



Hodgetts Estates

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**LAND NORTH EAST OF JUNCTION 10 M42,  
NORTH WARWICKSHIRE**

LPA Ref: PAP/2021/0663

PINS Ref: APP/R3705/W/24/3336295

**Rebuttal Proof of Mr Doug Hann BA(Hons), MIPL, MSc, MRTPI**



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**LAND NORTH EAST OF JUNCTION 10 M42,  
NORTH WARWICKSHIRE**

LPA Ref: PAP/2021/0663

**PUBLIC**

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WSP

8 First Street  
Manchester  
M15 4RP

Phone: +44 161 200 5000

WSP.com

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# 1 INTRODUCTION

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- 1.1.1. This rebuttal proof has been prepared to respond to points raised by North Warwickshire Borough Council (NWBC) witnesses that are either factually incorrect, potentially misleading or misapply planning policy.
- 1.1.2. It responds to the planning matters raised in the evidence of:
  - Mr Andrew Collinson, NWBC (**CD-D23**); and
  - Ms Dorothy Barratt, NWBC (**CD-D24**).
- 1.1.3. I comment on specific paragraphs of the above evidence in a tabular format in the following chapters to address matters in a clear and concise manner.
- 1.1.4. For the avoidance of doubt, if I have not commented on a particular paragraph or appendix to the LPA or Rule 6 Party proofs of evidence it does not mean that I agree with the points raised.
- 1.1.5. Rebuttals have also been prepared to other matters raised in the LPA's evidence by other witnesses, on behalf of the Appellant.

## 2 REBUTTAL TO EVIDENCE OF MR COLLINSON (NWBC) (CD-D23)

Table Ref	Ref in Mr Collinson's evidence	Mr Collinson's Statement	My Rebuttal
2.1	Para 3.30	<p>The Inspector concluded the debate by including changes in respect of MM40 and MM120 (CD-F20) by the introduction of the new policy LP6a and MM120 as a monitoring indicator. So, policy LP6 evolved to take into account the potential for Additional Employment Land (CD-F1 page 36). However, the Inspector makes it clear the policy LP6 <i>"must be read in conjunction with other Local Plan policies rather than automatically taking precedence over them (given that Area A encompasses Green Belt land and also land identified as 'Meaningful' or 'Strategic' Gap via Plan policy LP5 as addressed subsequently in this report)."</i> (CD-F14 para 180 page 42) (<u>my emphasis</u>). This means that any additional employment land should not be at the expense of the Green Belt or the Strategic Gap policies.</p>	<p>Mr Collinson's policy interpretation is incorrect – the Inspector's reasoning for the inclusion of Policy LP6 in the Local Plan does not make any reference to <i>"any additional employment land should not be at the expense of the Green Belt or Strategic Gap policies"</i>.</p> <p>Rather, as Mr Collinson correctly quotes, the Inspector simply stated that LP6 does not automatically take precedence over other Local Plan policies. There is no hierarchy between the policies. However Mr Collinson seeks to argue for precisely that by his assertion that <i>"any additional employment land should not be at the expense of the Green Belt or Strategic Gap policies"</i>.</p> <p>Policy LP6 makes no such reference to any additional employment land not being at the expense of Green Belt or Strategic Gap policies. As set out in Chapter 8 of my proof of evidence, the parts of Area A/2 that fall within North Warwickshire Borough are predominantly designated as Strategic Gap or Green Belt. If land designated as Green Belt and Strategic Gap within Area A/2 were to be discounted there would be barely any suitable land left and certainly no sites close to motorway junctions. As such there is an inevitability that to find sites to accommodate strategic employment within Area A in North Warwickshire, such sites would need to be located within the Strategic Gap or Green Belt.</p> <p>Policy LP4 allows development to come forward within the Strategic Gap where it does not significantly adversely affect the distinctive, separate characters of Tamworth and Polesworth with Dordon.</p> <p>Ms Barratt demonstrates exactly the same policy misinterpretation in her evidence, which I address in the following chapter of my rebuttal. Essentially this is to rewrite the inspector's approach and to undermine the effect of LP6.</p>

2.2	Para 7.1 – 7.2	<p>The starting point for this should be firstly, whether the proposal is within the settlement boundary, this is assessed through policy LP2 of the adopted Local Plan.</p> <p>It may well be assumed by the Appellant that the development would be considered under Category 2: Settlements adjoining the outer boundary of the Borough. It is clear that the site is not inside any settlement boundary. The site fails to fall in this category as it does not accord with criteria a), b) and c). It is therefore the case that it is considered to be a development within Category 5: All other locations. This states:</p> <p><i>“In all other locations development will not generally be acceptable, albeit as set out above there may be some instances where development may be appropriately located and would enhance or maintain the vitality of rural communities under this category.”</i></p> <p>Preceding this the Local Plan policy LP2 identifies a settlement hierarchy whereby new development may be supported in proportion to the facilities and services within the named settlements. It is neither a site that is an allocated employment site as identified in NWLP policy LP39. Therefore, there is no policy support for the employment land.</p>	<p>It is factually incorrect to state that there is “no policy support for the employment land” based solely on the alleged position of the appeal site within the settlement hierarchy set out in Policy LP2 and that the site is not an allocated employment site in Policy LP39.</p> <p>Policy LP6 provides clear policy support for proposals that demonstrate an immediate need for employment land, or a certain type of employment land, within a specified geographic area (Area A of WMSESS 2015 / Area 2 of WMSESS 2021), subject to meeting three criteria.</p> <p>Policy LP6 pre-supposes that some employment development can come forward beyond allocations or settlement boundaries. Significant weight is afforded to proposals that fully accord with Policy LP6 and this significant weight should then be considered in the overall planning balance and against the other policies in the plan.</p>
2.3	Para 7.4	<p>It is also a fact that the lorry park proposal and general industrial, warehouse, and light industrial uses can be disaggregated. There is no requirement for the lorry park to be considered with the employment use land. This is evidenced on the basis of separate applications/appeals locally for stand-alone lorry parks.</p>	<p>There is no policy requirement in the Local Plan that requires the development proposals to be disaggregated. It is therefore incorrect for Mr Collinson to state that “there is no requirement for the lorry park to be considered with the employment use land”.</p> <p>Ms Barratt makes the same incorrect statement in her evidence.</p> <p>Mr Turner and Mr Hatfield’s rebuttals address Mr Collinson’s and Ms Barratt’s disaggregation points in further detail from an employment need/land perspective and lorry parking need perspective, respectively.</p> <p>There is an obvious synergy between the uses and this addresses a particular local need.</p>

<p>2.4</p>	<p>Para 7.5</p>	<p>There is no weight that should be attributed to the emerging Employment Development Plan Document (EEDPD). As already indicated the Borough Council has just completed a consultation on the EEDPD with an expected submission no later than 30th June 2025. This EEDPD will identify reasonable alternative sites. As already indicated the appeal site has not previously been identified as a reasonable alternative employment site during the preparation of the Draft Site Allocation Plan 2015 (subsumed into NWLP). The site could be put through and assessed as part of this process through the EEDPD process along with other sites. The Borough Council is keen to take control of the situation in respect of employment land provision and as the Local Plan Inspector and other appeal Inspectors (such as Daw Mill CD K5) have said the Borough Council has a history of grappling with issues and is proactive in getting solutions. This is evidenced through the Borough Council being the only local authority within the Greater Birmingham housing market area with an adopted plan which deals with 10% of the housing shortfall. The NWLP is very proactive in that it seeks to deliver around 9600 homes up to 2033 of which less than half is for local needs.</p>	<p>Mr Collinson states that NWBC “<i>is keen to take control of the [employment land] situation</i>” and refers to the NWBC’s apparent proactive approach in getting solutions that was quoted by previous Inspectors. Ms Barratt makes the same statement in her evidence. The very fact that Mr Collinson and Ms Barratt refer to the Daw Mill appeal decision (<b>CD-K5</b>) to substantiate this point is confusing given that NWBC took the opposite of a proactive approach by refusing planning permission for the Daw Mill scheme. The St Modwen appeal (<b>CD-K2</b>) was similarly opposed by NWBC and only allowed on appeal. Furthermore, the persistent failure of NWBC to address strategic employment needs is comprehensively addressed in my proof of evidence (<b>CD-D28-A</b>) and Mr Turner (<b>CD-D29-A</b>). It is therefore unclear and misleading for Mr Collinson and Ms Barratt to suggest that NWBC is “<i>proactive in getting solutions</i>” to the issue of employment land - NWBC are emphatically not doing this. During examination of the current Local Plan, the Inspector required the introduction of Policy LP6 rather than delaying the process any further and deferring it to later plan making. Despite the inclusion of LP6 there is still no plan that <b>allocates</b> land to address wider than local employment and logistics needs despite the fact that the A5 and M42 run through their district and that it includes a large proportion Area A/2 identified in WMSESS 2015 and WMSESS 2021 respectively. This is exactly the opposite of a council which is ‘keen to take control’ - it is a council which is avoiding need.</p> <p>Regarding the comment that NWBC’s Local Plan deals with 10% of the housing shortfall in the Greater Birmingham HMA, there is no commensurate supply of employment land supporting the additional housing requirement. Addressing a proportion of the housing shortfall in the HMA within the Borough without a commensurate uplift in employment land cannot be said to have any corresponding impact on dealing with the issue of employment land. Furthermore, this additional housing was not distributed to a specific location through the Local Plan, therefore distributed in accordance with the spatial strategy/settlement hierarchy</p>
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			<p>(LP2) (i.e. majority in the north along the A5 corridor). As such, the most sustainable location to provide a commensurate amount of employment land to serve the housing would be in the same location.</p> <p>Fundamentally, the fact that NWBC taking some of the non-local housing shortfall but not any non-local employment shortfall evidences an abject failure of the plan led system.</p>
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### 3 REBUTTAL TO EVIDENCE OF MS BARRATT (NWBC) (CD-D24)

3.1.1. The table below contains my rebuttal of only planning matters in the Proof of Evidence of Ms Barratt (CD-D24). A separate rebuttal in respect of employment land/need matters raised in the evidence of Ms Barratt has been provided by Mr Binks of Cushman & Wakefield.

Table Ref	Ref in Ms Barratt's Evidence	Ms Barratt's Statement	My Rebuttal
3.1	Para 4.8	Policy LP6 deals with the issue of additional employment land. The policy does not include an amount of land expected to come forward, but rather it seeks evidence of an immediate need or for a certain type of employment land. As no studies could determine how much land the Borough Council should seek to allocate it provided an opportunity, where evidence were provided, to allow sites to come forward, where a particular need was identified. However, as stated in the reasoned justification "any weight accorded to proposed employment provision by virtue of this policy will be considered in the context of the policies in the plan as a whole in arriving at a balanced assessment." (Para 7.46 page 36 NWLP 2021 CD F1)	<p>Para 4.8 is silent on the specific geographic area that evidence of need must be demonstrated to accord with Policy LP6.</p> <p>The evidence of an immediate need or for a certain type of employment land required by Policy LP6 needs to relate to a specific area – i.e. Area A on Figure 4.10 of the West Midlands Strategic Employment Sites Study of September 2015 (or successor study) – the successor study being WMSESS 2021 within which Area 2 covers broadly the same geographic area to Area A in WMSESS 2015 – i.e. the M42 Corridor.</p> <p>Sites outside of Area A/Area 2 cannot therefore benefit from the significant weight afforded by Policy LP6.</p> <p>Policy LP6 is a need-based policy for the provision of additional employment land that is not being provided for within a specific geographical location.</p> <p>As set out in my proof of evidence, it is a two stage process:</p> <ol style="list-style-type: none"> <li>1. Assess whether proposals meet the requirements of LP6, if they do, apply significant weight; and</li> <li>2. Assess the scheme against the development plan as a whole as part of the overall assessment of planning balance.</li> </ol>
3.2	Para 4.10	The Local Plan Inspector explained in relation to strategic employment sites that although the Core Strategy previously had tried to "grapple with similar issues...there remains no clear evidence as to what level of development should necessarily be delivered in the Borough as opposed to elsewhere." He went on to say in para 180, "Nonetheless by	<p>The Local Plan monitoring indicator for Policy LP6 can be found in Table 9 of pages 105/106 (CD-F1). The table states the Policy LP6 indicator/metric as being:</p> <p><i>"Amount of employment <u>land provision</u> delivered by Use Class and by hectare and square metre relative to evidence of immediate unmet need <u>within Area A</u> as defined in the</i></p>

		<p>consequence, and for consistency with NPPF 2012 paragraph 17 and paragraph 82, the Plan needs to address this issue. That would be achieved via the incorporation of MM40 and MM120.” (Main Modification 40 was the introduction of new policy LP6a1 whilst MM120 was a monitoring indicator. (CD F15)</p>	<p><i>West Midlands Strategic Employment Sites Study (September 2015) or subsequent iteration or similar strategic study.” [My emphasis]</i></p> <p>This is further clear and unambiguous evidence that LP6 refers specifically to employment land provision (not buildings) with Area A (Area 2) only.</p>
3.2	Para 4.12	<p>LP6 was therefore introduced as a means to ensure that the Borough Council could consider employment opportunities that may be lost to the area through the lack of suitable sites. The policy refers to an identified immediate need or for a certain type of development. The Local Plan Inspector explained as seen in paragraph 4.11 above this was not to be at the expense of the Green Belt or the Strategic Gap policies.</p>	<p>This statement is not true and is misleading. It involves a misreading of policy and the Inspector’s report and amounts to a revisionist reading of the documentation.</p> <p>Policy LP6 was introduced as one of several Main Modifications required in order for the plan to be found sound and legally compliant, in order to address a need that the plan was not meeting.</p> <p>The Inspector was also clear that, as Ms Barratt quotes herself at paragraph 4.10, that <i>“the Plan needs to address this issue”</i> (Inspector’s report para 178) – the issue being the paucity of storage and distribution facilities at a strategic level (Inspector’s report, para 178) <b>(CD-F15)</b>.</p> <p>Ms Barratt then suggests that the introduction of LP6 was <i>“explained”</i> by the Inspector as <i>“...not to be at the expense of the Green Belt or the Strategic Gap policies”</i>. The Inspector made no such reference in his report and is therefore a factually incorrect statement. The Inspector actually stated (which Ms Barratt correctly quotes in paragraph 4.10) that Policy LP6 <i>“must be read in conjunction with other Local Plan policies rather than automatically taking precedence over them (given that Area A encompasses Green Belt land and also land identified as ‘Meaningful’ or ‘Strategic Gap’ via Plan policy LP5 (now LP4)”</i> (Inspector’s report para 180).</p> <p>There is no hierarchy between the policies. However Ms Baratt seeks to argue for precisely that by his assertion that <i>“any additional employment land should not be at the expense of the Green Belt or Strategic Gap policies”</i>.</p> <p>Policy LP6 makes no such reference to any additional employment land not being at the</p>

			<p>expense of Green Belt or Strategic Gap policies. As set out in Chapter 8 of my proof of evidence, the parts of Area A/2 that fall within North Warwickshire Borough are predominantly designated as Strategic Gap or Green Belt. If land designated as Green Belt and Strategic Gap within Area A/2 were to be discounted there would be barely any suitable land left and certainly no sites close to motorway junctions. As such there is an inevitability that to find sites to accommodate strategic employment within Area A in North Warwickshire, such sites would need to be located within the Strategic Gap or Green Belt.</p> <p>Policy LP4 allows development to come forward within the Strategic Gap where it does not significantly adversely affect the distinctive, separate characters of Tamworth and Polesworth with Dordon.</p> <p>Mr Collinson demonstrates the same policy misinterpretation in his evidence, which I have addressed in the preceding chapter of my rebuttal.</p>
3.3	Paras 4.19 – 4.20	<p>127 sites have been submitted through the call for sites. The potential uses cover residential, leisure, nature and employment uses or mixed. Over 2500 hectares (6200) acres have been submitted to date. Those sites that have been submitted as potential employment (this includes potential mixed sites) purposes equates to over 1625 hectares (4250 acres). The appeal site with the land to the east up to Dordon has been submitted (Appendix D Site Reference CFS 115). This is just under 75 hectares and has been submitted as employment, nature; recreation and mixed.</p> <p>The appeal site has been submitted as a site to be considered for employment as well as housing through various call for sites including this latest call. It was submitted for consideration for development as part of the first Strategic Land Availability Assessment in 2008 which was published in March 2010. It was part of a larger area stretching from the M42 to the development boundary of Dordon to the east covering over 75 hectares. Half of the site (the eastern half) was identified as a reasonable alternative for housing in the</p>	<p>Only one of the 127 sites submitted through the call for sites exercise that Ms Barratt refers to is before this inquiry. None of the other sites are before this inquiry and there is no evidence provided to substantiate claimed amount of land submitted to EEDPD process. Such land has not been assessed in terms of its suitability to address strategic need for B8 storage and distribution in the Borough. By contrast, the appeal scheme has been extensively assessed for its suitability and deliverability through this application and, as stated already in evidence, the site is ranked as the joint-best performing site to meet such a need in WMSESS 2021.</p> <p>Mr Binks' rebuttal addresses Ms Barratt's paragraph 4.19 from a market/employment need/land perspective.</p>

		<p>Sustainability Appraisal process which accompanied the Draft Site Allocations 2015 (this document was subsumed into the allocations in the NWLP) and the current Local Plan.</p>	
3.4	Para 5.8	<p>While there may be a general need for additional land to meet development needs of the Borough over the plan period based upon the evidence base this is addressed through the development plan and emerging plans. Additional employment land would be assessed against the policies of the development plan as a whole with appropriate weight placed on the Strategic Gap policy and considerations of need and economic growth balanced against any harm to the Strategic Gap and other harm. Part of that consideration would be the availability of other alternative sites. To benefit from Policy LP6 an applicant would need to demonstrate no other sites are available or could be made available ahead of the appeal site and that economic growth and productivity would be lost in the absence of such a site.</p>	<p>It is important to point out that LP6 refers very clearly to evidenced need for a certain type of need or an immediate need in a specific a geographical location of Area A as defined by the WMSESS 2015 (CD-I1). The reference to a successor study is reference to the WMSESS 2021 (CD-I2).</p> <p>Paragraph 5.8 is structured in such a way that it may be construed as to apply to the whole of North Warwickshire Borough Council's (NWBC) administrative area. This is categorically not the case.</p> <p>Moreover, in terms of availability of supply within Area A or Area 2, policy LP6 does not state a requirement to demonstrate that "no other sites are available or could be made available ahead of the Appeal Site and that economic growth and productivity would be lost" if the land did not come forward, as paragraph 5.8 suggests.</p> <p>It is important that I reiterate my point made above in rebuttal of Ms Barratt's para 4.8. Policy LP6 is a need-based policy for the provision of additional employment land that is not being provided for within a specific geographical location.</p> <p>As set out in my proof of evidence, it is a two stage process:</p> <ol style="list-style-type: none"> <li>1. Assess whether proposals meet the requirements of LP6, if they do, apply significant weight; and</li> <li>2. Assess the scheme against the development plan as a whole as part of the overall assessment of planning balance.</li> </ol> <p>You do not, as Ms Barratt contends, balance the Local Plan policies against LP6 in arriving at a weight to attribute to it and then subsequently conduct a further weighting exercise as part of the overall planning balance.</p> <p>Mr Binks' and Mr Turner's rebuttals address Ms Barratt's paragraph 5.8 from a market/employment need/land perspective.</p>

3.8	Para 5.25	<p>In order to accelerate delivery in strong markets developers will usually make a hybrid application including details for earlier phases of proposals. This can accelerate delivery of speculative units to meet early or immediate needs. The application is purely for outline consent to develop either B2 or B8 uses. Clearly there is no specific occupier in mind. Applying for such a broad range of uses adds complications and delays as parking requirements and traffic generation differs markedly between B2 and B8 uses.</p>	<p>At both application and appeal stage the Appellant has made very clear that the application seeks permission for up to 100% B8 use, with a maximum of up to 10% B2/E(g)(iii) use.</p> <p>The application (submitted in December 2021) was supported by numerous documents including the Planning Statement (<b>CD-B5</b>), Design &amp; Access Statement (<b>CD-B34</b>), Design Guide (<b>CD-B35</b>) and indeed the Environmental Statement upon which the outline scheme was assessed (<b>CD-B1</b>), all of which clearly stated the proposed use classes sought and the split of floorspace between use classes.</p> <p>Furthermore, the agreed draft planning condition in the Statement of Common Ground between the Appellant and NWBC dated 26 March 2024 (<b>CD-D13</b>), which is retained in the latest draft conditions schedule also made this clear, as follows:</p> <p><i>7. No more than 10% of the total development floorspace or 10,000 square metres (gross), whichever is greater, within the development hereby approved shall be used for a use or uses falling within Use Class E (g) (iii) or Use Class B2 of the Town and Country Planning (Use Classes) Order (as amended).</i></p> <p>Therefore, the development - if fully built out - would deliver a minimum of 90% B8 use and must therefore be considered a predominantly logistics scheme.</p> <p>The statement from Ms Barratt is therefore incorrect and, concerningly, seems to completely misinterpret the development proposals despite the use class and floorspace split being clearly set out since the application was submitted in December 2021.</p>
3.9	Para 5.26	<p>In all respects the application is for a standard generic form of employment development. The appeal proposal does not have a particular locational requirement specific to certain employment uses other than what is common to all big box development. The employment use proposed could be located in any employment location as they are addressing a general employment land need.</p>	<p>As per my rebuttal of paragraph 5.25 above, Ms Barratt seems to misunderstand the development proposals and the split of use classes sought. The application seeks permission for up to 100% B8 use, with a maximum of up to 10% B2/E(g)(iii) use. Therefore, the development if fully built out would deliver a minimum of 90% B8 use and is therefore predominantly a logistics scheme – it is therefore incorrect to state that the</p>



			<p><i>“application is for a standard generic form of employment development”</i> and this misunderstanding leads to the factually incorrect statement that the employment uses could be <i>“in any employment location”</i>.</p> <p>The C&amp;W HEDNA, which Ms Barratt acknowledges at paragraph 4.31 to be <i>“a document that will inform the future plan making process”</i>, clearly sets out criteria for strategic employment site suitability (i.e., access to strategic road network, power, labour supply, rail connectivity and amenity (C&amp;W HEDNA, para 11.24). These are very specific locational requirements that the Appellant’s evidence has robustly demonstrated.</p> <p>It is therefore wholly incorrect to say that the employment uses proposed could be located <i>“in any employment location”</i>.</p>
3.10	Para 5.35 – 5.36	<p>The same approach to need for development in the Strategic Gap based on the criteria in LP6 must be taken for each element of the scheme and the extent these can be disaggregated. In this respect there is no requirement for the lorry park to be combined with the employment use land. Standalone proposal for lorry parking come forward such as the proposal at land west of Hams Hall roundabout and south of Marsh Lane, Curdworth (CD K3).</p> <p>Various masterplans submitted by the Appellant show a number of large units, which could be disaggregated to sites outside the Strategic Gap. No evidence has been presented as to why units need to be on a single site at the cost of harm to the Strategic Gap. The availability of other sites outside the Strategic Gap to meet general employment need will be considered through the development plan process.</p>	<p>As set out in my rebuttal of Mr Collinson’s same point, there is no policy requirement in the Local Plan that requires the development proposals to be disaggregated. It is therefore incorrect for Ms Barratt to consider <i>“the extent these [scheme elements] can be disaggregated”</i>.</p> <p>Policy LP4 allows development to come forward within the Strategic Gap where it meets the policy requirements.</p> <p>Mr Binks’, Mr Turner’s and Mr Hatfield’s rebuttals address Mr Collinson’s and Ms Barratt’s disaggregation points in further detail from a market/employment need/land perspective and lorry parking need perspective, respectively.</p>
3.11	Para 5.44	<p>As explained in para 4.16 above the Borough Council has prepared and has been out for consultation on a Draft Employment DPD – scope, issues and options (EEDPD). This work has in part been carried out because of the concern about speculative planning applications coming forward for sites that</p>	<p>Refer to my rebuttal of Mr Collinson’s para 7.5 in the preceding chapter.</p>

		<p>would be unacceptable in local planning terms. The Borough Council is keen to take control of the situation and as the Local Plan Inspector and other appeal Inspectors (such as Daw Mill CD K5) have said the Borough Council has a history of grappling with issues and is proactive in getting solutions. This is evidenced through the Borough Council being the only local authority within the Greater Birmingham housing market area with an adopted plan which deals with 10% of the housing shortfall. The NWLP is very proactive in that it seeks to deliver around 9600 homes up to 2033 of which less than half is for local needs.</p>	
3.12	Para 5.45	<p>Although I recognise that the EEDPD can be given very little weight at its current point of production, I remain of the position the provision of additional employment land should be through the development plan process and be plan-led as the NPPF intends. As explained above there is no evidence to show an immediate need or that this site is the only site that could deliver the proposed development for a certain type of development. Also, the Borough Council has shown its commitment to bringing forward a DPD as quickly as possible and has a track record of delivery in both plan making and employment sites.</p>	<p>The “<i>very little weight</i>” ascribed to the EEDPD by Ms Barratt is entirely inconsistent with the categoric “<i>no weight</i>” ascribed in the evidence of Mr Collinson. I firmly agree with Mr Collinson as I have set out in detail in my proof of evidence. Indeed, it is unclear why any commentary is provided at all on the EEDPD given the either very little or no weight being ascribed to it.</p>





8 First Street  
Manchester  
M15 4RP

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