

South Staffordshire Local Plan

Examination in Public

Matter 6 Statement on behalf of Bericote

April 2025

Land at Gravelly Way and Vicarage Road, Four Ashes

“Bericote Four Ashes” and previous site references E51a and E51b

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1. Introduction

- 1.1 Bericote is a specialist logistics developer with almost 20 years of successful track record in the provision of logistics buildings, and transforming brownfield and infill development sites across the UK. They control sites E51a and E51b at Four Ashes.
- 1.2 They are concerned that the Plan is unsound as drafted, on the following grounds that are relevant to this hearing session:
- 1) The impact of West Midlands Interchange (Site E33) on the Green Belt has not been properly considered. The WMI development will fundamentally undermine the extent to which Bericote's site performs the "encroachment" Purpose; and will completely undermine the essential characteristic of Green Belt land being expected to remain open. This undermines the "fundamental aim" of Green Belt policy¹.
 - 2) Once WMI is built, the Bericote sites at Four Ashes will be surrounded by major industrial units. Even with WMI left in the Green Belt, it will still be a major urbanising influence that undermines the purpose of the designation, and the extent to which the Bericote sites can perform their essential functions as a retained area of Green Belt.
 - 3) The Bericote sites:
 - a. Will not perform any of the Five Purposes of including land in the Green Belt, and
 - b. it will not be necessary to keep them open: Leaving them designated will simply result in pressure to release them in the future- undermining the permanence of the Green Belt boundary expected by NPPF 142.
 - 4) The inclusion of land in the Green Belt which is not necessary to keep open; undermines permanence, and; which does not perform any Green Belt Purposes brings the Plan, as drafted, out of alignment with National Policy, and thus the soundness test set out at NPPF 35 d).
- 1.3 Bericote are also concerned that there is no choice and flexibility in the supply of Employment Land. This will be addressed in detail during Matter 7, but is relevant to the question of exceptional circumstances as follows:
- a) There are only 2 sites available for small to mid-box logistics units- at ROF Featherstone (Site E18) and the proposed new allocation at J13, Dunstan (Site E30).
 - b) These alone are not adequate to provide suitable levels of choice and flexibility for occupiers in the mid-box market. Bericote have signed an agreement with an occupier that needs space and which will not locate to either of these sites due to timing, scale and programme concerns. This is just one occupier. There will be many others over this 18 year plan period who will not wish to locate to either of these sites for locational, commercial or operational reasons. More choice is needed.

¹ As expected by NPPF (December 2023) para 142. It is Bericote's understanding that this EIP will rely on the December 2023 version of the NPPF due to having been submitted before 12 March 2025

- c) The above assumed that both site actually deliver. There are ongoing deliverability concerns around ROF Featherstone, which provides the majority of the supply for B8 development (36Ha) outside WMI. This site has been allocated for nearly 30 years and is still not developed. Whilst permission was granted in October 2022 and actions are being taken towards delivery, there remains a deliverability concern at Featherstone, as a result of the expensive infrastructure needed to open up the site. It is looking like that site will have its planning position preserved. That, however, is different to actually being delivered and offering space to occupiers.
 - d) The Bericote sites are the 7th and 8th best performing employment sites in the District, as analysed by the Council² and forms a natural extension to the first phase of development at Four Ashes Park.
 - e) Site E30 is the 14th best performing site in the District, as scored by the Council³. It is less market attractive, less sustainable and does not fulfil strategic planning considerations as well as the Bericote sites. Allocating site E30 in preference to E51a and E51b is illogical and counter to the employment land evidence supporting this Plan.
 - f) Irrespective of the delivery concerns, scoring issues and relative merits of these sites: The supply for this part of the market is extremely limited. Having just two sites available (in a best case scenario) for a market segment where there is acknowledged demand is both inflexible and inadequate to meet local needs.
- 1.4 The evidence base is clear that the Bericote sites are equal to, or better then, employment sites that are proposed for allocation. It is also clear that the Bericote sites will perform no meaningful Green Belt function now that WMI is being delivered.
- 1.5 Bericote consider that the Plan, as currently drafted, is unsound. This could be rectified by removing both Bericote's site from the Green Belt and allocating site E51a for employment purposes and leaving E51b undesignated, to provide permanent biodiversity gain and landscaping.

² Document EB42: Appendix C ELAA Site Scores, April 2024 Topic Paper

³ *ibid*

2. Question 1

What proportion of the District is currently designated as Green Belt? How would this change as a result of the proposals in the Local Plan? What proportion of new housing and employment proposed in the Plan would be on land currently designated as Green Belt?

2.1 No comment

3. Question 2

The National Planning Policy Framework identifies that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries a strategic policy making authority should be able to demonstrate that it has fully examined all other reasonable options for meeting its identified need for housing. Have all opportunities to maximise the capacity on non-Green Belt land been taken? As such:

How has the Council sought to make as much use as possible of suitable brownfield sites and underutilised land?

Has the potential for development in the urban area, the use of previously developed land and increased densities been optimised including locations well served by public transport?

Has the Council assessed whether there is any realistic potential to accommodate some of the development needs of the district in other authority areas, reducing the need to alter the Green Belt? How has this been assessed/ investigated?

The need to promote sustainable patterns of development.

Where is this evidenced?

3.1 No comment

4. Question 3

How has the assessment of Green Belt land informed the Local Plan and specifically proposals to alter the Green Belt to accommodate development needs?

- 4.1 Bericote are concerned that the Green Belt Assessment has not been used effectively. The Council has failed to identify land which no longer performs Green Belt purposes, and which is no longer required to be kept permanently open. It has therefore missed an opportunity to meet development needs on sites which are higher scoring than others that are proposed for allocation.
- 4.2 Bericote acknowledges that no exceptional circumstances are required to justify the release of the additional employment site at Dunston, making it a more straightforward strategic choice for the Council. However, Bericote is concerned that this leads to the allocation of a site which, based on the Council's own scoring, performs less well than Bericote's sites.
- 4.3 In doing so, the approach fails to reflect both the conclusions of the site-scoring exercise and the inevitable impact of West Midlands Interchange on Green Belt purposes.
- 4.4 As will be discussed under Question 4, Bericote considers that their land does not perform any meaningful Green Belt purpose. This is based on the Council's own scoring of the site, and considers the impact of West Midlands Interchange on physical encroachment in this Parcel area.
- 4.5 Encroachment (Purpose c)) is the only Purpose where the Council assessed Bericote's sites as making any contribution. However, with the consent and ongoing development of West Midlands Interchange, the encroachment their sites were meant to prevent has effectively been secured. As a result, Bericote's site will be isolated within an increasingly urbanised landscape, further undermining its continued designation as Green Belt.
- 4.6 As will be discussed in Question 5, Bericote consider that there are exceptional circumstances which justify further releases from the Green Belt in this area. This is essentially due to lack of choice and flexibility in the supply of employment land.
- 4.7 Bericote consider that the Green Belt assessment, when combined with the employment land supply evidence, has not been considered holistically.
- 4.8 Whilst there are inevitably matters of planning judgement and strategic direction to be considered; it seems illogical to conclude that sites which
- (a) No longer perform any Green Belt Purposes; and
 - (b) are amongst the best scoring employment sites in the District;
- should not be allocated for development.
- 4.9 Bericote will expand on these points in more detail under the relevant questions.

5. Question 4

How has the Council assessed the suitability of land parcels and their contribution towards the purposes of including land in the Green Belt?

- 5.1 Bericote are concerned that the Council's overall decision making approach is not driven by the evidence.
- 5.2 NPPF is very clear that Planning Authorities should:
- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;*
- b) not include land which it is unnecessary to keep permanently open;⁴*
- 5.3 The current approach results in an inconsistency between:
- a) The Plan's strategy - to allocate WMI and make best use of the future development of that SRFI project,
- and
- b) The Green Belt boundary- which now includes 8m sqft of industrial development in the Green Belt, and therefore includes land which can no longer be kept permanently open.
- 5.4 This approach conflicts with national guidance and thus suggests a failure against Soundness Test d) "Consistent with national policy".
- 5.5 The Plan's evidence⁵ finds the following contributions to Green Belt Purposes for the WMI and Bericote Parcel, with associated mapping provided at Appendix 3 of the LUC Green Belt Study:

Purpose	Score
Check unrestricted sprawl	Weak / No Contribution
Prevent neighbouring towns from merging	Weak / No Contribution
Safeguarding the countryside from encroachment	Strong, as the site does not have a stronger relationship with the urban area than the wider countryside.
Preserve the setting and special character of historic towns	Weak / No Contribution

⁴ December 2023 NPPF 148 a) and b)

⁵ Document EB18b: 2019 LUC South Staffs GB study Appendix 3: Stage 2 Harm Assessments parcel S32E

Purpose	Score
Assist in urban regeneration	Strong - although this is applied to all areas of existing Green Belt, and so is not a differentiating factor.

- 5.6 The Plan's evidence base considers all parcels to make equal contributions to the "urban regeneration" purpose, so the only purpose which is assessed as being fulfilled by this wider parcel is "safeguarding against encroachment". This purpose is aimed at halting the gradual advancement of the urbanised area into the countryside- which is a fundamental purpose of the Green Belt. The parcel scores well simply because it is Green Belt, and the same analysis is delivered for most of the Plan area.
- 5.7 Once WMI is developed, that encroachment will already have occurred in the vicinity of the the Bericote sites. Whether or not WMI is technically within the Green Belt, when developed, the Bericote sites will no longer perform any role in safeguarding against encroachment. They will simply be island sites in the middle of an Industrial Estate/ Logistics Park. The encroachment will have occurred.
- 5.8 Based on the Council's scoring of the Bericote sites (see Table at 5.5 above), once the WMI site is developed, Bericote's sites will no longer perform any Green Belt purpose.
- 5.9 The fundamental objectives of the Green Belt- to prevent urban sprawl, keep land open and to be permanent⁶- will no longer apply to the Bericote sites. The enclosure of the sites by WMI completely removes their contribution to Green Belt purposes:
- Site 51a - The Gravelly Way site, will be an isolated island within a large industrial area, unconnected to any other open land.
 - Site 51b - The Vicarage Road site will be surrounded by industrial development on three sides, with only a tenuous link to open land. More importantly, retaining it as Green Belt confers no meaningful benefit; it merely prevents logical infill development from taking place between Four Ashes Industrial Estate and West Midlands Interchange. The Council's own evidence confirms that there is no risk of settlements merging in this location, reinforcing that its continued Green Belt designation serves no practical purpose.
- 5.10 Bericote consider that it is illogical to leave any of these sites (WMI / E33, E51a and E51b) in the Green Belt when they do not perform any Green Belt function.
- 5.11 That said, the simple development of WMI (rather than its Green Belt status) is what undermines the performance of sites E51a and E51b.
- 5.12 Retaining the Bericote sites in the Green Belt would not comply with the following elements of National Policy:

⁶ December 2023 NPPF 142

- (a) It will not prevent urban sprawl, as required by NPPF 142⁷
 - (b) It would not serve any of the five purposes set out at NPPF 143
 - (c) Site E51a will be surrounded by industrial development on all sides and E51b will be surrounded on three sides. As a result, it will no longer be necessary to keep either site permanently open, as required by NPPF 148 b)
 - (d) There will be pressure, both now and in future Plan reviews, to release this land as it does not perform any Green Belt purpose. Therefore, it will contribute to pressure on, and thus reduced permanence of, Green Belt boundaries in the long term. Permanence is required by NPPF 142 and NPPF 145.
- 5.13 In order to change Green Belt boundaries, national policy expects the demonstration of exceptional circumstances. This is considered under Question 5.
- 5.14 The current Green Belt boundaries are not considered to be Sound as they fail the following soundness tests:
- b) Justified** – Retaining these sites as Green Belt is not an appropriate strategy. The removal of the Green Belt notation is justified by existing evidence on the lack of performance of any meaningful Green Belt function; the impact of WMI on that assessment; and the failure of this area against the fundamental purposes of having Green Belt (openness, permanence and preventing urban sprawl). A reasonable alternative would be to remove the sites from the Green Belt and thus ensure that they- collectively- have the best ability to meet local economic needs in a flexible manner.
- d) Consistent with National Policy** – The retention of these sites as Green Belt does not meet current national policy- in particular relating to the need to maintain the openness of this land; the need to prevent urban sprawl (which will occur by virtue of the WMI DCO approval); the need to secure permanence of Green Belt boundaries, and; the need for Green Belt to meet the Five Purposes to some degree. Fundamentally, these sites do not meet any of the criteria expected of Green Belt land. Leaving them designated as such is illogical and unreasonable.
- 5.15 These concerns would be rectified if the Bericote sites are removed from the Green Belt and allocated for development.

⁷ NPPF as published 27 March [\[ARCHIVED CONTENT\] National Planning Policy Framework - GOV.UK](#)

6. Question 5

Are there exceptional circumstances to alter the Green Belt in the district in principle? If so, what are they? If not, how could housing and employment requirements be met in other ways?

- 6.1 Bericote consider that there are exceptional circumstances. Elements of this analysis are considered further in Bericote's Matter 7 statement.
- 6.2 The exceptional circumstances topic paper (Document EB16), at paragraph 6.3, offers a cursory review of the need to release Green Belt to meet employment land needs. The key points are:
- West Midlands Interchange is within the Green Belt but can come forward in line with its Development Consent Order and, therefore, there is no need to amend boundaries.
 - Other employment sites are outside the Green Belt, or within a development boundary.
 - The Council can meet its own need, as well as contributing to needs outside the plan area; and so:
 - There are no exceptional circumstances needed to release Green Belt for employment land.
- 6.3 However, Bericote are concerned that some of the employment land supply is not suited to "mid-box" logistics, has deliverability concerns and is not available to this sub-sector of the market:
- (a) ROF Featherstone (site E18) was allocated in 1996 and is reliant on expensive infrastructure. Whilst progress has been made on reserved matters for part of the site, and also discharging conditions; there remains a material risk that it will not deliver. The ability to apply for the outstanding reserved matters will expire in October 2025; and the fully consented area will expire in November 2025 if not implemented. It is known that there are delivery concerns despite the progress being made, and this has resulted in occupiers looking elsewhere.
 - (b) A site outside the Green Belt (E30) has been allocated, despite being a poor performing option compared to the Bericote sites. The lack of Green Belt designation seems to have driven this, but the site is not one of the better performing employment sites. This creates a disparity between the employment land and Green Belt evidence.
 - (c) WMI (E33) doesn't have units smaller than 200,000sqft, with only 3 units being between 200,000sqft and 300,000sqft⁸. Essentially this is for bigger rail connected

⁸ [The Development | West Midlands Interchange](#)

occupiers; and will contribute little to local market churn, or smaller businesses looking to locate here to support WMI.

(d) Sites E44 and E24 (i54) are restricted to light and general industrial uses only.

- 6.4 There is a highly restricted supply of land which is suitable to meet small to mid-sized B8 requirements across the 18 year Plan Period. Despite there being a (broadly) sufficient supply in quantitative terms- aided by the considerable scale of WMI- there are qualitative limitations which mean that smaller and local businesses have a very limited choice. They can either go to Featherstone or Dunston (if these sites can offer a foreseeable delivery date to occupiers).
- 6.5 As a worked example, Bericote have signed an agreement with an occupier in the food industry wanting to invest in a state-of-the-art mid-box multi-unit hub at Four Ashes Park. No other local site can meet their requirements in terms of timing, scale, and programme. This opportunity would represent an investment of £150m into the local economy along with c120 new jobs including high tech operational roles. Additional Employment during the construction phase would be circa 200 hundred people, using local suppliers where possible. This is a fully ESG-compliant scheme and will support the government's national strategy to achieve food supply security and food safety. This occupier cannot locate to either of the sites proposed for allocation.
- 6.6 These qualitative limitations mean that:
- Local businesses, looking for small to medium B8 buildings, have a very limited choice. Even if Featherstone does deliver, the choice is extremely limited, with just 2 sites potentially available.
 - The potential to maximise the local economic benefits of WMI, for local businesses, is reduced- they can't locate on the WMI site; and if they can't reach suitable commercial terms/ delivery timescale with Featherstone or Dunston, they will have nowhere to go.
 - The opportunity to stem out-commuting, through the provision of sites which meet local business needs will not being achieved.
- 6.7 This is contrary to NPPF 86 d)⁹, which expects policies to be flexible enough to accommodate needs not anticipated in the plan, allow for new working practices and to enable rapid changes of response to economic circumstances.
- 6.8 The Plan evidence clearly shows that logistics and warehousing is a strong market locally' The 2022 ENDA notes low losses of space and a lack of "grow on" space in the 25,000-100,000sqft range¹⁰. It also notes¹¹ that:

⁹ December 2023 NPPF

¹⁰ See 2022 EDNA paras 0.28; 0.29, Table 21 "recent performance" response summary, page 73 and Table 21 "gaps in provision" response summary, page 74

¹¹ 2022 EDNA Table 21 "gaps in provision" response summary, page 74

In particular, there is a lack of medium-sized 'grow-on' units (25,000-100,000sqft) within South Staffordshire

6.9 Given that there is an acknowledged gap in supply; providing 2 constrained sites is clearly not enough choice or flexibility to meet needs. This results in issues around national policy compliance:

- NPPF expects account to be taken of both local business needs and wider opportunities for development (NPPF 85) and to allocate for both local and inward investment (NPPF 86b).
- The Plan is over providing for strategic needs and under providing for local needs- on a qualitative basis, and in terms of site choice and availability.
- The approach adopted to providing employment land should counter any weaknesses and address the challenges of the future (NPPF 85). Currently, the supply does not address market needs for small to medium operators, which is a weakness now¹², and likely to increase now WMI is being developed¹³.
- The land supply should also be flexible enough to meet unanticipated needs (NPPF86 d). It is likely that the supply is flexible enough in terms of quantum. However, there are qualitative deficiencies that need to be considered should any changed circumstance mean that a greater local need arises. This is particularly the case for the mid-box market, where it is foreseeable that:
 - WMI could change market dynamics and encourage local growth which generates a greater need for smaller and mid-box provision. Currently, these could only locate to two proposed sites.
 - The Last Mile market is expected to grow considerably, with consumer demand rising and quicker delivery being a continued consumer expectation.
 - Mid-box provision is limited across the UK, with demand considerably suppressed across the regions¹⁴. Demand is increasing due to
 - e-commerce growth;
 - increasing trade flows, meaning more need to sort, package and distribute products; and
 - rising housing demand which drives consumer spending.

The Potter Space / Savills research on this market suggests that the West Midlands mid-box market is undersupplied by some 41%; meaning that

¹² As noted in the EDNA quoted above

¹³ As a result of greater supply chain and service opportunities for occupiers that can't reach the minimum unit size of WMI itself.

¹⁴ [BIG things in SMALL boxes 2024 Report.pdf](#)

businesses are “making do” with the space that exists. The market has constrained supply across the board at 4.9% availability which limits availability, pushes up competition and limits business growth.

- 6.10 There are key national policy expectations which are not being addressed by the proposed approach to employment land delivery. This results in a soundness concern around Consistency with National Policy (NPPG 35 d)).
- 6.11 It is clear that there are exceptional circumstances that would justify a release from the Green Belt in order to address wider supply side issues, and ensure that the plan meets the expectations of the national policy in place at the time of submission.
- 6.12 It is also worth considering whether it would be sensible for the Council to future proof the plan against potential Grey Belt applications. The Sheffield Local Plan Inspector has directed the Council to consider potential additional sites from the Green Belt to meet needs. In their interim letter¹⁵, they have suggested that:

“Although the plan is being examined under transitional arrangements, the Council might also wish to ‘future proof’ its Green Belt evidence by identifying and appraising land which is defined as Grey Belt under the NPPF 2024.”

- 6.13 Whilst it is accepted that the South Staffordshire Plan is not at the same stage, the Sheffield Plan is also being examined under the transitional arrangements, and it is inevitable that the issue of Grey Belt will be raised- either through this examination, or through planning applications that the Council may prefer had been considered through the forward planning route.
- 6.14 For the record, and given the analysis of performance against Purposes, the lack of environmental designation and the clear lack of provision for proposals in the market sector being pursued by Bericote; they consider that their sites do fall within the definition of Grey Belt and therefore it’s development would be appropriate in the Green Belt.

¹⁵ [017f5b dbc0af5e387f4bf48ee6f47ca0332559.pdf](#)

7. Question 6

Are there exceptional circumstances to justify the release of Green Belt land for development in Tier 2, 3 or 4 settlements?

7.1 No comment

8. Question 7

Do the Plan's strategic policies set out the scale and need for the release of land from the Green Belt as required in the National Planning Policy Framework?

- 8.1 Yes. However, as noted above, Bericote are concerned that they do not provide enough flexibility to address the site-specific issues presented by either:
- (a) The limited land supply available for the mid-box market generally, or
 - (b) The foreseeable change in this market over the Plan Period; Where growth can reasonably be predicted; where demand is suppressed; where supply is already below equilibrium levels, and; where major developments (ie West Midlands Interchange) have potential to change the demand profiles in the market.
- 8.2 The presence of considerable capacity at WMI is not a satisfactory answer to this concern.
- 8.3 The units consented at WMI are large scale and will not be able to be delivered in a form that helps to meet this local demand for mid box logistics provision. The retention of WMI in the Green Belt also undermines the ability of that site owner to amend their permission, such that smaller units could be delivered. Currently the smallest unit on the site masterplan is 200,000sqft, so considerably above the small to mid-box market in question.
- 8.4 Bericote consider that, without additional land being made available for this sub sector of employment need, the plan fails the "justified" soundness test (NPPF 35 b)) for the following reasons:
- i. Failing to provide an alternative which can accommodate the foreseeable issues with the delivery of the proposed land supply is clearly not an appropriate strategy.
 - ii. It does not consider the reasonable alternative of allocating the Bericote sites to help address the shortfall.
 - iii. Equally, the current strategy is not based on the available evidence- sites which perform considerably worse than the Bericote sites have been selected for allocation.
- 8.5 It would also fail the "positively prepared" soundness test (NPPF 35 a)) as it will not meet the area's objectively assessed needs. This is because there are known deliverability constraints with one of the main employment allocations in the Plan, which has failed to deliver for nearly 30 years. Whilst progress on planning consents does appear to have been made at Featherstone - it has not been commenced , and the road does not appear to have attracted the required funding.
- 8.6 Whilst Bericote accept that Featherstone should continue to be allocated, as this is the only practical way to help make it happen, the Plan fails to positively plan for:

- a) The inevitable shortfall against employment land needs resulting from the potential continuation of failure of Featherstone to deliver; the existing suppressed demand and low availability of sites; and thus;
- b) Failing to provide a strategy which meets the area's objectively assessed needs.

8.7 Bericote therefore consider that there is a soundness issue with this element of the plan, which could be rectified by removing both of Bericotes sites from the Green Belt, and allocating site E51a for employment uses.

9. Question 8

Are all detailed amendments to boundaries to the Green Belt clear and addressed in the evidence?

9.1 No comment

10. Question 9

Is the Council's approach of retaining Gypsy, Traveller and Travelling Showpeople sites within the Green Belt sound?

10.1 No comment

11. Question 10

Should the Local Plan identify safeguarded land?

- 11.1 Bericote are concerned that ROF Featherstone will not deliver. This is based on solid evidence of previous failure; a history of being allocated for nearly 30 years, and having a permission which will shortly expire, there remain issues around the expensive road infrastructure, which strongly suggests that there remains an issue for delivery on this site.
- 11.2 As discussed in Questions 5 and 7, there is also the issue of suppressed demand and poor existing availability in the small to mid-box market. This is recognised in both the 2022 EDNA and third party research¹⁶.
- 11.3 Bericote consider that their sites E51a and b should be removed from the Green Belt, and site 51a should be allocated for employment development.
- 11.4 However, they would also consider it to be appropriate to safeguard these sites, pending further evidence of delivery at Featherstone or issues of unmet demand that occur during the Plan Period. Should site availability issues continue, then the release of safeguarded employment site may help to compensate for the inevitable under delivery of local scale / mid-box logistics development in the Plan area.

¹⁶ [BIG things in SMALL boxes 2024 Report.pdf](#)

12. Question 11

Are any amendments required to the wording of Policy DS1 for soundness?

- 12.1 No comment. This is a generic Green Belt Policy which appears to generally accord with the NPPF.

13. Question 12

Are the provisions of Policy DS2 on Green Belt Compensatory Improvements clear, justified and consistent with national policy and will it be effective?

13.1 No comment.