this critical need, RMSA1 is extended to account for additional lorry parking and associated circulation space.</i></p>	
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	2	9	2.11	<i>The Borough Council recognises that when HS2 takes place, it will impact on a number of properties. The Council will work with owners <u>and promoters of replacement facilities</u> to mitigate the loss of the properties wherever possible.</i>	...
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 Subject to statutory approvals and survey.
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 Please note the information contained within this drawing is solely for the benefit of the employer and should not be relied upon by third parties.
 The CDM hazard management procedures for the Chetwoods aspects of the design of this project are to be found on the "Chetwoods - Hazard Analysis and Design Risk Assessment" and/or drawings. The full project design teams comprehensive set of hazard management procedures are available from the Principle Designer appointed for the project.



PL2 Client comments	04/03/19	MF/NH
PL1 First Issue	04/03/19	MF/NH
Rev	Revision Description	Date Author/Reviewer

SKETCH

32 Frederick Street, Birmingham, B1 3HH +44 (0)121 234 7500
 www.chetwoods.com



Project
 LAND NE of J10, M42
 TAMWORTH



Drawing Title
 RESERVED MOTORWAY SERVICE AREA 1 (RMSA1)

Scale	Size	Drawn	Checked	Date
1:1500	A1	MF	NH	04/03/2019

Project	Originator	Zone	Level	Type	Rate	Number	Rev
4623	CA	00	XX	DR	A	01053	PL2



The Road Haulage Association

North Warwickshire Borough Council
Council House
South Street
Atherstone
Warwickshire
CV9 1DE

FAO Mr T Bristow BA MSc MRTPI

Email: kerrytrueman@northwarks.gov.uk

21st December 2018

Dear Mr Bristow

NORTH WARWICKSHIRE LOCAL PLAN EXAMINATION HGV PARKING AND FACILITIES AT J10 M42 – REPROVISION OF TAMWORTH SERVICES

The Road Haulage Association (RHA) is the trade association that works on behalf of the UK road transport operators, currently supporting in excess of 7,000 members representing 250,000 Heavy Goods Vehicles (HGVs). We liaise with the profession and represent its interests to Government, lobbying on issues that impact on the safe and efficient movement of goods by road across the UK.

I write in connection with the emerging North Warwickshire Local Plan. Specifically, in relation to Tamworth Services and the associated HGV lorry parking, driver facilities and the services that are located there, which are set to be lost when the new route for HS2 Phase 2b is built out.

Tamworth Services

Tamworth Services is a dedicated Motorway Service Area (MSA) which provides roadside facilities and parking for both the M42 motorway and A5 trunk road. Tamworth Services currently provides 65 HGV parking spaces and 18 coach parking spaces, as well as 257 car parking spaces. The site also comprises an Esso petrol filling station (PFS), toilets and shower facilities, food and beverage and convenience retail.

The HGV parking and associated facilities at Tamworth Services are extremely important for our members. The facility is located approximately 4 hours from Dover / Folkestone and Felixstowe and presents a logical place to stop when travelling north from the ports. It is a legal requirement for drivers to take their statutory rest breaks as stipulated by the Road Transport Working Time Regulations and Drivers' Hours Rules.

The location of the site is on a high volume traffic route, with many hauliers passing on their route from Bristol in the West, through the West Midlands Conurbation to the ports of Hull and Immingham in the North East as well as those driving east west across the country. With further growth aspirations for this East-West corridor development, the expansion plans for logistics parks located within the Golden Triangle – M1, M6, M42/ A5 – and BIFT (Birmingham Intermodal Freight Terminal), these services are vital to the safety and security of drivers and their loads. The National Survey of Lorry Parking published earlier this year provides further background on this and demonstrates the vital strategic links for the freight industry.



The Road Haulage Association

HS2

We understand that the route of HS2 Phase 2b crosses the site of Tamworth Services and the HS2 safeguarding route, as illustrated on the Proposals Map, covers the whole of the site, which will be demolished to make way for HS2.

Phase 2b is due to be completed and operational in 2033 and the main civils construction works are due to start in 2024. The Environmental Impact Assessment for Phase 2b was recently published for consultation and the Hybrid Bill is due to be placed before Parliament in 2020.

Tamworth Services will be acquired by HS2 Ltd and demolished long before the end of the 'plan period' in 2033. At the very least, therefore, provision for a replacement MSA and associated HGV parking and facilities should be made in the emerging local plan. It is therefore wholly appropriate for consideration to be given to the need for a replacement MSA, the possible location for such and any associated policy provision at this juncture.

National Policy

National Planning Policy Framework (NPPF), 2018

Paragraph 107 of the NPPF recognises the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.

DfT Transport Circular 02/2013

Circular 02/2013 confirms there is no longer a requirement to demonstrate need for new MSA sites. Conversely, the need for MSAs is set out in Annex B to the Circular 02/2013 which confirms the spacing between MSAs for the safety and welfare of motorists should be no greater than 28 miles (para. B6). In the absence of Tamworth Services, the distance between Donnington Park MSA and Hopwood Services MSA would be 46 miles. At the moment, Tamworth Services sit 25 miles from Hopwood MSA and 21 from Donnington Park MSA so it is strategically placed to serve the M42 at a critical point on the motorway network. Furthermore, congestion on the M42, M6 and A5 means that Tamworth Services is a safe and convenient place to stop when faced with significant traffic delays that can be present on these routes.

National Survey of Lorry Parking, 2017

DfT published the 'National Survey of Lorry Parking' ("NSLP") in May 2018. The report identifies that utilization rate of existing lorry parking provision in the West Midlands is at 87% (Table 5.1, NSLP). The report confirms that at utilisation rates of 85% or more, the availability of suitable parking becomes critical and it is very difficult for additional drivers to find parking spaces (para. 5.2.3, NSLP).

At Table 5.47 of the NSLP, Tamworth Services is identified as having a utilization rate of 92% (critical and full). Anecdotally, we are aware that nearby laybys, business parks and residential estates are regularly used as overspill alternatives to Tamworth Services.

Loss of the HGV parking at Tamworth Services without adequate provision of replacements would exacerbate the already critical lorry parking position, both locally and regionally.



The Road Haulage Association

The NSLP also identifies excess demand for lorry parking in the West Midlands of 613 spaces. This national evidence document points to the need for additional lorry parking in the West Midlands. CD0/1 should therefore set out policies for provision of additional lorry parking, preferably on or near to the strategic road network, to address the identified regional undersupply and offset parking which will be lost at Tamworth Services.

Land north east of J10 M42, Tamworth

RHA is aware that land adjoining the north-east quadrant of J10 M42 is being promoted for a new replacement MSA, additional lorry parking to meet identified strategic and local need and associated facilities, through the emerging North Warwickshire Local Plan.

We understand that 12 ha of land is being proposed to be zoned for employment purposes and specifically for an MSA and associated facilities via a new employment allocation at the site. Furthermore, that initial highways modelling has been undertaken, as well as works which confirm the site could incorporate significant amount of Green Infrastructure, including screening, tree planting and landscaping, to mitigate any possible visual impacts.

RHA has been in contact with the landowner and scheme promoter, Hodgetts Estates and having considered the scheme proposed, we are in a position to support their proposals for the following reasons:

- As identified through the NSLP, there is an acute shortage of HGV lorry parking spaces at Tamworth Services, the surrounding locale and regionally. The proposals will therefore go some way to addressing this identified need;
- Moreover, the proposals will provide for the existing MSA and HGV lorry parking which will be lost due to the construction of HS2 Phase 2b in a nearby and accessible location, adjacent to the motorway and strategic road network. Failure to provide at least the existing level of lorry parking will exacerbate the identified shortage in the immediate vicinity of J10 of the M42;
- The additional HGV parking spaces proposed would provide drivers with peace of mind when parking up. Truck drivers are becoming more concerned about their own safety and the security of their vehicles, particularly after the terrorist attacks in Nice & Berlin with the use of trucks; and
- Lorry drivers need a variety of refreshments as well as well-maintained facilities such as showers and bathroom facilities at their stops, all of which would be lost when Tamworth Services is demolished to make way for HS2 Phase 2b.

Recent appeal decision at Welcome Break, Corley – APP/R3705/W/17/3192501

You may be aware of the recent appeal decision in relation to proposals for additional HGV parking incorporating associated infrastructure and works at the existing MSA at Corley in North Warwickshire, located within the Green Belt. There the presiding Inspector gave weight to our submission in support of the proposals, which identified a number of site specific justifications for additional parking at the site – decision notice attached for reference. As outlined above, many of the same site specific justifications apply similarly to Tamworth.



The Road Haulage Association

Summary

Almost three-quarters of goods movements are carried by road rather than by rail or water. We need to maximise the use of rail and water freight as part of making the UK's supply chain as efficient, clean and safe as possible, but they can never replace road.

The provision of safe and secure off-road parking facilities for HGVs on key transport corridors, alongside the provision of hygienic catering and bathroom facilities for HGV drivers is a major issue within the industry. The legislation relating to driver rest periods, combined with a proven lack of adequate rest facilities, creates safety and welfare issues for HGV drivers, where stops often have to be made at inappropriate locations. This also creates issues for local authorities across the country, particularly in areas of high road freight activity in and around the main motorway corridors and markets, such as Coventry and Warwickshire. Local Authorities often have to deal with the consequences of HGVs parking within residential areas, industrial estates and in lay-bys, which include crime and security arising from theft from the vehicles, but also community complaints and in some circumstances environmental issues.

The RHA works hard with Government to highlight these issues and influence policy to address it. The Lorry Parking Audit and Demand Study, undertaken by the Department of Transport in 2011, highlighted the key issues and lack of parking in this regard, concluding that the public sector should favourably view proposals from the private sector for new or expanded truck stop and service facilities. These comments are further supported by the DfT National Lorry Parking study published earlier this year and paragraph 107 of the National Planning Policy Framework 2018.

The HE proposals for a new MSA on land at junction 10 of the M42 would be a positive step towards addressing the demand for higher quality facilities in Warwickshire from our members and will assist the local authorities in addressing some of the issues faced from inappropriate overnight parking.

The RHA fully supports the HE proposals for re-provision of the MSA and associated lorry parking at land north-east of junction 10 M42, which is located on a strategic transport corridor and international E-road network (E24) (E-13); a location heavily used by HGVs supporting the logistics and storage/distribution sectors in the area. If the RHA can offer any further assistance to the Inspector in examination of the North Warwickshire Local Plan then please do contact us.

Yours sincerely

A handwritten signature in black ink that reads 'Chrys Rampley'. The signature is written in a cursive style with a long horizontal stroke extending to the right.

Chrys Rampley
Manager Infrastructure, Security & Business Affairs

North Warwickshire Borough Council
Council House
South Street,
Atherstone,
CV9 1DE
FAO: Kerry Trueman

Our Ref: CJB/F18015/010519
Date: 1 May 2019

BY EMAIL ONLY

Dear Kerry

NORTH WARWICKSHIRE BOROUGH COUNCIL LOCAL PLAN: MAIN MODIFICATION (MSA)

I write following receipt and consideration of Highways England's letter to you of 26 March 2019 in respect of the above. In the letter, Highways England raise a number of general concerns about the validity of whether the MSA would be needed or deliverable in this location, largely due to the lack of any detailed supporting information submitted to date. The aim of this letter is to seek to provide confidence that sufficient land exists within my Clients ownership or publicly maintained highway to deliver a reasonable access solution.

Within the second page of the letter Highways England accepts that "access to each site proposed will be considered on its own merits". It then discusses concerns regarding the potential to extend the roundabout to deliver a further arm as access to the MSA, along with a direct access from the A5. Whilst I fully appreciate the concerns raised regarding taking access from the roundabout, I have prepared an indicative junction layout drawing showing how a signal-controlled junction layout could be located approximately 300 metres east of the roundabout, with a layout that should offer comparable capacity to that of the adjacent Birch Coppice and Core 42 access junctions.

The final layout would clearly be subject to formal consultation with Highways England, where detailed junction modelling and road safety audits would be undertaken to help satisfy any concerns. However, this layout should adequately serve the anticipated MSA traffic movements and, in lieu of the all movements nature of the junction, would not represent any significant diversion from the Trunk Road network routes, particularly when considering other examples elsewhere within the network where more substantial detours are required.

I have also copied Eri Wong at Highways England in on this letter so that she is aware of our suggestions. We have had a number failed attempts to discuss the situation over the



phone during the past few weeks, with messages left, so she will not be entirely surprised by the submission and hopefully will be able to offer a more supportive stance particularly in regard of the A5 opportunities. My Client would be more than happy to provide Highways England with further detailed justification of the location and form of junction in due course but timescales for the submission of information have limited us to simply seeking to confirm that there is clear scope to provide a geometrically compliant layout with capacity comparable to that of other nearby junctions.

I therefore trust that the above information is sufficient for North Warwickshire Borough Council to be content that a new MSA could in principle be served from the A5, albeit subject to clarification of further detailed information and final agreement with the Highway Authority.

Yours sincerely,

Chris Bancroft

Director

For and on behalf of **Bancroft Consulting**

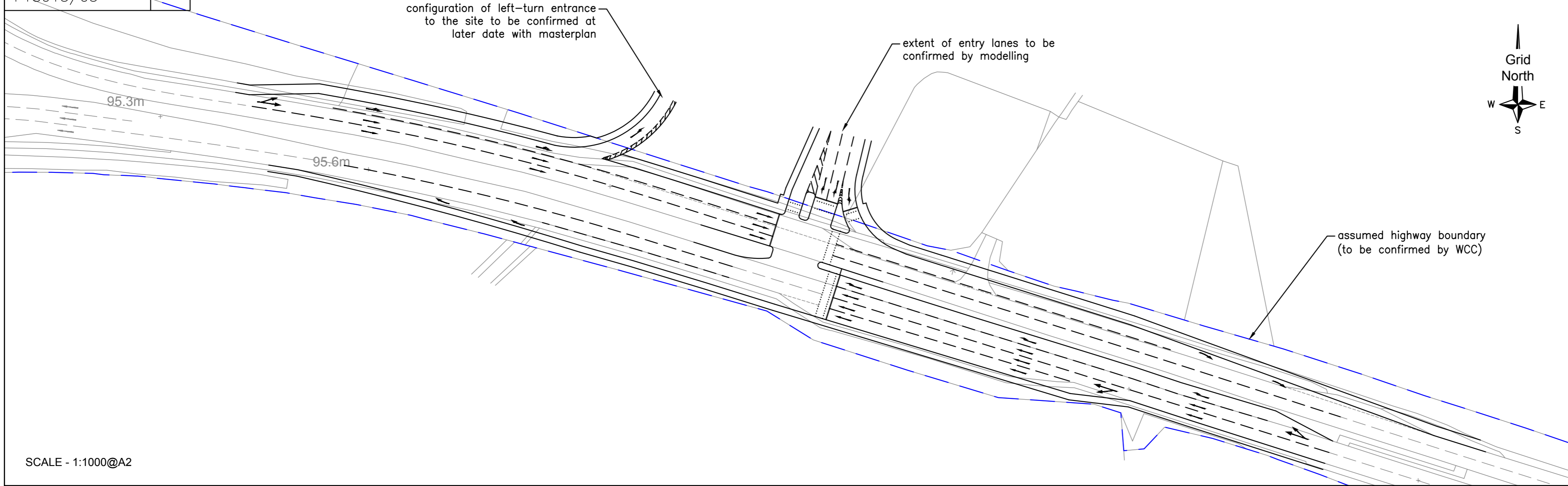
t: 0115 9602919

e: chris@bancroftconsulting.co.uk

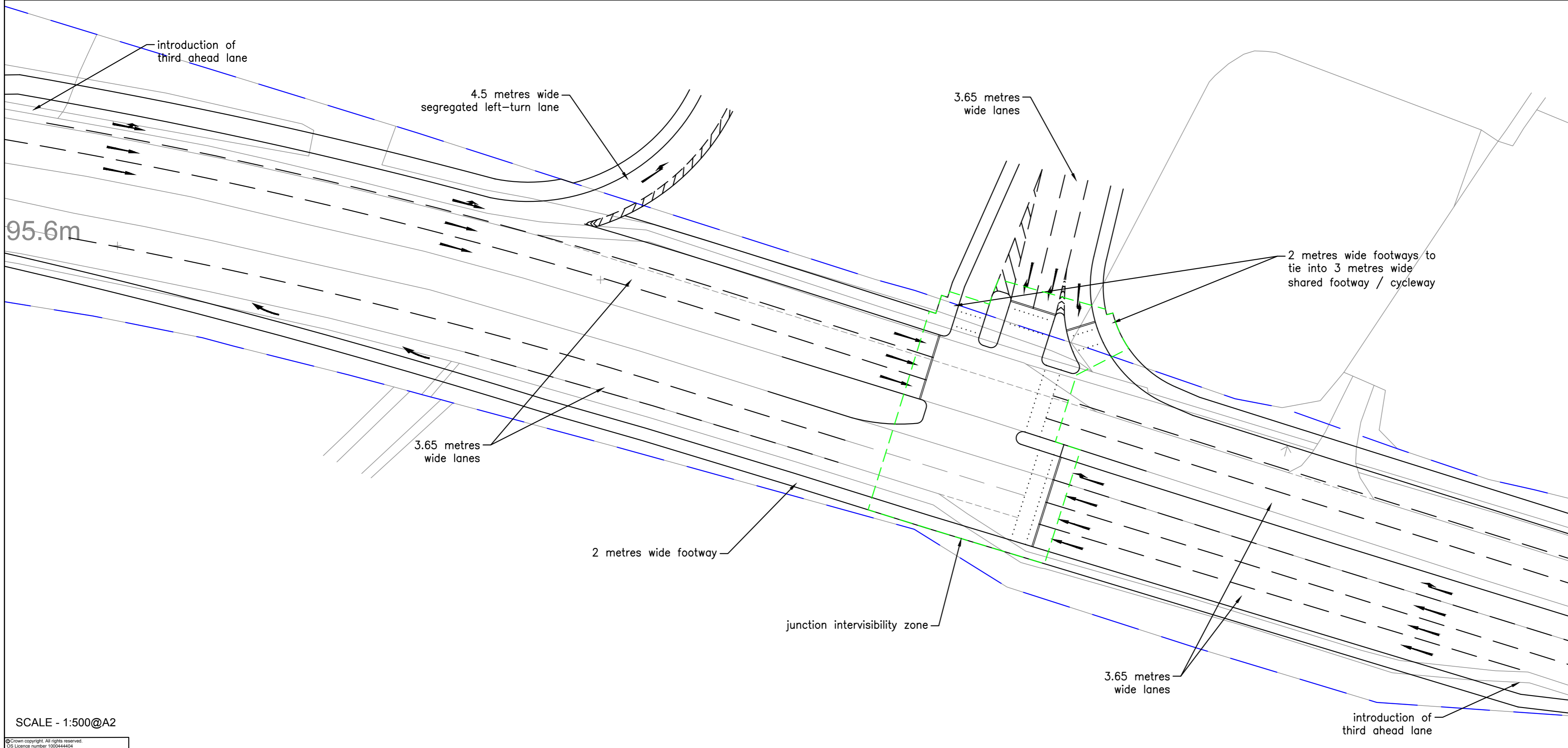
enc.

cc. Mr David Hodgetts - Hodgetts Estates
Mrs Eri Wong - Highways England

DRG. No. F18015/05
REV. No.



SCALE - 1:1000@A2



SCALE - 1:500@A2

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NOTES:

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REV.	DATE	DESCRIPTION	DRN	CHK'D
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CLIENT
HODGETTS ESTATES

CONTRACT
MAIN MODIFICATION (MSA)

TITLE
ACCESS OPTION FOR MOTORWAY SERVICE AREA

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CHECKED BY	
NAME (PRINT)	DATE
CJB	25.04.19
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