

Part I: Proof of Evidence on
Employment Need from a Studies
Perspective for Land North East of
Junction 10 M42, Tamworth

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1. Introduction

- 1.1. This proof of evidence provides a route map to the substantial number of policy reports and studies summarised and referred to in the Cushman & Wakefield Employment Land Study May 2024 (“C&WELS”), demonstrating that there is an evidenced unmet need for the certain type of development land proposed by this Appeal.
- 1.2. The C&WELS provides the most up to date evidence base available and establishes that strategic employment land for industrial and logistics (“I&L”) Big Box development (buildings ≥100,000 sq. ft.) is a specific and distinct market segment of the overall employment land market and that there is an immediate need for such land regionally, sub-regionally, and locally.
- 1.3. The C&WELS provides a comprehensive review of the evidence base informing the reader in detail of the longstanding need for I&L Big Box employment land in the area in general and the location of the Appeal Site in particular. It should be read in order to fully understand the employment need position in relation to this Appeal.
- 1.4. This proof does not seek to repeat the contents of the C&WELS as it is provided in Appendix 1, but it does seek to draw out some of the most important references within it. Paragraphs and figures referenced in this proof relate specifically to the C&WELS, unless otherwise stated.
- 1.5. This proof draws upon the evidence contained in the C&WELS from both a policy and an evidential perspective, which demonstrates that evidence published at a national, regional, sub-regional, and local level has not been acted upon properly for a significant period of time. This lack of action has resulted in a situation in which local authorities within this area have not sought to accommodate strategic employment land for logistics Big Box developments within their plan making process – by identifying and allocating sites. The consequence is that the available supply of strategic employment sites for Big Box logistics in this area has been chronically low for a number of years creating an immediate need for new sites to be brought forward.
- 1.6. The C&WELS demonstrates that the need in the area of the Appeal Site is a particularly acute example of this systemic failing, and as such the lack of supply of sites is the lowest when compared to the sub-regional and regional levels (which are also extremely low). This supply side position, allied to the significant demand seen over recent years, has created a chronically inadequate land supply of strategic employment land for Big Box logistics of only 3 to 3.5 months in the sub-region and ‘0’ (zero) years supply in North Warwickshire.
- 1.7. The regional and sub-regional evidence base, the North Warwickshire Local Plan (“NWLP”) itself, and the market signals in the C&WELS all point to the location of the Appeal Site as being the most obvious choice to meet this immediate need, and in a different planning system where a regional tier of monitoring did exist, a site that ought to have been allocated for strategic employment several years ago.
- 1.8. The C&WELS was authored with assistance from colleagues including David Binks MRICS who authored Sections 4, 5, and 6. I authored Section 3.
- 1.9. I strongly advise the Inspector and other interested parties to read the C&WELS in full to gain a comprehensive understanding of the employment land need position in relation to this Appeal.

About the Author

- 1.10. I, Jonathan Turner MRICS, am a chartered surveyor specialising in development consultancy since 2002 for both the public and private sectors in the Midlands, with a focus on central and local government. Recent clients include Birmingham City Council, Walsall Council, and Derby Council.

- 1.11. In this context, I consider that I am well placed to comment on the employment land need evidence for the Appeal Site from an employment need studies perspective.
- 1.12. C&W is one of the largest commercial property consultancies serving the UK with offices throughout the country including Birmingham, Leeds, Manchester, Bristol, and London. It is a multi-disciplinary practice, but it is particularly well known for its expertise and experience with industrial, distribution and office property, including large scale logistics.
- 1.13. The content of this proof of evidence contains my professional opinion and is produced in full accordance with my professional code of conduct. I am aware of my duties to the inquiry to provide my opinion irrespective of by whom I am instructed. I can therefore confirm that the content of this proof is true to the best of my knowledge or belief.
- 1.14. In addition to this proof, my colleague David Binks MRICS is providing evidence in relation to employment land need from a market perspective. A joint appendices is provided for both proofs of evidence.

2. Scope of Evidence

- 2.1. **Section 3** provides a summary of the systemic failure to address the clearly evidenced need for the type of development proposed including a brief analysis of the studies published over the last decade which identify and establish the immediate need for Big Box logistics employment land in the area generally and in the location of the Appeal Site specifically. For a comprehensive analysis of the relevant studies the C&WELS should be read in full.
- 2.2. **Section 4** draws on evidence in the C&WELS to demonstrate that at the regional, sub-regional, and local level in North Warwickshire there has been a chronic under-delivery of strategic sites and demonstrates that in employment need terms LP6 is triggered.
- 2.3. **Section 5** details why the Appeal Site is the most obvious and appropriate Site to meet the immediate need demonstrated.
- 2.4. **Section 6** draws conclusions.

3. Systemic failure in allocating strategic land

The Regional – Local Disconnect

- 3.1. The critical path to this Appeal regarding employment land need can be traced back to the absence of any spatial planning structure to connect the clear and unambiguous findings of a regional evidence base regarding need, to local planning policy.
- 3.2. It is in this system that North Warwickshire Borough Council (NWBC) and other local authorities across the country have insufficiently planned to address the strategic need evidence base, citing, as the North Warwickshire Local Plan (NWLP) does in **(paragraph 7.41, page 35, CD-F1)**, that such development could be located elsewhere across the East and West Midlands. The consequence of that abrogative stance is that on both a quantitative and qualitative basis, strategic employment land (particularly large scale logistics employment land) has not been provided for in the locations in which it is needed, ignoring the substantial evidence base.
- 3.3. The C&WELS provides an up to date summary of provision of strategic employment land in North Warwickshire and neighbouring local authorities, showing that in most cases they have not provided for large scale strategic employment land (paragraphs 2.16 to 2.36 and Figures 2B, 2C, and 3) in spite of a number of iterations of the plan making process since the abandonment of the regional tier of planning in 2011 (see Section 2 of C&WELS and also Appendix 6 of this proof).

The North Warwickshire Approach (Core Strategy 2014 onwards), and its implications

- 3.4. Successive iterations of the NWBC plan making process (Core Strategy 2014 & Local Plan 2021) have not addressed the evidenced and identified sub-regional and regional need and instead favoured metrics relating to local need (paragraphs 3.153-3.182). Mr Hann explains in his evidence that the Local Plan Inspector expressly recognised this approach and therefore recommended a policy approach that would enable this need to be addressed at a development management level, absent a further review of the plan. No attempt by North Warwickshire has been made to expressly accommodate ‘wider than local’ needs in relation to strategic employment land needs.
- 3.5. The C&WELS details how, at least since prior to the adoption of the Core Strategy on 9th October 2014 (submitted for examination on 28th February 2013), the Council has not addressed the issue of strategic employment land by allocating land, particularly for large scale logistics (paragraphs 3.153 to 3.197). Notably, the Core Strategy Inspector concluded that the issue could be dealt with by way of a review of the Core Strategy should evidence be produced at a regional level to increase the employment land provision (paragraphs 3.164 to 3.167).
- 3.6. Following the Core Strategy, NWBC began consultation on a Draft Site Allocations Plan in 2014. However, that process was not completed with the Council taking the decision to deal with employment land provision through a new local plan (paragraph 3.167). The consultation process on the initial stages of the Local Plan began informally following the LDF Sub-committee meeting on 3 August 2016 (**CD-I66, page 4, agenda item 5**), meaning that it was clearly able to be informed by any new regional level evidence base documents published prior to that date.
- 3.7. The regional evidence was forthcoming in 2015 in the form of two studies, the West Midlands Strategic Employment Sites Study 2015 (“WMSESS 2015”) and the Coventry & Warwickshire Employment Land Use Study 2015 produced by CBRE referred to by the Local Plan as the CBRE 2015 Study.

- 3.8. The C&WELS provides a detailed summary of the WMSESS 2015 by JLL (paragraphs 3.52 to 3.58), the author of which was also the author of the original JLL Employment Land Statement which accompanied the Appeal Site's original planning submission.
- 3.9. WMSESS 2015 identified the M42 belt to the east of Birmingham as 'Area A', as also referred to by NWLP policy LP6, as having the lowest level of immediately available supply measured by years' supply within the West Midlands against all other sub-regions, describing the supply position of Big Box development land as "critical" (paragraph 3.55). It also noted that demand for large scale industrial floorspace was most intense along the M42 belt, specifically noting the boundary where North Warwickshire and Tamworth converge (paragraph 3.55).
- 3.10. For ease of reference, see Figure 9 on page 33 of C&WELS for Area A from the WMSESS 2015 positioned on an OS Map with motorways, major roads, urban areas, and the Green Belt overlaid.
- 3.11. The C&WELS provides a detailed summary of the CBRE 2015 Study, which concluded that the greatest weight should be given to market transactions (i.e. take up rates) and that the shortfall of strategic employment scale sites at that time was "acute" and the need to address it by supply of sites as "urgent". It also concluded that lack of suitable space was having a detrimental effect on the economic prospects of the LEP area (paragraphs 3.103 to 3.107).
- 3.12. It was in this context of a serious lack of strategic employment land provision by the Core Strategy and the failure of NWBC to address strategic level employment land evidenced by these two studies, that St Modwen's Tamworth Logistics Park, located at J10M42 in North Warwickshire was allowed at Appeal (**CD-K2**) on 26th November 2016.
- 3.13. It is notable that the St Modwen's appeal was allowed based on an evidenced severe shortfall in supply along the M42 belt despite the 42.39 acre Core 42 scheme logistics scheme, which had been consented in April 2014 but at that time was undeveloped, located within 0.5 miles of the St Modwen's appeal scheme. Both St Modwen's Tamworth Logistics Park and Core 42 are located within North Warwickshire in close proximity to J10 M42, and are now fully developed and occupied, save for a 0.28 hectare plot only capable of accommodating a 10,000 sq. ft smaller unit. Indeed, once infrastructure was complete, the take up of both schemes was rapid, evidencing substantial suppressed demand.
- 3.14. In spite of this appeal decision and further evidence, for example, from the Coventry & Warwickshire Market Signals Study 2019 regarding the need to immediately allocate large scale B8 logistics land along key transport corridors (the study is summarised in paragraphs 3.108 to 3.113) and significant unmet need from adjacent administrative areas – notably – Birmingham (paragraph 3.121 to 3.131), NWBC continued their local plan making process focusing primarily on local need and not addressing the evidence of strategic employment land need. This approach is illustrated in paragraphs 3.155 to 3.181 of the C&WELS which provides an analysis of how the Local Plan submission version reached a quantum of 100 hectares of employment land over the plan period. It is clear from that analysis (and evidence provided at examination) that NWBC made no attempt to expressly identify or plan for wider than local needs.
- 3.15. Indeed the C&WELS details that at examination, the Local Plan Inspector accepted this position, directing that the 100 hectare quantum of employment land was required to become a 'minimum' amount and policy LP6 was required as a clear mechanism for decision makers to facilitate further employment land within Area A (covering the western half of North Warwickshire) where that land could not be provided for by allocations or forecasted supply in the Local Plan (paragraph 3.182). Notably the Inspector required the introduction of LP6 in order to be consistent with the NPPF and make the plan sound. The Inspector's approach was predicated on the basis that it was not at that point possible to quantify the extent of that strategic need that needed to be met in North Warwickshire.

- 3.16. In this context of a reluctance by NWBC to address the evidenced strategic need it is perhaps unsurprising that the readily available supply of land capable of accommodating large scale logistics buildings rapidly ran out in North Warwickshire – i.e. reached ‘0’(zero) years’ supply – by 31st March 2022 as evidenced by NWBC’s own Annual Monitoring Report 2023 – approximately 6 months after the adoption of the Local Plan (paragraphs 3.185 to 3.197).
- 3.17. It should be noted, that large scale logistics land for Big Box developments has accounted for 91.81% of all employment land completion rates since 2019 (See Figure 19) in NWBC’s Annual Monitoring Report 2023 (CD-F6) and, since that supply of large scale logistics sites ran out, only 0.25 hectares of employment land completions, across any use classes, was recorded in the year to 31st March 2023, with a similar completion rate expected in the 2024 numbers (which have not yet been released). In addition, the Coventry & Warwickshire HEDNA notes that between 2011-2019, large scale logistics accounted for 83% of all employment land completions in North Warwickshire (See Figures 18 & 19).
- 3.18. It is also telling that in this context of significant imbalance between supply & demand evidenced by the C&WELS, in addition to the Appeal Site, it is understood that two further sites both within the Green Belt are being promoted on a speculative basis within North Warwickshire for large scale logistics use. The promoters of those sites are arguing that the very special circumstances required for Green Belt release exist. It should be noted that no applications have been submitted to North Warwickshire for those sites yet, and it is understood that only preliminary consultations have taken place, albeit pre-submission technical studies are being conducted. Mr Hann explains the approach of national policy that all matters being equal that non-Green Belt sites should always be used in preference to Green Belt sites which benefit from the highest tier of planning policy protection.
- 3.19. The forward planning response from North Warwickshire has been extremely slow in its approach to potentially address this identified ‘gap’ in employment land need. Indeed, a draft employment land development plan document is currently only at a very initial draft stage, being Scope, Issues, and Options. Moreover, the Scope, Issues, and Options paper does not expressly state that it will address the identified need for strategic logistics land, meaning that there is no certainty, and/or realistic prospect of strategic employment land being available to meet market demand for a very long period of time – see below.

4. Summary of evidence base from C&WELS of the need for strategic employment land, on an immediate basis, since the adoption of the Local Plan

- 4.1. Since the adoption of the NWLP in October 2021, there have been a number of further studies and reports further evidencing the need for strategic employment land (i.e. a “certain type of employment land”) at a national, regional, sub-regional, and local level. These are described and summarised in Section 3 of the C&WELS.

Nationally

- 4.2. At a national level, themes covered by the studies and UK Government plans/strategies include the focus on the decarbonisation of transport and incentivisation of the use of rail freight, statements on lorry parking in relation to logistics development, recognition of the specific locational requirements of the logistics sector, the long standing suppressed demand in the logistics sector, and the power of technology to unlock productivity (paragraphs 3.4 to 3.38).

- 4.3. Crucially, this evidence base points to significant suppressed demand for new I&L Big Box development. In relation to the Birmingham market, in which the Appeal Site sits, suppressed demand is detailed to be at 29%, meaning that take up rates would be 29% higher had sufficient supply of buildings and land been available to accommodate demand (paragraph 3.24). Not meeting suppressed demand has an obvious impact upon the national and regional economy.

Regionally

- 4.4. Regionally, the C&WELS provides a summary of the WMSESS 2021 (paragraphs 3.59 to 3.80), which like the WMSESS 2015, again identified an “urgent” need for additional strategic employment sites to be brought forward especially noting the “very substantial lead-in times for promoting and bringing forward such sites” (paragraph 3.67).
- 4.5. WMSESS 2021 built on the work undertaken by the WMSESS 2015 and detailed 5 “prime market facing locations” in the West Midlands for strategic employment sites, with the Appeal Site being within ‘Area 2’. Area 2 falls within Area A as defined by the WMSESS 2015 but details a more intense focus on the M42 Corridor, the key location within Area A where logistics occupiers can gain easy access to the UK’s motorway and strategic road network (See Figures 9 & 10 on pages 33 & 34).
- 4.6. WMSESS 2021 found that Area 2 – the M42 corridor - had the lowest years’ supply of existing sites of all the prime market facing locations of the West Midlands identified as clusters of large scale employment land – at just 0.71 years supply (paragraph 3.74).
- 4.7. Within Area 2 (M42 Corridor) the WMSESS 2021 stated that there was an “urgent need” to identify a pipeline of new strategic employment sites beyond the current extremely limited supply and went further stating that “existing supply must be supplemented in the short term” (paragraph 3.76).
- 4.8. The study brief, endorsed by the client group and engagement with all 24 local authorities in the West Midlands, 3 LEPs, the West Midlands Combined Authority, landowners, and developers also sought to understand potential sites which could form part of any future deliverable pipeline, undertaking a ‘Call for Sites’. A high level assessment of these sites was then undertaken against a set of criteria (paragraph 3.79).
- 4.9. The Appeal Site ranked joint top against those criteria (paragraph 3.79) across the whole of the West Midlands (paragraph 3.80 and Figure 11 on page 35).
- 4.10. Of the 11 sites within Area 2 (M42 Corridor), 10 of the sites being promoted were in the Green Belt, with the Appeal Site being the only site located outside of the Green Belt.
- 4.11. For ease of reference, the C&WELS extracts the high level assessment of promoted sites from WMSESS 2021, with the Appeal Site referred to as ‘Corridor 42 Business Park, J10 M42’ (See Figure 11 on page 35).
- 4.12. For ease of reference, see Figure 10 on page 34 of C&WELS for Area 2 from the WMSESS 2021 positioned on an OS Map with motorways, major roads, urban areas, and the Green Belt overlaid.

Sub-Regionally

- 4.13. Sub-regionally, as summarised in the C&WELS, the evidence base since the adoption of the Local Plan also continues to indicate that there is an immediate need for strategic employment land. For example, a report title Strategic Employment Land 2021 by the erstwhile Coventry and Warwickshire LEP concluded that “unless more larger sites are allocated or come forward as ‘windfall’ then inward investment into the sub-region will be deterred by site shortages” (paragraphs 3.114 to 3.115).
- 4.14. This position is again confirmed by the Coventry & Warwickshire HEDNA of November 2022 which concludes its analysis by stating that between 551 and 735 hectares of land is required to meet needs for large scale strategic B8 logistics warehousing to 2041 and 2050 respectively (paragraph 3.116 and Figure 15B page 48). The HEDNA also notes that to support the use of rail in transporting goods (with the associated sustainability benefits) consideration should be given to the providing additional warehousing capacity in locations close to the SRFI, which in Coventry and Warwickshire means J10 M42 and around Hams Hall. It goes on, stating that bringing forward capacity in locations close to the existing SRFI, which could include as extensions to existing sites or new sites – as well as road-based locations elsewhere – is therefore appropriate (paragraph 3.116 and Figure 15C on page 49).
- 4.15. Also notable is the Coventry & Warwickshire Chamber of Commerce’s response to the HEDNA which states that there was a serious lack of serviced land (land capable of meeting immediate demand) both qualitatively and quantitatively and advised allocating at least 20 percent more than advised by the HEDNA and developing a disaggregated approach, including that some allocations should be dedicated to single use class and in the case of warehouse and logistics the identification of rail served and non-rail served sites (paragraph 3.117-3.120).

Inadequate plan making response from North Warwickshire to meet the evidenced immediate need

- 4.16. It is understood that NWBC is potentially looking to assess the issue of strategic need through a draft Employment Land Development Plan Document (“DPD”) which is currently at Scope, Issues, and Options stage, with consultation having only closed very recently on 9th May 2024. It being notable that this is a very similar approach to that seen after the Core Strategy was adopted in 2014, following which a draft Site Allocations Plan was published in response to comments from the Core Strategy Inspector. That draft Site Allocations Plan exercise was subsequently ended when NWBC took the decision to produce a new Local Plan (the now adopted Local Plan).
- 4.17. Initially, an unadopted iteration of the Local Development Scheme of April 2022 (**CD-F25, Appendix A, page 4**) stated that an initial consultation on an Employment DPD would take place in Autumn 2022. However, thereafter the adopted Local Development Scheme of July 2023 (**CD-F4, Appendix A, page 4**) suggested an initial consultation date of Autumn 2023. However, this Scope, Issues, and Options paper was not published for consultation until January 2024. This consultation is at least some 3 to 6 months behind the period (Autumn 2023) indicated in the Local Development Scheme of July 2023 (“LDS 2023”), and 15+ months behind the Autumn 2022 consultation date proposed in the Local Development Scheme iteration of April 2022. Assuming no more stage times are missed in timescales proposed by the LDS 2023, it suggests an adoption of the DPD at the very earliest in 2026, some five years after the adoption of the Local Plan and that (as evidence in the C&WELS states in circa 2015 was expected to address the identified need for suitable strategic sites)(paragraphs 3.164 to 3.167).
- 4.18. Even if the draft Employment DPD is taken forward this time, it will be unable to respond quickly enough to meet the employment land needs, especially in light of the evidence base and market signals outlined by the C&WELS, of the ongoing market ‘gap’ in provision that currently exists through the lack of local authority response to the evidence presented over a longstanding period of time.

- 4.19. This is because of the prolonged timescales associated with bringing strategic employment sites forward. Indeed, from a site receiving adopted allocation status to receipt of planning consent itself often takes a number of years to achieve, especially given the wide-ranging complexities in respect of large scale strategic employment land. For example, the application for the Appeal Site was submitted in December 2021.
- 4.20. Moreover, as detailed in my colleague David Binks MRICS' market proof of evidence and paragraph 3.67 in the C&WELS which quotes the WMSESS 2021, even once planning consent is received, the nature of delivery of large scale strategic employment sites is that they often require significant offsite and onsite enabling works over a number of years to create serviced building plots readily available to accommodate demand from occupiers.
- 4.21. Taking these significant timescales into consideration, even if a DPD is adopted in 2026 and assuming that it actually does allocate strategic employment land for large scale logistics use, and assuming thereafter planning consent is achieved in rapid time, it is still inconceivable of such land being capable of delivering serviced plots that can be occupied so as to meet market demand until at the very earliest 2030 – i.e. six years' time assuming a favourable case scenario.
- 4.22. This is in light of the evidence demonstrating how NWBC are already at least 15 months behind their original intended timetable for the DPD. Should the DPD process slip further behind or possibly even be stopped or again not address strategic need, then the realistic timeframe for delivery of readily available strategic employment land for logistics use will be pushed out well past 2030.
- 4.23. In the absence of a market response triggering LP6, it is almost impossible to conceive of North Warwickshire being able to contribute to the provision of strategic logistics employment land for a significant period and certainly not before 2030, despite compelling evidence that it needs to do so.

5. Triggering of Policy LP6

- 5.1. There are two needs 'limbs' within LP6, 'either or' of which can be triggered for the policy to be engaged in relation to need, so long as the identified need cannot be met through forecasted supply or allocations. These are either the need being for 1) a certain type of employment land, or 2) an immediate need for employment land.

A Certain Type of Employment Land

- 5.2. The C&WELS states that large scale industrial and logistics developments known as 'Big Box' are a specific market segment – "a certain type" of the overall employment land market, with a distinct set of characteristics (paragraph 4.1). Most typically these are single occupiers requiring single 100,000+ sq. ft buildings.
- 5.3. Big Box development is very different from traditional forms of employment land such as trading estates, manufacturing plants, or standard traditional industrial estates which historically tended to be embedded in close proximity to the dense residential areas in which they served (paragraph 4.1).
- 5.4. The Local Plan Inspector recognised this through the inclusion of the LP6 policy (based on the significant evidence outlined in Section 3 of the C&WELS) and the inclusion of the supporting text to LP6 at paragraph 7.46 of the adopted Local Plan (paragraph 1.21). This supporting text includes reference to "particular locational requirements specific to certain employment uses and economic benefits to addressing those needs in those locations," with further specific reference also being made to a Strategic Gap and the Green Belt.

- 5.5. The proposals therefore meet the requirement for being a 'certain type of employment land' as required by LP6, by nature of being a distinct market segment of the overall employment land market with specific locational requirements and characteristics.

An Immediate Need for Employment Land

- 5.6. In addition, and although not required, the proposals do also meet the other limb of LP6 in terms of immediate need.
- 5.7. Within the Big Box development sector, an identified or disclosed ('named') occupier at the point of planning is very rare. For clarification, having a named occupier is only one way of demonstrating an immediate demand. It does not follow that a named occupier is required to demonstrate an immediate need in relation to a policy focusing on additional employment land. Immediate need for additional employment land is demonstrated in the Big Box sector by having regard to the evidence base, consideration of the specific locational requirements of this specialist sector, and the availability of readily available and serviced ('oven ready') large scale development plots within the identified market areas.
- 5.8. This is because, occupiers seek to focus on development with planning certainty with risk reduced and minimised, typically seeking delivery of a development within a 2-year time period. Only a very small minority of requirements can wait longer.
- 5.9. Planning certainty of course concerns the binary position of having consent or not having consent, but also the timing risk associated with achieving consent, even if an allocation has been made. Given the pressures on local authorities and statutory undertakers the planning application and approval process is now very lengthy particularly in relation to large scale strategic sites which are complex and have an extensive range of considerations. For example, the original application for the Appeal Site was validated on 2nd December 2021, almost 2.5 years ago. Assuming a typical 12-18 month lead-in period for undertaking technical studies then the process from pre-submission to Appeal date will have taken more than 4 years.
- 5.10. Within that context, it is unrealistic to expect occupiers to commit to a timeframe of an uncertain period, without any guarantee of achieving a successful outcome. Moreover, this is especially the case when following consent being achieved, strategic employment sites of scale often (but not in the case of the Appeal Site) require significant offsite and onsite enabling works to create serviced plots to meet market demand.
- 5.11. Occupiers, therefore, will in the majority of requirements focus on development where planning and infrastructure has already been secured and provided, the majority will not accept an uncertain planning environment or unknown delivery timescales whilst planning is secured or enabling works delivered. Our market research confirms this approach where of all Midlands Grade A taken up in 2023, 88.3% of that take up was for speculative or build to suit developments on serviced plots.
- 5.12. Speculative development is when developers construct buildings without an identified occupier based on strong market fundamentals and very little or no competition in an area. Examples of speculative development have recently taken place at J10M42 locations, in very close proximity to the Appeal Site, including Core 1 of 345,451 sq. ft. at Core 42 in 2021/2022 which let to Maersk 5 months prior to practical completion of construction (i.e. when it was still under construction) and T321 at St Modwen's Tamworth Logistics Park in 2021 which let within 1 year of practical completion of construction.
- 5.13. It is of course to be noted that rapid take up on speculative development on unallocated sites, in the case of St Modwen's Tamworth Logistics Park, is clear evidence of suppressed demand.

C&WELS Further Evidence

- 5.14. The C&WELS provides a comprehensive summary of the need studies, reports, and other evidence base relevant to the Appeal Site (see Section 3 of the C&WELS). The C&WELS also sets out demand (Section 4), and supply of strategic employment land (Section 5), having undertaken an assessment in accordance with the relevant sections of Planning Policy Guidance.
- 5.15. The C&WELS provides land supply in years' take up by reference to historic take up over a five year period against existing supply. The table below provides the relevant land supply available for large scale logistics from regional to local level, also providing a reference to the relevant paragraph of the C&WELS..

Table 1: Large scale logistics land supply from C&WELS

Level	Land Supply (Years)	Reference
Regional (Golden Triangle)	0.92 (11 months)	Paragraph 5.21
Sub-Regional (Area A, Area 2, M42 Corridor + J11)	0.25 to 0.29 - (3 to 3.5 months)	Paragraphs 5.29 – 5.31
Local (North Warwickshire)	0	Paragraph 5.39

- 5.16. These astonishingly low levels of supply are all far less than the 3.7 years' supply identified for Area A by the WMSESS 2015 (an area subsequently included within LP6) which concluded that planned land supply in this location [Area A] fell "severely short" (paragraph 3.56) and lower than the 0.71 years' cited in the WMSESS 2021 in relation to Area 2 – M42 Corridor. Without descending into hyperbole, the need has obviously increased since that time as take up has occurred and supply is even less than the severe shortage identified in 2015 (and again in 2021) as requiring immediate attention.
- 5.17. In Big Box sector terms – the distinct market segment to which the Appeal relates - this data cannot be interpreted as anything other than a continuing acute and immediate need to identify large scale strategic employment land for logistics purposes.

Allocations in the Local Plan

- 5.18. As the C&WELS demonstrates in paragraphs 5.37 to 5.44 and Figure 45, of the principal employment sites and the Local Plan allocations, only E2 – Land to West of Birch Coppice is potentially suitable for B8 logistics buildings over 100,000 sq. ft, albeit it is just 5.1 hectares on a gross acreage basis.

- 5.19. Allocation E2 requires landscaping adjacent to the A5 and the houses, a diversion of a public right of way, and the relocation of 1.5 hectares of allotments to an alternative location to the north of the A5 prior to start of construction. I understand that after provision for landscaping, sustainable drainage features, walkways, and estate roads the allocation is estimated to yield between 3 to 3.5 hectares of land available for construction plots for buildings and associated car parking and yard space (net developable area) and given the triangular shape of the allocation and access point it is most likely to suit a mid-box two/multi-unit scheme. I have seen a very early-stage design showing two buildings of approximately 86,000 sq. ft. and 64,000 sq. ft, totalling approximately 150,000 sq. ft, albeit that layout did not include provision for open sustainable drainage systems, which would further reduce plot size. I also understand that the means of access to the allocation is under the private ownership of a 3rd party. In any case, in relation to this Appeal, given the constraints associated with this allocation which include transferring the allotments over to a site to the north of the A5, it is not available to meet the immediate need established in the C&WELS. Even if it were, then it is still nothing like sufficient to meet the needs identified.
- 5.20. Of the remaining allocations, E1 of 6.8 hectares (gross area basis) is controlled by Aldi, being adjacent to their national headquarters, and if not required by them for expansion the Local Plan makes clear it will be safeguarded for E(g)(ii) Research and Development and B2 Manufacturing use classes. E3 of 3.45 hectares (gross area basis) is allocated as an employment site, for uses appropriate to the location reflecting the proximity of existing leisure and residential development. I understand that there have been delivery concerns raised with this allocation, notably from interested parties not wishing to proceed with the land swap at this time. In any case, the allocation is small in scale and, even if it were available, is unlikely to be suitable for a Big Box development scheme.
- 5.21. Whilst E4 'Land to the south of Horiba Mira' of 42 hectares is allocated, it is made clear that B8 (warehousing and distribution) will not be permitted unless it is ancillary or clearly secondary to the main uses of E (g) (ii) Research and Development and B2 Manufacturing use classes. In any case, the location of Mira, I understand would not be considered in market terms as a suitable large scale logistics location as it not in close proximity to the motorway network, nor rail served, nor within Area A.
- 5.22. The speculative application referred to in paragraph 5.43 of the C&WELS under reference PAP/2023/0188 at Dosthill is not considered, in qualitative terms, to be suitable for large scale logistics use. Not least because it requires access along the 'old A5' from J10 M42, using narrow two lane roads, with housing on either side of those roads and the approach to the site.
- 5.23. It is clear that the allocations in the North Warwickshire Local Plan cannot meet immediate need for strategic employment land for Big Box logistics from allocations or forecasted supply.

6. Appropriateness of the Appeal Site to meet immediate need

- 6.1. At a national level, the Appeal Sites complies with the identified studies, policy papers, and UK Government Plans including to incentivise adoption of rail freight as a means to decarbonise the UK economy given its proximity to the only two operational Strategic Rail Freight Interchanges in the West Midlands (BIFT and Hams Hall) (see two letters from BIFT & Hams Hall SRFI operator Maritime in Appendix 5A & 5B of this proof).
- 6.2. At regional level, it lies at a key nodal point at the heart of the Golden Triangle, the key location nationally for large scale I&L developments. This includes it easy access to the M42 motorway (north to south) and the A5 (east to west).
- 6.3. At the sub-regional level, it is located within Area A as defined by LP6 and WMSESS 2015, Area 2 as defined by WMSESS 2021, and outside of the national designation of the Green Belt. It is located at the last remaining undeveloped quadrant at J10 M42, a long standing (20+ year) location for supplying logistics employment land of scale, and an established location for that "certain type" of development.

- 6.4. It is capable of being delivered in a very short time frame of 2-3 years (see occupier programme in Appendix 3), which as understood in the context of strategic land of the type proposed, as being available for immediate delivery. Unlike, all 10 of the remaining industry promoted sites within Area 2 of the WMSESS 2021 assessment, it is located outside of the Green Belt and so has no time constraints that are related to removal of land from that national designation.
- 6.5. Indeed, given the evidence presented in the C&WELS and this proof, in my view, the Appeal Site appears to be the most appropriate location within North Warwickshire, sub-regionally, and regionally for a new strategic site to be identified.
- 6.6. This aligns with the WMSESS 2021 analysis of potential sites which ranked the Appeal Site as top against 30 other potential sites to deliver strategic employment land in the West Midlands (see Figure 11 on page 35).
- 6.7. The Coventry & Warwickshire HEDNA identified that bringing forward logistics capacity close to existing SRFI locations is appropriate and would support and enable growth in the use of rail transporting goods (see Figure 15C on page 49).
- 6.8. For these reasons, I see the Appeal Site as being absolutely appropriate to meet the evidenced need for the certain type of employment for which it is proposed, and suggest it represents the obvious and most suitable location having regard to all of the issues considered.

7. Conclusion.

- 7.1. With reference to the C&WELS, which is provided at Appendix 1 and recommended to be read, this proof demonstrates the systemic failure to meet the evidenced immediate need for a distinct market segment of employment land, in spite of the evidence base at the regional, sub-regional, and local level.
- 7.2. With reference to the C&WELS, this proof briefly summarises the significant and long standing evidence base from the national, regional, sub-regional and local levels for large scale strategic employment sites focusing on the specific market segment of Big Box I&L developments.
- 7.3. That evidence base, detailed in the C&WELS, consistently refers to an 'urgent,' 'acute,' 'immediate' need to provide for more strategic employment land along motorway corridors and in close proximity to rail served sites in the West Midlands – specifically along the M42 Corridor in Area A and Area 2 of the WMSESS 2015 and WMSESS 2021.
- 7.4. Along the M42 Corridor (defined as J3 to J10 of M42) all of the motorway junctions are within the Green Belt apart from J10 M42 – the location of the Appeal Site. (See Area A & Area 2 plans in Figures 9 page 33 & Figure 10 page 34 of the C&WELS).
- 7.5. Whilst NWBC has undertaken an initial consultation on a Scope, Issues, and Options paper in relation to an Employment DPD, the analysis provided above demonstrates that realistically it will not be in a position to deliver sites to the market to meet demand until at least 2030, assuming no further delays. Nor does it expressly state that it will address strategic issues.
- 7.6. The Appeal Site can deliver serviced plots to meet demand in the market in a very short time frame, between 2-3 years, and in what would be understood in strategic employment terms as capable of meeting immediate demand.
- 7.7. The Appeal Site is specifically mentioned in the WMSESS 2021 in its high level assessment as being the most suitable to meet the immediate need across the entire West Midlands, and specifically in relation to Area 2 – the M42 Corridor – the area of most acute need as evidenced by that Study (see Figure 11 on page 35).

- 7.8. There is a chronic under-supply of strategic employment sites nationally, regionally, sub-regionally, and locally. Of these, the need is most acute at the local level in North Warwickshire and specially J10 M42, which has been a long standing supplier of large scale employment land of national significance and is in close proximity to the only two operational SRFI in the West Midlands.
- 7.9. Having regard to the evidence presented in the C&WELS and this proof, in my view, the Appeal Site represents the most obvious opportunity which stands out regionally, sub-regionally, and locally. I know of no better site within the Borough or sub-region to meet the immediate need and demand identified for strategic employment land – the distinct market segment for which it is proposed.

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