

## South Staffordshire Local Plan Examination

Respondent No: AGT 24-030-01-03

### Position Statement by Nurton Developments Ltd

#### Matter 7: Site Allocations

**Issue 3: Whether the preferred employment sites are justified, effective and consistent with national policy.**

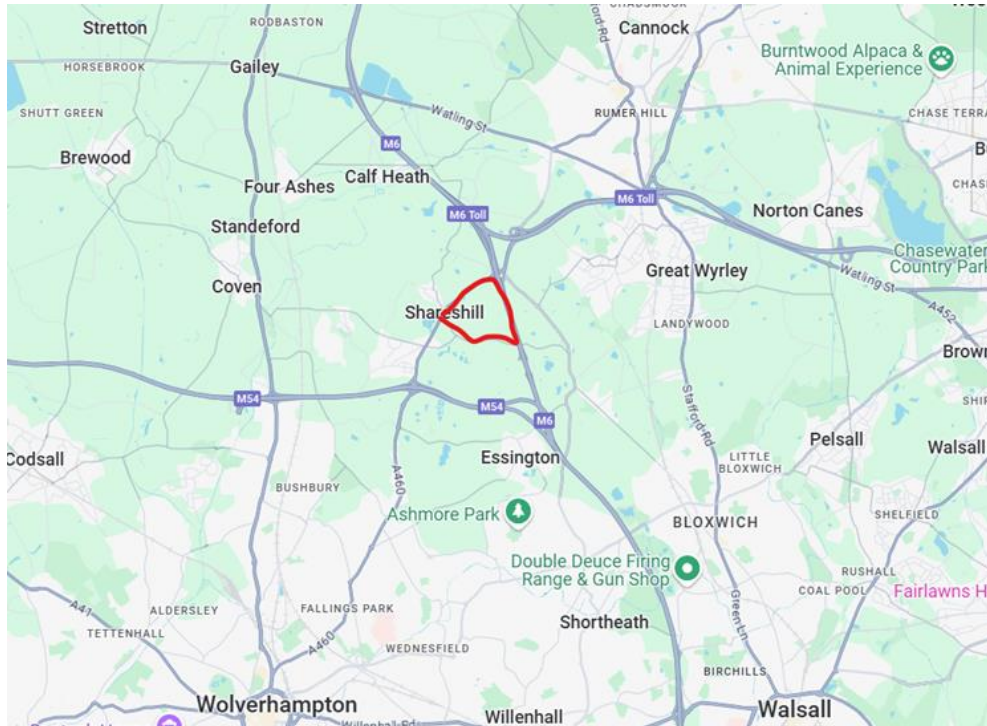
#### Summary

1. Policy SA5 allocates only one new site – land at M6 Junction 13, Dunston - which provides 17.6 ha. The remainder of the sites referred to by Policy SA5 are not new but form part of the existing land supply (i.e. those which are already allocated or consented in outline).
2. NDL does not object to the allocation of the current sites within the plan for employment. However, they are insufficient, both quantitatively and qualitatively, to meet the identified need, had this work been undertaken properly by the Council.
3. For reasons set out in its Position Statements in respect of Matters 1, 3, 4, and 5, NDL contends that the draft Plan is neither justified nor positively prepared as it fails to:-
  - Take into account and properly address the employment land needs of the whole district.
  - Contribute appropriately to the wider needs of the Black Country.
  - Properly respond to the clear recommendations of two regional studies to allocate additional strategic scale employment sites in this area.
  - Address the specific locational requirements of the freight and logistics sectors.
  - Align economic growth with planned infrastructure, with specific reference to the consented M54 M6 Link Road.
  - Identify and fill gaps in the market.
4. As matters stand the employment provision within the plan is a serious flaw and needs to be urgently reassessed. In NDL's view, there is a shortfall of at least 86.6 ha to meet local need and a further requirement of a minimum of 75ha to contribute to the shortfall in unmet need for the Black Country and respond to the identified requirement for two strategic employment sites to serve this sub-region.
5. In NDL's view (see its Position Statement to Matter 6), given the extent of the Green Belt and the lack of options outside the Green Belt to meet these needs, these amount to exceptional circumstances. These exceptional circumstances are sufficiently strong to justify the release of land in the Green Belt that is well located to meet the identified needs.
6. At present, the Plan is not sound without further work and without modifications. In this context, Policy SA5 needs to identify new sites which will fill the gap across the FEMA, both quantitatively and qualitatively.

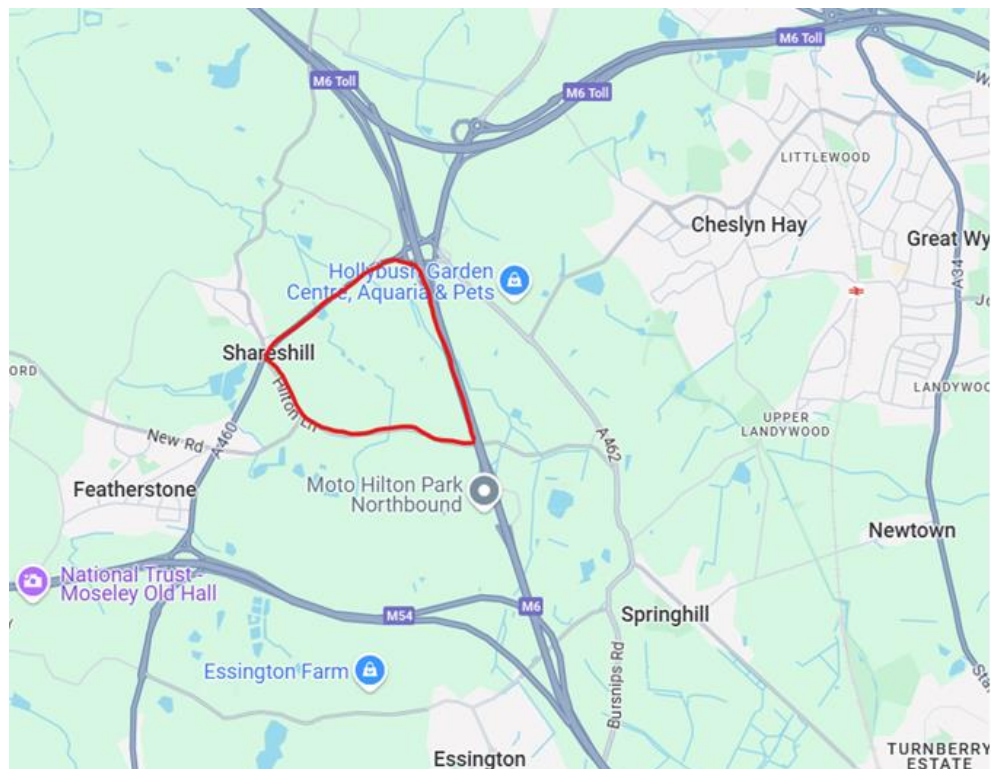
7. NDL considers that the potential strategic employment site at Hilton Park at Junction 11, M6, is best placed to help fill this gap. It is an obvious and reasonable alternative and/or is an additional freestanding strategic employment site in terms of its location, its relationship to planned infrastructure improvements (i.e. the M54/M6 link road), its achievability in market terms, and its ability to meet the criteria set out by the West Midlands Strategic Employment Sites Studies. It is well placed to meet both local need and wider strategic need for both Class B2 and Class B8 floorspace.
8. Unfortunately, this opportunity has not been recognised by the Council, despite the level and quality of technical work undertaken by NDL to demonstrate the site suitability and achievability as a strategic employment site. Moreover, NDL considers its assessment of the site (Ref No: E43 in the Employment Sites: Sites Assessment Topic Paper 2024 (the Topic Paper) and the undated South Staffordshire EDNA Part 2: Employment Land Availability Assessment) to be seriously flawed, with this being a failure of both process and judgement.

#### The Opportunity at Hilton Park, Junction 11, M6 – Omission site

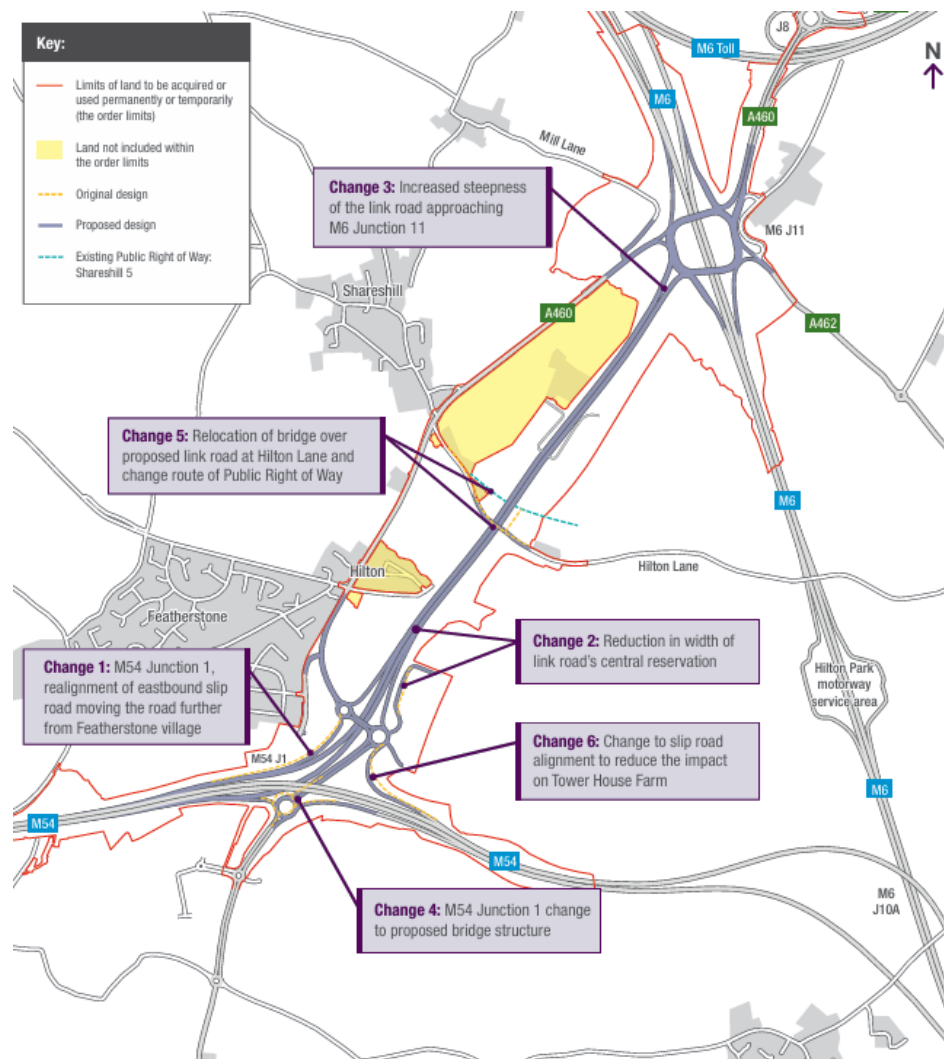
9. In market terms, the site enjoys many significant advantages. These include: -
  - Located directly to the southwest of Junction 11 of the M6 motorway.
  - Direct access to the A460, which connects to the M6 at Junction 11.
  - Easy access via the A460 to the Pentalver Rail Freight Interchange at Cannock and to the West Midlands Interchange at Gailey (Junction 12, M6).
  - Very easy access to the approved M54/M6 link road via Junction 11 M6, leading to J1 M54.
  - A location accessible to the principal settlements in the area (i.e. the Black Country, Cannock, Stafford and Lichfield), giving good reach to the local labour supply.
  - A regular shaped site with good prominence to the M6.
  - A large sized site that can readily accommodate a critical mass of buildings, ranging from 5,000 sq ft to 250,000 sq ft, totalling up to 175,000 sq m (1.9 million sq ft) across E(g), B2 & B8 uses.
10. A location plan is provided overleaf. This illustrates well its strategic location on the motorway network and its proximity to existing settlement in Wolverhampton, Walsall and Cannock.



11. A situation plan is also provided below. The boundaries to the site are marked in red. This illustrates how closely related the site is to Junction 11 of the M6.



12. The locational advantages of the site will be further improved when the proposed M54/M6 link road is built and operational. Indeed, it will probably become the best located industrial and logistics sites to the north of the Birmingham conurbation. The route of this road is shown on the consultation plan of the final changes to the scheme prior to consent being given by the Secretary of State and reproduced overleaf.



13. Preparatory works, prior to the main construction of the road, took place in Q4 2024 and the road should be operational by 2030. This link road will significantly increase road capacity on the A460 and will make Junction 11 a strong nodal point on the national and regional motorway network, providing a crossroads connection to the M54, M6 and M6 (Toll).

14. The site has a gross area of 99.23 hectares (245 acres). This reduces to 75.69 hectares (187 acres) once land acquired by the Secretary of State for construction of the DCO approved M54/M6 link road is taken into account. The actual developable area comprises 43.10 hectares on a 'net developable area basis' (106.5 acres) so as to ensure sufficient land is provided for blue and green infrastructure following detailed consideration of the constraints and opportunities the site affords and taking account of statutory requirements.
15. The site is free of major constraints. There are no obvious physical limitations or issues such as access that cannot be mitigated satisfactorily. Aside from the significant policy constraint of Green Belt, the site is not designated by the adopted Local Plan for any landscape or conservation purposes.
16. Despite the regular representations made by NDL, the Council has consistently and repeatedly refused to update its Green Belt evidence base to take account of this very significant changed status in this site as a result of the DCO. This is considered also further in NDL's Position Statement to Matter 6.
17. In August 2020, JLL (then agents for NDL) produced a Technical Note on Deliverability of the site. This was submitted to the Council. A copy of this Technical Note, and associated appendix (masterplan) and annexes (reports on ecology, transportation and infrastructure), was provided as an enclosure to the representations made to both the 2022 and 2024 Regulation 19 versions of the draft Plan (AGT 24-029-01-10, 11, 12, 13 and 14).
18. The Technical Note illustrates the opportunity for development of the site and demonstrates that the proposed scheme is exceptionally well placed in market terms and is readily deliverable. The Technical Note is supported by detailed assessment and analysis from a number of expert consultants covering transportation, drainage, ecology, utilities and services, topography, and master planning. Specifically, it addresses:-
  - The impact of the M54/M6 link road on the development of the site.
  - How to retain the more valuable ecological features of the site, mitigate for any loss, and manage a net gain in terms of biodiversity.
  - How best to drain the site using SUDs.
  - The creation of development plateaus, following a detailed cut and fill assessment.
  - Transportation and highways issues.
  - The capacity for development, with reference to an illustrative masterplan ([here](#)).
  - The feasibility of the development, with an assessment of the costs associated with necessary infrastructure, including the cost of a bridge to span the M54/M6 Link Road.
19. In addition, an independent appraisal of the site is provided by the West Midlands Strategic Employment Sites Study of May 2021. This study provides a high-level assessment of all sites then being promoted by developers as potential strategic employment sites through a call for sites exercise. This assessment looked at 31 sites greater than 25 hectares (gross) and considered criteria such as motorway/trunk road access, statutory designations, public transport, flood risk, ecology, topography and proximity to existing settlements.

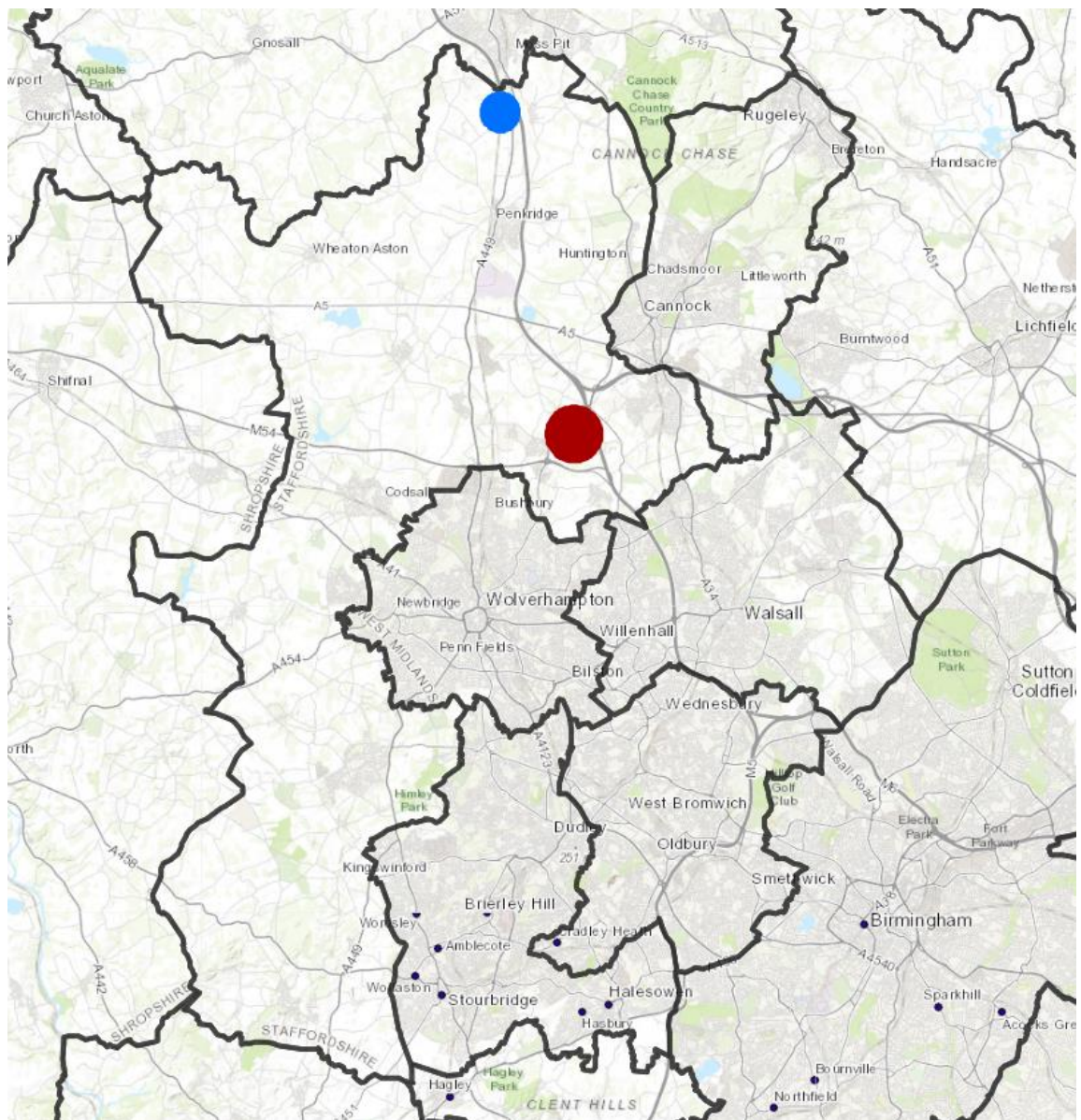


20. This assessment is summarised by Table 6.3 of the study. For ease of reference, it is produced below.

Table 6.3 – High Level Assessment of Sites being promoted by the industry (Source: Avison Young 2019)			
Site Name/Location	Site Area (Ha)	Planning Status	Score
1. Corridor 42 Business Park, J10, M42	73	Promoted for Allocation	11
2. Land at J13, M6	60	Promoted for Allocation	12
3. Birmingham International Gateway, J9, M42	129	Promoted for Allocation	11
4. Confidential	25	Opportunity	11
5. Solihull Gateway, J5/6, M42	283	Promoted for Allocation	12
6. Hilton Park, J11, M6	89	Promoted for Allocation	12
7. Confidential	127	Opportunity	12
8. Land at Great Coton, J1, M6	67	Promoted for Allocation	13
9. Land at Walsgrave J2, M6	61	Opportunity	12
10. Confidential	45	Promoted for Allocation	13
11. Land at Hinckley, A5	58	Opportunity	16
12. Confidential	100	Opportunity	13
13. Land at Gaydon, J12, M40	100	Opportunity	14
14. Confidential	36	Opportunity	13
15. Land at Brandon lane, Toll Bar End A45/46	27	Promoted for Allocation	15
16. Confidential	26	Opportunity	13
17. Land at Brickhill Farm/Stonebridge Road, J4, M6	70	Promoted for Allocation	14
18. Confidential	25	Opportunity	15
19. Confidential	51	Opportunity	15
20. Land at Acanthus Road, A435	43	Promoted for Allocation	14
21. Confidential	43	Opportunity	17
22. Land at J16, M6	70	Promoted for Allocation	15
23. Land at Curdworth, J9, M42	28	Opportunity	15
24. Confidential	100	Opportunity	18
25. Land at Ryton-on-Dunsmore, A45	50	Opportunity	17
26. Confidential	92	Opportunity	16
27. Land north and east of Ansty Park, J2, M6	57	Promoted for Allocation	18
28. Land at Hartshill Quarry	77	Opportunity	19
29. Confidential	300	Opportunity	19
30. Confidential	58	Opportunity	15

21. Scores for the assessed sites range from 11-19. The lower the score, the better the site. Hilton Park (Site No.6 and highlighted in yellow) achieves a score of 12 – one of the very best scores out of the 31 sites assessed. It achieves the same score as land at Junction 13, M6, Dunston (No.2 and highlighted in green), part of which has now been allocated by the draft Plan.

22. In NDL's view, Hilton Park represents a far better development opportunity than the proposed allocation because of its location and scale. The map below marks Hilton Park with a red dot and Dunston with a blue dot on a base showing the Local Authority boundaries.

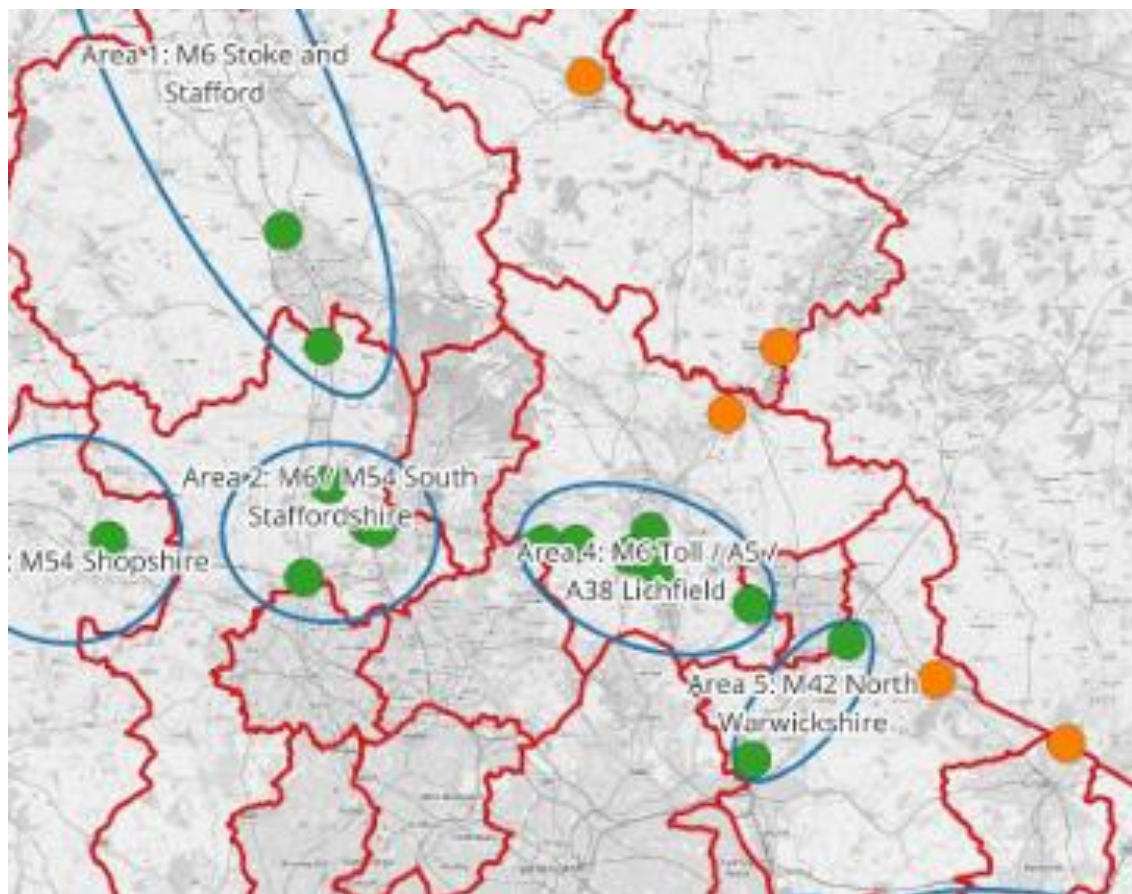


23. Hilton Park is located closer to the main centres of population and established employment areas of South Staffordshire and holds a much more obvious relationship with the Black Country and Cannock. Dunston is located on the periphery of South Staffordshire, just to the south of Stafford.

24. For these reasons, the more recent West Midlands Strategic Employment Sites Study (Iceni September 2024) actually places Hilton Park and Dunston in different areas of opportunity:-

- Hilton Park is located in Area 2; M6/M54 South Staffordshire and the Black Country.
- Dunston is located in Area 1; M6 Stoke and Stafford.

25. An extract from the Study, showing the extent of both areas, is provided below.



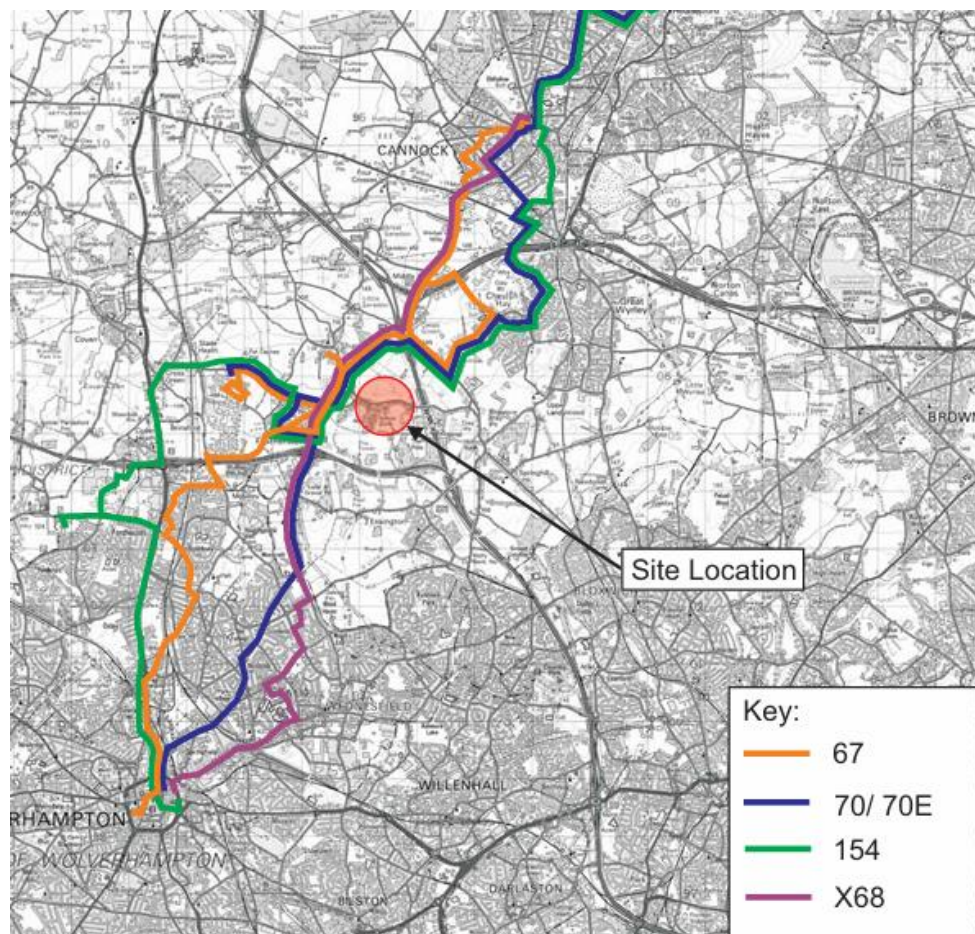
26. The plan contains a number of green and orange circles. These are not sites – indeed, there has been no site analysis (unlike the May 2021 Study). Instead, these are junctions on the motorway and strategic highway network. They have been graded in respect of highways capacity (following advice from National Highways), accessibility to labour by car and public transport, and distance to a rail freight interchange. Prior to this assessment, a number of junctions were ruled out as there was no exit from the interchange (e.g. junction of M40 and M42), there were absolute environmental constraints (e.g. Ancient Woodland), there was no obvious land parcel available for development or access was unsuitable. This acted to rule out 64 junctions, leaving 48 junctions to be assessed as either green – top 50% - or orange – bottom 50%.



27. In Area 2, there are 4 junctions, all of which are rated green. This includes M6 Junction 11/A460/A461, which is the junction which Hilton Park is situated on. The score for this junction is recorded in Table 11.3 – see extract below.

Junctions	District	Labour Accessibility		Junction Capacity	Distance to RFI	Overall score
		Public Transport	Car			
M6 J11/A460 /A462	South Staffordshire	0%	79%	50%	93%	49%

28. The score of 0% for public transport is patently wrong as four bus services route through Junction 11 and serve the site (Nos. 67, 70/70e, 154 and X68). As can be seen from the bus plan below (taken from the Transport Strategy that acted as an annex to the Technical Note on Deliverability referred to above – AGT24-029-01-13), these bus services link well the site to Wolverhampton, Cannock and areas of settlement in between. Notwithstanding this, Junction 11 of the M6 still ranks 13<sup>th</sup> out of the 48 junctions which made it through to the final sift.



29. Hilton Park also comfortably meets the criteria of the Study in terms of scale, having a developable area of 43 ha. By contrast, Dunston has a gross area of 17.6 ha – less than the threshold of 25 ha set by the Study and considerably less than the size of the site assessed by the Study (60 ha).

#### Assessment of Hilton Park by the Council

30. All sites were assessed prior to the production and consultation of the Preferred Options in November 2021. The assessments were principally carried out by the Employment Sites: Sites Assessment Topic Paper 2021 and an undated South Staffordshire EDNA Part 2: Employment Land Availability Assessment.
31. In making representations to the Local Plan Preferred Options, JLL (on behalf of NDL) considered the assessment of the obvious development opportunity at Hilton Park (Site Ref No. 43) to be superficial and contained many inaccuracies. In addition, JLL was concerned that the assessments had not taken into account information supplied by JLL about the site's capacity for development (with reference to the Technical Note on Deliverability) or the separate assessment covered by the West Midlands Strategic Employment Sites Study (May 2021).
32. A copy of the representations made at the Preferred Options stage, in the form of a response to Question 1 of the Preferred Options, is provided in AGT24-029-01-15. Particular reference should be had to the bullet points covered by Paragraph 27 of the representations. These cover aspects including:-
- Size of site.
  - Green Belt harm.
  - Constraint of M54/M6 road link.
  - Ecology.
  - Flooding.
  - TPOs.
  - Highways impact on the A460.
  - Market activity and developer interest.
  - Development constraints.
  - Accessibility.
  - Location.
33. The representations sought to provide clear information to correct obvious inaccuracies in the Council's assessment of the site and to enable a reassessment of the opportunity that JLL (and the authors of the West Midlands Strategic Employment Sites Studies) believed exists. JLL argued that, like all sites, Hilton Park has some constraints – most notably its Green Belt policy designation. However, these constraints are very substantially outweighed by the opportunities (particularly its location and scale). Moreover, NDL has demonstrated through the submission of a Technical Note on Deliverability that the constraints can be overcome through recognisable and realistic mitigation strategies.

34. On this basis, JLL concluded that the Council's assessment, as set out by the manifestly inadequate evidence base, was flawed. It represented an obvious failure of both process and judgement and to proceed further on this basis would be patently an unsound approach. It would mean that the plan failed the test of being justified and, for this reason, is not sound. By way of remedy, JLL asked for the opportunity that exists at Hilton Park to be properly reassessed in light of the technical information supplied by NDL and the assessment of the site made by the West Midlands Strategic Employment Sites Study of 2021. The Council had steadfastly declined to do this.
35. Following consultation of the Preferred Options, the Council updated its evidence base on the assessment of potential employment sites, with the production and publication of the Economic Strategy and Employment Site Assessment Topic Paper (November 2022), to support the submission of the first Regulation 19 draft Plan in November 2022. Once again, the assessment of the site was unchanged, apart from minor changes to the County Highways assessment and the conclusion, which confirms that the site is not proposed for allocation. Full representations were made by JLL on behalf of NDL in December 2022 pointing again to the deficiencies in the assessment of the site.
36. An updated Economic Strategy and Employment Site Assessment Topic Paper (April 2024) supports the new Regulation 19 draft Plan. Unfortunately, with the exception of correcting the boundary of the site on the associated map, no heed appears to have been taken by the Council of the information supplied by JLL on the suitability and deliverability of the site, including proposed mitigation of known site constraints. Its assessment remains unaltered.
37. Given the amount of information provided on the capacity and deliverability of the site for development, and particularly specific responses to site selection criteria used by the site assessment proforma, this is very disappointing. It is to be noted also that at no point has the Council sought from either JLL or NDL any clarification on any information provided or engaged in discussion on the constraints and opportunities that the site presents. In addition, at no stage has the Council given the remotest indication that it has had regard to the information provided by JLL and NDL or reassessed the site's potential in light of the information provided and representations made.
38. In conclusion, the site has not been properly assessed by the Council. This may be because the Council considers, erroneously in NDL's view, that it is not needed (despite substantial evidence to the contrary). It has also not reassessed the site – despite the major change of circumstances in Green Belt terms – following the Secretary of State's decision in April 2022 to approve the DCO for the M54/M6 Link Road. This is considered in more detail in NDL's Position Statement on Matter 6: Green Belt.
39. This is a deeply flawed approach. Had the site been properly assessed then its merits would be clear.

### Suggested Modifications

40. The plan needs to identify and allocate new sites to meet the shortfall of available development land to meet local needs. This shortfall has been identified by NDL to be at least 86.6 hectares.
41. In addition, South Staffordshire needs to work collaboratively with the Black Country local planning authorities and Cannock Chase Council to ensure a sufficient quantity and quality of employment development is brought forward to meet wider employment needs of its FEMA. This should include freestanding strategic employment sites, given the lack of such sites serving the Black Country and following the recommendations of the West Midlands Strategic Employment Sites Studies of 2021 and 2024.
42. Hilton Park, at Junction 11, M6, is an obvious candidate for a new freestanding strategic employment site to be allocated. It is well located, is closely related to planned infrastructure improvements (i.e the M54/M6 link road) and has scale. It provides a developable area of 43 hectares and could be delivering new industrial and warehouse units by 2030. It is well suited to meet both local and wider market needs and was ranked very highly by the West Midlands Strategic Employment Site Study of 2021 as a potential new strategic development opportunity.
43. This development opportunity should be reassessed by the Council prior to allocating additional sites, through Policy SA5, to meet fully the needs for new employment development land for the district.

PJL

10 April 2025