

Statement of Common Ground – Addendum

Land north of Wilderness Lane, Great Barr

2 July 2024

Introduction

1. The Statement of Common Ground ('SoCG') Addendum is intended to supplement the general SoCG agreed on 30 May 2024 following the exchange of Proofs of Evidence.

Locational accessibility

2. It is agreed that locational accessibility is not a reason for dismissing this appeal and reflecting this paragraph 6.39 of the Council's Statement of Case ('SoC') is withdrawn.
3. The most up to date bus timetable for the bus stops on Birmingham Road, adjacent to the appeal site, is enclosed at **Appendix 1**.

Emerging plan

4. It is agreed that policies within the Regulation 18 draft version of the Sandwell Local Plan should be afforded no weight in the decision-making process.

Landscape

5. Paragraph 2.6 of the main part of the SoCG should read as follows:

The site lies entirely within an area identified as an Area of High Historic Landscape Value (AHHLV) 25: Peak House Farm Field System, within the evidence base to the Black Country Core Strategy and Sandwell Local Plan. This is currently not a formally adopted designation. It is not covered by any other national or local designation relating to its landscape character or quality.

6. The site is not a valued landscape in respect of NPPF (2023) paragraph 180 a).

Heritage and archaeology

Sandwell MBC's response to the planning application in respect of archaeological and heritage matters is set out on pages 4 and 5 of its 'Planning Policy Comments' document which is dated 20 December 2023. It does not dispute the findings of EDP's Heritage Impact Assessment. The findings of that assessment with regard to the field system include that: *'Taken as a whole, the evidence suggests that the site represents the remains of a field system derived from the enclosure of land out of woodland during the late medieval or early post-medieval period. (paragraph 4.69)'*

That the site represents *'an isolated relic'* (paragraph 4.123)

'the possible moat occupies an area of enclosed agricultural fields which seem to date from the later medieval or early post-medieval period and denote the remnants of an expanse of

*farmland that was enclosed ('assarted') out of woodland and used for cultivation. These fields ... are locally designated as AHHLV 25.'***(paragraph 4.199)**

'Taken as a whole, it is therefore assessed that the loss of historic hedgerows from the site as a result of the development proposals would be fairly restricted and wholly concentrated in the east and in the north.' (paragraph 5.22)

'There are no mitigation measures which can be applied to eliminate or reduce the impact of the proposals on this non-designated heritage asset. (paragraph 5.39)'

'Overall, it is considered that there would still be a residual loss of significance from this non-designated asset and that has to be weighed in the planning balance. Nevertheless, it is assessed as representing no more than a small impact.' (paragraph 5.43)'

7. It is incorrect to say that there will be no impacts 'arising from the proposals in terms of designated or non-designated heritage assets' as implied in paragraph 5.24 of the General SoCG.
8. Overall it is agreed heritage and archaeology do not represent reasons for refusal.

Development plan policies compliance with NPPF

9. The table below summarises both parties' positions on the compliance with the NPPF (2023) of the most important development plan policies for determining this appeal.

Policy	Appellant position	Council position
BCCS policy CSP2	Does not accord	First bullet and second to last paragraph fully consistent
BCCS policy CSP3	Does not accord	Broadly consistent
BCCS policy HOU1	Does not accord	Broadly consistent
BCCS policy ENV1	Does not accord	Broadly consistent
SAD policy H2	Does not accord	Some consistency
SAD policy EOS2	Broadly consistent	Fully consistent

- 10.

Appeal proposals' accordance with development plan policies

11. The table below summarises both parties' positions on the proposals' accordance with the most important development plan policies for determining this appeal.

Policy	Appellant position	Council position
BCCS policy CSP2	Minor conflict	Conflict
BCCS policy CSP3	Accords	Conflict
BCCS policy HOU1	Accords	Neutral
BCCS policy ENV1	Accords	Conflict

SAD policy H2	Accords	Conflict
SAD policy EOS2	Accords	Conflict


Planning balance

12. The table below summarises the respective weight given by both parties to alleged harms and benefits.

Benefit / harm	Appellant weight	Council weight
Benefits		
Housing delivery	Very substantial	Significant (at its lowest end)
Affordable housing delivery	Very substantial	No discrete benefit to 25% policy requirement. Significant (at its lowest end) to 15% above policy requirement.
Ecological benefits, including a minimum 20% BNG and management regime for site	Substantial	Limited
New countryside park	Significant	Limited
Transport links adjacent to site boundary	Significant	Limited
Economic benefits	Significant	Moderate
Harms		
Inappropriate development in the Green Belt	Substantial	Substantial
Landscape and visual impacts	Limited	Substantial
Low / very low impacts to non-designated heritage assets	Limited	Limited

Signed on behalf of Wain Estates (Land) Ltd



 (Director – Turley)

Signed on behalf of Sandwell Metropolitan Borough Council:



 (Principal Planning Officer)