

Witness Statement Summary

[REDACTED] MRTPI

Principal Planner

Sandwell MBC

**Land Adjacent To Q3 Academy, Wilderness Lane, Great Barr,
Birmingham, B43 7SD**

Planning Application: DC/23/68822

**Proposed up to 150 dwellings, a countryside park and associated
works (Outline application for access only).**

Appeal Ref: APP/G4620/W/24/3341688

Appeal by: Wain Estates (Land) Ltd.

11th June 2024

Introduction

This Witness Statement Summary should be read in conjunction with the full Witness Statement of [REDACTED]. For ease of the reader, a summary of the chapters follows in order of the main document. These being:

1. The Site and its Surroundings
2. The Appellant's Case
3. My Opinion

Appropriate development within the Green Belt

The effect upon the openness and purpose of the Green Belt

Alternative Sites

Any other harm

Very Special Circumstances

Access to the Countryside

Employment and economic benefits

4. Planning Balance

1. The Site and its Surroundings

- 1.1 The site exceeds 27 hectares of previously undeveloped land within the Green Belt.
- 1.2 Local residents' currently access open spaces that not only are within walking distanced but are adjoined to the appeal site.
- 1.3 There are a few local amenities along the A34, with a bus service that passes the Scott Arms being the closest local shopping centre at 1.5km away.
- 1.4 A primary school is approximately 500m away on the opposite side of the A34, and a secondary school to the south of the site.

2. The Appellant's Case

- 2.1 Refer to point 1.11 of the appellant's Statement of Case.

3. My Opinion

Appropriate development within the Green Belt

- 3.1 The proposal conflicts with four of the purposes of the Green Belt, which are sub-paragraphs (a), (b), (c) and (e) of paragraph 143 of the Framework 2023 (CD 2.3).
- 3.2 Development for residential properties within the Green Belt and should not be approved except in very special circumstances (paragraph 152 of the Framework).

- 3.3 Paragraph 153 of the Framework confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to Green Belt. Very special circumstances (VSC) 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.

The effect upon the openness and purpose of the Green Belt

- 3.4 The proposals would have a significant detrimental impact on this open, free from development, part of the Green Belt. The impact on openness will also be visible from a wide range of viewpoints given the significant level changes of the site and that public rights of way border the site, conflicting with purposes of the Green Belt as set out at sub-paragraph (a), (b) and (c) of paragraph 143 of the Framework.
- 3.5 National Government advice on the role of the Green Belt in the Planning System www.gov.uk/guidance/green-belt (CD not yet allocated) states what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. These include but are not limited to the openness being capable of having both spatial and visual aspects and the degree of activity which would be evident from human activity on the land.
- 3.6 The proposal is for not more than 150 homes (built on the elevated area of the site) ranging from 2-storey to 3 storey properties with associated roads, lighting, parking, play area, sustainable drainage systems and a country park.
- 3.7 The Appeal Proposals would be significant in scale, massing and use and would have a significant impact in terms of the urbanisation of the site, and its current openness.

Alternative Sites

- 3.8 A sequential test has not been provided with reasons for ruling out brownfield sites for redevelopment first.

Any other harm

- 3.9 In addition to the 'definitional' harm to the Green Belt by reason of inappropriateness there would be considerable harm to the Green Belt and its openness and purposes, including harm to the character and appearance of the area.

Very Special Circumstances

- 3.10 In my opinion, no VSC have been provided that overcome paragraph 142 of the Framework.

Access to the Countryside

- 3.11 There is no need for this country park as there are other open areas that residents currently have access too. The countryside park does not outweigh the significant harm developing on the Green Belt would do and the test of VSC fails.
- 3.12 I therefore weigh the benefit of the Countryside Park, given the alternatives locally and its urbanising influence, as part of the wider development as on the low side of moderate.

Employment and economic benefits

- 3.13 Paragraph 8a of the Framework states an economic objective to develop subject to the Land being of the right type. This scheme fails this as in paragraph 143 of the Framework, the Green Belt should be protected from development and therefore land of the right types simply cannot apply.
- 3.14 I therefore weigh this benefit as low against Green Belt policy.
- 3.15 The Appellants have offered a 20% net Biodiversity Net Gain on top of an existing Green Belt site. This would have to be provided through a Unilateral Undertaking.

4. Planning Balance

- 4.1 Paragraph 142 of the Framework confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence and by protecting Green Belts, encourage the regeneration of Brownfield sites.
- 4.2 The development would be inappropriate development in the Green Belt that would be harmful to its openness, result in a degree of urban sprawl and would cause appreciable encroachment into the countryside, harm to valued landscapes, all contrary to main purposes of the Green Belt.
- 4.3 The material considerations cumulatively do not outweigh the harm to the Green Belt, and to character and appearance and as such do

not constitute VSC. I therefore respectfully request that the Inspector dismissed the appeal.