

Representations to Draft Reg 18 Sandwell Local Plan

On Behalf of Mr Sandeep Birdie

Land at the Crescent, Queslett Road, Great Barr

18 December 2023

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Report title: Representations to Reg 18 Sandwell Local Plan

Draft date: 18 December 2023

For and on behalf of Avison Young (UK) Limited

1. Introduction and Instructions

- 1.1 Avison Young ("AY") is instructed by Mr Sandeep Birdie ("the landowner") to examine the Reg 18 Draft Sandwell Local Plan (SLP), and its evidence base, and to reach conclusions on whether the Plan as it currently stands is sound and set out those modifications necessary to make the Plan sound.
- 1.2 The landowner controls a site at The Crescent, Queslett Road, Great Barr. The landowner has previously made a 'Call for Sites' submission in respect of its land.

Soundness

- 1.3 According to paragraph 35 of the National Planning Policy Framework (NPPF), for the Local Plan to be sound it must be:
- a) **Positively prepared** - provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
 - b) **Justified** - that is, an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
 - c) **Effective** - it must be deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
 - d) **Consistent with national policy** - enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*
- 1.4 For reasons that we explain in subsequent Sections of these Representations, the Reg 18 Draft Local Plan is not sound as currently prepared, but it is capable of being made sound with modifications.

Structure

- 1.5 The remainder of these representations is structured as follows:
- **Section 2** – considers the Council's approach to its housing need and requirement, the extent of identified supply and the scale of the unmet need;
 - **Section 3** – comments on the Council's proposed spatial strategy (i.e. how it proposes to distribute development and accommodate growth) and approach to Green Belt; and
 - **Section 4** – comments on the Council's approach to Site Selection;
 - **Section 5** – provides our own assessment of the 'deliverability' of the site for housing development, including its availability, suitability and achievability and explains why it should be considered for allocation for housing development;
 - **Section 6** – sets out our conclusions on the soundness of the draft plan and modifications required to the plan and supporting evidence.

2. Housing Need, Requirement, Supply & Extent of Unmet Need

2.1 The NPPF states that:

“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless

- the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” (NPPF paragraph 11).“*

Local Housing Need

2.2 The Draft SLP confirms that Sandwell needs to identify land for 29,773 homes in the period 2022 to 2041. We are satisfied that the Council has correctly calculated its local housing need applying the standard method. However, the NPPF is clear that the local housing need calculated using the standard method should be treated as a ‘minimum’ starting point for determining the number of homes needed in the area.

2.3 The PPG confirms that there are other factors that need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated to determine whether the actual housing need is higher than the standard method indicates. Further evidence is, therefore, required to demonstrate that the standard method figure reflects the actual need for housing in the Borough.

2.4 We note that the housing need identified in the draft SLP is based on a plan-period of 2022-2041. Whilst this would exceed the minimum requirement for strategic policies to look ahead over at least 15 years, given the timescales for the preparation and submission of the Plan and that the Council anticipates that the Plan may not be adopted in until early 2026, this would only leave 15 years (i.e. the minimum period set out in paragraph 22 of the NPPF) on adoption. The Council should, therefore, consider extending the plan period to ensure that the strategic policies in the plan look ahead and plan appropriately for the longer term.

Housing Requirement and Scale of Unmet Need

2.5 The Council is proposing to set its housing requirement at 11,167 homes. The Council's approach to setting the housing requirement appears to be entirely driven by its assessment of the supply of suitable land available within the urban area of the Borough rather than its starting point being first to assess and establish the appropriate requirement before considering how this could be met.

2.6 The draft SLP is, therefore, proposing to plan for only approximately 37% of its overall housing need. Whilst it is accepted that the Borough is unlikely to be able to meet its needs in full given the scale of the need and constraints on the supply of land available in the Borough, the draft SLP would leave 62% of the minimum local housing need for Sandwell not being planned for.

2.7 A plan which only provides for a third of its minimum local housing need cannot possibly be consistent with the national policy which seeks to significantly boost the supply of housing nor can it be considered “*positively prepared*” because the strategy does not as a minimum, seek to meet the area's objectively assessed needs and is not currently informed by agreements with other authorities over how the unmet need will be redistributed.

- 2.8 The Council must do more to minimise the extent of its unmet need before going on to set out how any remaining unmet need will be addressed elsewhere to ensure that Sandwell's needs are met in full.
- 2.9 There is currently insufficient information available to determine whether the Council has complied with the Duty to Co-operate. The Council's Duty to Co-operate Statement acknowledges that there is on-going uncertainty over how unmet needs would be redistributed and met. It is essential that the Council works with neighbouring authorities on how its unmet need will be redistributed and prepares a SoCG confirming how neighbouring authorities will contribute to unmet need.
- 2.10 Otherwise the draft SLP essentially defers tackling the issue of its housing needs. Doing so is inappropriate and in direct conflict with the provisions of the NPPF. The NPPF requires the Local Plan to address strategic cross-boundary issues and to be underpinned by one or more Statements of Common Ground on relevant issues. Critically, it also requires strategic cross-boundary matters to be *"dealt with rather than deferred"*.
- 2.11 The Sustainability Appraisal (SA) considers consider six options for the scale of housing growth the planned for, as follows:
- A – meet housing need based on annual levels of delivery for the last 10 years (do nothing) - 12,523 dwellings
 - B - meet entire standard method figure – 29,773 dwellings
 - C – meet entire standard method figure using 2021 census figures – 23,522 dwellings
 - D – meet a proportion of local housing need based on supply and small windfalls in current SHLAA – 9,044 dwellings
 - E - meet a proportion of local housing need based on supply and small windfalls in current SHLAA plus aspirational growth in Regeneration Areas and Centres – 11,167 dwellings
 - F – meet housing need and contribute 2,000 homes to wider HMA needs – 30,206 dwellings
- 2.12 It is not clear how the options tested in the SA have been identified or the reasons that alternatives were selected. This requires further clarification and justification. However, we do not consider that all reasonable alternatives have been considered or that those which have been considered are realistic. The reasonable alternatives which have been considered are also insufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.
- 2.13 Options A, D and E vary between 9,044 and 12,523 dwellings (a difference of 3,479 dwellings) and would only deliver between 30-42% of the minimum local housing need calculated using the standard method. Options B, C and F vary between 23,522 dwellings and 30,206 dwellings and would deliver between 79-101% of the minimum local housing need calculated using the standard method. There is no 'mid-range' option tested which would consider the implications of a greater proportion of the minimum local housing need calculated using the standard method being met.
- 2.14 Notwithstanding our concerns over the SA, it concludes that Options D and E are best performing. It does not acknowledge that Option A (which delivers a slightly larger amount of homes than Option D and E) comes in at a close third. The SA simply states that the options for providing higher levels of housing are *"unlikely to be deliverable"*. Whilst we agree that it is unlikely for the Council to meet its minimum local housing need in full, given that Option A reflects previous rates of delivery in the Borough over the last 10 years this option appears to have been prematurely discounted and that

other reasonable alternatives that could potentially deliver higher levels of growth have not been appropriately considered.

- 2.15 The fact that the Council has chosen Option E over 'Option A' which would deliver a greater amount of housing and reflects the 'do nothing' scenario (i.e. simply translates forward past rates of delivery in the Borough) further demonstrates that the draft SLP is would result in Sandwell taking a backwards step in terms of housing delivery in a situation where it already has a poor record of housing delivery¹ and risks inhibiting economic growth in the Borough over the plan period.
- 2.16 The Sustainability Appraisal demonstrates that the SLP is essentially seeking to deliver less homes in the next 10 years than the Borough has delivered in the previous 10 years, despite: i) the national policy objective remaining to boost significantly the supply of homes; ii) the on-going national housing crisis; iii) the scale of the unmet need; and iv) the lack of any certainty over how the unmet need would be distributed to neighbouring authorities. As such, the approach to setting the housing requirement is clearly unsound and, in the circumstances, it is imperative that the Council is doing everything it can to plan for more housing in the Borough.

Housing Land Supply

- 2.17 The Council states that it is only able to demonstrate a supply of suitable residential land to deliver 11,167 homes over the plan period. Table 5 of draft Policy SHO1 sets out the Council's proposed sources of housing land supply. This includes a mixture of:
- Sites under construction - 1,060 homes
 - Sites with planning permission or prior approval – 998 homes
 - Other commitments (as set out in the 2022 SHLAA) – 61 homes
 - Gypsy and Traveller Pitches – 10 homes
 - Housing allocations – 6,951 homes
 - on occupied employment land - 2,234 homes
 - 'Other' housing allocations – 3,094 homes
 - with planning permission – 1,545 homes
 - on sites under construction – 78 homes
 - Windfall Allowance (on small sites <10 homes) – 1,868 (approx. 133 dwellings per annum from year 5)
 - Additional floorspace in centres – 219 homes
- 2.18 However, there are inconsistencies between the information presented in Table 5 of the draft SLP and the SHLAA (2022) which are not explained in the draft SLP or accompanying evidence. For example, Table 14 of the Council's SHLAA identifies sites with planning permission for 2,431 dwellings. However, Table 5 of the Local Plan refers to sites with planning permission 2,543 dwellings (i.e. 112 dwellings more than identified in the SHLAA), after a 5% 'discount' or non-implementation rate has

¹ The most recent HDT result for Sandwell is only 52% which means the presumption is engaged for decision-making purposes.

apparently been applied to existing permissions. On this basis, the SLP appears to overestimate the number of dwellings with planning permission. This requires further clarification to ensure that the Council is not overestimating its existing supply of sites with planning permission.

- 2.19 At Table 5 the Council splits its proposed housing allocations into four categories with different 'discounts' or 'non-implementation rates' applied to each category of allocation. However, Appendix B of the draft SLP which identifies the proposed allocations and the supporting evidence does not make it clear which allocations fall into each category. It is, therefore, impossible to confirm whether or not the Council has made appropriate assumptions in terms of the supply available from its proposed allocations or if it has applied the discounts for non-implementation that it says it has to proposed allocations.
- 2.20 The discount rates applied to the Council's supply require further justification and may require adjusting, including to take into account on-going work on viability. Further clarification is also required as to how those discount rates have been applied to individual sites to demonstrate that the housing land supply identified in Policy SHO3 is robust.
- 2.21 Paragraph 7.5 of the draft SLP states that "*existing allocations likely to gain permission after 2025*" have been subject to a density uplift. The SHLAA provides an indication of which sites a density uplift was applied for the purpose of that document. However, it is not clear whether the same sites have been subject to a 'density uplift' for the purpose of calculating the proposed supply set out in Table 5 of the SLP. Whilst the density uplifts appear to broadly align with the proposed minimum densities identified in draft Policy SHO3, further justification is required to demonstrate that such high densities are realistic and deliverable in Sandwell, noting the requirements of other draft development management policies and the high proportion of homes to be delivered on brownfield sites which are often present challenges in viability terms.
- 2.22 The Council's supply assumes that 219 dwellings would come forward in place of vacant retail floorspace in the Borough's centres. However, the calculations which underpin this figure are set out in the Council's SHLAA and appear to be based on entirely arbitrary assumptions in terms of how much floorspace might be converted to housing. There is no certainty that the floorspace would be brought forward for housing and it is, in our view, inappropriate for the Council to be relying on this as part of its supply.

Housing Delivery and Trajectory

- 2.23 In order for the Local Plan to be sound it must provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period. Because the Council must also identify and update annually a supply of specific deliverable sites sufficient to provide minimum of five years' worth of housing against their housing requirement, the Plan is also required to identify specific, deliverable sites for years one to five of the plan period then sufficient developable sites, or broad areas of growth for the remainder of the plan period.
- 2.24 Paragraph 74 of the Framework highlights that strategic policies should include a trajectory illustrating the expected rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.
- 2.25 The Council's housing trajectory can be found at Appendix I of the Plan. It does not provide a breakdown of the different sources of supply. It is not, therefore, clear when each draft housing allocation is expected to come forward or the number of completions anticipated over time. As a result there is no detail provided to support the assumptions made in the trajectory in terms of the timescales in which each site is likely to come forward for development and the rates that they will be

built out and whether these are realistic. Instead, we can only assume that the Council has based its assumptions on these matters on the very limited site specific information contained in its Strategic Housing Land Availability Assessment (SHLAA) which was published in 2022. However, the number of dwellings anticipated to be delivered in each year in Appendix I of the SLP is inconsistent with the trajectory at Appendix 3 of the SHLAA. It is, therefore, impossible to reach conclusions on whether the draft allocations are deliverable and developable, in accordance with the provisions of the NPPF and if the Council would be able to demonstrate a 5 year supply of housing land on adoption and maintain a supply throughout the plan period.

- 2.26 The Council proposes to divide its housing requirement into four phases with housing targets for each phase identified in Table 5 of Policy SHO1. However, the Trajectory included at Appendix I of the draft SLP refers to an annual draft housing plan target of 587.7 dwellings per year but also includes an annual requirement which varies year to year. The annual draft housing plan target does not align with the 'phased housing targets' identified in Table 5. It is not, therefore, clear whether the Council is seeking to agree a 'stepped' requirement across the four phases identified in Table 5 or if it is intending its supply to be assessed against the annual draft housing plan target of 587.7 dwellings per year. If the Council is seeking a stepped housing requirement then further justification is required in accordance with the NPPG (Paragraph: 021 Reference ID: 68-021-20190722).

3. Spatial Strategy and Approach to Green Belt

- 3.1 Policy SDS1 sets out the proposed Development Strategy. It confirms that as much new development as possible will be developed on previously developed land and sites in the urban area, with allocations located where there are the highest levels of sustainable transport and access to services. It also refers to regeneration of existing housing and employment areas and focussing growth and regeneration into West Bromwich, other town centres and regeneration areas.
- 3.2 Paragraph 3.85 of the supporting text to draft Policy DSD6 states that it is the Council's view that *"there are no exceptional circumstances in Sandwell that would justify amending current boundaries and releasing any areas of green belt for new development"*. It goes on to state that while *"there is an identified shortfall of land suitable for housing and economic development, this of itself does not outweigh the need to maintain the openness and permanence of the green belt within Sandwell, especially given the densely developed and urban character of most of the rest of the borough"*.
- 3.3 Whilst we agree that the focus of development should be on the urban area and in the most sustainable locations, i) the Council's inability to meet its development needs; ii) the scale of the unmet need; and iii) the absence of any agreed Statement of Common Ground with neighbouring authorities about how the unmet needs might be redistributed, means that it is essential that the Council explore all options to meet the housing needs of the Borough in order for the Plan to be considered sound. This includes carrying out a comprehensive review of Green Belt boundaries to identify and allocate suitable sites in the Green Belt which could towards the development needs of the Borough during the plan period. For these reasons, we fundamentally disagree with the Council's assertion that "exceptional circumstances" do not exist for release of land from the Green Belt.
- 3.4 Moreover, the Council's strategy and approach to the Green Belt is fundamentally at odds with that taken by the consortium of Black Country Authorities in the preparation of the now abandoned Black Country Plan (BCP). The Regulation 18 Draft version of that BCP which was consulted upon in autumn 2021 confirmed that the Black Country Authorities (including Sandwell) considered that there were "exceptional circumstances" to justify Green Belt release, that it had identified land that, if developed, would cause the least harm to Green Belt and the landscape. In that context, the draft BCP proposed to release land from the Green Belt for housing in Sandwell.
- 3.5 The draft SLP does not provide any evidence which justifies the change in approach to the Green Belt from that contained in the BCP.
- 3.6 The SA provides no justification for why development on land within the Green Belt was not considered as part of any of the "reasonable alternative" spatial strategy options assessed in the SA despite the release of land from the Green Belt for housing being considered as part of the SA for the draft BCP. The failure to consider Green Belt release as part of any of the "reasonable alternatives" is a fundamental flaw which must be addressed.
- 3.7 The Spatial Strategy Paper (2023) attempts to justify the Council's change in approach to the Green Belt by noting that:
- *"Sandwell has very little green belt"*
 - *"the areas of undeveloped and open land it does contain are extremely important to the Borough's environment and the health and wellbeing of its population.";*
 - *"the important role it plays in preventing coalescence with adjoining towns and settlements within and beyond Sandwell's boundaries and the importance of maintaining open land within the borough."* and

- *"the status of Sandwell Valley as green belt and the importance of existing parks and open spaces to local communities and environments it would be neither reasonable nor appropriate to consider them as locations for additional housing".*

- 3.8 The only other justification provided is at Paragraph 7.8 of the Spatial Strategy Paper (2023) which states that the Government *"gave a broad indication recently (2023) that it does not expect local authorities to designate green belt sites to meet housing need, even if there is a shortfall. Green belt (and other open space sites) in Sandwell are also subject to constraints such as nature conservation designations, historic or archaeological interest, high landscape value, flooding and similar issues"*.
- 3.9 However, the revised NPPF is yet to be published and it is not yet known exactly what changes it will contain. Whilst the Council asserts that all of its Green Belt land is of such importance that it is not reasonable or appropriate to consider it as an option for housing development, the Council provides no evidence to back up its statements or justify the change in approach from that taken by in draft BCP.
- 3.10 The Council's proposed spatial strategy and approach to the Green Belt would result in the majority of the housing needs generated in Sandwell being directed to neighbouring authorities, including authorities with their own Green Belt constraints. The draft SLP risks failing to take into account the need to promote sustainable patterns of development and inconsistency with national policy.

4. Site Selection

- 4.1 We agree that the Council should consider and assess any site with the capacity to accommodate at least 10 dwellings.
- 4.2 The Council's Site Assessment Report states that a *"number of sites within the Green Belt were previously assessed through the Black Country Plan process. The release of Green Belt land for housing does not accord with the proposed spatial strategy for the Draft SLP. Therefore, any site within the Green Belt is considered to have gateway constraints and to not be suitable for development."*
- 4.3 For the reasons set out in Section 3, the Council's approach to site selection and in particular its failure to consider and fully assess the suitability of Green Belt sites for housing development is a fundamental flaw in its approach to site selection. This means that the Council will have prematurely discounted sites which are suitable for housing development, such as the site.
- 4.4 This is clearly evidenced by the fact that the Regulation 18 Draft Black Country Plan proposed to allocate Green Belt a small number of sites in Sandwell for housing. These sites were assessed by the Black Country Authorities, including Sandwell, as suitable for housing development in only July 2021 but have been discounted at the first stage of the Council's site assessment process as Green Belt is treated as a "gateway constraint" which means that sites are not considered suitable for development.
- 4.5 For the reasons set out above, the Council's approach to site assessment and selection is unsound. It is essential that the Council explore all options to meet the housing needs of the Borough. This includes carrying out a comprehensive assessment of the suitability of all sites, including land within the Green Belt, to accommodate housing development.

5. The Site

- 5.1 The site extends to approximately 0.45Ha (see Site Location Plan at **Appendix 1**). It is located immediately adjacent to the built up edge of Great Barr. It is approximately 800m to the east of the Scott Arms District Centre.
- 5.2 The site is roughly rectangular but the boundary also extends to cover The Crescent which is a private drive owned by the same landowner. The site is vacant and is currently covered in scrub vegetation.
- 5.3 The site is set at roughly the same level as the existing dwellings on The Crescent and is raised above the level of Queslett Road to the south. The site slopes from west to east.
- 5.4 The site is bound to the west by existing dwellings on The Crescent, to the north by grazing land and woodland, to the south by Queslett Road, beyond which is existing housing, and to the east by Holly Wood Nature Reserve, beyond which is the M6.

Site Assessment

- 5.5 Paragraph 74 of the National Planning Policy Framework (NPPF) (2021) requires Local Planning Authorities (LPAs) to identify and update annually a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing.
- 5.6 Paragraph 68 also requires LPAs to identify a supply of deliverable sites for the first five years of the plan and specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the Plan.
- 5.7 Annex 2 establishes that to be considered deliverable, sites for housing should be:
- **available** now;
 - offer a **suitable** location for development now, and;
 - be **achievable** with a realistic prospect that housing will be delivered on the site within five years.

Availability

- 5.8 The site is vacant land owned entirely by the landowner who is keen to promote the site for development. Assuming that the site is identified as a proposed allocation in the emerging Sandwell Plan and release from the Green Belt, the landowner would put the site onto the market quickly, with the aim of selling it to a developer/ housebuilder to enable it to deliver housing within the first five years of the plan period.
- 5.9 The existing access via The Crescent is also within the same landownership.
- 5.10 There is no legal ownership impediments to development. Accordingly, the site is available now in NPPF terms.

Suitability

- 5.11 The site is immediately adjacent to the urban edge of Great Barr with housing to the south and west. The site is within walking distance of the Scott Arms District Centre and is 300m from the Scott Arms Medical Centre. It is also within 650m of Whitecrest Primary School.

- 5.12 It is within 400m of bus stops on Queslett Road, to the west, which provide frequent bus services (No. 5 and 881 services) to Sutton Coldfield and West Bromwich (roughly every 10-20 minutes). It is approximately 2.2km from the nearest railway station (Hamstead) which provides regular services to Walsall and Wolverhampton.
- 5.13 It is, therefore, clearly in a highly suitable and sustainable, location for further housing growth in the District.

Other Technical Matters

Flood Risk

- 5.14 According to the Environment Agency's Flood Risk Map, the site lies entirely in Flood Zone 1, meaning the site has the lowest level of risk from flooding. Therefore, flood risk and drainage does not represent a significant constraint to development.

Trees and Ecology

- 5.15 The site comprises open land occupied by grassland and scrub vegetation. The site forms part of the 'Holly Wood and Pasture Site of Importance for Nature' (SINC) which is a non-statutory designated site. The site is also adjacent to the Hollywood Local Nature Reserve (LNR) which also forms part of the SINC. SINC's are selected on the basis that they meet criteria for local wildlife site selection for sites of importance at a regional level.
- 5.16 Tyler Grange has been appointed to carry out ecological surveys on the site. An Extended Phase 1 Habitat Survey was undertaken on 5 September 2023. The survey confirmed that the site comprises 'other neutral grassland' (species poor semi-improved grassland) that is in up to moderate condition and areas of dense scrub and tall herbs.
- 5.17 The site was designated as a SINC based on a habitat survey carried out in 1998 which indicated that the site had been identified as good quality semi-improved grassland. The survey recorded that the habitat on site was unimproved neutral grassland.
- 5.18 Tyler Grange has reviewed the results of its most recent survey against the most up to date Birmingham and the Black Country Local Wildlife Sites Guidance for Selection Criteria, updated in March 2018.
- 5.19 Tyler Grange has, therefore, concluded that the grassland onsite is not considered to meet priority habitat descriptions (LBAP9 or UK BAP10) and would not meet the SINC selection criteria.
- 5.20 Tyler Grange has advised that the site could be developed for housing without adverse impacts on adjacent designated sites subject to the implementation of appropriate mitigation measures.
- 5.21 It considered that subject to development of an appropriate strategy for mitigation and enhancements the site could be developed for housing without unacceptable ecological impacts.
- 5.22 The requirement for 10% Biodiversity Net Gain ought to be capable of being satisfied through a combination of on site measures and offsetting which could include offsite habitat creation/enhancement or a financial contribution made to the Council or habitat bank via a planning obligation, secured through a S.106 agreement or other legal mechanism.
- 5.23 A copy of the Ecology Technical Note prepared by Tyler Grange is enclosed at **Appendix 2**.
- 5.24 Ecology ought, therefore, not to represent a fundamental constraint to development at the site.

- 5.25 We are not aware of any Tree Preservation Orders affecting the site.

Highways and Access

- 5.26 It is anticipated that vehicular and pedestrian access would be taken from The Crescent. However, the site also has a frontage with the Queslett Road. The landowner is seeking advice from a highways consultant to demonstrate that a safe and suitable access can be achieved from The Crescent.
- 5.27 It is unlikely that the development of the site for the number of homes contemplated would result in any unacceptable impacts on the capacity or operation of the highway network.
- 5.28 The site is accessible to a range of local facilities and services in Scott Arms District Centre and to public transport.

Heritage

- 5.29 The site is identified as forming part of the 'Great Barr Hall' Grade II Registered Park and Garden (RPG), associated with Grade II listed Great Barr Hall.
- 5.30 Asset Heritage Consulting has been appointed to carry out an assessment of the heritage significance of the site, its capacity for development in heritage terms and the potential impact of housing development on the significance of heritage assets.
- 5.31 A copy of Asset Heritage's Report is enclosed at **Appendix 3**. Asset Heritage's Report confirms that whilst the site has a degree of intrinsic significance as part of the RPG, it was historically used for agriculture and does not form part of the designed parkland landscape. It confirms that the development of the Crescent, loss of historic field boundaries and trees that marked them and the change in use of the land have all diminished the historic character to an extent. It notes that these changes were compounded by more serious harm in the 1960s and 70s from the construction of the M6 and dualling of the Queslett Road, with the M6 severing one part of the park from another impacting on the ability to access and appreciate it as a whole.
- 5.32 Asset Heritage consider that the site makes a limited contribution to what is significant about the RPG and that as a result there is scope its development for housing. It confirms that the development of the site would have no effect on the main part of the RPG to the north of the M6 or Great Barr Hall itself. Overall, Asset Heritage concludes that development has the potential to cause some "less than substantial harm" to the RPG but any potential harm would be limited and at the lower end of the scale of such harm.
- 5.33 Paragraph 202 of the NPPF confirms that for decision-making purposes in these circumstances any harm should be weighed against the public benefits of the proposal. In this case, given the extent of the Council's unmet housing need, the public benefits of developing the site for housing would clearly outweigh any harm arising to the significance of heritage assets.

Landscape and Visual Impact

- 5.34 The site is located adjacent to the settlement boundary and existing housing bounds the site to the west. The site is well contained by existing boundary vegetation.
- 5.35 Housing development at the site would be in-keeping with the existing housing development and the sub-urban character of the area.
- 5.36 On this basis, it is not envisaged that that landscape and visual impacts of developing the site would represent a constraint to development.

- 5.37 The site is not assessed as part of the Black Country Landscape Sensitivity Assessment (2019). However, land to the north which is also contained by built development to the west and the M6 to the east is assessed as Parcel BL51. The parcel is assessed as having low-moderate sensitivity to development and generally low sensitivity to residential development. It is considered that the site shares many characteristics with the land to the north and would have equally low landscape sensitivity to residential development.

Noise & Air Quality

- 5.38 The site is approximately 100m to the west of the M6 which is a potential source of noise and air pollution.
- 5.39 Given that there are existing dwellings to the east and west of the M6 which are located much closer to the M6 than the site we anticipate that any impacts could be appropriately mitigated through the detailed design of the proposals.

Green Belt

- 5.40 The site is washed over by the West Midlands Green Belt. The Black Country Green Belt Study (2019) considers the site as part of a wider parcel of land (Reg. B86) that extends to the north and is contained by the M6 to the east and Great Barr to the west. The parcel is assessed as performing a moderate role in:
- Checking unrestricted sprawl;
 - Preventing towns from merging; and
 - Safeguarding the countryside from encroachment.
- 5.41 It is assessed as performing a weak or no contribution in terms of preserving the setting and special character of historic towns.
- 5.42 We disagree with the conclusions of the Green Belt Study. The site does not in our view make any contribution to the purposes of the Green Belt, as follows:
- The site is contained to the west by existing development. To the east it is contained by the M6 which sits on a raised highway embankment and provides a clear defensible boundary which is readily recognisable and likely to be permanent. The site forms part of a wider parcel which is contained on all sides by major highway infrastructure (i.e. the M6, A4041 and A34). The M6 in particular prevents urban sprawl of Great Barr. The site does not, therefore, play any role in checking the unrestricted sprawl of urban areas.
 - The site plays no role in terms of preventing neighbouring towns from merging with one another. To the north of the Queslett Road there is other open land to either side of the M6 which maintains a gap of at least 600 metres between the eastern boundary of the site and built up edge of Pheasey. To the south of the Queslett Road existing housing already extends to the east of the site up to the M6 and beyond, effectively joining up the neighbourhoods to either side of the M6.
 - Whilst the site is not built up it is visually screened by existing vegetation and boundary treatments along the southern boundary of the site. As a result of the relationship of the site with existing built development and its containment by the M6 from the countryside beyond means the site does not appear to form part of the countryside. It, therefore, makes no contribution to safeguarding the countryside from encroachment.

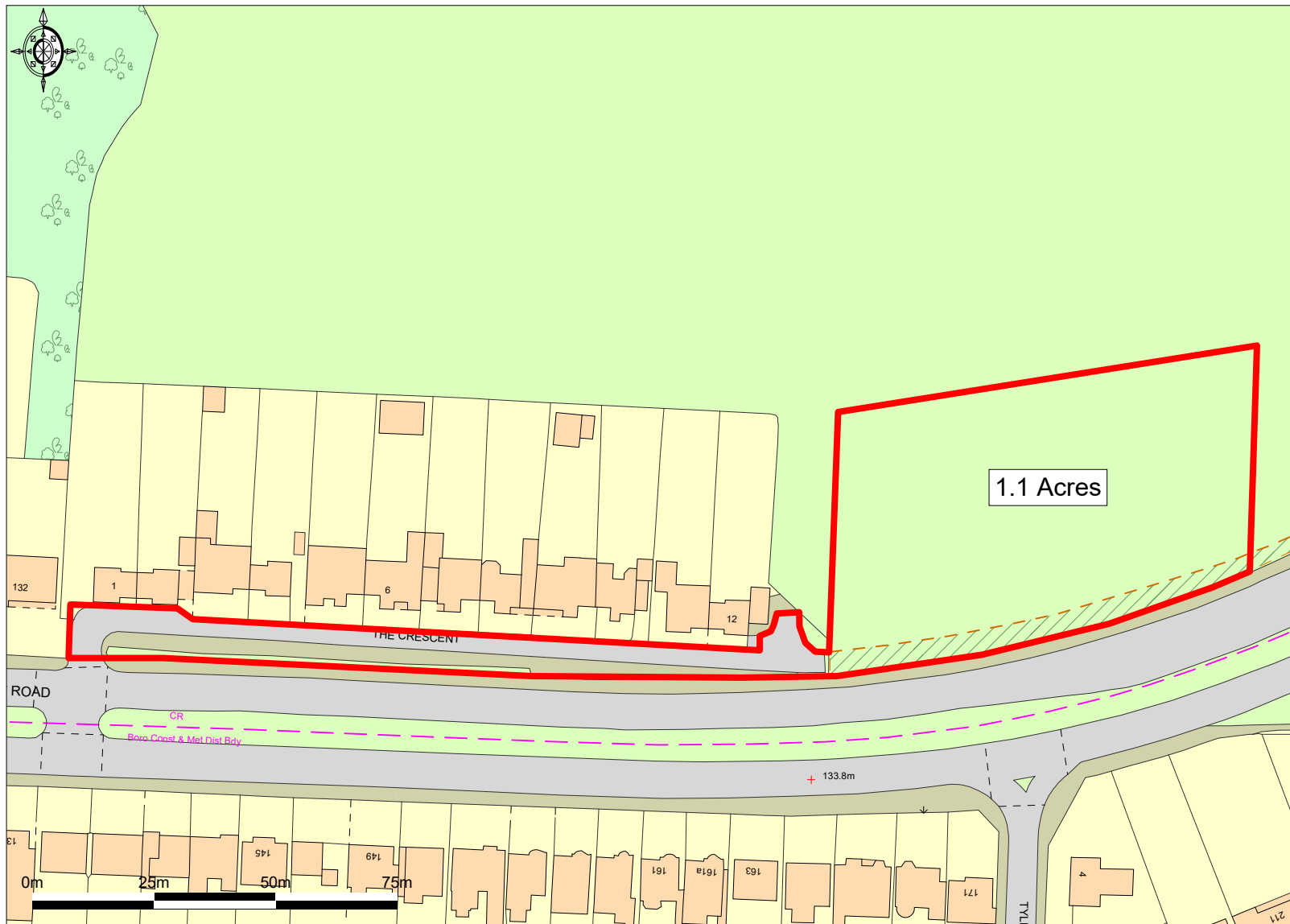
- 5.43 We agree that the site would perform no role in preserving the setting and special character of a historic town. Whilst the site forms part of a Registered Park and Garden the site is considered to make limited contribution to what is significant about the RPG. Great Barr, to the west of the site and Pheasey and Old Oscott to the east of the M6 are not a 'historic towns'. Therefore, the site would play no role in preserving the setting and special character of a historic town.
- 5.44 The site is also well related to and effectively forms part of and is experienced as part of the urban area. It would, therefore, assist in the recycling of other urban land.
- 5.45 On this basis, there would be no harm to the purposes of the Green Belt, as a result of the release of the land from the Green Belt for housing. Indeed, the site performs no greater role in preserving the openness of the Green Belt or serving the five purposes of the Green Belt than two sites which were previously proposed for release from the Green Belt and allocation for housing in the Regulation 18 Draft of the Black Country Plan (Ref. SAH226 and SAH224).
- 5.46 Overall, it is considered there are no technical constraints that would prevent the site from being developed for housing.
- 5.47 We, therefore, respectfully request that: i) the site be considered and fully assessed as part of the Council's site selection process; and ii) that the site be allocated for housing in the Draft SLP.

Avison Young

December 2023

Appendix I

Site Location Plan



Appendix II

Ecology Note, prepared by Tyler Grange

Land at The Crescent, Great Barr, Sandwell

Ecology Note

16159_R02_13th December 2023_CEF_JD

1.0 Introduction

- 1.1. This note has been prepared by Tyler Grange Limited on behalf of Avison Young (UK) Limited in respect of an area of land at The Crescent, Great Barr, Sandwell (OS Grid Reference SP 05463 94298). The area is shown by the red line boundary in **Figure 1** (and is hereafter referred to as the 'site').
- 1.2. The site (approximately 1.1 acres) is accessed from The Crescent roadway off the A4041 Queslett Road and comprises a semi-improved neutral grassland field with areas of scrub encroachment. The site forms part of the regionally designated Holly Wood and Pasture Site of Importance for Nature (SINC), as shown in **Figure 2**. Hollywood Local Nature Reserve (LNR) lies adjacent to the site and falls within the wider boundary of the SINC, as shown in **Figure 3**. The site is located to the east of Great Barr, and forms part of a network of green space, LNRs and non-statutory designated sites that run along the M6 motorway, which provides a green corridor throughout a predominantly urban environment.
- 1.3. The aim of this note is to outline any ecology issues in relation to potential future development of the site, particularly with respect to the onsite SINC designation.



Figure 1: Red line boundary.

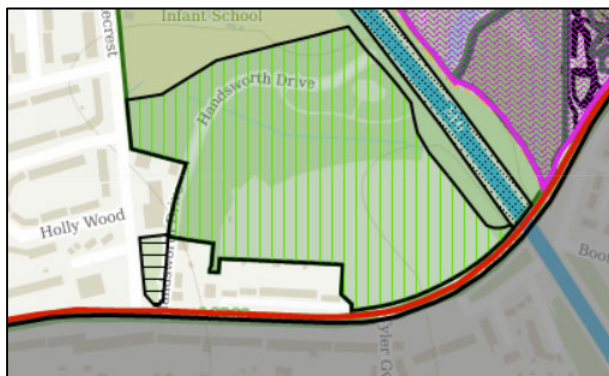


Figure 2: SIN boundary denoted by green hatch, image taken from the Black Country Plan Policy Map¹



Figure 3: LNR boundary, image taken from MAGIC².

2.0 Ecological Baseline

Designated Sites

Statutory Sites

- 2.1. The Multi-agency Geographic Information for the countryside (MAGIC) website³ was consulted for European statutory designated sites within 10km and national statutory designated sites within 2km.
- 2.2. The desk study did not identify any international or nationally-designated statutory sites within 10km of the site (i.e. Special Areas of Conservation [SAC] or Sites of Special Scientific Interest [SSSI]) and any development within the site would not result in any adverse impacts on such sites. However, there are four LNRs within 2km of the site, as follows:

¹<https://blackcountry.opus4.co.uk/planning/localplan/maps/black-country-plan-policies-map>

² Magic Map Application (defra.gov.uk)

³ <https://magic.defra.gov.uk/MagicMap.aspx>



- Hollywood Woods (LNR), approximately 15m from the eastern boundary;
- Gorse Farm Wood (LNR), approximately 0.7km southwest;
- Merrions Wood (LNR), approximately 1.6km northwest; and
- Forge Mill Lake (LNR), approximately 1.7km southwest.

2.3. LNRs are notified under Section 21 of the National Parks and Access to the Countryside Act 1949 by local authorities. They are not necessarily of great ecological importance, and are intended for public appreciation and enjoyment of wildlife. The LNR designation does not afford special protection, although LNRs are protected under legislation and planning policy.

Non-Statutory Sites

2.5. The site falls within the boundary of Holly Wood and Pasture SINC. SINCs are non-statutory designations for sites of importance in Birmingham and the Black Country, identified by the Local Sites Partnership. SINCs are selected on the basis that they meet the criteria for local wildlife sites selection for sites of importance at a county-wide level.

2.6. Details of other non-statutory sites are currently unknown at the time of writing this report. It is recommended that information on other non-statutory sites within 2km of the site is requested from the local record centre, in order to inform a future planning application. It is considered, however, that any impact of development would be restricted to the immediate environs around the site and would not extend to more distant SINCs, if present.

‘Extended’ Phase 1 Habitat Survey

2.7. An ‘extended’ Phase 1 survey of the redline boundary was carried out on the 5th September 2023 by Conor Aynsley, a suitably experienced ecologist. The methods used during the walkover survey broadly followed methods used in an ‘extended’ Phase I habitat survey⁴ and entailed recording the main plant species and classifying and mapping habitat types with reference to the Habitat Definitions provided by the UK Habitat Classification Working Group⁵.

2.8. Additionally, the habitats identified were evaluated for their potential to support legally protected and notable fauna species.

⁴ <https://hub.jncc.gov.uk/assets/9578d07b-e018-4c66-9c1b-47110f14df2a>

⁵ <https://ukhab.org/>



Habitats

- 2.9. The site comprises ‘other neutral grassland’ (species poor semi-improved grassland) (see **Photograph 2.1**). On review of MAGIC⁶ and the Priority Habitat Inventory⁷ the site has been identified as semi-improved grassland (non-priority). However, on review of the information it appears that this assessment was based on the Sandwell SINC/SLINC re survey (Lowland meadows) (1998) and that confidence in the classification is ‘low’, with the general comment provided as ‘insufficient data to confirm habitat’. Furthermore, given the lack of recent management and scrub encroachment (as described below), following the site survey, the grassland is only considered to be of up to ‘moderate’ condition under the Defra Biodiversity Metric criteria.



Photograph 2.1: Species poor semi-improved

- 2.10. The site, through lack of management, has large areas of dense scrub and tall herb encroachment up to 1.5m in height and bound by fencing and broad-leaved tree lines.

Protected and Priority Species

- 2.13. Commuting and foraging bat activity would be expected along linear features, in particular treelines and scrub along the site boundaries, though high levels of street lighting would be expected along the adjacent Queslett Road and nearby M6 motorway corridor.
- 2.14. No active badger setts were recorded on site during the ‘Extended’ Phase 1 habitat survey, though areas of dense bramble scrub were not accessible and so evidence of badger setts or activity may have been missed.
- 2.15. The grassland and scrub habitats on site are considered to have some potential to support amphibian and reptile species.
- 2.16. In addition, the trees and dense scrub on site would provide nesting opportunities for common bird species.

⁶ <https://magic.defra.gov.uk/MagicMap.aspx>

⁷ <https://naturalenglanddefra.opendata.arcgis.com/datasets/caa06b31220546ceaae6f088b1a6d099/explore?location=52.545870%2C-1.920332%2C17.01>



3.0 Issues, Mitigation and Compensation

Designated Sites

- 3.1. The site falls within the local authority of Sandwell Metropolitan Borough Council - the local planning policy pertinent to regionally and locally designated sites has been included below.
- 3.2. The Black Country Core Strategy (adopted February 2011), Chapter 6 Environmental Infrastructure Policy ENV1 Nature Conservation states that:

Development within the Black Country will safeguard nature conservation, inside and outside its boundaries by ensuring that:

- *Development is not permitted where it would harm internationally (Special Areas of Conservation), nationally (Sites of Special Scientific Interest and National Nature Reserves) or regionally (Local Nature Reserve and Sites of Importance for Nature Conservation) designated nature conservation sites;*
- *Locally designated nature conservation sites (Sites of Local Importance for Nature Conservation), important habitats and geological features are protected from development proposals which could negatively impact upon them;*

Adequate information must be submitted with planning applications for proposals which may affect any designated site or any important habitat, species or geological feature to ensure that the likely impacts of the proposal can be fully assessed. Without this there will be a presumption against granting permission.

Where, exceptionally, the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological feature, damage must be minimised. Any remaining impacts, including any reduction in area, must be fully mitigated. Compensation will only be accepted in exceptional circumstances. A mitigation strategy must accompany relevant planning applications.

Current designated nature conservation sites including Local Nature Reserves will be carried forward from existing Proposals Maps, subject to additions and changes arising from further studies.....

- 3.3. The Phase 1 Habitat Survey, undertaken in 1998 to inform the Initial Site Assessment of the SINC, recorded the habitat within the red line site boundary as 'unimproved neutral grassland' with species recorded including common bent, birds foot trefoil, cat's ear *Hypochaeris radicata*, *Holcus* species, fennel *Foeniculum vulgare*, common centaury *Centaureum erythraea*, red fescue *Festuca rubra*, white clover *Trifolium repens*, ribwort plantain and crested dogs' tail *Cynosurus cristatus* (see **Appendix 1 & 2**).
- 3.4. **Table 3.1** below summarises the Holly Wood and Pasture SINC local site assessment criteria, which was evaluated in 1999. For site evaluation purposes a value (either High (H), Medium (M), Low (L) or Unknown (U)) must be given against each of the criteria (see **Appendix 3** for full assessment).



Table 3.1: Sandwell Local Sites Assessment Report – Holly Wood and Pasture SINC (Dated 12.04.99).

Site Selection Criteria			
Biological Criteria		Social Criteria	
Habitat Biodiversity	H	Access	M
Species Biodiversity	H	Aesthetic Quality	H
Habitat Rarity	H	Physical Value	M
Species Rarity	H	Social Value	M
Eco position	H	Sense of Ownership	M
Naturalness	H	Recorded History	M?
Size	H	Educational Value Formal	H
Potential Ecological Value	H	Educational Value Informal	H
		Recorded History	M
		Potential Value	H

- 3.5. For the purpose of this report, a review was undertaken of the Local Site Assessment Report (1999) against the results of the updated Phase Habitat Survey (TG 2023) and the most current Birmingham and the Black Country Local Wildlife Sites Guidance for Selection Criteria, updated in March 2018⁸.
- 3.6. Due to lack of management, the grassland habitat within the red line site boundary has degraded in condition and is now considered to be 'other neutral grassland' (species poor semi-improved grassland), of moderate condition. Furthermore, a lot of grassland habitat has been lost to scrub encroachment, and if left unmanaged would likely be lost entirely in the future.
- 3.7. Therefore, at this time, the grassland onsite is not considered to meet priority habitat descriptions (LBAP⁹ or UK BAP¹⁰) and would not, in our view, meet current SINC selection criteria. Whilst the site could potentially be restored through management and other interventions it is important to note that the site only forms a small part (approximately 5%) of the wider SINC, which extends to approximately 8 hectares and would remain undeveloped/unaffected.
- 3.8. Notwithstanding the condition of the habitats present on site, the partial loss of a SINC would require a mitigation strategy to be prepared to demonstrate that any impacts are fully mitigated. This strategy would need to be informed by the results of the recommended vegetation surveys and remain cognisant of the original designation but is likely to comprise:
- Providing a like-for-like replacement in area and biodiversity value of the part of the SINC to be lost to development;
 - Ensuring that any compensation scheme includes plant species which are currently present and have historically been present in the SINC;
 - Ensuring that any compensation site is in a strategically important area and either improves or extends existing green corridors;

⁸<http://www.ecorecord.org.uk/sites/default/files/BBC%20Local%20Sites%20Selection%20Guidance%20%28March%202018%29.pdf>

⁹ <https://www.bbcwildlife.org.uk/sites/default/files/2018-10/bbcapfinal2010.pdf>

¹⁰ <https://data.jncc.gov.uk/data/f0553254-1d47-474a-98e5-37fa163a28b5/UKBAP-BAPHabitats-29-Lowland-Meadows.pdf>



- Ensuring the continued protection of the wider SINC both during construction and operation of the site. As it is apparently not within active/appropriate management, opportunities exist for development at the site to contribute towards a long-term management and enhancement plan.
- Ensuring that, overall, the development delivers a minimum of 10% increase in biodiversity value, as reported by Defra's statutory biodiversity metric (see **BNG** section of this note).

3.9. No direct impacts would be anticipated as a result of future development on the wider SINC and LNR, provided that an appropriate buffer zone is implemented. However, there is potential for indirect effects as a result of noise pollution, dust pollution and excessive light spill during the construction and/or operational phase of any future development. As such, potential impacts would need to be appropriately mitigated. An appropriate pollution prevention strategy should be devised to ensure the risk of pollution during construction is avoided. A sensitively designed lighting strategy is also recommended to minimise impacts to local wildlife, including bats.

Owing to the distances involved and the nature of habitats for which all other statutory sites identified by the data search have been designated, no adverse effects as a result of future development are anticipated and as such no specific mitigation would be required.

Biodiversity Net Gain (BNG)

- 3.10. The Environment Act gained Royal Assent in November 2021 and whilst this Act does not legally mandate BNG, it sets the framework for changes to secondary legislation to be amended. This is in the form of amendments to the Town and Country Planning Act (TaCPA), which will be legally changed from January 2024. As such, at the time of any application, achieving a minimum of 10% net gain will be legally binding to most planning permissions.
- 3.11. It is likely that any development within the site would result in an overall loss in biodiversity value, so an appropriate off-setting scheme would need to be agreed, in line with the mitigation strategy proposed earlier in this note. It will be important to ensure that the principles of BNG/off-setting are also followed – most important is ensuring the 'trading rules' of the metric are satisfied, in that the mitigation strategy provides a true like-for-like replacement and doesn't 'trade down'. Principally, this will need to focus on grassland creation/enhancements. To replace the unit value of the existing grassland, it is likely that a larger area of off-site compensation will be needed. Given the function of this SINC in a wider green corridor, ideally any off-site habitat creation/ enhancements would be located in a similar strategic location (i.e. within or expanding upon an existing green corridor).

Protected Species

- 3.12. Potential further survey work would be required to inform any future planning application:
- NVC Survey (May-July)
 - Badger survey (optimal in winter, when vegetation has died back)
 - Bat Activity Survey (April – October)
- 3.13. A bat sensitive lighting strategy, to minimise impacts to bats once operational.



- 3.14. Following an assessment of the habitats onsite, further survey work with respect to amphibians, reptiles and birds are not considered necessary to inform a future planning application as any potential impacts could be controlled via a Construction Environment Management Plan (CEMP).

Potential Control Mechanisms

- 3.15. At the planning application stage it is anticipated that the mitigation and enhancement strategy could be controlled through appropriately worded planning conditions devised to:
- Secure the production and implementation of a Construction Environmental Management Plan (CEMP), to avoid impacts to retained habitats of importance and protected and priority fauna.
 - Secure the production and implementation of a Habitat Management and Maintenance Plan (HMMP) for on and off-site habitats to ensure long-term management (minimum of 30 years) of habitats post development, which is a requirement of the Environment Act 2021.

Conclusion

- 3.16. The site forms a small part of a wider area designated as a SINC. The survey data indicates that the habitats within the red line site boundary do not to meet priority habitat descriptions and would not currently meet SINC selection criteria.
- 3.17. Notwithstanding the condition of the habitats present on site, the partial loss of a SINC would require a mitigation strategy to be prepared to demonstrate that any impacts are fully mitigated.
- 3.18. Whilst a fully detailed mitigation strategy for the partial loss of the on-site SINC is not provided at this point, the principles of what that mitigation strategy would need to include at the planning application stage in order to demonstrate that impacts are appropriately mitigated are outlined above and would need to focus on like-for-like habitat replacement in strategically important green corridors which might include contributions towards improving the wider SINC which would remain unaffected by development.
- ‘Mandatory BNG’ will be in place at the time of any planning application within the site and is likely to require an appropriate off-setting scheme would need to be agreed. . BNG will also give a reliable ‘quantifiable’ measure of the appropriateness of the mitigation strategy for partial loss of the SINC (i.e. does it satisfy all of the metric principles in terms of replacing habitats on a like-for-like basis).
- 3.19. Although further survey work for specific fauna would need to be completed to inform any future application within the site, no overriding ecological constraints to development exist to this site based on the site information gathered.



Appendix 1: Holly Wood and Pasture 1998 Local Sites Survey

Field Survey Report Form										
Holly Wood and Pasture			NGR: SP053945			Ref: SA053				
Borough: Sandwell						Altitude:		Area Length:		
Topography [Flat] [Undulating] Sloping: [Steep] [Gentle] Aspect: Facing ____ [Valley] [Cutting] [Embankment] [Cliff] [Verge] [Hill] [Spoil Mound] [Quarry] [Opencast] Other:		Land Use [Grazing] [Arable] [Waste Ground] [Sports Field] [Amenity] [Parkland] [Garden] [Allotment] [Orchard] [Developed] [Housing] [Industrial] [Quarry] [Sewage Works] [Cemetery] [Churchyard] [Railway] [Road] [Canal] [Active] [Disused] Other:		Hydrology [Pond] [Lake] [Resvr.] [Stream] [River] [Canal] [Ditch] [Drain] [Culvert] Vegetation – [E][M][F][S] [Perm.] [Seasonal] [Dry] [Artificial] Pollution Flow..... Bank Substrate Other:		Community Use [Access] [No Access] [Public Footpaths] [Desire Lines] [Walkway] [Cycle Tracks or Damage] [Rope Swings] [Fishing] [Fire Hearths] [Dens] Recreation [Passive] [Active] [Vandalism] [Flytipping] Litter [Indust.] [Domestic] [Unused]		Geology Stratigraphy: Features: Pedology: (soils)		
Condition [Excellent] [Good] [Fair] [Poor] [Destroyed] [In need of man.]		Management [Managed] [Neglected] [Laid] [Trimmed] (hedge) [Mown] [Cut] [Derelict] [Coppice]				Information Gathered [Maps & Notes] [Photographs] [Habitat Map] [Social Info.] [Geology] [Management] [Vasc. Plants] [Fungi] [Bryophytes] [Lichens] [Mammals] [Birds] [Rept./ Amph.] [Freshwater] [Odonata] [Lepidoptera] [Other Insecta] [Other inverts.]				
Site Status										
Conservation: SINC		Planning:								
Nature Conservation Strategy [Wildlife Action Area] [Wildlife Corridor] [Wildlife Reservoir] [Stepping Stone]										
Habitats										
Major	System			Habitat type	Area	System	Habitat type			Area
Woodland				A111 Betula sp. Quercus robur, Acer pseudoplatanus, Taxus bacata, Rhododendron ponticum B21 Agrostis capillaries, Festuca rubra, Catsear B5 Epilobium sp. Deschampsia cespitosa, Juncus C31 Arrhenatherum elatius, Chamerion angustifolium						
Scrubland	W	R	N			W	R	N		
Hedgerow										
Grassland	W	R	N			W	R	N		
Wetland	W	R	N			W	R	N		
Open Water	W	R	N		W	R	N			
Heathland	W	R	N		W	R	N			
Tall Herb	W	R	N		W	R	N			
Other:										
On-Site Pollution:										
Threats to Site: Vandalism & biking erosion										
Reason for Site Visit: Sandwell UPD Review										
Date Form Completed:		22/07/1998		By Whom:		Paul Stephenson				
Date Endorsed:				By Whom:						

Field Survey Report Form (2 of 2)**Site Description:**

The northern side is of mature A111 woodland of *Betula* sp. *Quercus robur*, *Taxus bacata*, *Rhododendron ponticum* and *Acer pseudoplatanus* with ground flora including Bluebell and Wood Millet. Climbing Coralism occurs at the extreme north corner. A narrow stream (G201) (very shady) runs through the wood from west to east. Much thinning has occurred prior to the site visit. A small gravel/sandpit is present and holes and ramps have been dug by bike riders.

The southern side is of grassland with three small grazed fields at the western side is of grassland with three small grazed fields at the western side of B21 with *Agrostis capillaris*, *Festuca rubra* and Catsear and this extends to the southern edge and has Birds-foot Trefoil occurring.

To the eastern side is a lower area of B5 wet grassland with *Holcus* and *Juncus* species and Meadowsweet, which is partially grazed.

An area adjacent to the M6 motorway is separated by an iron railing fence. This is not grazed and has B5 of *Epilobium* sp. *Deschampsia cespitosa*, *Angelica* and Meadowsweet and an area of tall herb C31 with *Chamerion angustifolium* and *Arrhenatherum elatius*.



Appendix 2: Holy Wood and Pasture 1998 Phase 1 Habitat Map



Key:

Phase 1 Habitat Polygons

- A111 Broadleaved woodland - semi-natural
- A21 Scrub - dense/continuous
- A21i Individual shrub
- B21 Neutral grassland - unimproved
- B32 Calcareous grassland - semi-improved
- B5 Marsh/marshy grassland
- C31 Other tall herb & fern - tall ruderal
- G2 Running water

Survey boundary

Drawing title:

**HOLLY WOOD AND PASTURE
PHASE 1 HABITAT MAP (1998)**

Scale:
1:3,000 @ A4

Date:
08/08/2013

EcoRecord

the ecological database
for Birmingham and the Black Country

©EcoRecord



Appendix 3: Holly Wood and Pasture 1999 Local Sites Assessment

SINC Criteria Evaluation Form (1 of 2)					
Hollywood and Pasture (SINC)		NGR: SP 053 945		Ref: SA053	
Borough: Sandwell					
Criteria: Record High (H), Medium (M) or Low (L) as appropriate					
BIOLOGICAL CRITERIA			GEOLOGICAL CRITERIA		
Biodiversity	<i>Habitat</i>	H	Intrinsic	<i>Palaeo</i>	
	<i>Species</i>	H		<i>Strat</i>	
Rarity	<i>Habitat</i>	H		<i>Structure</i>	
	<i>Species</i>	H		<i>Phys & Geomorph</i>	
Eco/Geo Position	H		Ass with other sites		
Naturalness	H		Rarity		
Size	H		Recorded history		
Potential Ecological Value	H				
SOCIAL CRITERIA					
Access	M	Educational value	<i>Formal</i>	H	
Aesthetic quality	H		<i>Informal</i>	H	
Physical value	M	Recorded History		M	
Social value	M	Potential Value		H	
Sense of ownership	M	See Over			
Recorded history	?M				

SINC Criteria Evaluation Form (2 of 2)**RECOMMENDATIONS TO STATUS**

This site is worthy of SINC status and should remain as such.

MANAGEMENT SUGGESTIONS:

An overall management plan should be produced and implemented.

a) Woodland

- Priority should be to remove sycamore and rhododendron, however this needs to be done using a long term plan.
- Thinning and partial coppicing to improve open conditions appropriate tree regeneration.
- Erosion , vandalism and fire are issues which require tackling.

b) Pasture

- Maintain grazing on the western side, however to not allow increased grazing and loss of species.
- Ideally the eastern side should be cut at the end of the season with the cuttings removed.
- Control any scrub species encroaching over the wet grassland.
- Maintain a high water table to encourage wetland species.

SOCIAL CRITERIA

- The woodland is very well used by local people for recreation and hence it suffers from erosion.
- The grazed pasture is not used by the public whilst the taller wetland and tall herb area has access but has only minimal usage.

RECOMMENDATIONS:

The woodland is valuable with a ground flora including Bluebell, Wood Millet and Climbing Coryalis.

The grassland is valuable with rich wetland including Meadowsweet, Juncus species, Angelica, Hemp Agrimony and Marsh Thistle. This being partially grazed helps maintain the value and with a high water table, should remain as such.

Management work with thinning the woodland has been beneficial.

Date Form Completed:	12/04/1999	By Whom:	Paul Stephenson
Date Endorsed:		By Whom:	

Appendix III

Heritage Statement, prepared by Asset Heritage
Consulting



specialist independent advisers in the historic built environment

conservation & listed buildings | heritage planning matters | expert witness | audits | research
listed buildings | conservation management and advice | archaeology | historic interiors

HERITAGE STATEMENT

In respect of

**Land at The Crescent, Queslett Road,
Great Barr**

On behalf of

Mr S. Birdie

AHC REF: 10255

December 2023

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Asset Heritage Consulting Ltd. Registration No: 07502061

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Appendix 1: Historic England Registered Park and Garden entry for Great Barr Hall

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Plate 16: Looking south-east along Sutton's Drive in the RPG

Plate 17: Looking south from Sutton's Drive across parkland towards M6

Plate 18: Looking south-west from Sutton's Drive across parkland towards M6

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1.0 INTRODUCTION AND SCOPE OF REPORT

- 1.1 This report has been prepared and written by Sarah Watt MCIfA, Director of Asset Heritage Consulting Ltd., on behalf of Mr S. Birdie. Its purpose is twofold: first, to assess the heritage significance of a 1.1 acre plot of undeveloped land ('the site') adjoining Queslett Road, Great Barr and, second, based on that appraisal, to assess the capacity of the site, in terms of potential heritage impact, for residential development. The report is prepared in support of representations being made to the consultation on the Draft Regulation 18 Sandwell Local Plan.
- 1.2 The assessment is made because the site lies within the Grade II Registered Park and Garden ('the RPG') of Great Barr Hall. The M6 cuts through the south-eastern part of the RPG north-east of the site. North of the site, on the other side of the M6, the RPG contains the derelict remains of the Grade II listed Great Barr Hall and Chapel. The Grade II listed Handsworth Lodge lies c.215m west of the site.
- 1.3 The report therefore considers what contribution, if any, the site makes to the significance of these heritage assets, and what impact its development may potentially have upon them.
- 1.4 While the site is not the subject of a current planning application, this assessment is made in line with the requirements of paragraph 194 of the National Planning Policy Framework (NPPF), which requires that applicants describe the significance of any heritage assets affected by their proposals sufficient to understand the potential impact of the proposals on that significance.

2.0 SITE DESCRIPTION

- 2.1 The site (**Plates 1-5**) comprises a rhomboid-like area of scrubland bordering the north side of the A4041 Queslett Road dual carriageway at the point where the road curves to the north-east to pass beneath the M6 motorway bridge. Its southern boundary to the road comprises a late 20th-century iron railing, beyond which there are self-seeded trees and other vegetation on a raised earth bank or bund.
- 2.2 There is a fence along part of the northern boundary, dividing the site from grazing land to the north and a fence along the eastern boundary dividing it from further scrubland/wet grassland within the Holly Wood Local Nature Reserve to the east. The Nature Reserve is accessed via a footpath from Queslett Road just before the motorway bridge, to which it runs parallel into Holly Wood before turning west through the woodland to emerge on Whitecrest.
- 2.3 West of the site is a linear development of six pairs of semi-detached houses, Nos.1-12 The Crescent, built in the 1930s (**Plates 6 & 7**). These front onto a cul-de-sac service road set higher than and parallel with Queslett Road. West of these houses, at the junction with Handsworth Drive (a remnant of a former carriage drive to Great Barr Hall) is the Grade II listed Handsworth Lodge (No.132 Queslett Road), a former lodge associated with the Hall (**Plates 8-10**).
- 2.4 The site lies within the southern edge of the Grade II Registered Park and Garden ('the RPG') of Great Barr Hall and Chapel, a Grade II listed building (downgraded from Grade II* in September 2016 because of substantial damage caused by vandalism, arson and dereliction). The RPG boundary immediately west of the site is taken around Nos.1-12 The Crescent to exclude these houses from the Registered boundary, and then turns back towards Queslett Road to include Handsworth Lodge and Drive.
- 2.5 The M6 cuts through the southern part of the RPG north-east of the site, severing the smaller part containing the site from the larger part to the north and north-east. Great Barr Hall, its two lakes, walled gardens, landscaped parkland and other principal landscape features are located north of the M6, with the main surviving feature in the southern part being the mid-19th-century Handsworth Drive and Lodge.

3.0 HISTORICAL BACKGROUND

Early history

- 3.1 The place name of Great Barr is of Celtic origin, referring to a great hill-top. From Domesday, it lay within the Royal Forest of Cannock, but was disafforested in 1125 and became part of Sutton Chase. After c.1200, the township of Great Barr was part of the parish of Aldridge, with a manor house and chapel on the site of Chapel Farm (on Chapel Lane adjoining the northern boundary of the RPG). By 1335 a deer park had been established for the use of the manor, covering the area now occupied by the Great Barr golf course (north of Chapel Farm) and land further north.
- 3.2 The land south of Chapel Farm, which later became Great Barr Park, may have remained as rough wasteland at that time, albeit some clearance must have taken place as there is a moated medieval farm site in the northwestern part of the RPG, south-east of Chapel Lane (Wolverhampton & Walsall HER ref: 2689). There is also map evidence for the site of a later medieval or early post-medieval mill just south of the lakes which extend south from Great Barr Hall (HER ref: 6378) (see paragraph 3.10).

The 17th century

- 3.3 During the Civil War (1642-51), the Royalist Edward Stamford was lord of the manor of Great Barr and Aldridge. His lands were confiscated and came into the hands of Richard Scott (d.1675). The Scott family seat was Old Hall, which survives (listed at Grade II) as part of The Old Hall Farm north of Great Barr Park. Nether-house Farm, c.1km south-west of Old Hall at the bottom of a wooded valley, and which later became the site of Great Barr Hall, was built in c.1650 by Richard Scott as a subsidiary farm. By the time of Scott's death in 1675 he had created a substantial farmhouse there, with c.120 acres of worked fields.

The 18th century

- 3.4 Nether-house Farm was rebuilt or enlarged during the time of John Scott (1685-1755), who also began the ornamentation of the landscape with new gardens, planting, walks and drives. There is circumstantial evidence that William Shenstone

(1714-1763), later a kinsman of the family, helped lay out these improvements (Shenstone had begun to ornament his own park, Leasowes, only eight miles away in Halesowen, in 1743).

- 3.5 After John Scott's death, the house was tenanted until 1777 when his grandson, Joseph Scott, came to live there following his marriage. Over the next six years he spent most of his fortune, much of it on rebuilding the house, which was thereafter known as Great Barr Hall. The house was re-faced in the newly fashionable Strawberry Hill 'Gothick' style and is now considered one of the earliest surviving examples of Gothic Revival architecture. He also built a stable block, extended the garden behind the Hall and built a rabbit warren in the walled kitchen garden that had been established by his grandfather in the 1740s.
- 3.6 By c 1785 the Scotts' financial plight had driven them abroad, and Great Barr was leased to the Galtons, a family of Birmingham Quakers. Samuel Galton junior was a member of the Lunar Society, the unofficial scientific body whose members did much to advance the Industrial Revolution, and who met occasionally at Great Barr between 1785 and 1796.
- 3.7 The Scotts returned to England after about five years and went to live in Kingswinford. During this time, Joseph Scott received an inheritance which allowed him to enlarge the estate at Great Barr by securing additional peripheral land, including Merrion's Wood (this woodland is now encompassed by a narrow western spur of the RPG, extending west from Chapel Lane to the A34 Birmingham Road). As soon as he was able to, Scott terminated the Galtons' lease and moved back to Great Barr Hall in 1797, calling in Humphry Repton (1752-1818) and John Nash (1752-1835) to make further improvements to the park and its buildings.
- 3.8 Although no 'Red Book' of Repton's has survived for Great Barr, his work here is reminiscent of other of his designs, and is thought to have included the form of the carriage drives, the construction of the Upper Pool and the planting or enlargement of the park's woodland, including High Wood, Fox's Plantation and Holly Wood along the west side of the lakes. Peripheral tree belts and groups of tree planting were to draw the eye to a particular view. Sunken fences or ha-has allowed uninterrupted views across the park and beyond to the wider landscape, and the valley floor was laid out

with lakes and cascades accessed by gravelled woodland walks and footbridges. Formal gardens were laid out close to the house. John Nash produced designs for a Gothic gate by the Chapel and several features in the Hall itself were in his style. He may also have had influence on the design of other features.

The 19th century

- 3.9 Joseph Scott died in 1828 and was succeeded by his son, Sir Edward Dolman Scott (d. 1851), who in the 1840s commissioned considerable improvements at Great Barr. He concentrated on the gardens immediately around the Hall, laying out terracing and a zig-zag drive to the Flower Garden, the ha-ha on its southern side and new planting on the west side of the Upper Lake. He also extensively remodelled the hall and built Sutton's Bridge and the approach drive from the north-west.
- 3.10 The 1839 Aldridge tithe map (**Figs.1a and 1b**) shows the park just before Scott commenced his programme of works. It reveals the southern part of the park still to have been divided into irregular field enclosures and still in agricultural use in contrast with the open parkland shown north of Holly Wood (the woodland then much smaller than it would become later in the century). The site lay within the field numbered 1383, which is recorded in the accompanying apportionment as being owned by Sir Edward Dollman Scott and tenanted by John Smith. The field was just over 2 acres, was named Lower Leasow and was in arable use. The field immediately to the west, part of which was developed in the 1930s with Nos.1-12 The Crescent, was pasture, also tenanted by John Smith and known as Booles Leasow. Parcel 1382 to the north was Holly Wood Meadow, tenanted by Joseph Birch; Birch occupied a house, mill and garden at plot 1377 to the north-east.
- 3.11 The tithe map does not show Handsworth Lodge, confirming that the list entry for the lodge is incorrect in its description of the building as being of late 18th-century date (the lodge is not shown on a parish map of 1845 either). However, the map does show an earlier lodge further north (at parcel 1385) by an entrance to an earlier carriage drive opening off the road known as Whitecrest, which is likely to have been established during Joseph Scott's time, under Repton and Nash.



Fig.1a: Aldridge tithe map, 1839

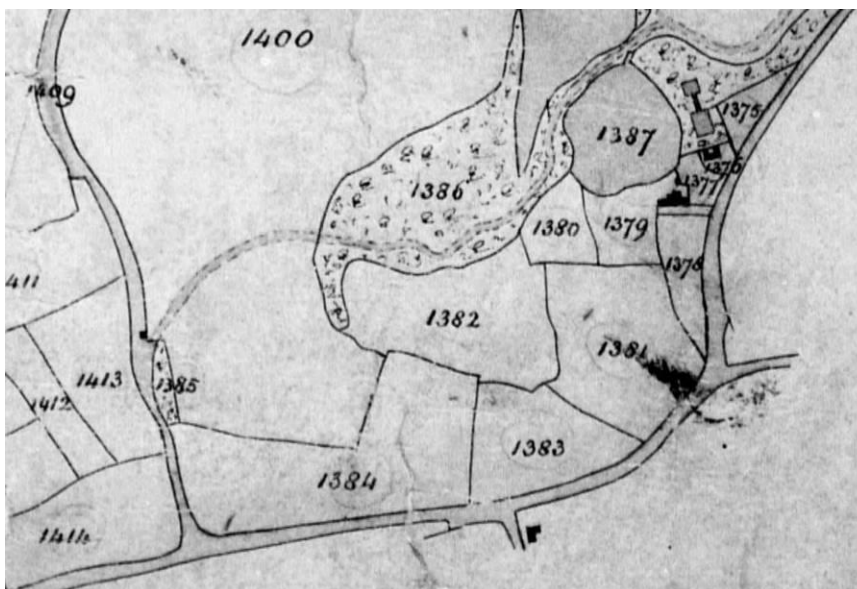


Fig.1b: Detail from Aldridge tithe map, 1839 (the site lay within plot 1383)

- 3.12 Sir Edward Scott died in 1851, the same year that his son Sir Francis Scott met the celebrated architect, George Gilbert Scott (1811-1878). By 1854, the latter had embarked on a range of improvements at Great Barr that he continued until Francis Scott's premature death in 1863. The works included the rebuilding of the Walsall and Queslett Lodges as a matching pair and were followed by the rebuilding of Chapel Lodge and the construction of Beacon and Avenue Lodges.
- 3.13 Gilbert Scott's Chapel adjoining the Hall had been built by 1863, although it was never consecrated and was instead used as a billiards room. In the park and gardens he was responsible for the Boat Houses, the post-bridge and the Summer House in the French Garden as well as work on the park wall, planting improvements to the more formal gardens and a doubling in size of the parkland woods. Francis Scott's widow finished some of the work after her husband's death, completing the park wall and putting in a drive from Queslett Lodge to the Flower Garden. Her two sons predeceased her and, with her death in 1909, the 250-year involvement of the Scott family with Great Barr came to an end.

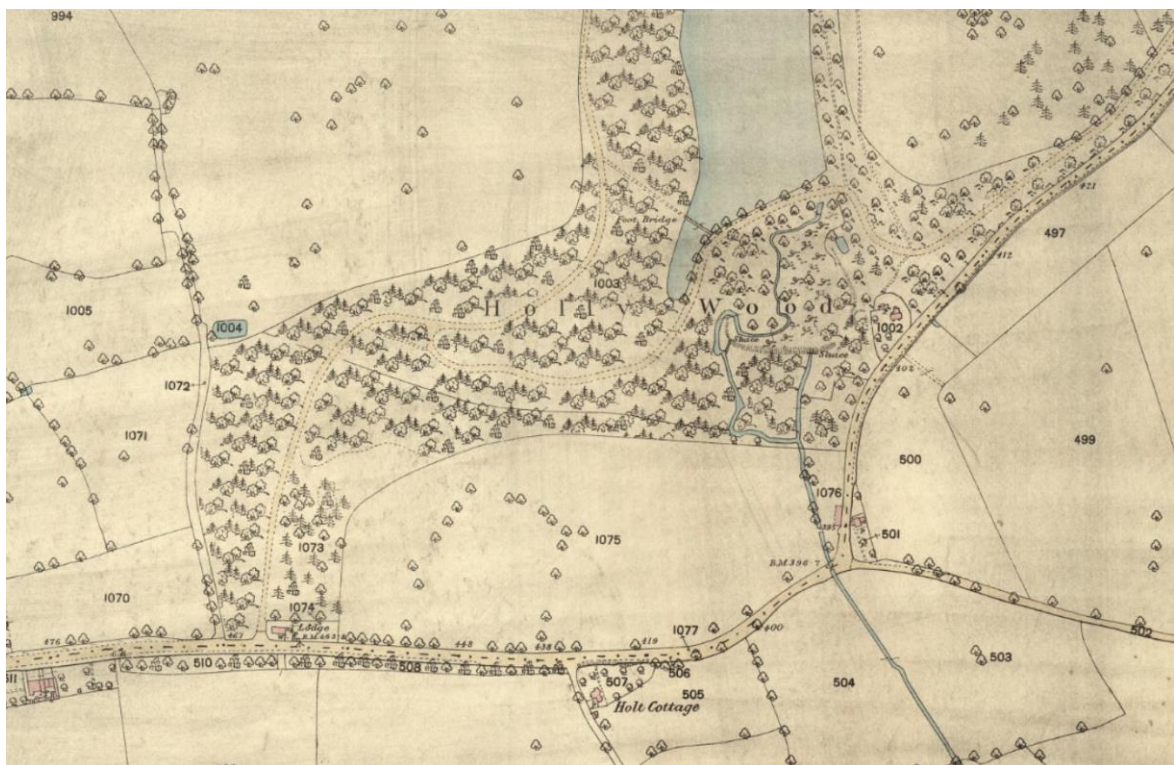


Fig.2: 1886 OS map

- 3.14 The 1886 OS map (**Fig.2**) shows the changes to the landscape since 1839, including the works undertaken by Joseph Scott in the 1840s. These included the reconfiguration of the southern approach drive, removing the section to the road now known as Whitecrest and turning it south through an extended Holly Wood to Queslett Road, where the new Handsworth Lodge had been built. The driveway continued east through the woodland before diverging, with one branch running through the new woodland north along the western side of the lakes, crossing the top lake over Sutton's Bridge where it met the drive from the north-west and onto the Hall. The other branch continued east beneath the lakes and then north-east to Queslett Farm and the Queslett Lodge.
- 3.15 By this date, the field boundaries south of Holly Wood had been taken out, although trees that marked the boundaries still remained; the outline of the parcel that was later to be developed with The Crescent can be discerned, with the parcel to the east (now encompassing the site) opened out into a much larger 14.8 acre area of land (parcel 1075).
- 3.16 By 1903, this area had been reconfigured again, with the whole area between Holly Wood and Queslett Road having been divided into two large fields (**Fig.3**). The site falls across both of these enclosures.



Fig.3: 1903 OS map

The 20th century

- 3.17 In 1911, the house and park were sold to the West Bromwich Poor Law Union and in 1914 work began on Great Barr Park Colony for Mental Defectives, later renamed St Margaret's Hospital. The first phase, an elevated large horseshoe of buildings constructed south-east of Great Barr Hall, was designed by the Birmingham architect, Gerald McMichael.
- 3.18 In the 1930s (**Fig.4**) Great Barr was expanding with new housing estates either side of Sundial Lane and the Birmingham Road, west of Great Barr Park, and along Queslett Road. Nos.1-12 The Crescent, and three houses north of Handsworth Lodge fronting onto the southern approach drive, were part of this residential expansion, built over land within the park. Houses on the south side of the road were built with a deep set-back behind a verge, which was later to provide the land required for dualling the road.

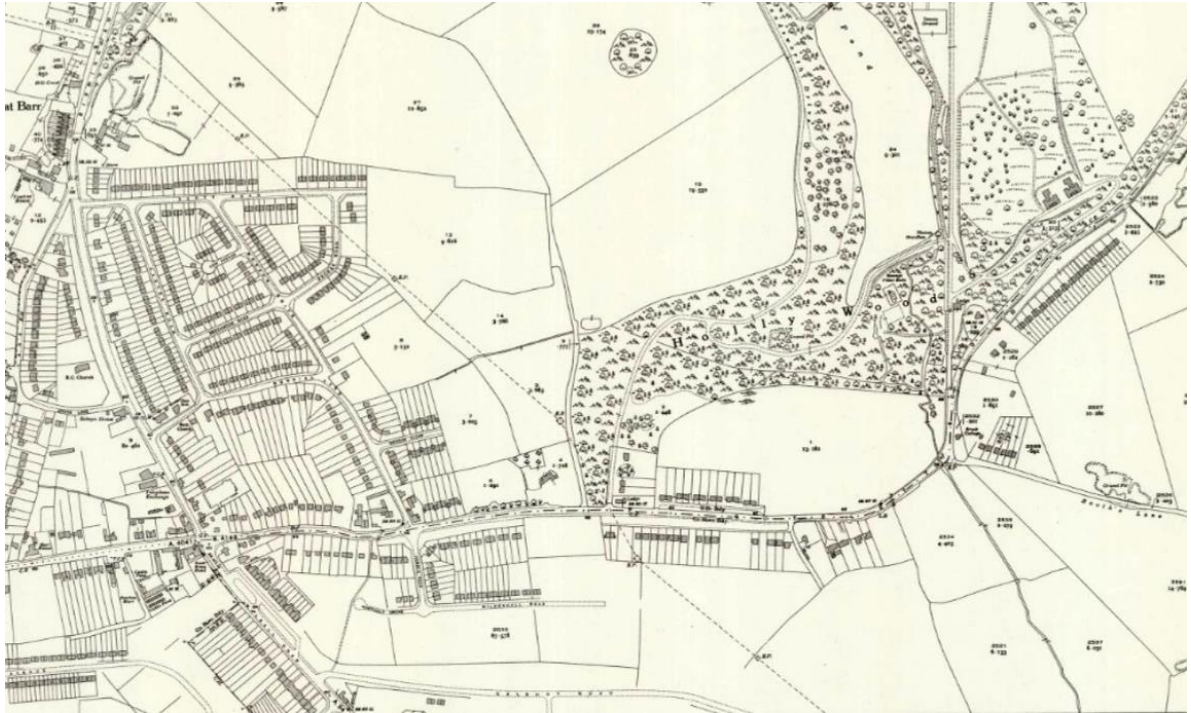


Fig.4: 1946 OS map (revised in 1937)

- 3.19 The decline of the Hall and Chapel/billiard room accelerated following World War II. In the 1950s its clock-tower, stable and coach block and servants' wing were demolished and a new pathology department was attached to the house, and in the late 1960s the paired oriel windows on the principal façade were replaced by metal casement windows.
- 3.20 In c.1970 the M6 motorway was driven through the southern part of Great Barr Park, cutting it into two parts and effectively severing the main part of the park from its south-western corner – this latter included the land north of Holly Wood, between Whitecrest and Abbotsford Avenue and the motorway, which was part of the parkland estate but which was excluded from the RPG when this was designated in July 1986. Presumably during the same general period as the construction of the M6, the A4041 Queslett Road was duelled, which appears to have involved taking some further land from the southern edge of Great Barr Park.
- 3.21 The Hall was added to the statutory list of buildings of special architectural and historic interest at Grade II* on 15th June 1971.

- 3.22 In January 1974 the Birmingham Regional Health Authority applied to Staffordshire County Council for permission to demolish Great Barr Hall, but the building was saved through campaigning by conservation groups. In July 1978, the Hall ceased to be used as the hospital administration centre, the last time the building would be occupied.
- 3.23 With the building vacant, the 1980s saw an escalation in damage to the site. On 1st January 1981 Scott's 'chapel' attached to the Hall was gutted by arsonists and in July 1982 vandals removed a large section of the balusters and handrail from the famous flying staircase. In August of the same year there was a thwarted attempt by arsonists to set the Hall on fire. Following this, the building was boarded up.
- 3.24 In February 1989 the Hall and 156 acres of lakes, woods and farmland were conveyed to David Worth, a Birmingham financier and property developer. A significant outbreak of dry rot was discovered and in order to arrest its progress virtually all plasterwork and woodwork were stripped from the building. Mr Worth later ran into financial difficulties and this portion of the estate ended up in the hands of the Official Receiver, where it remained for over a decade. During this time the building fell into further dereliction and most of the older hospital buildings were abandoned, although some clinic services continued to be provided from buildings of c 1990.
- 3.25 In July 2001 parts of the Hall's cellars collapsed due to vandalism and in March 2003 the chapel was damaged by attempts to remove carved masonry from around one of the windows.
- 3.26 In 2003, the Official Receiver sold the estate to the Manor Preservation Trust, who had an agreement with Bovis Homes; Bovis Homes obtained planning permission to build an estate on part of the site (in 2008 the remaining hospital buildings were demolished and replaced with a new housing development), but no work was done by the Manor Building Preservation Trust on the Hall. In 2012 a consortium of local businessmen bought the estate from the Trust.
- 3.27 A planning application was made in 2013 (13/1567/FL and 13/1567/LB) to restore the Hall as a hotel/wedding/conference centre/restaurant, restore the lawns, and construct 57 new dwellings in the RPG, among other things. The new dwellings were

intended to provide funds for the redevelopment of the Hall. The application, held in abeyance for many years, was finally refused in February 2022.

- 3.28 Great Barr Hall's listed status was downgraded from Grade II* to Grade II in 2016. The RPG is on Historic England's Heritage at Risk Register.
- 3.29 The Hall and parkland have been on the market since 2021 (the land for sale does not include any part of the wedge of land (some within and some outside the RPG) on the south-west side of the M6.

4.0 ASSESSMENT OF SIGNIFICANCE AND CAPACITY FOR CHANGE

4.1 Significance

Designated heritage assets

4.1.1 The significance of the RPG is recorded in its Historic England Register entry as deriving from the following:

- its group value with the Grade II listed Great Barr Hall: the 18th-century landscape park is contemporary with and provides the setting for the Hall;
- its associations with Humphry Repton, John Nash, Gilbert Scott and possibly William Shenstone, renowned landscape designers and architects who contributed to the design of the parkland and its buildings; and
- its intactness: the overall layout, boundaries and features of the park remain mostly intact and it retains strong visual links with Great Barr Hall.

4.1.2 Despite the unsympathetic alterations made to the Grade II listed Great Barr Hall during its use as a hospital and subsequent damage caused by neglect and vandalism (leading to the building's downgrading from GII* to GII), the Hall retains significance and special interest deriving from:

- its value as an example of 18th-century Gothick architecture, later altered and extended to form a picturesque Gothic Revival country house;
- the lengthy ownership of the Scott family and their development of the house and landscape;
- the tenancy of Samuel Galton and thus its association with the Lunar Society; and
- its group value with the surrounding landscape.

4.1.3 The Grade II listed Handsworth Lodge is significant for its Gothick architecture, which relates to the architecture of Great Barr Hall with which it was originally associated as a park lodge. The building still derives some group value from this relationship although the lodge and carriage drive have been severed from the Hall and the park 'proper' by the M6. The setting of the lodge was altered in the 1930s when houses

were built to either side of it and also to the north of it, encroaching along the carriage drive, and has suffered further from the impact of the dualling of Queslett Road.

- 4.1.4 The lodge is now experienced as part of the 1930s' and later ribbon development along this wide and busy route; its distinctive Gothick architecture, and the fact it faces onto the carriage drive rather than onto the road, distinguish it from the later development around it. The building appears to be unoccupied and is unfortunately in poor repair.

The site

- 4.1.5 The site itself is considered in terms of any intrinsic heritage significance it has and in terms of any contribution it makes to the designated heritage assets discussed above.
- 4.1.6 The site comprises a small area of land on the southern margins of the RPG in an area severed from the main body of the park by the M6. The only reference to the M6 in the Register entry says, *'The west boundary now follows the line of the M6 motorway, which truncates the south-west tip of the park.'*
- 4.1.7 The truncated area of the RPG south-west of the M6 includes most, but not all, of Holly Wood (for reasons unknown, the RPG boundary excludes an area of woodland west of the southern approach drive); the Grade II listed mid-19th-century Handsworth Lodge and the approach drive of the same date (the line of which marks the north-western and northern boundary of this part of the RPG); and the land between Holly Wood, Queslett Road and the M6 embankment (excluding The Crescent).
- 4.1.8 This latter parcel of land south of the woodland appears to have been in use as agricultural fields (arable, pasture and meadow) throughout the estate's history and did not form a part of the designed landscape park. It is not uncommon for parkland estates to include land in agricultural usage, normally in peripheral locations beyond the parkland proper.
- 4.1.9 In the mid-19th century Holly Wood was substantially enlarged to west and south-west, also bringing its edge further south, so that the new carriage drive was enclosed

by woodland on both sides. This had the effect of cutting off this truncated area of fields from the rest of the park (it had originally been open to the parkland past the western edge of the wood). Old field boundaries were taken out and reconfigured. By 1903, there was a single division creating two fields of similar proportions.

- 4.1.10 Part of the land along the Queslett Road frontage was developed with houses (The Crescent) in the 1930s and the rest remains part grazing land and part scrubland/grassland, with Holly Wood itself and land east of the site forming part of the Holly Wood Local Nature Reserve.
- 4.1.11 Because the site lies within the RPG, it is a part of this extensive designated heritage asset and, as such, has a degree of intrinsic heritage significance.
- 4.1.12 However, the site, as part of former agricultural land on the park's periphery, does not form part of any significant view identified across or into the parkland and contains no designed landscape features or historic parkland planting. It has a marginal location on the southern boundary of the RPG, which has already been altered, both physically and in terms of character, by housing development, the dualling of Queslett Road (which took land from the park) and the construction of the M6 motorway, all of which dominate the local environment (both visually and in terms of noise effects) and influence the character and visual quality of the site and the way in which it is perceived.
- 4.1.13 In views from Queslett Road, the site is thus very much influenced by the busy and noisy dual carriageway and existing residential developments either side, particularly the ribbon development formed by The Crescent immediately west of the site, and by the M6 bridge over Queslett Road.
- 4.1.14 From the south side of Queslett Road, directly opposite the western end of the site on the higher ground here, the land within the site cannot itself be seen because of the vegetated bank along its southern boundary. However, the treeline of Holly Wood beyond is visible such that there is a sense of the open land within and beyond the site (see **Plates 4 & 5**). However, in the same views, vehicles travelling along the elevated M6 can also be seen and (in winter) what may possibly be the tip of the tall chimney at Whitecrest Primary School to the north.

- 4.1.15 In these views, while the site is perceived as part of the wider area of open land within the RPG, the predominant features of this experience are the dual carriageway and the M6, which greatly affect the character and quality of the view, and the ribbon development of The Crescent and the houses beyond adjoining it.
- 4.1.16 The footpath off Queslett Road into the Holly Wood Local Nature Reserve runs parallel and close to the M6 embankment (**Plates 11 & 12**), although most of the traffic noise experienced from the footpath appears to come from Queslett Road. In views south-west from this footpath (before it enters the woodland) views across the large area of land encompassing the site are of scrubland and self-seeded trees, with (in the winter months) the houses on Queslett Road visible beyond. Looking south-west from further along the footpath, the open grazing land south of the woods is visible; this has a greater degree of parkland character because of its open pasture but houses are visible beyond (**Plates 13 & 14**).
- 4.1.17 Once into the woodland, one is not aware of the site or land adjoining it. To the east the M6 embankment rises steeply up. Further into the woods, the footpath links to the track representing the original carriage drive; where it turns to the south down to the lodge and Queslett Road there is now a padlocked gate across it (**Plate 15**). The footpath continues out onto Whitecrest to exit the woods.
- 4.1.18 The site has no bearing on the experience of the woods or the former carriage drive. While the site is visible from the footpath into the woods alongside the motorway, this is in context with the existing residential development adjoining it.
- 4.1.19 When entering the main part of the RPG from Sutton's Drive at the north-western edge of the park, there are no views across the landscape to the site. Electricity pylons extend south across the rising land of 'Big Meadow' towards the M6 and there is no visibility beyond where the motorway cuts through the park (**Plates 16-18**). There is certainly no visibility of the land south-west of the M6 from close to Great Barr Hall, the lakes, or any other feature of note, and no views back in the other direction towards the Hall. The lakes are bounded to the west by woodland and the motorway precludes views in either direction.

- 4.1.20 The site is not seen in conjunction with the Grade II listed Handsworth Lodge, from which it is separated by Nos.1-12 The Crescent.
- 4.1.21 In summary, while the site lies within the RPG and has historically formed part of the estate, it is marginal and makes no specific individual contribution to the latter's significance. It does not form part of the designed parkland landscape and, as agricultural land, would largely have been screened from the mid-19th-century carriage drive by the deliberate extension of Holly Wood to encompass it. The development of The Crescent, the loss of historic field boundaries and the trees which marked them in this part of the park, and the change in land use, has all diminished historic character to an extent.
- 4.1.22 These changes were compounded by more serious harm in the 1960s-70s arising from the construction of the M6 and dualling of the A4041 Queslett Road. The construction of the motorway had a substantially harmful impact on the park, severing one part from another: while this did not prevent the park from being added to the Register of Parks and Gardens in 1986, it had a significant impact on the ability to access and appreciate it as a whole. The dualling of Queslett Road also took land from the park and, together with the M6, has had a significant impact on tranquillity because of traffic noise.
- 4.1.23 While there are views from the south side of Queslett Road from the higher ground opposite the western end of the site which give some sense of the parkland beyond it (albeit terminated by the treeline of Holly Wood), these views are heavily influenced by existing adjoining residential development, by the elevated M6 and by the dual carriageway over which the views are taken. These aspects significantly limit the quality of these views into the RPG.

4.2 Capacity for change

- 4.2.1 In my view, while the site lies within the RPG, its limited contribution to what is significant about the RPG means that there is scope for its development, particularly where that development follows the general form of the existing development to the west.

- 4.2.2 There would be no effect on the main part of the RPG north of the M6 or on Great Barr Hall itself; the site is a small part of a truncated and cut-off section of the building's wider setting and has no intervisibility with the Hall or with the main part of the park.
- 4.2.3 Development of the site would bring built form closer to the (non-historic) footpath into Holly Wood from Queslett Road. However, as the site is on the Queslett Road frontage, its northern boundary contiguous with the northern boundary of existing development at The Crescent, development here would not be out of character with the existing context, which is already heavily influenced by the road and the M6 embankment, and from where there is already visibility of The Crescent. The focus of the footpath is the entrance to the woods ahead, while views across the land within the Local Nature Reserve west of the footpath, and across the grazing land further north, would remain available.
- 4.2.4 Similarly, there would be no additional impact on any glimpsed views from within the edge of the woods, from where one can already see housing development; the site would simply be experienced, if at all, as a limited extension of the existing development.
- 4.2.5 In views north from and along Queslett Road, development of the site would simply continue the existing development at The Crescent and would therefore appear in context with existing well-established development.
- 4.2.6 In the direct views north from the higher ground on Queslett Road opposite the western end of the site, development on the site would appear in the foreground of views across the dual carriageway across open land towards the treeline of Holly Wood. While these views are not of the main body of the park and have been diminished in quality by the road, street lighting poles and visible traffic on the M6 (particularly in the winter months), they still give a sense of the open land within the RPG.
- 4.2.7 This impact has the potential to cause some 'less than substantial harm' to the RPG, through changing the way in which its presence in the landscape can be appreciated from this vantage point. However, it is my view that this potential harm would be limited and at the lower end of the scale of such harm. This is because of the low

intrinsic significance of the site and the degraded context in which it is perceived. The sensitive design of the development, including with reference to boundary treatments, planting and landscaping could help to mitigate it.

- 4.2.8 If less than substantial harm is identified, this would engage paragraph 202 of the NPPF which requires such harm to be weighed against the public benefits of the proposal.

5.0 SUMMARY AND CONCLUSIONS

- 5.1 This report has provided an assessment of the heritage significance of a plot of land within the edge of the Grade II Registered Great Barr Hall Park and Garden in order to inform a consideration of any impact its development for a residential use might have on this and associated heritage assets. The site is being promoted for development to the consultation on the Draft Regulation 18 Sandwell Local Plan.
- 5.2 For the reasons set out in the body of this report, I am of the view that the site has capacity for development, albeit there is potential for some very limited less than substantial harm to the significance of the Registered Park, which would need to be weighed in the balance of public benefits against paragraph 202 of the NPPF.

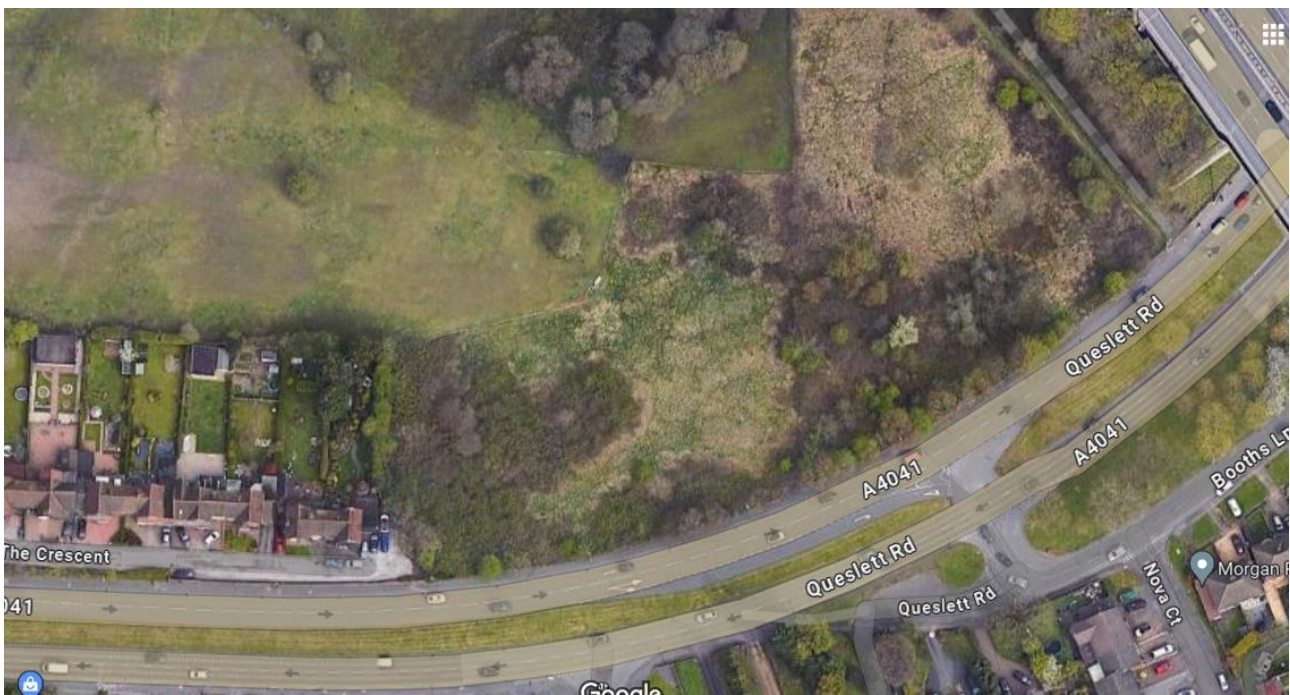
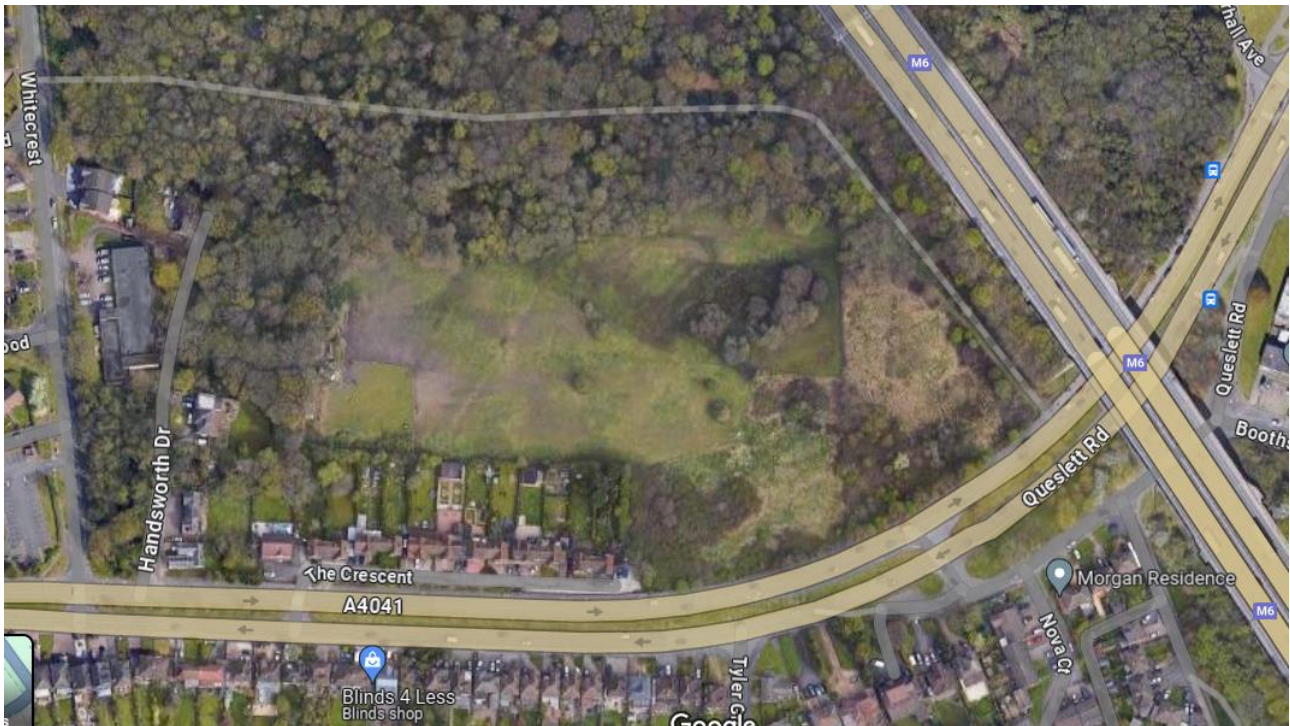


Plate 1: Aerial photograph of the site and surroundings (Google maps)



Plate 2: Looking north-west across Queslett Road to the southern boundary of the site



Plate 3: Looking north-west across Queslett Road from junction with Tyler Grove towards the site



Plate 4: Looking north across Queslett Road from junction with Tyler Grove towards the site



Plate 5: Looking north-east across Queslett Road from junction with Tyler Grove towards the site (behind the lighting pole, a yellow lorry on the M6 is visible)



Plate 6: Detail of site's southern boundary to Queslett Road



Plate 6: Nos.1-12 The Crescent



Plate 7: Looking east along The Crescent service road



Plate 8: Handsworth Lodge, with 1930s's housing development along former carriage drive to left



Plate 9: Handsworth Lodge



Plate 10: Looking north past Handsworth Lodge Along the former carriage drive



Plate 11: Looking north-west along footpath from Queslett Road into Holly Wood Local Nature Reserve (M6 embankment to right)



Plate 12: The M6 bridge over Queslett Road immediately east of the entrance to the footpath



Plate 13: Looking south-west from Nature Reserve footpath towards site (left of the houses on The Crescent seen to the right). Houses on the south side of Queslett Road can be seen to left beyond.



Plate 14: Looking south-west from Nature Reserve footpath across grazing land



Plate 15: Looking south from Holly Wood along the old Handsworth Lodge carriage drive



Plate 16: Looking south-east along Sutton's Drive in the RPG



Plate 17: Looking south from Sutton's Drive across parkland towards M6



Plate 18: Looking south-west from Sutton's Drive across parkland towards M6

Appendix 1:
Historic England Registered Park and Garden entry for Great Barr Hall

GREAT BARR HALL

Official list entry

Heritage Category: **Park and Garden**

Grade: **II**

List Entry Number: **1001202**

Date first listed: **01-Jul-1986**

This list entry identifies a Park and/or Garden which is registered because of its special historic interest.

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Location

The building or site itself may lie within the boundary of more than one authority.

District: **Sandwell (Metropolitan Authority)**

Parish: **Non Civil Parish**

District: **Walsall (Metropolitan Authority)**

Parish: **Non Civil Parish**

Details

An C18 landscape park associated with a country house; associated with Humphry Repton and John Nash and George Gilbert Scott, and possibly with William Shenstone.

HISTORIC DEVELOPMENT In the mid C17 Richard Scott (d 1675), tenant of Old Hall (or High House), the manor house of Great Barr, built Nether-house Farm c 1km to the south-west near the bottom of a wooded valley. In the time of John Scott (d 1755) Nether House was apparently rebuilt or greatly extended and the ornamentation of the landscape begun. An early C19 tradition states that William Shenstone (1714-1763), later a kinsman of the family, helped lay out these improvements. The house was then tenanted until 1777 when his grandson Joseph Scott came to live there following his marriage. Over the next six years he ran through most of his fortune, much of it on rebuilding the house, thereafter known as Great Barr Hall. Some was also spent on its grounds. By c 1785 the Scotts' financial plight had driven them abroad, and Great Barr was leased to the Galton family, Birmingham Quakers. Samuel Galton junior was a member of the Lunar Society, the unofficial scientific body whose members did much to advance the Industrial Revolution, and this met occasionally at Great Barr between 1785 and 1796. The Galtons' lease was terminated in 1797 and Scott immediately called in Humphry Repton (1752-1818) and John Nash (1752-1835) to work on the park. He had presumably become acquainted with them through his kinsman Edward Foley, of the well-known Herefordshire family. Joseph died in 1828 and was succeeded by his son Sir Edward Scott (d 1851), who in the 1840s commissioned considerable improvements at Great Barr. His second wife Lydia Robinson, whom he married in 1848, was an associate of the Brontes; Branwell was supposedly infatuated with her. Sir Francis Scott (d 1863), Sir Edward's son and heir, undertook many changes to the house and park, which have been attributed to the architect George Gilbert Scott (1811-1878), whom he had met in Venice. In 1911, following the death of his widow in 1909, the house and park were sold to West Bromwich Poor Law Union. Three years later work began on Great Barr Park Colony for Mental Defectives, later renamed St Margaret's Hospital. The first phase, an elevated horse-shoe of buildings, was designed by the Birmingham architect Gerald McMichael. In the 1990s most of the extensive older hospital buildings were abandoned, although some clinic services continued to be provided from buildings of c 1990. Recently (2008) the hospital buildings were demolished and replaced with a new housing estate (not part of the area registered).

LOCATION, AREA, BOUNDARIES, LANDFORM, SETTING Great Barr lies c 5km south-east of Walsall, the former Great Barr park forming a green valley corridor between the housing estates of Great Barr to the west and of Pheasey and Queslett to the east. The north boundary of the site is formed by Chapel Lane, and that to the south by the A4041. The west boundary now follows the line of the M6 motorway, which truncates the south-west tip of

the park. The east boundary follows the line of the lakes. It bounds a housing estate built in the early C21 on the horse-shoe shaped site of the hospital buildings that occupied this former part of the park (not included in the registered area). The registered site comprises c 105ha.

ENTRANCES AND APPROACHES Since the C17 there have been numerous approaches contrived to the Hall, some direct and others designed to show off the park. The Hall is approached from the north-west down Sutton's Approach, lined with later C20 horse chestnuts. This drive was laid out in the 1840s, at the same time Sutton's Bridge being built at the north end of the Upper Lake. The drive enters the grounds off Chapel Lane, the public road past Great Barr church; Chapel Lodge (c 1856) which stood on the west side of the drive has been demolished. Opposite the lodge site, on the north side of Chapel Lane, is Avenue Lodge, a red-brick lodge with blue diaper work of c 1856, probably by Gilbert Scott. Iron gate piers of the same date stand at the end of the Walsall Approach drive of 1797, now a footpath, which runs for 1km west through Merrion's Wood. At the end of that path is the mid C19 Walsall (or Merrion's) Lodge of 1854 (listed Grade II); it too has iron gate piers to one side.

Sutton's Approach leads to the north side of the Hall and to its west front. From here a rough drive continues south, down the east side of the lakes. The present lodge on the centre of the south side of the park dates from the mid C20. A more important approach from the south was the drive through the woodland above the west side of the lakes, from the mid C19 Handsworth Lodge (listed grade II) at the south-west corner of the registered area. Laid out c 1799 the drive survives as a track.

From the stables on the east side of the Hall the Farm Approach of 1856 leads east past the site of Park Farm (built in 1856 on the east side of the walled garden); it originally ran to Beacon Lodge 500m beyond, now subsumed in the dense suburban housing of the 1960s and 1970s which abuts the east side of the registered area.

In the early C18 there was an ornamented walk to High House, past the west wall of the kitchen garden. This was done away with in the 1790s when Repton and Nash reworked the approaches to the Hall. As well as those noted above a further drive was constructed at that time from the south-east corner of the park, where the Queslett Lodge was built c 1800.

PRINCIPAL BUILDING Great Barr Hall (listed Grade II*) stands central alongside the east boundary of the registered park, and has since the closure and demolition of St Margaret's Hospital been vacant and in poor condition. Built in 1777 for Joseph Scott, it is a rendered, gothick style building. It is set on relatively low ground, facing west towards its lake, and with a wooded bank rising immediately behind it. The main part of the Hall has a nine-bay front, with ogee-headed windows, buttresses done as octagonal turrets, and battlements. At the south end of the Hall is a red-brick with blue diaper work building of 1863 attributed to George Gilbert Scott, constructed as a chapel but never consecrated and used subsequently as a billiard room.

The Hall occupies the site of the mid C17 and later Nether-house Farm.

GARDENS AND PLEASURE GROUNDS West of the Hall is an overgrown lawn, laid out as the Great Meadow in the 1740s and reworked more formally with two low terraces and a central axial path in the 1840s. This lawn extended c 80m west to the Upper Lake, now silted up and overgrown.

On the bank above the Hall and c 150m to the south is a roughly circular grassed area, the site of the late C18 Flower Garden. On its north side is a two-storey brick range, the surviving element of the gothic greenhouse built c 1825 by Robert Lugar and illustrated in his *Villa Architecture* (pl 5) of 1828.

Creation of pleasure gardens around the Hall began in the early C18 under John Scott who created features including the Great Meadow, a shrubbery, and a summerhouse on the site of the Flower Garden.

PARK Merrion's Wood, the western arm of the park, is between 50m and 200m wide and 1km long. It comprises mature deciduous woodland through which runs a broad footpath along the line of the former drive, the whole managed as a public amenity by the local authority via a trust. Merrion's Wood was added to the estate by purchase in 1796.

Occupying the high ground down the high, eastern border of the park is mature deciduous woodland: High Wood to the north, and Fox's Plantation to the south. Tradition states that the politician and statesman Charles James Fox (d 1806) had a hand in the laying out of the latter, and there is some evidence that Fox may have visited Great Barr in 1784 or 1785, about the time the Plantation was put in.

The main feature of the park is the two lakes which lie along the valley bottom. The more southerly, Big Pool, was formed c 1744. It is c 400m long and 100m wide. A dam at its north end retains the Upper Lake, which is narrower. Constructed c 1799 and once somewhat longer than Big Pool, its north end, west of the Hall, is now silted up and overgrown. Opposite the axial path west from the Hall is an embayment wherein stood a boathouse built in 1863 to a design by Gilbert Scott (now gone). The lakes are screened on the west by Holly Wood and beyond it the park (partly ploughed) with Gilbert's Wood at its centre, rises in the direction of the M6 motorway. From this part of the site there are views of Great Barr Hall (now partly obscured), situated on the other side above the lakes. Formerly there were also views from the Hall and the lakes of this part of the park. The western part of the site had been imparked by 1830 (see estate map of that date), probably by Joseph Scott who owned Great Barr Hall from 1777 until 1828.

As with the garden, the wider landscape around what was still then called Nether-house Farm began to be

ornamented in the mid C18 by John Scott (mostly c 1744) and by the 1750s there was a cascade on the stream 200m north-west of the house and close to that cascade a botanic garden, while Big Pool had been created 500m to the south of the house. An early C19 tradition states that William Shenstone (1714-1763), later a kinsman of the family, helped lay out these improvements.

The work undertaken to the designs of Humphry Repton and John Nash in c1797, included laying out new approaches from the north (Walsall), south (Handsworth), and south-east (Queslett), constructing the Upper Pool, and making or enlarging the park's woodland, which was cut through with walks: High Wood, Fox's Plantation, and that down the west side of the lakes. The next and last main phase of work took place in the later 1850s when many buildings and features in the park were rebuilt to designs by Gilbert Scott.

KITCHEN GARDEN The walled garden, standing above and 150m north-east of the Hall, was built in the 1740s. The brick-walled compartment, partly collapsed and overgrown in 2008, is c 100m east/west by 60m north/south, and slopes markedly down from north to south. A rabbit warren was built in the garden c 1777.

REFERENCES Great Barr Park: A Survey of the Landscape, (De Bois Landscape Survey Group 1985) Reilly, R, Josiah Wedgwood (1992), 194, 198

Maps Estate map of Great Barr, 1830, by G Weddal Tithe Map for Adridge, 1839/40 OS 25" to 1 mile: 1st edition published 1886 2nd edition published 1918 1937 edition

REASONS FOR DESIGNATION Great Barr Hall, Walsall, West Midlands, an C18 landscape park, is designated at Grade II for the following principal reasons: * Group value: the C18 landscape park is contemporary with and provides the setting for Great Barr Hall (listed Grade II*). * Design interest: C18 and C19 design work by Humphry Repton, John Nash and Gilbert Scott, and possibly William Shenstone. * Intactness: the overall layout, boundaries and features of the park remain mostly intact and it retains strong visual links with Great Barr Hall.

Description written: 1997 Register Inspector: PAS Edited: October 1999 Amended: February 2009 Amended: June 2010

Legacy

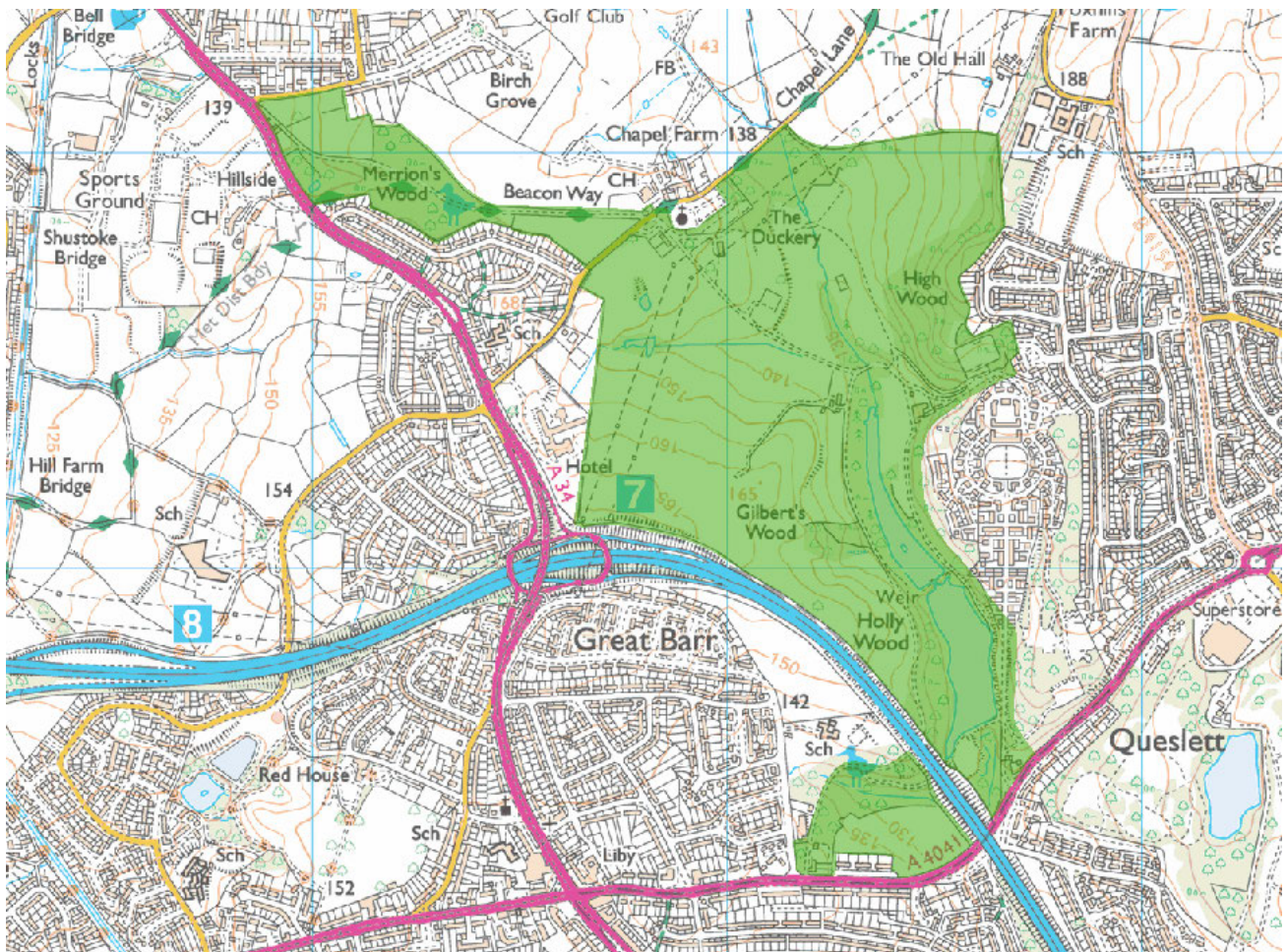
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Map

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