

SOLIHULL LOCAL PLAN REVIEW – DRAFT LOCAL PLAN SUPPLEMENTARY CONSULTATION JANUARY 2019

Summary

We write to strongly object to the Draft Local Plan Supplementary Consultation and its' evidence base and in particular:

Question 2

Question 34

Question 37

Question 38

In summary, we do not agree with the methodology of the site selection process as the 'amber sites' should not have been included in this supplementary consultation. But as comments are invited on these sites, we agree with the exclusion of the land at the rear of 114 to 118 Widney Manor Road, Solihull in the Plan (we assume this also refers to Widney Manor Road)*. We strongly object to this Green Belt land being included in the next version of the Plan.

*Paragraph 378 refers to Widney Manor Road, whilst Section 15 Omitted Sites refers to the land to rear of 114 to 118 Widney Manor, Solihull. It is unclear. Based on Question 34 we have assumed the Council are asking about Widney Manor Road as a whole and for Question 38, are inviting comments on the land at 114 to 118 Widney Manor Road only. If this is not the case, we may wish to comment further. In any event our comments apply to the amber sites 134, 205 and 308.

Our Response

Question 2 – We do not agree with the methodology of the site selection process. On the basis the Council have identified sites to assess, assessed them against the site hierarchy and categorised the sites as an allocation, potential allocation, unlikely allocation and no allocation, it is not 'good planning' to then ignore this assessment and consult on the Amber omitted sites.

Paragraph 390 confirms that 'the Council believe it is helpful to identify these 'less harmful' sites (that are shown as amber) so that residents and stakeholders are able to comment on their omission, and whether this is justified'. We object to this further consultation being undertaken on sites that the Council have assessed and rejected. We are also unclear how the Council have concluded these sites are less harmful. In the case of the land at the rear of 114 to 118 Widney Manor Road, Solihull, the Council themselves refused a planning application (2010/648/S) for residential purposes in 2010, and the subsequent appeal was dismissed in 2011. The local and national planning policy position has not changed in the intervening period and there are no material changes on the site to reach a different conclusion; we consider these points in greater detail below.

The inclusion of Amber omitted sites gives the promoters of these sites a 'way in' which in our view is contrary to the Council's own assessment and conclusions reached. We live in fear of this further attempt to garden grab. There must be better sites, outside of using back gardens to provide the housing needed.

In our view, the Council should not have included the Amber omitted sites as part of the supplementary consultation.

Questions 34, 37 and 38 – We object to the possible removal of the Green Belt status of Widney Manor Road. We do not see how the land at Widney Manor Road could provide any compensation provision, given its shape and size. We also strongly object to the possible inclusion of the land at Widney Manor Road and in particular, the rear of 114 to 118 Widney Manor Road, Solihull. Paragraph 378 of the consultation document refers to Widney Manor Road as being a washed over settlement/ area which has been identified for potential removal from the Green Belt as it does not have an 'open' character that makes a contribution to the 'openness' of the Green Belt. This conclusion is in contrast to, at least, the following:

1. Solihull Strategic Green Belt Assessment – Assessment Report, July 2016. This was prepared by Atkins for the Council and did not include the land to the rear of Widney Manor Road (RP42) as one of the Refined Parcels which do not perform against any of the four assessed purposes of Green Belt, in Section 5 Summary and Conclusions. The Report does not recommend that the parcel is taken forward. In fact, the Report concluded that overall RP42 was a 'parcel or area which is more moderately performing' in two of the assessed purposes (and lower performing against another).

This evidence base/ assessment carried out on behalf of the Council appears to have been ignored.

2. Solihull LDF Core Strategy Assessment of Green Belt Submission October 2011. This Solihull Council evidence based document assessed land to west of Widney Manor Road (2-218 evens only), Solihull for deletion from the Green Belt (please see **Document 1**). In particular, in terms of 'impact on the fundamental characteristic of openness the assessment concluded the land contains a thin line of houses fronting Widney Manor Road, with a substantial largely open character to the west, consisting of the gardens to the houses and the railway cutting, which contributes to openness'. The assessment also concludes the land forms part of the Meriden Gap between Birmingham/Solihull and Coventry, as well as the smaller gap between Solihull and Knowle. The Conclusion states that '**the land contributes to openness and to prevention of urban sprawl from the urban area to the west. This is supported by an Appeal decision relating to 114-118 Widney Manor Road dated 19th April 2011**'.

This Council assessment and evidence base to the Core Strategy has been ignored.

3. **Document 2** comprises the Appeal Inspector's decision relating to the land at 114-118 Widney Manor Road, Solihull (APP/Q4625/A/10/2133554). The Inspector concluded at paragraph 12 that 'the Council's inclusion of the appeal site within the Green Belt are the stronger, and I attach little weight to the appellant's criticisms of it'.

In terms of the effect on the openness and other attributes of the Green Belt, the Inspector concluded 'whilst the extent to which openness can be appreciated from the public and private viewpoints is a material consideration, openness is an intrinsic quality of the land itself, relating to the absence of the build development, and this quality is not dependent on whether it can be seen by the public. As openness is the most important attribute of the Green Belt, the loss of openness in this case would result in serious harm and would conflict with Policy C2 of the Solihull Unitary Development Plan (UDP) 2006, which deals with control of development in the Green Belt'.

We have checked and Policy C2 has in effect been carried forward in to Policy P17 of the Solihull Local Plan 2013.

The Inspector's overall conclusion is that the significant harm that would be caused (which includes through loss of openness) would not be outweighed by provision of housing on this site. We do not consider the planning policy position or the circumstances on the site have changed since this Appeal decision.

4. Solihull Council Planning Committee in July 2010 refused a planning application for residential purposes. The Officer's report to Committee concludes on openness that 'the emerging Core Strategy does not show any alterations to the Green Belt boundary at this part of Widney Manor Road. The site was discounted for reason that the release of the site would have a **significant impact on the green belt functions and openness** and would set an unwelcome precedent for further green belt land release from surrounding sites. Instead, housing allocations are centred around main urban areas supporting urban renaissance, including areas of greatest accessibility whilst avoiding over intensification of development in mature suburbs'.

The officer reports goes on to say 'This part of the Green Belt was first designated in the 1970's as part of the Solihull Structure Plan. Its retention was then, as it is now, to provide a green belt corridor between Solihull town centre and the settlements of Knowle and Dorridge, thus to prevent coalescence of the two. The Monkspath estate that has now been developed to the west side of the railway line and the applicant asserts its existence should warrant the removal of the green belt boundary from the application site. **This argument although presented in previous development plan reviews has never been supported by any Inspector during the Inquiry or examination. There has been no material change in circumstance to warrant an alternative approach today**'.

Solihull Council's Planning Committee refused planning permission for two reasons, including the harm the development would cause to the openness of the Green Belt.

It is also misleading to refer to 114 -118 Widney Manor Road having been the subject of a previous planning application, and to not set out that the application was refused by the Council and their decision was later upheld by an Appeal Inspector.

We also refer you to the Section 106 Agreement dated 16 January 2001 made between (1) Mar City Developments Limited and (2) the Council in respect of the Spinney development (planning ref 00/577) which deals, amongst other things, with the management and protection of the embankment and wildlife corridor (shown edged and hatched in green on the s106 plan) to the rear of the Widney Manor Road properties (**Document 3**). One of the purposes of the scheme was 'to retain the embankment and spinney in their current state'. A large swathe of this protected embankment and wildlife corridor has been recently cleared by the present owners of that land. It is assumed this has been carried out in consultation with the Council and/or a qualified ecologist, but we fear that it may not have been. Perversely, the removal of this embankment and wildlife corridor would add to the openness of the land, rather than detract from it.

We consider the potential inclusion of Widney Manor Road and/or the land to the rear of 114 – 118 Widney Manor Road would not create a logical roll back of the Green Belt boundary, as land to the north and south on Widney Manor Road would remain in the Green Belt.

We do not consider that exceptional circumstances exist to justify changes to the Green Belt boundaries, as required by paragraphs 135 and 136 in the NPPF (2019). We further note the definition of previously developed land excludes land in built-up area such as residential gardens. This is relevant, given it is included at paragraph 138 in the NPPF (2019). But this does not support the land's removal from the Green Belt given the purpose the land performs in Green Belt terms (which has been consistently concluded to be the case by Solihull Council, the Core Strategy Inspector and the Appeal Inspector). This position has not changed since assessment of the site in 2010.

We consider the potential inclusion of this land would be another example of 'garden grabbing', which does not create good places. We support the Stop Garden Grabbing in Solihull campaign.

Attached Documents:

1. Solihull LDF Core Strategy Assessment of Green Belt Submission October 2011
2. Appeal Inspector's decision (APP/Q4625/A/10/2133554)
3. Section 106 Agreement dated 16 January 2001 made between (1) Mar City Developments Limited and (2) the Council