

APPEAL REF: APP/G4620/W/24/3341688

Appeal by Wain Estates (Land) Ltd



Land adjacent to Q3 Academy Wilderness Lane, Great Barr, Birmingham

LPA Ref No: DC/23/68822

PROOF OF EVIDENCE

Landscape, Visual and Green Belt matters.

██████████, B.A (Hons). MPhil, FLI

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1.0 INTRODUCTION

- 1.1 My name is ██████████. I have a BA (Hons) degree and a Master of Philosophy degree (MPhil) in Landscape Design from Newcastle University. I am a Fellow of the Landscape Institute and a Director in FPCR Environment and Design Ltd. I have been a partner/director of the practice for over 24 years and have over 36 years' experience of landscape and development projects from initial conceptual design through to final completion and long-term aftercare. I am a Professional Practice Assessor and a member of the Membership Admission Panel on behalf of the Landscape Institute. I am also a registered Assessor with Building with Nature (BwN) which is an initiative developed by the Gloucestershire Wildlife Trust to raise the standard of multifunctional Green Infrastructure.
- 1.2 I have been involved with the appeal site since March 2020 when we were asked by Himor (now Wain Estates) to advise on landscape matters in relation to the site. I was involved in the production of the landscape material submitted with the application.
- 1.3 The Landscape Masterplan Plan for the scheme is included for ease of reference at Appendix 1, along with a visual of the development, including the Countryside Park, and images of the type of place Wain Estates envisage the Countryside Park will be.
- 1.4 The evidence which I have prepared and provide for this appeal reference is true and has been prepared and is given in accordance with guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 BACKGROUND AND CONTEXT

The Planning Application

- 2.1 The Framework Plan (CD 7.34) and the Design and Access Statement (CD 7.3) have been developed in response to the constraints and opportunities presented by the site. These include the landscape of the site itself and its settlement context.
- 2.2 The application (Ref DC/23/68822) was submitted to Sandwell Metropolitan Borough Council. The proposals (subject to this appeal) sought Outline Planning Consent (with the exception of access) for residential development of up to 150 dwellings (including 40% affordable housing), a countryside park and associated works.
- 2.3 The application was refused planning consent on the 17 January 2024 and there were 2 reasons for refusal. Reason 1 is relevant to my proof of evidence and are repeated below.
- (i) The proposal is contrary to paragraph 11(d) of the adopted National Planning Policy Framework (NPPF) in that the development is on land designated as Green Belt land, the proposal is considered inappropriate this this location and the applicant has been unable to demonstrate very special circumstances as to why this policy should be set aside. The harm resulting from the proposals would not be outweighed by other considerations. Therefore paragraph 152 of the NPPF is clear that the planning application should be refused.*
- 2.4 This reason for refusal is addressed in my proof of evidence, in relation to landscape and visual matters.
- 2.5 The assessment approach FPCR follow is tried and tested. This has been accepted by Inspectors at numerous appeals. The assessment of potential effects on both landscape character and visual

resources set out in my proof follows the methodological approach set out in the latest Landscape Institute Guidelines (Edition 3, 2013), known as GLVIA3. The figures I have prepared are at Appendix 2 and the assessment methodology and criteria are set out in the LVIA at CD 7.21.

2.6 In terms of the basis for my assessment I have relied on the following plans which were submitted for approval as part of the application

- Site Location Plan (9364-FPCR-XX-ZZ-DR-L-0009-P03-Location Plan)
- Development Framework Plan (9364-FPCR-XX-ZZ-DR-L-0010-P10-Framework Plan)
- Building Heights Parameter Plan (9364-FPCR-XX-ZZ-DR-L-0013-P01-Building Height Parameters)
- Access Plan General Arrangement (07381-CI-A-0001 Rev PO2)

2.7 The Illustrative Masterplan (09364-FPCR-XX-ZZ-DR-L-0012) was also submitted as part of the application, not for approval but to indicate how the site could be developed in the future. This includes suggestions for the Countryside Park.

Scope of evidence

2.8 The Inspectors Pre Conference Note indicted what the Main Issues are likely to be. These included,

- the effect of the development on the openness and purposes of including land within the Green Belt;
- the effect of the development on the character and appearance of the area;

2.9 In my evidence, I will focus on the effects on the character and appearance of the area, the effects on Green Belt matters and whether the effects can be mitigated. I will set out the likely changes arising through the proposed built development and the establishment of the Countryside Park. I examine Green Belt matters in so far as they have landscape and visual elements.

2.10 My evidence should be read in conjunction with the evidence of [REDACTED] who covers overall Planning and Green Belt matters including Very Special Circumstances, and [REDACTED] who covers ecological matters. Whilst not directly relevant to my proof [REDACTED] covers affordable housing and [REDACTED] covers housing land supply.

3.0 THE PROPOSED SITE – LOCAL CONTEXT AND CHARACTER

The site and context

3.1 The site is located on the north-western edge of Great Barr, Birmingham, and lies to the south of the A34 Birmingham Road and to the north-east of Wilderness Lane.

3.2 The Context Plan (Figure 1) and the Aerial Photograph (Figure 2) At Appendix 2, illustrate the site and its surrounding landscape and urban context.

3.3 The field compartments are generally irregular in shape under grassland and comprise outgrown hedges with some hedgerow trees. There is no woodland on site, though some blocks of trees lie immediately to the west within the grounds of the Aston University sports facilities. There is no public access to the site and fairly limited public views into it. Land west of the site comprises Aston University sports facilities and some areas of scrub and woodland accessed from the A34

Birmingham Road. There are also a range of buildings and built sports facilities, and the area has a very managed character.

- 3.4 Land east of the site comprises 20th century residential development, with mainly semi-detached and short terraced properties, mostly with sizable gardens. Properties on Peak House Road generally back onto the site and properties on the southern side of Wilderness Lane, front onto the site.
- 3.5 The Q3 Academy, with a range of academic buildings and sports facilities/external space lies immediately to the south and to the north runs the A34 Birmingham Road beyond which are located residential properties.

Wider Landscape Context

National Character Area (CD 6.12)

- 3.6 The site lies within National Character (NCA) 67 ‘*Cannock Chase and Cank Wood*’. This NCA stretches from Halesowen in the south to Stafford to the north and therefore covers a very extensive landscape area. The NCA profile has now moved to a web based resource. Extracts from this are provided at CD 6.12. The key characteristics of this NCA are set out in the LVA CD 7.20 from paragraph 4.2.
- 3.7 The National Character Area also sets out three Statements of Environmental Opportunity. These are repeated below,
 - *SEO 1: Expand lowland heathland to increase habitat connectivity, improve resilience to climate change and improve water quality.*
 - *SEO 2: Manage, enhance and expand the network of green infrastructure, such as woodlands, restored mining sites, parklands and canal routes, to increase biodiversity, access and recreational use and increase understanding of the area’s rich industrial heritage, particularly geodiversity.*
 - *SEO 3: Conserve and enhance the essential character of this varied landscape, which includes the Cannock Chase Area of Outstanding Natural Beauty, the Forest of Mercia and the urban conurbation of the Black Country, to maintain food and timber production where possible; enhance landscape, sense of place and tranquillity; and increase resilience to climate change.*
- 3.8 SEO 2 is of particular relevance to the appeal proposals, in particular the provision of the Countryside Park.
- 3.9 Examples are given in the NCA Profile of examples of measures that can be provided to meet SEO 2, and these are set out below (not all are repeated). I have emboldened measures of particular relevance to the appeal scheme.
 - **Reinforcing and expanding the existing green infrastructure network** of open spaces, parks, farmland and countryside, woods, wetlands, reclaimed sites and access routes throughout the Black Country, the wider urban area, the adjoining urban fringe and in and around the freestanding towns.
 - Taking advantage of opportunities to enhance educational access, particularly to nationally important geodiversity sites.

- Conserving and managing the outstanding geodiversity interest, particularly at the area's eight geological Sites of Special Scientific Interest (SSSI) and within the Black Country and identifying opportunities to enhance the geodiversity resource linked so closely to the area's cultural heritage.
- **Retaining and enhancing the biodiversity value of urban areas** and expanding and improving habitat connectivity.
- Increasing the extent of native woodland and managing existing woodlands, for example as a source of wood fuel, to improve landscape, increase recreational opportunities, increase carbon storage for climate regulation and improve water filtration to the underlying aquifer for water quality.
- **Creating new wetlands**, enhancing existing watercourses and ensuring public access to these features **as part of sustainable urban drainage systems in urban areas and close to new developments**.
- **Managing and expanding access to the networks of rights of way**, cycle routes, canal towpaths and access land and enhancing recreational opportunities.
- **Maintaining and improving** the existing rights of way network and the Staffordshire Way, Heart of England Way and **Beacon Way long-distance routes**.
- **Planning new or improved links between urban areas and the wider countryside** or major open spaces within or near the conurbation such as Sandwell Valley, Barr Beacon, Sutton Park and Chasewater.
- **Improving access to a wider range of local sites** so as to reduce recreational pressure at sensitive locations.
- Improving links to or within the wider network of canal towpaths and cycle routes.
- Conserving the industrial archaeology of the Black Country and the South Staffordshire Coalfield, particularly buildings and sites associated with the iron, manufacturing and mining industries, and the canal network, and promoting access and awareness.
- Protecting and managing historic parks and urban parks to conserve significant historic landscapes and important features and habitats such as veteran trees, wood pasture and urban trees and the associated invertebrate populations.

3.10 SEO3 covers conserving and enhancing the essential character of this varied landscape. This site is not part of the designated landscapes identified but is part of the “*urban conurbation of the Black Country*” The appeal scheme would result in the loss of approximately 15% of the site but would also include conservation and enhancement of the remaining 85% of the site.

Sandwell Landscape Sensitivity Assessment 2019 (CD 6.7)

3.11 The Sandwell Landscape Sensitivity assessment was carried out by Arup as part of a wider landscape sensitivity assessment of areas of Green Belt land within the Black Country and South Staffordshire. The Landscape Sensitivity Assessment was undertaken alongside, but discrete from the LUC Green Belt Study for the Black Country and South Staffordshire.

- 3.12 The purpose of this study was to provide an assessment of the extent to which the character and quality of the landscape abutting the West Midlands conurbation within the Black Country is, in principle, susceptible to change as a result of introducing built development.
- 3.13 The study notes that it highlights likely landscape and visual sensitivities within each assessment area and provides a broad landscape character-based assessment rather than a site level assessment as might be required for a planning application.
- 3.14 Within the study the appeal site forms part of Landscape area BL25 as shown on the extract from the study below.



- 3.15 The appraisal of landscape sensitivity covers a range of characteristics and attributes.
- 3.16 The area is rated as “Higher Sensitivity” to development due to “A predominance of small scale fields divided by largely intact hedgerows and hedgerow trees.”
- 3.17 The are is given a “Moderate” sensitivity rating for landform. Under the heading Landscape Pattern and time depth the study notes

“The area north of the M6 contains a well preserved pre-enclosure field system, with ridge and furrow and other cropmarks, and a number of ancient hedgerows and drainage ditches. It is a potential historic landscape area AHHLV25 Peak House Farm Field System.”
- 3.18 and under natural character the study notes,

" A large proportion of the landscape area to the north is identified as priority habitat good quality semi-improved grassland, and identified as a potential SINCL"
- 3.19 Both attributes are identified as higher sensitivity.

- 3.20 Under “*Built Character*” the assessment states
“Built features within the landscape area include Q3 Academy School, Peak House Farm in the north. A pylon route crosses the south of the area, and the M6 cuts through the south of the area.”
- 3.21 “*Lower sensitivity*” is identified for this attribute.
- 3.22 Under recreational character the rating is “*Moderate*” and reference is made to the Beacon Way long distance path following the boundary of the area.
- 3.23 Perceptual aspects are given a “*Lower sensitivity*” rating the study noting,
“The area’s rural perceptual qualities are adversely affected by significant road noise from the M6 and A34. The visual impact of the pylon route running through the south of the landscape area also has a negative perceptual impact.”
- 3.24 A “*Moderate*” rating is given to settlement setting, stating,
“The area provides some rural visual setting for parts of Great Barr and provides a contribution as part of the open gap between Great Barr and Walsall. Red House Park acts as an open area separating Grove Vale and Great Barr.”
- 3.25 Visual prominence is given both a lower and a higher sensitivity rating noting,
“The landscape area is not visually prominent in the landscape, particularly from the south and west where it is largely screened by woodland and mature hedgerow trees. “
and
“More elevated areas to the east along the A34 Birmingham Road are widely visible from large areas of the Black Country.”
- 3.26 The area is also given a lower sensitivity rating for “*Inter-visibility with adjacent designated landscapes or promoted view points*” noting the area is not visible from any designated landscapes or promoted viewpoints.
- 3.27 Overall, the parcel including the site was assessed as having a “*Moderate*” landscape sensitivity rating.

The Black Country, a Historic Characterisation 2009 (CD 6.18)

- 3.28 Within this report the site lies within an area described as the “*Newton, Hamstead & Great Barr Character Area (SD02)*” The summary for the area states
This is largely a residential area comprising almost exclusively 20th century housing and, in this respect at least, it is not uncommon in its character within the modern Black Country. However, the area also includes significant areas of fields which continue to the north beyond the modern Sandwell boundary. The junction of the M5 and M6 motorways is at the area’s western edge and the area is crossed by several other wide roads.
- 3.29 The report identifies the site as an area of pre 1880 field system.

The Black Country, A Historic Landscape Characterisation, 2019 (CD 6.21)

- 3.30 The Black Country Historic Landscape Characterisation was completed to provide part of the evidence base for the updated Black Country Core Strategy. Then study subdivides the landscape

into 51 historic character areas, of which the site lies within character area SD02 'Newton, Hamstead and Great Barr' (Figure 3), Appendix 2. The description for this area is set out in the LVA at para 4.4.

- 3.31 The Historic Landscape Characterisation identifies 40 of Areas of High Historic Landscape Value (AHHLV) which are defined as;

'these recognise the quality of the wider landscape and their relative values. The significance of these areas arises from the natural and historic features contained within them (e.g. woodland, watercourses, hedgerows, and archaeological features). The significance of these areas is likely to be derived from their archaeological and historic interests.'

- 3.32 The site forms part of AHHLV 25 'Peak House Farm Field System', this is described as;

'Archaeological Interest: Representation of Cultural and Natural Heritage

The AHHLV contains a well-preserved example of a pre-enclosure field system. Evidence of ridge and furrow is visible across the site as cropmarks (but no earthworks appear to survive). Prehistoric finds have been recovered within this area and cropmarks indicative of below-ground archaeological remains have also been identified, highlighting the archaeological potential of the area. Many of the field boundaries are marked by drainage ditches linked to the moated site to the south (APA 23) and a number of hedgerows are recorded as ancient hedgerows. LiDAR shows a small mound in the AHHLV (NGR 403764 295377).

The field system is well preserved and contains cropmark remains and findspots suggestive of archaeological potential from Roman or prehistoric times. Drainage ditches in field boundaries link to a possible moated site.

Archaeological Interests: Rarity

The AHHLV contains a locally rare example of early non-parliamentary field pattern. Prehistoric deposits as indicated by the cropmark remains are rare within Sandwell as is the possible moated site which lies in the southern part of the AHHLV.'

- 3.33 The study also identifies 128 Archaeological Priority Areas (APA), defined as:

'Sites with a high potential for archaeological remains of regional or national significance that have not been considered for designation as scheduled monuments, or where there is insufficient data available about the state or preservation of any remains to justify a designation. APAs are likely to have high archaeological and historic interest.'

- 3.34 A small portion of the south-east of the appeal site is identified as an APA (APA 24 Peak House Farm Moated Site).

Heritage value of the site

- 3.35 The historic value of the site is set out in the Heritage Impact Assessment produced by EDP at CD 7.6. The Statement of Common Ground (SOCG) also details the agreement between the Council and the appellant on Heritage Matters.

- 3.36 Within the site, there are no statutory designations for heritage value. There is the Archaeological priority Area [APA] 24: Peak House Moated Site, and the Area of High Historic Landscape Value [AHHLV] 25: Peak House Farm Field System.

- 3.37 The SoCG confirms there are no archaeological or heritage-based reason for refusal of the outline planning application and the Council does not cite or infer an impact on any archaeological site or heritage asset in the reasons it gives for refusing the application.
- 3.38 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. This response does not identify or allege any impacts arising from the proposals in terms of designated or non-designated heritage assets and neither does it determine the development to be unacceptable in terms of its impact on the historic environment.
- 3.39 The development would result in the loss of 4.7 hectares (17%) of the “Area of High Historic Landscape Value (AHHLV) 25: Peak House Farm Field System”. It is defined by a network of hedgerows assessed as meeting the archaeological and historic criteria to be ‘*important*’ under the Hedgerows Regulations (1997).
- 3.40 Whilst the proposed development would involve some limited and localised loss of the field system, it would retain in situ much of the existing hedgerow network, in addition to reinstating a number of former hedgerows that have previously been lost to intensive agriculture and formed part of the same field system. The Heritage assessment notes that the provision of public access (currently not available) and the creation of new views and installation of new interpretation; as one part of a programme of wider works to deliver biodiversity and recreational benefits from the undeveloped space in the west and south of the site’s boundary; would meet the definition of enhancement, following Heritage England’s advice.
- 3.41 The site contains Archaeological Priority Area (APA) 24: Peak House Farm Moated Site within its boundary and this local archaeological designation is identified as being retained as undeveloped open space within the illustrative masterplan. The Heritage Assessment (CD 7.6) notes that in terms of compensation for the small or limited loss of significance from APA 24; the preparation, agreement and implementation of a Conservation Management Plan (CMP) as elements of a wider programme of conservation, management and interpretative works, would provide a level of enhancement.
- 3.42 The ‘*enhancements*’ would also flow from the provision of public access to the asset; whereas there is no formal access currently; as well as the addition of interpretation boards detailing the history and significance of the possible moat and thus providing greater enjoyment and appreciation of the historic environment for visitors to the site.
- 3.43 The appellant’s assessment (prepared by EDP) concludes that there would be a ‘*very small*’ impact on APA 24: Peak Farm Moated Site, a ‘*small*’ impact on AHHLV 25: Peak House Farm Field System and a ‘*small*’ impact on other non-designated archaeological remains. This has neither been dismissed nor challenged by the Council or any it’s consultee in the evaluation and determination of the outline planning application.
- 3.44 The SoCG confirms that the Council does not seek to resist the proposed development of the site on the basis of any perceived impact on the historic environment.

Designations

- 3.45 Figure 5 Appendix 2 illustrates the location of the designations within the site's context. Although landscape designations are not an exclusive indicator of quality, designated landscapes are commonly acknowledged as being of particular importance and sensitivity. While the site lies within

the Green Belt is not covered by any landscape quality designation at either a national or local level.

- 3.46 Whilst the site is identified within an “*Area of High Historic Landscape Value*” and containing an “*Archaeological Priority Area*”, within the Black Country Historic Landscape Characterisation Study 2019, produced as part of the evidence base for the Black Country Core Strategy review, these are not formal designations covered by policy.
- 3.47 Within the context of the site, there is a registered park and garden at Great Barr Hall. There is no intervisibility between the site and this park, though Merrion’s Wood north of the A34 is included in this designated area. The wood is also a Local Nature Reserve.

Site of Interest for Nature Conservation (SINC)

- 3.48 The site was designated as a Site of Interest for Nature Conservation (SINC) by SINC by Sandwell Borough Council in 2019. The background to the SINC designation and the effects of the scheme on the SINC are covered in the Proof of Evidence of ██████████. However, the Local Sites Assessment report for the SINC (CD 6.2) covers some elements that cross over into my scope of evidence, which I comment on below.
- 3.49 The Local Site Selection Criteria, cover a range of elements, under the broad headings, Ecological, Geological, and Social.
- 3.50 Under the heading “Social” a range of factors are considered. The first is “*Historical and Cultural*”. The site is given a “High” score against this criteria and the citation states,

“The field pattern of Peakhouse Farm is thought to date from at least 1750 and potentially much earlier (Black Country Historic Landscape Characterisation). This remains little changed and comprises an important surviving historic landscape in an area dominated by urban development.”
- 3.51 The historic value of the site is assessed in the EDP report at CD 7.6 and summarised in section 3 of my proof.
- 3.52 Under the heading “Access” the site scores a “Low” stating in the citation, “*The site is of private ownership and is not open to the public.*” This is correct, but the scheme provides the opportunity for public access, allowing local people closer contact with a more natural area. If the scheme gained consent, this score could become a “High”.
- 3.53 The third criterion is “*aesthetic*”, where the site scores “High” and the citation notes,

“In the context of the surrounding landscape which is predominantly built up Peakhouse Farm offers a highly attractive rural landscape. The site forms an important green corridor across the landscape between Merrion’s Wood Local Nature Reserve and Hill Farm Bridge Fields SINC.”
- 3.54 I agree the surrounding context is largely built up and in that context the site itself is more attractive. The site however is currently difficult to experience, apart from when you are on it (and there is no public access). It is not easy to experience as part of a series of linked green spaces. Again, the appeal scheme provides the opportunity for access to enjoy the site and to provide a more attractive link through the site between Merrion’s Wood Local Nature Reserve and Hill Farm Bridge Fields SINC, rather than following the rather unattractive current route along the Beacon Way.
- 3.55 The criteria “*Recorded History*” and “*Value for Learning*” both score “Medium” in the citation. The latter notes states,

“At the current time value for learning would be assessed as low due to access restriction. However, there is potential for learning through formal and informal education due to the agricultural history and habitats present on site, as well as the proximity to local schools.”

3.56 At present there is no access, so no direct opportunities for learning. The appeal scheme would provide access and, with the proximity to schools, could be a great local resource for outdoor education.

Landscape Value

3.57 In terms of "landscape value" it is appropriate to examine the role of the site and its immediate context in terms of the range of local factors set out in LI TGN 02-21, Assessing landscape value Outside National Designations, (CD 6.10) and summarised in the LVA methodology. This considers the landscape in terms of a range of factors as set out below. As a starting point, landscape designations have been considered.

3.58 Landscape Designations: Figure 5 illustrates the location of the designations within the site's context. While the site lies within the Green Belt is not covered by any landscape quality designation at either a national or local level. Within the context of the site, there is a registered park and garden at Great Barr Hall. There is no intervisibility between the site and this park, though Merrion's Wood north of the A34 is included in this designated area. The wood is also a Local Nature Reserve. The AHHLV and APA are not formal designations.

3.59 Natural Heritage: The site is not covered by any statutory ecological designation, a Local Nature Reserve lies to the north west beyond the A34 Birmingham Road and the site is identified as a SINC (Site of Importance for Nature Conservation).

3.60 Cultural Heritage: A registered park and garden at Great Barr Hall lies to the north of the site. There is no intervisibility between the site and this park, though Merrion's Wood north of the A34 is included in this designated area. The nearest listed buildings to the site are Walsall (or Merrion's) Lodge approximately 235m to the north-west of the site and Hill Farm Bridge approximately 320m to the south-west of the site. There is a lack of intervisibility between these and the site.

3.61 The site is covered by an Area of High Historic Landscape Value (AHHLV) in the Core strategy evidence base, (AHHHLV 25 'Peak House Farm Field System') and a relatively small area in the south-east of the site is identified as an Archaeological Priority Area (APA) known as APA 24 Peak House Farm Moated Site. These indicate a level of cultural heritage value, which is addressed in the Heritage Statement (CD 7.6).

3.62 Landscape Condition: The site comprises farmland with hedgerows and trees, these are generally well established and appear to be in reasonable landscape condition. The ecological surveys have confirmed the ecological condition of the site is declining.

3.63 Associations: There are no particular identified associations with the site and its immediate context.

3.64 Distinctiveness: The site generally contains no particularly rare or unusual features though its relatively well defined irregular field pattern contrasts with surrounding settlement and sports facilities, and is more unusual in an urban context.

3.65 Recreational Value: The site is not publicly accessible. Beacon Way Long Distance Path runs adjacent to the west of the site, a further footpath runs adjacent to the site's boundary with Q3 Academy.

- 3.66 Perceptual (Scenic): The site and its immediate context are not particularly scenic due to the adjacent settlement edge and roads including the A34. The fields and hedges have some local scenic value. There are long views from parts of the eastern fields across to the south-west which gives some sense of scenic quality though extensive development is present in these views.
- 3.67 Perceptual (Wildness and tranquillity): The site is not a particularly tranquil or a wild landscape, due to its location adjacent to the settlement and the A34, though away from the settlement edges it has a more natural character.
- 3.68 Functional aspects: The site functions as part of green space within the urban area, but with no public access its value is limited.
- 3.69 In conclusion and having appraised the above factors it is judged that the site and the immediate landscape is of “*Medium*” landscape value. The historic hedgerow pattern is of greater value and would suggest that the overall value is at the higher end of "medium," but the overall judgement takes account of the other factors which do not score quite so highly. I consider these judgements are broadly in line with the conclusions in the Sandwell Landscape Sensitivity Assessment 2019.
- 3.70 It is agreed in the Landscape SoCG that the site does not form part of a “*Valued Landscape*” as paragraph 180 of the NPPF.

Topography

- 3.71 The following should be read in conjunction with Figure 6. Appendix 2

Context - Landform

- 3.72 The topography of the site's context rises to the east of the site towards junction seven of the M6 and existing settlement in Great Barr before falling again as part of a valley for a minor watercourse. Beyond the watercourse land begins to rise again to the east towards Barr Beacon. Land to the west of the site generally slopes downwards towards settlement at Yew Tree and the Walsall Golf Club.

Site - Landform

- 3.73 Fields in the north-east of the site are more elevated with a high point of approximately 160m AOD located adjacent to the A34 Birmingham Road. The landforms slope's down from the north-east reaching a to a low point of approximately 130m AOD in the site's south-western corner.

Summary

- 3.74 A study of the baseline landscape character and landscape value work shows that the site is parcel of agricultural land surrounded by urban land uses, including residential, educational and sports uses. Within the site itself there is a varied character. The northern edges of the site are relatively contained by outgrown hedges and have a more enclosed character influenced by the adjacent settlement. South and west, the land within the site slopes more steeply and longer open views to the north and west are possible. The field pattern is the most distinctive characteristic of the site, with the fields being grassland and being used for hay crops and silage. There is no public access.

Visual Baseline

3.75 The visual baseline is explored in the LVA (CD 7.20) from paragraph 4.32, and so is not repeated here. The baseline analysis results in a number of conclusions which are summarised below:

- The elevated nature of the fields in the east and north-east of the site allows for long views from these locations to settlement to the south-west as well as views back from these locations. Existing built development is visible on the horizon.
- Land in the south-west of the site is lower lying and generally well visually enclosed.
- Vegetation adjacent to the site's western and southern boundaries help to filter and screen views of the site with blocks of tree planting within the site's context to the south and west further restricting views.
- The site is visually enclosed to the east by the existing settlement edge.
- To the north the site's visual envelope is restricted by existing woodland including Merrion's Wood.

4.0 THE MASTERPLAN PROPOSAL AND GREEN INFRASTRUCTURE

The Landscape Masterplan

4.1 Landscape considerations have been part of the scheme design from the start, with a landscape evaluation of the site, guiding the appropriate location for residential development and Green Infrastructure.

4.2 The existing landscape resource and the visual receptors and amenity of the site have been considered by the design process and have informed the resultant scheme. This approach has entailed collaboration between landscape, urban design, heritage and other professionals. The landscape components of the scheme are an important integral part of the proposals.

Landscape Design and GI Objectives

4.3 The key objectives of the landscape and GI proposals for the scheme are to:

- Maintain the function and openness of the Green Belt by restricting development to the north-east of the site adjacent to the existing settlement edge and establishing the rest of the site as an extensive Countryside Park.
- Wherever possible retain the site's existing vegetation and set development within the existing field pattern.
- In general, limit planting to the reinforcement of the existing field pattern to maintain the site's existing character.
- Introduce new pedestrian routes through the site's GI which connect to existing routes adjacent to the site's boundaries.
- Provide an alternative route for the Beacon Way Long Distant Footpath within the site to create a more desirable and usable route compared with the current route which is, in part, located between tree/hedge planting and security fencing at Aston University Recreation Centre.

- Provision of a separated cycle link from the Q3 Academy through the Countryside Park and development site to Birmingham Road.
- Locating development parcels and housing plots so that where possible they actively face green spaces. This would ensure that development has a positive relationship with the site's landscape features and context. Provision of Green Infrastructure within the development plots including street trees.
- Locate SUDs features to link with the natural drainage pattern of the area.

The Countryside Park

- 4.4 The Councils Statement of Case alleges at para 7.5 that.
- "the creation of a country park is development, and that it also has the potential to cause further harm to the Green Belt, for example increase in litter, traffic congestion, footpath erosion from overuse and conflict with other land users."*
- 4.5 The Council seem to misunderstand the nature of the proposal and the effect the scheme would have. No built development is proposed within the Countryside Park. Sustainable drainage features, and a small play area are proposed, but the majority of the site would remain as it currently is just with enhanced management and some new planting.
- 4.6 It has been a deliberate design intention since early in the evolution of the scheme, to provide a "Countryside Park" rather than a "Country Park." The name has been selected to avoid connotations associated with the often much more developed spaces generally known as "Country Parks", which typically include built development, with facilities such as car parks and toilet facilities. This is not the intention at Wilderness Lane. The Vision is to provide to provide an area of accessible countryside, managed essentially for biodiversity value, but also allowing access for local people to get close to nature.
- 4.7 Whilst there would be scope for small scale recreational facilities such as naturalistic play, to be used by local residents, the essential character of the site would remain as it is at present, with changes arising largely through improved management interventions, to enhance the grassland and hedgerows for biodiversity value.
- 4.8 Access would be managed, with some mown grass paths, some limited signage and interpretation. Bins and dog bins would be provided at the edge of the site, near Wilderness Lane and the proposed housing, but not within the core of the Countryside Park which would remain undeveloped in character.
- 4.9 A segregated Cycle link could pass through the site parallel with Wilderness Lane, on the edge of the Countryside Park, but allowing users to enjoy open views across it.
- 4.10 Mown paths encourage people to follow certain routes, keeping off the wider field parcels, where the grass would be allowed to grow longer though the season. The detail of the routes could be determined at detailed design stage, in association with the Council.
- 4.11 Overall, the design principles for Wilderness Park would follow the principles in Building with Nature to provide a multifunctional response allowing residents easy access to connect with nature whilst also enhancing biodiversity value within the Site, integrating water management, and maximising its value for conservation. The Design and Access Statement sets out how each of the Building

with Nature Standards are addressed. The images at Appendix 1 show the type of landscape that would be provided.

4.12 In summary the Countryside Park and Green Infrastructure proposals include:

- The provision of approximately 23.09 hectares of land dedicated to landscape, GI, public open space, play and habitat related proposals - representing approximately 85% of the total site area.
- Establishment of an accessible Countryside Park, with ecological enhancement across the site.
- Alternative route for the Beacon Way Long Distant Footpath to the west of the site.
- Cycle route along the edge of the Countryside Park.
- New informal mown footpath routes to be provided around the site with connections to the alternative route for the Beacon Way Long Distant Footpath and the footpath which runs adjacent to the Q3 academy to the south of the site.
- A proposed naturalistic local play area to be located close to the proposed developable area in the northeast of the site.
- A sustainable drainage system incorporating a series of drainage basins and existing ditches will attenuate the site's water run-off as well as contributing to delivering biodiversity and amenity enhancements; and
- The site's GI will include new / enhanced habitats such as grassland, shrub, hedgerow and tree planting and enhanced management to promote biodiversity.

4.13 The details of the Green Infrastructure proposals would be agreed with the council and could be controlled through a planning condition.

Landscape Management

4.14 All of the landscape areas and public open space features will be managed and maintained. This would be achieved through the implementation of a comprehensive Landscape and Ecological Management Plan (LEMP), to ensure the successful establishment and continued thriving of the landscape and ecological proposals. A draft Habitat and Monitoring Plan has already been submitted and is at CD 7.17. The Management Plan would be subject to a planning condition, and the detailed management prescriptions could be developed in consultation with the local authority.

5.0 LANDSCAPE EFFECTS

National level- NCA.

5.1 The site lies within (NCA) 67 'Cannock Chase and Cank Wood' and forms a very small part of this wide National character area. The proposals have the opportunity to contribute to Strategic Environmental Opportunity (SEO) 2 through its proposed GI. It is considered that there will be Negligible landscape effects on the overall character area as a whole.

The Site and its immediate context

5.2 In terms of the site and its immediate context, the primary change would arise as a result of the replacement of part of the agricultural land within the site with residential development and

associated infrastructure, and the development of the Countryside Park. At present the land receives minimal management for hay and silage, and the urban location means it is difficult for stock grazing. Built development would inevitably alter the character of part of the site and its immediate context, though the proposals for built development are for a limited portion of the site adjacent to the existing settlement edge, where housing is already a strong part of the character. The existing planting minimises the visual influence of the proposed housing areas on the wider area. The majority of the site will form proposed GI with a new accessible Countryside Park, SUDs and footpaths including a more attractive and safer alternative to the long-distance footpath route the Beacon Way.

5.3 The proposals for the site will retain as far as possible and reinforce the existing field pattern highlighted within the AHHLV designation. There would be some hedgerow loss to provide access at Wilderness Lane, Birmingham Road and within the site, between development parcels. There is space for new hedge planting within the Countryside Park. Effects upon the site and its immediate context are considered to be Moderate Adverse with the potential to become Moderate/Minor Adverse in the long term as the site's GI matures. The new area of Green Infrastructure would be a significant benefit.

5.4 Whilst there no local landscape policies or strategies, The Natural England Profile for the area does offer some guidance. The following natural England Statement of Environmental Opportunity 2 recommends,

SEO 2: Manage, enhance and expand the network of green infrastructure, such as woodlands, restored mining sites, parklands and canal routes, to increase biodiversity, access and recreational use and increase understanding of the area's rich industrial heritage, particularly geodiversity.

5.5 This SEO could be assisted by the proposals. The Natural England Profile sets out the following guidance,

Reinforcing and expanding the existing green infrastructure network of open spaces, parks, farmland and countryside, woods, wetlands, reclaimed sites and access routes throughout the Black Country, the wider urban area, the adjoining urban fringe and in and around the freestanding towns.

5.6 The scheme offers the provision of 23ha of new Green Infrastructure that connects to and complements other Green Infrastructure in the area. The appeal site is currently inaccessible to the public. Whilst other areas such as to the south, have the character of managed urban green space, or woodland to the north, the GI within the site maintains a network of hedges and fields which have a different character. With appropriate management, this offers the opportunity for local people to experience different habitats and natural areas close to home.

Taking advantage of opportunities to enhance educational access, particularly to nationally important geodiversity sites.

5.7 The site is not of particular interest for geology, but with good management can be of greater interest for ecology. Lying adjacent to the Q3 Academy access to the site for educational purposes would be easy.

Retaining and enhancing the biodiversity value of urban areas and expanding and improving habitat connectivity.

- 5.8 The features of greatest habitat value within the site would be retained and the ecological value of the remaining areas will be enhanced over time through management measures. The site connects with other areas of green space.

Creating new wetlands, enhancing existing watercourses and ensuring public access to these features as part of sustainable urban drainage systems in urban areas and close to new developments.

- 5.9 The sustainable drainage for the surface water within the site, will be designed to maximise its ecological value. This can be done by providing new swales and basins with a varied edge profiles and depths, so that suitable conditions will be established for as range of different wetland and marginal species, adding diversity.

Managing and expanding access to the networks of rights of way, cycle routes, canal towpaths and access land and enhancing recreational opportunities.

- 5.10 The site is currently not accessible to the public. 23ha of new green space could be opened up to public use, with informal paths and a new cycle link from the Q3 Academy to Birmingham Road. These routes would allow people to access and enjoy the countryside. At present, apart from the quite limited views around the edge of the site, it cannot be enjoyed by local people.

Maintaining and improving the existing rights of way network and the Staffordshire Way, Heart of England Way and Beacon Way long-distance routes.

- 5.11 These existing rights of way would remain, but at present along part of the Beacon Way north of the site, part of the route is tightly enclosed by fencing and planting and presents an unattractive and at times intimidating route. The potential exists to provide an alternative route through the site along the northwestern edge. This would allow more attractive open views out over the fields and hedges, and the more open aspect would also allow informal policing of the route.

Improving access to a wider range of local sites so as to reduce recreational pressure at sensitive locations.

- 5.12 23 ha of new green space would become accessible, close to many homes. Whilst not providing a direct alternative to any particular sensitive sites, it would provide another opportunity to enjoy the outdoors without having to travel outside the city.

Improving links to or within the wider network of canal towpaths and cycle routes.

- 5.13 A new off road cycle link would be provided between the Q3 Academy and Birmingham Road, which links with the wider network of routes.

- 5.14 Overall, the Countryside Park, whilst outwardly not appearing much different to present from beyond the site, would bring a range of landscape benefits. These arise from enhanced management, bringing biodiversity improvements to the current improved grassland, with a more diverse sward, and benefits arising from enhanced public access to green space and nature close to where many people live.

6.0 VISUAL EFFECTS

Residential Properties and Settlement.

- 6.1 When carrying out landscape and visual appraisals it is routine practice to include assessments of visual effects from private properties. The purpose of these assessment is to feed into a wider assessment of residential amenity usually carried out by planning officers. Residential amenity assessments are separate exercises to LVA (GLVIA para 6.17). A residential amenity assessment is concerned with whether a development would result in a property becoming an unattractive place to live. Residential amenity can encompass a range of issues such as noise, but in terms of visual amenity, the test is generally regarded as whether a scheme would result in the outlook becoming so oppressive, unpleasant or overwhelming that the property would become an unattractive place in which to live. It has not been suggested that this would be the case with this scheme, and seeing other houses from an existing one, is normal for most people in this country. Whilst the scheme is outline, there is space within the site to deliver the housing numbers without harm to residential amenity. This would be controlled at reserved matters stage.
- 6.2 There is no right to a view, so whilst local residents may not welcome the change to their view, this is not a relevant planning consideration. The predicted visual effects for residents are summarised below.

Residents at properties off the A34 Birmingham Road and Merrion's Close

- 6.3 Properties off the A34 Birmingham Road and Merrion's Close lie adjacent to the site's northern boundary. Properties generally front onto the A34 and views of the proposed buildings in the north of the site will be set back beyond multiple lanes of the road. Proposed planting to gap-up and reinforce the roadside hedgerow will help to mitigate any effects in the longer term. Residential receptors at A34 Birmingham Road and Merrion's Close are considered to be of High/Medium sensitivity, effects are considered to be Moderate Adverse in the short-term reducing to Moderate/Minor Adverse at year 15.

Residents at properties off Peak House Road

- 6.4 Properties along Peak House Road back onto the site. The majority of these properties have long rear gardens though a small number accessed off Farm House Way have shorter gardens. Views will be dependent on vegetation within/along garden boundaries though generally views will be available of proposed residential properties in the east of the site. Residential receptors at Peak House Road are considered to be of High/Medium sensitivity, effects are considered to be Moderate Adverse in both the short and long term.

Residents at properties off Wilderness Lane

- 6.5 Properties along Wilderness Lane lie to the south-east of the site. The majority of these front onto the lane with the site boundary located beyond, though approximately six properties close to the junction with Peak House Road side onto the site. Proposed residential development will be restricted to the north and east of the site. Residents at properties on the eastern extent of Wilderness Lane will experience the closest views of proposed residential properties whilst existing properties further west will front onto the proposed countryside park, maintaining an open view. Visual effects are considered to be Moderate Adverse in both the short and long term for those

close to the proposed development at the eastern end of the site and Minor Adverse/ Negligible for those further west along the lane, where an open aspect would be maintained.

Residents at properties in West Bromwich and Walsall

- 6.6 Relatively distant views are available from West Bromwich and Walsall towards the more elevated parts of the site as demonstrated in viewpoint 1 taken from within the site, viewpoint 3 from Wilderness Lane and viewpoint 15 taken from Thorncroft Way.
- 6.7 Views from the Yew Tree area of Walsall will be more readily available where land begins to rise to the west of the canal with properties adjacent to the canal benefitting from the strong visual barrier formed by the vegetation along the canal. Views of the proposals will form a portion of a much wider view. Visual effects are considered to be Minor Adverse/Negligible in both the short and long term.
- 6.8 Viewpoint 1 demonstrates the intervisibility between the site and more distant residential receptors within West Bromwich and Walsall there are a number of tower blocks which are likely to have clearer views towards proposals within the site. The majority of the site will remain as it is, and the built development will be seen in front of the existing housing. Effects are considered to be Minor Adverse/Negligible in both the short and long term.

Public Rights of Way (PRoW) and Other Footpaths

- 6.9 Public Rights of Way (PROW) users are judged to be of high sensitivity, for consistency users of footpaths which are not designated PROW have also been judged to be of high sensitivity.

Footpath Adjacent to Site's Southern Boundary

- 6.10 A tarmacked footpath runs adjacent to the site's southern boundary. It runs westwards from Wilderness Lane adjacent to the north of the Q3 Academy. It is not a designated PROW. Vegetation lining the route help to screen/filter views of the site though some views through the vegetation are available as demonstrated in viewpoint 5. Where views of the proposals are available these will be seen beyond proposed GI/Countryside Park across most of the site. Where any views are possible effects are considered to be Minor Adverse at most in both the short and long term.

Beacon Way Long Distance Footpath

- 6.11 The Beacon Way Long Distance Footpath runs adjacent to the site's western boundary providing a link from the A34 Birmingham Road towards the Rushall Canal. The route of the footpath is enclosed by tree planting adjacent to the site's western boundary and in part with security fencing at recreational facilities to the west of the site, creating a narrow and unattractive route. As part of the proposals there is an opportunity to provide an alternative route through the site creating a more open and overlooked route. The potential new route though a wider more open green space could be considerably more attractive than the current rather unpleasant route, effects are considered to be Minor Beneficial in both the short and long term.

Roads & Transport Users

- 6.12 These receptors are of lower sensitivity as they are travelling through the landscape at greater speed and experience transient views of the landscape. These are considered to be of Medium visual sensitivity.

Users of A34 Birmingham Road

- 6.13 The A34 Birmingham Road runs adjacent to the northern boundary of the site. Close range views will be available of the proposed dwellings the north of the site as the road passes the site, and to the emergency/cycle/pedestrian accesses. These will be seen in the context of existing residential development along the A34. A hedgerow runs along the majority of the site's northern boundary. Proposed planting to gap-up and reinforce this hedgerow would be beneficial to mitigate effects in the longer term. Effects are considered to be Moderate/Minor Adverse in the short-term reducing to Minor Adverse in the long term.

Users of Thorncroft Lane

- 6.14 From Thorncroft Lane within Yew Tree, Walsall views will be available to the site. The majority of the site will look little different. Where any new properties would be seen, they would be in front of the existing houses. Effects are considered to be Minor Adverse/Negligible in both the short and long term.

Users of Wilderness Lane

- 6.15 Wilderness Lane runs adjacent to the south-east of the site. Built development will largely be set back from the lane with a limited area of proposed built development adjoining the lane close to Peak House Road. Views of the proposals will be seen beyond the roadside hedgerow and within the context of existing built development along the lane. Proposals will not block the long views available from the field gate demonstrated in viewpoint 3, as this land would remain as Countryside Park. Effects are considered to be Minor Adverse both the short and long term.

Other locations

- 6.16 A small number of business premises situated off the A34 Birmingham Road and Peak House Road and effects are considered to be no greater than Minor Adverse.
- 6.17 The Q3 Academy School is located to the south of the site. Vegetation lining the footpath to the north of the school as well as vegetation within the school grounds will help to screen/filter views of the site. Where views of the proposed built development are available these will be set back beyond proposed areas of GI / New Countryside Park. Effects are considered to be no greater than Minor Adverse/Negligible.
- 6.18 Recreational facilities including Aston University Recreation Centre and West Bromwich Albion Training Ground are located to the west of the site. Screening/filtering of views of the proposals will be provided by vegetation adjacent to the site's western boundary. Most views would be to the Countryside Park. Effects are considered to be no greater than Minor Adverse.

7.0 GREEN BELT

- 7.1 The NPPF sets out national policy for Green Belts. The site lies within the West Midlands Green Belt.
- 7.2 Planning Practice Guidance (PPG) was first published on 6th March 2014 and is a regularly updated online planning resource which provides guidance on the NPPF and the planning system. The NPPF continues to be the primary document for decision making.

- 7.3 The guidance includes a section on the factors to be taken in account, when considering the impact of development on the openness of the Green Belt. This notes that openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume, and that the duration of the development and its reversibility are factors to consider along with the degree of activity, such as traffic generation. (Paragraph 001 Reference ID; 64-001-20190722 from 22 July 2019).
- 7.4 A Green Belt study has also been carried out for the Black Country.

Black Country Green Belt Study - LUC - September 2019

- 7.5 This study rates areas within the Green Belt as to how they contribute to the 5 nationally defined purposes of the Green Belt.
- 7.6 The study is divided into two different stages. Stage 1 looks at the contribution different land parcels make to the purposes of the Green Belt. The site forms part of a parcel referenced B81 Wilderness Lane. The land parcel is shown below.



- 7.7 Parcel B81 was given the following ratings for contributions to the purposes of the Green Belt within the study.

Purpose 1: Checking unrestricted sprawl – Moderate.

Purpose 2: Preventing merging towns – Strong.

Purpose 3: Safeguarding countryside from encroachment – Moderate.

Purpose 4: Preserving setting and special character of historic towns – Weak/No Contribution.

Purpose 5: Assist in urban regeneration – Strong [all parcels were considered to perform strongly against purpose 5]’

- 7.8 Stage 2 of the study looked at the potential harm of removing certain parcels of land from the Green Belt. The parcels considered were much larger than the scheme now being assessed, and it is considered that the conclusions in the study have little relevance to the effects arising from the current scheme which covers a much smaller area of land.

Analysis of role in the land parcel containing the site in Green Belt Purposes

- 7.9 I have carried out a land parcel assessment, to analyse the role of the land in terms of Green Belt purposes, and this was set out in the LVA and Green Belt Assessment at CD 7.20. For this exercise a land parcel slightly different to the Black Country study has been used and is shown on Fig 15 at Appendix 2. This parcel includes the Q3 Academy and generally follows clearly identifiable boundaries on the ground. To the northwest the boundary has been drawn along the boundary of the sports fields and this is also the Borough Boundary. My analysis of the role the parcel plays in Green Belt purposes is set out below.

Purpose 1: to check the unrestricted sprawl of large built-up areas.

- 7.10 **Moderate/Low** – The land parcel is heavily influenced by the adjacent built development at Great Barr and by development within it including the Q3 Academy. The motorway forms the southern parcel boundary and influences the character of that area. Much of the land is however open, so the overall conclusion on the role the parcel plays in checking unrestricted sprawl is Moderate/Low.

Purpose 2: to prevent neighbouring towns merging into one another.

- 7.11 **Low** - The parcel comprises an area of land on the edge of Great Barr. Great Barr itself includes part of Birmingham, Sandwell and Walsall. The parcel does not separate clearly identifiable towns. The parcel also plays a very limited role in separating different parts of the wider suburban area.

Purpose 3: to assist in safeguarding the countryside from encroachment.

Moderate – Most of the land parcel site has the characteristics of open countryside (i.e. an absence of built or otherwise urbanising uses in Green Belt terms), but is influenced by the surrounding built development, and has the Q3 Academy within it. The parcel includes some farmland and some areas of minimally managed green space. The area has a stronger association with the built-up area than the wider countryside.

Purpose 4: to preserve the setting and special character of historic towns.

- 7.12 **No Contribution** - Land does not form part of the setting of a historic town.

Purpose 5: to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.13 Any parcels of green field land would make the same contribution to this purpose, it is considered neutral in the assessment.

Effect of the scheme on Green Belt Purposes

7.14 Having analysed the role of the wider land parcel in terms of Green Belt Purposes, I assess how development of the scheme would affect the role of the wider parcel and the overall integrity of the Green Belt.

Purpose 1) to check the unrestricted sprawl of large built-up areas.

7.15 Within the wider assessment parcel, the proposed development closely follows the existing settlement edge, keeping to a similar topography and limiting the effect on the wider character of the more open land. The part of the parcel proposed for built development has the strongest association with the existing settlement, it would not extend the settlement limits to the north or west.

7.16 The wider land parcel provides a Moderate/Low role in checking the unrestricted sprawl of the built-up area. The scheme itself would not materially change the role of the wider land parcel. As built development within the scheme would be contained to the east and would not extend beyond the existing houses to the north and west, it would have a **Low** effect on the purpose of checking the unrestricted sprawl of the large built-up area.

Purpose 2) to prevent neighbouring towns merging into one another.

7.17 The wider assessment parcel does not play a role in preventing large towns merging, though it does play a very limited role in separating different parts of the wider suburban area. Development of the scheme would be close against the existing settlement edge at Great Barr. It would not narrow any gap between development at Great Barr in Sandwell and the houses along Birmingham Road in Walsall to the north, as there is already built development along Birmingham Road. The perception of separation along this route would also be unchanged. Overall, the scheme would have no adverse effect on the role the existing land parcel plays in preventing neighbouring towns from merging.

Purpose 3) to assist in safeguarding the countryside from encroachment.

7.18 Within this parcel, the scheme would only involve built development at the very eastern side of the land parcel, where wrapped around by existing development. This is the least prominent part of the site within the wider environment, and the land that is most influenced by the existing settlement. Fitting the development within the field parcels formed by the existing mature hedges, would minimise the effect on the character of the more open land. The scheme includes an extensive area of green infrastructure, with 85% of the site remaining in green use, managed for biodiversity and public access, and secured by legal agreement. Inevitably there would be local encroachment on the land used for housing itself with that land itself no longer being countryside, but the perception encroachment on any wider area would be low/negligible.

Purpose 4) to preserve the setting and special character of historic towns.

7.19 The wider parcel does not provide this role, and the scheme would have no effect on this purpose.

Purpose 5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

- 7.20 This purpose is neutral in the consideration of sites, and any green field sites on the existing Green Belt would have the same effect on this.

Summary

- 7.21 In terms of the effects of the proposals on the purposes of the Green Belt, the scheme would have a low effect on the purposes of checking the unrestricted sprawl of large built-up areas, and of safeguarding the countryside from encroachment. The scheme would not lead to any merging of historic towns, there would be no coalescence between different parts of the wider suburban area, or between Sandwell and Walsall. The gap between different parts of the wider the settlement would not be narrowed. The site makes no contribution to the criterion of preserving the setting and special character of historic towns.

Effects of the scheme on the Openness of the Green Belt

- 7.22 The Planning Practice Guidance (PPG) notes that openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume, and that the duration of the development and its reversibility are factors to consider along with the degree of activity, such as traffic generation.
- 7.23 In terms of spatial openness, the scheme would involve the change of approximately 3.91 ha of agricultural land to residential development. The housing would be up to 3 storeys, close to Birmingham Road, and 2 storeys elsewhere, limiting the spatial effect on the Green Belt.
- 7.24 The assessment of "*Visual Openness*" draws on the landscape and visual appraisal. This has demonstrated the limited extent from which the proposed development would be visible due to the surrounding built form and intervening vegetation. Generally, there are few locations beyond the immediate context of the site where there would be any notable views of the proposals. The viewpoints used in the appraisal and the visual envelope is shown on Figure 7, Appendix 2.
- 7.25 From the north, views are limited by vegetation alongside the A34 Birmingham Road, though there are currently some gaps in the planting. From the east the only views would be filtered ones from the rear of the existing properties along Peak House Road. Properties on Wilderness Lane would largely have their open views towards and over the site maintained, apart from a small number of houses opposite the site entrance. Views from the west are generally limited by the overlapping vegetation and topography. Where the new houses would be seen, it would largely be in front of the existing ones.
- 7.26 Overall, this means that the effects on visual openness would be very limited. The extensive areas of Green Infrastructure within Wilderness Countryside Park would provide further visual containment and would further reduce any effects on visual openness over time.

Compensatory Improvements to the Green Belt

- 7.27 Paragraph 147 of the NPPF notes that when it is necessary to release land from the Green Belt, plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The land is subject to a planning application, rather than it being Plan Making stage, but making compensatory improvements to the remaining Green Belt would still be beneficial. The proposed Wilderness Countryside Park provides excellent opportunities for

compensatory improvements to the Green Belt. This area is shown on Figure 15. At present the land is grassland and receives minimal maintenance, just a hay or silage cut. There is no public access. By releasing part of the site for housing, the greater part of the site could be improved, though management based on nature conservation enhancement, and with new public access to the Countryside Park. This would provide a great opportunity for new and local residents to access a significant area of land for recreation and to enjoy wildlife interest on their doorsteps.

Conclusion

7.28 I conclude that the harm rating for removal from the Green Belt of the part of the site for built development would be Low. Development of the site would maintain the physical and visual separation of the different parts of the wider suburban area and would have a very limited effect on encroachment on the wider countryside. Spatial and visual openness would be minimally affected. The significant new Wilderness Countryside Park will provide new public access to local people, and the habitat value of the site will be enhanced. The Compensatory Improvements to the land remaining in the Green Belt would be of significance.

8.0 POLICY

The National Planning Policy Framework December 2023

8.1 The NPPF sets out the Government's commitment to delivering sustainable development. A holistic approach is encouraged, balancing benefits with impacts across all aspects of the development process. The NPPF is dealt with in the Proof of Tom Armfield, so I only draw attention to the specific section on landscape.

Conserving and Enhancing the Natural Environment.

8.2 Paragraph 180a identifies how the planning system should contribute to and enhance the natural environment by (amongst others), protecting and enhancing valued landscapes, (in a manner commensurate with their statutory status, or identified quality in the development plan). I do not consider the site to be a “Valued landscape”, and this has not been given in the reasons for refusal for the scheme.

8.3 Part (b) of Paragraph 180b states that the intrinsic character and beauty of the countryside should be recognised. This has been recognised with the appeal scheme, in my view by retaining the great majority of the site as Green Infrastructure, provided new access and biodiversity and landscape enhancement, through more appropriate management.

Green Belt

8.4 The application of Green Belt policy is covered in the proof of evidence of ██████████

The Development Plan

8.5 The Development Plan for Sandwell is made up of the Black Country Core Strategy 2011-2016, and the Sandwell Site Allocations and Delivery DPD 2006-2021. No policies from these plans were noted in the reasons for refusal. The Emerging Sandwell Local Plan was subject to Regulation 18 consultation, and this was completed in December 2023. No policies from this plan were referenced in the reasons for refusal. Development Plan policy is covered by ██████████.

9.0 SUMMARY AND CONCLUSION

Introduction and Site

- 9.1 The site is located on the north-western edge of Great Barr, Birmingham, and lies to the south of the A34 Birmingham Road and to the north-east of Wilderness Lane. The site comprises a number of field compartments which are generally irregular in shape under grassland and comprise outgrown hedges with some hedgerow trees. There is no woodland on site, though some blocks of trees lie immediately to the west within the grounds of the Aston University sports facilities. There is no public access to the site and fairly limited public views into it. Land west of the site comprises Aston University sports facilities and some areas of scrub and woodland accessed from the A34 Birmingham Road. There are also a range of buildings and built sports facilities, and the area has a very managed character.
- 9.2 Land east of the site comprises 20th century residential development, with mainly semi-detached and short terraced properties, mostly with sizable gardens. Properties on Peak House Road generally back onto the site and properties on the southern side of Wilderness Lane, front onto the site.
- 9.3 The Q3 Academy, with a range of academic buildings and sports facilities/external space lies immediately to the south and to the north runs the A34 Birmingham Road beyond which are located residential properties. The Beacon Way long distance footpath passes the site to the north. In part this runs between planting on the site boundary and security fencing at the sports facilities.
- 9.4 The application (Ref DC/23/68822) was submitted to Sandwell Metropolitan Borough Council. The proposals (subject to this appeal) sought Outline Planning Consent (with the exception of access) for residential development of up to 150 dwellings (including 40% affordable housing), a countryside park and associated works. The Framework Plan that accompanied the application, shows that approximately 15% of the site would be used for residential development and approximately 85% of the site would be Green Infrastructure, managed as a Countryside Park.

Baseline landscape.

- 9.5 The site lies within National Character (NCA) 67 '*Cannock Chase and Cank Wood*'. This NCA stretches from Halesowen in the south to Stafford to the north and therefore covers a very extensive landscape area.
- 9.6 The National Character Area also sets out three Statements of Environmental Opportunity (SEO). The second Environmental Opportunity is repeated below,
- SEO 2: Manage, enhance and expand the network of green infrastructure, such as woodlands, restored mining sites, parklands and canal routes, to increase biodiversity, access and recreational use and increase understanding of the area's rich industrial heritage, particularly geodiversity.*
- 9.7 SEO 2 is of particular relevance to the appeal proposals, in relation to the provision of the Countryside Park.
- 9.8 The Sandwell Landscape Sensitivity assessment was carried out by Arup as part of a wider landscape sensitivity assessment as part of the Evidence base for the Black Country Core Strategy review. Within the study the site is located within an area described as Landscape area BL25. Overall, this area was assessed to have "*Medium*", landscape sensitivity to new residential development.

- 9.9 The Black Country Historic Landscape Characterisation 2019 was also completed to provide part of the evidence base for the updated Black Country Core Strategy. The study subdivides the landscape into 51 historic character areas, of which the site lies within character area SD02 'Newton, Hamstead and Great Barr'.
- 9.10 The Historic Landscape Characterisation identifies 40 of Areas of High Historic Landscape Value (AHHLV). The site forms part of AHHLV 25 'Peak House Farm Field System'. Within the study part of the appeal site was also identified as an Archaeological Priority Area (APA). The appellant's Heritage assessment (prepared by EDP) concludes that there would be a 'very small' impact on APA 24: Peak Farm Moated Site, a 'small' impact on AHHLV 25: Peak House Farm Field System and a 'small' impact on other non-designated archaeological remains.
- 9.11 The SoCG confirms that the Council does not seek to resist the proposed development of the site on the basis of any perceived impact on the historic environment.
- 9.12 An assessment of Landscape Value has been undertaken. Whilst the site contains features of some value, including the field pattern, the overall judgment is that the site and its immediate context is of "Medium" landscape value. It is agreed in the Landscape SoCG that the site does not form part of a "Valued landscape" as para 180 of the NPPF.

Scheme Design and Framework

- 9.13 Landscape considerations have been part of the scheme design from the start, with a landscape evaluation of the site, guiding the appropriate location for residential development and Green Infrastructure. Built development is located close to the existing houses and the more visually open parts of the site have been retained for Green Infrastructure. A large proportion of the site would be managed as a Countryside Park.
- 9.14 In summary the Countryside Park and Green Infrastructure proposals include:
- The provision of approximately 23.09 hectares of land dedicated to landscape, GI, public open space, play and habitat related proposals - representing approximately 85% of the total site area. The Countryside Park would be open to all.
 - Alternative route for the Beacon Way Long Distant Footpath to the west of the site.
 - Cycle route along the edge of the Countryside Park.
 - New informal mown footpath routes to be provided around the site with connections to the relocated Beacon Way Long Distant Footpath and the footpath which runs adjacent to the Q3 academy to the south of the site.
 - A proposed naturalistic local play area to be located close to the proposed developable area in the northeast of the site.
 - A sustainable drainage system incorporating a series of drainage basins and existing ditches will attenuate the site's water run-off as well as contributing to delivering biodiversity and amenity enhancements; and
 - The site's GI will include new / enhanced habitats such as grassland, shrub, hedgerow and tree planting and enhanced management to promote biodiversity.
- 9.15 The details of the Green Infrastructure proposals would be agreed with the council and could be controlled through a planning condition.

Landscape and Visual Effects.

- 9.16 The site lies within (NCA) 67 'Cannock Chase and Cank Wood' and forms a very small part of this wide National character area. The proposals have the opportunity to contribute to Strategic Environmental Opportunity (SEO) 2 through its proposed GI. It is considered that there will be Negligible landscape effects on the overall character area as a whole.
- 9.17 In terms of the site and its immediate context, the primary change would arise as a result of the replacement of part of the agricultural land within the site with residential development and associated infrastructure, and the provision of the Countryside Park. At present the land receives minimal management for hay and silage, and the urban location means it is difficult for stock grazing. Built development would inevitably alter the character of part of the site and its immediate context, though the proposals for built development are for a limited portion of the site adjacent to the existing settlement edge, where housing is already a strong part of the character. The existing planting minimises the visual influence of the proposed housing areas on the wider area. The majority of the site will form proposed GI with a new accessible Countryside Park, SUDs and footpaths including a more attractive and safer alternative to the long-distance footpath route the Beacon Way.
- 9.18 The proposals for the site will retain as far as possible and reinforce the existing field pattern highlighted within the AHHLV area. There will be some hedgerow loss for access. Effects upon the site and its immediate context are considered to be Moderate Adverse with the potential to become Moderate/Minor Adverse in the long term as the site's GI matures. The new area of Green Infrastructure would be a significant benefit.
- 9.19 Overall, the Countryside Park, whilst outwardly not appearing much different to present from beyond the site, would bring a range of landscape benefits. These arise from enhanced management, bringing biodiversity improvements to the current improved grassland, with a more diverse sward, and benefits arising from enhanced public access to green space and nature close to where many people live.
- 9.20 In terms of visual effects, these would mainly be limited to changes to views from the properties that border the site, such as along Wilderness Lane, Peak House Road and Birmingham Road, and for users of these routes. There would also be some views from paths including the Beacon Way. A more open and attractive alternative to the Beacon Way, could be provided through the site as part of the Countryside Park proposal. Overall, the visual effects would be limited and localised.

Green Belt

- 9.21 In terms of the effects of the proposals on the purposes of the Green Belt, I have assessed that the scheme would have a low effect on the purposes of checking the unrestricted sprawl of large built-up areas, and of safeguarding the countryside from encroachment. The scheme would not lead to any merging of historic towns, there would be no coalescence between different parts of the wider suburban area, or between Sandwell and Walsall. The gap between different parts of the wider the settlement would not be narrowed. The site makes no contribution to the criterion of preserving the setting and special character of historic towns.
- 9.22 In terms of the effects of the scheme on the openness of the Green Belt, the scheme would involve the change of approximately 3.91 ha of agricultural land to residential development. The housing

would be up to 3 storeys, close to Birmingham Road, and 2 storeys elsewhere, limiting the spatial effect on the Green Belt.

- 9.23 The assessment of "*Visual Openness*" draws on the landscape and visual appraisal. This has demonstrated the limited extent from which the proposed development would be visible due to the surrounding built form and intervening vegetation. Generally, there are few locations beyond the immediate context of the site where there would be any notable views of the proposals.
- 9.24 From the north, views are limited by vegetation alongside the A34 Birmingham Road, though there are currently some gaps in the planting. From the east the only views would be filtered ones from the rear of the existing properties along Peak House Road. Properties on Wilderness Lane would largely have their open views towards and over the site maintained, apart from a small number of houses opposite the site entrance. Views from the west are generally limited by the overlapping vegetation and topography. Where the new houses would be seen, it would largely be in front of the existing ones.
- 9.25 Overall, this means that the effects on visual openness would be very limited. The extensive areas of Green Infrastructure within Wilderness Countryside Park would provide further visual containment and would further reduce any effects on visual openness over time.
- 9.26 Paragraph 147 of the NPPF notes that when it is necessary to release land from the Green Belt, plans should set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The land is subject to a planning application, rather than it being Plan Making stage, but making compensatory improvements to the remaining Green Belt would still be beneficial. The proposed Wilderness Countryside Park provides excellent opportunities for compensatory improvements to the Green Belt. At present the majority of the site is grassland and hedgerows and receives minimal maintenance, just a hay or silage cut. There is no public access. By releasing part of the site for housing, the greater part of the site could be improved, though management based on nature conservation enhancement, and with new public access to the Countryside Park. This would provide a great opportunity for new and local residents to access a significant area of land for recreation and to enjoy wildlife interest on their doorsteps.