CONFIRMATION THAT THE ORDER MAKING AUTHORITY, BIRMINGHAM CITY COUNCIL, ARE SUPPORTING THE BIRMINGHAM CITY COUNCIL (PUBLIC FOOTPATH (ID:2086) (PART ADJOINING WISHAW LANE)) PUBLIC PATH STOPPING UP ORDER 2020

* + 1. For the detailed reasons set out in the Statement of Reasons accompanying this submission, the order making authority, Birmingham City Council **(‘BCC’),** can confirm that it is supporting the confirmation of the Birmingham City Council (Public Footpath (ID: 2086) (Part Adjoining Wishaw Lane)) Public Path Stopping Up Order 2020 (‘**Order’**) and that this support will continue if an hearing or inquiry is held.

In summary, BCC supports the Order:

* + 1. As it is satisfied that a planning permission exists for development;
    2. As it is necessary to stop up the public right of way adjoining Wishaw Lane (ID:2086) **(‘PROW 2086’**) to enable the Peddimore planning permission to be carried out; and
    3. As there are significant advantages to the public flowing from the Order and the benefits of the planning permission are very considerable and significantly and demonstrably outweigh any disadvantages or losses to the general public and/or individuals flowing from the Order;
    4. As to paragraph 2(a) above, a hybrid planning application for the development of a high-quality employment park at Peddimore submitted jointly by IM Properties PLC **(‘IM’**) and Birmingham City Council Property Services (‘**the Applicants’**) was granted planning permission by BCC on 2 September 2019 (2019/00108/PA) **(“Planning Permission**”). The planning permission authorises the construction of one of the UK’s most significant new manufacturing and logistics sites that will deliver 2.7 million square foot of employment space. Located near Birmingham, 2.5 miles from junction 9, M42, the Peddimore scheme will provide a new strategic gateway on the A38, a main arterial route into Birmingham city centre, and its proximity to the motorway network will offer connectivity to the rest of the UK, providing units from 70,000 to 1 million sq ft.
    5. As to paragraph 2(b) above the, Order is necessary to enable the Peddimore development to be carried out. Absent the Order being confirmed:
    6. There would be a physical obstacle to the Peddimore development proceeding in that it is necessary to stop-up the western section of PROW 2086 as it crosses Development Zone 2 where earthworks will be required as part of the first phase site enabling works; and
    7. There would be a legal obstacle to the Peddimore development proceeding in that condition 9 of the Planning Permission requires the stopping-up of PROW 2086 before any development (other than the A38 roundabout works and temporary construction accesses) can take place.
    8. As to paragraph 2(c ) above
    9. the advantages of the Order are in summary:
       1. Stopping up the western section of PROW 2086 and creating and dedicating a new bridleway at common law ( see Statement of Reasons for further details on the bridleway proposal) will deliver net benefits for local accessibility providing a greater length of publicly accessible right of way for pedestrians, cyclists and horse-riders (an increase of 993.8m compared to the current footpath (618m) which is restricted to pedestrian use only).
       2. The new bridleway will connect to an extensive network of high-quality permissive paths within the Peddimore site providing enhanced accessibility within the site for staff and visitors and to the surrounding areas, for pedestrian, cyclists and horse-riders. The provision, management, maintenance, and permanence of the permissive paths network is secured through legally enforceable planning obligations in the section 106 agreement.
    10. The very considerable planning benefits of the Peddimore development include, for example:
        1. In the construction phase:
           1. 200 full-time equivalent (FTE) gross jobs;
           2. 65 FTE indirect jobs generated from the supply chain;
           3. An additional £12.8 million annual uplift in productivity (GVA) within the West Midlands;
        2. In the operational phase:
           1. 5,755 direct (gross) FTE jobs;
           2. 6,380 net additional jobs (direct, indirect and induced) in the West Midlands;
           3. £355.5 million annual contribution to GVA within the West Midlands;
           4. Additional salary expenditure of circa £66.8 million per annum;
           5. Circa £5.9 million business rates revenue generated per annum;
           6. Biodiversity net gain through the establishment of green infrastructure and blue infrastructure including an enhancement to Peddimore Brook, the creation of wetland habits and enhanced surface water runoff, and new and enhanced landscape character;
           7. Enhanced accessibility through access to open spaces, permissive path network and a new Bridleway to be created and dedicated by BCC.
    11. BCC considers that collectively the advantages of the Order and the considerable planning benefits of the Peddimore development summarised above significantly and demonstrably outweigh any disadvantages or losses to the general public and/or individuals flowing from the Order

1. Accordingly, for the summary reasons set above and the detailed reasons set out in the Statement of Reasons , BCC fully supports the confirmation of the Order in the public interest and will maintain this support in the event of a hearing or inquiry.

**Birmingham City Council**

**[\*\*\*] November 2020**