

Policy & Spatial Planning
Solihull MBC
Council House
Manor Square
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VIA EMAIL

28233/A3/MAS/JB/sw

15th March 2019

Dear Sir/Madam,

REPRESENTATIONS TO THE SOLIHULL DRAFT LOCAL PLAN SUPPLEMENTARY REGULATION 18 CONSULTATION – LAND AT WIDNEY MANOR ROAD: SITE REFERENCE 407

Barton Willmore LLP is instructed by Rainier Developments Ltd (the 'Client') to submit representations to Solihull Metropolitan Borough Council's Draft Local Plan Regulation 18 Supplementary consultation (the 'draft Plan') in relation to their land interests at Widney Manor Road. This is identified within the Plan as 'Land at Widney Manor Road' and is referenced in the Council's Site Assessments document as 407 (hereafter referred to as the 'site').

Whilst we appreciate that this is a non-statutory consultation and it does not seek to deal with Birmingham's unmet housing needs, this is clearly a significant factor in the overall housing requirement for Solihull which should be considered properly now. If, as numerous parties have identified, for instance North Warwickshire Borough Council, the overall numbers increase through the Regulation 19 consultation, additional sites will need to be identified in the coming months before consultation in summer 2019, and certainly before submission of the draft Plan in autumn 2019. As we will set out in this response, our Client's site is particularly well placed to address this need. Our main concern however lies with the way in which the site has been assessed by the Council.

We have previously submitted the site through the Call for Sites process in May 2018 as a market-led residential scheme with a policy compliant affordable housing contribution. Since then, our Client has decided to promote this site as a 100% affordable housing scheme and as such we ask that the site is assessed on this basis going forward.

We set out below our comments and responses to the questions we consider are relevant to our Client's land interests.

Question 1: Do you believe that that there are exceptional circumstances that would justify the Council using an existing alternative approach, if so, what are the exceptional circumstances and what should the alternative approach be?

Given the findings of the Employment Land Review (2017), we query whether there is adequate evidence regarding employment needs to answer this question. There is scope for an uplift in the



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housing requirement as a result of the HS2-related growth, as well as the potential to capitalise on the clear need for wider than local employment growth identified through evidence such as the 2015 West Midlands Strategic Employment Site Study (WMSESS), which identifies the M42 corridor as the area of highest demand for strategic industrial and commercial uses (Area A). The forthcoming new WMSESS is likely to be published before the draft Plan is adopted. On top of Birmingham's unmet housing needs, the potential for higher housing numbers as a result of these points is something we consider could be an exceptional circumstance to justify an uplift beyond the standard method minimum (which we currently calculate to be 777 dwellings per annum).

Question 2: Do you agree with the methodology of the site selection process, if not why not and what alternative/amendment would you suggest?

We broadly agree with the methodology but raise issues with the manner in which it has been applied to the site assessment process. Specifically, we object to the manner in which our site (site assessment reference 407) has been assessed as 'red'. We do not agree with the conclusion that it will have 'severe or widespread impacts that are not outweighed by the benefits of the proposal'.

The conclusion of the Council's site assessment is as follows:

"Site is located close to the urban area in a moderately performing parcel of Green Belt. However, as the site is on the eastern side of Widney Manor Road, no defensible Green Belt boundary would be established and the gap between Solihull and KDBH would be eroded. Site has a medium level of accessibility overall with high accessibility to rail. Site is within an area with medium landscape character sensitivity, medium landscape value and a low capacity to accommodate new development."

We disagree that no defensible Green Belt boundary can be established. In terms of the site's performance against the purposes of the Green Belt, we have previously provided the following summary by EDP as part of our May 2018 Call for Sites submission:

Purpose 1: To Check the Unrestricted Sprawl of Large Built-up Areas

This purpose considers how the Site and its features contribute towards the openness of the Green Belt and the potential to create a permanent boundary. The site comprises predominantly grassland pasture and surrounding vegetation. The sense of openness is, therefore, already limited to some extent. Development of the site would contribute towards increasing the built form and therefore reduce the sense of openness experienced in views across the site where available. However, that sense of openness has already been eroded by the surrounding built form.

The area is delineated by clearly definable boundaries that follow Widney Manor Road to the west, strong vegetation to the east and the built form and rear gardens of properties along Lovelace Avenue to the south. The northern boundary as defined by the Local Nature Reserve, could be strengthened with further woodland/tree planting.

Purpose 2: To Prevent Neighbouring Towns Merging into One Another

It is not considered that the land parcel has any function in preventing coalescence. Development would not for example bring the settlement edge of Widney Manor any closer to Knowle. It is therefore considered that development of the site will not contribute to 'unrestricted sprawl' or 'the merging of neighbouring towns'.

Purpose 3: To Assist in Safeguarding the Countryside from Encroachment

The site is abutted by existing residential development to the west and south, contained to the west by Widney Manor Road and to the east by robust woodland. The site is well associated with the existing settlement edge and considered infill.

In landscape character terms, the site currently has an urban fringe character lying with a fragmented mosaic of built (residential and infrastructure) and urban fringe (intensive equestrian) land uses. Thus, the site does not have a strong sense of countryside in which to encroach. Furthermore, the site has limited connectivity with the wider open countryside, which restricts the potential for any further encroachment. The Local Nature Reserve to the east and north acts to restrict encroachment and as noted above, the boundary could be strengthened with landscaping.

Purpose 4: To Preserve the Setting and Special Character of Historic Towns

The site is so far removed from the historic centres of any towns or cities in the area that it can have no function in relation to this purpose.

Purpose 5: To Assist in Urban Regeneration, by encouraging the Recycling of Derelict and Other Urban Land

The site is entirely contained within the Green Belt and does therefore perform positively against this function. However, as demonstrated above, with the identified need for some development within the Green Belt, some development can occur in this location.

It is considered that the site could reasonably accommodate development in accordance with sound masterplanning principles without harm to the integrity of the Green Belt overall.

Landscape

We do not agree that landscape presents a constraint to development as the character assessment is broad in nature and a more site-specific assessment may come to a different view given the context noted above. In any case, the Council have identified a number of larger allocations with similar landscape character assessments and as such consistency in the approach to assessments is required.

Accessibility

We consider the site has very high accessibility. It is within a highly sustainable location, being in very close proximity to Widney Manor Station, St. Alphege primary school and Solihull Sixth Form College. A number of secondary schools are also relatively close by, including St. Peter's Catholic School to the west.

Step 2 – Refinement Criteria

In terms of the factors set out in the table at paragraph 75 of the draft Plan, we have assessed the site as follows:

| Factors | Response |
|--|--|
| In accordance with the spatial strategy | The site is within one of the most sustainable locations in the Borough, which is suitable for growth. |
| Any hard constraints only affect a small proportion of the site and/or can be mitigated | There are no constraints which cannot be mitigated. |
| Site would not breach a strong defensible boundary to the Green Belt | As above, our own initial Green Belt Review suggests this is not a significant issue. |
| Any identified wider planning gain over and above what would normally be expected | 100% affordable housing in an area which has significant affordability issues. |
| Sites that would use or create a strong defensible boundary to define the extent of land to be removed from the Green Belt | As above – defensible boundaries can be established. |

| | |
|---|--|
| | |
| If finer grain accessibility analysis shows the site (or the part to be included) is accessible | The site is within walking distance of a station with a regular service. |

Suggested change: the site is reassessed as a 'green' site in light of the above.

Questions 4 to 9: Balsall Common sites

Whilst we agree with the spatial approach to development in Balsall Common, we would query whether there is evidence on the deliverability of some sites, for instance Barratts Farm (site 1), which has over 10 landowners within the allocation and relies on significant infrastructure for its delivery. Evidence is required to demonstrate delivery and a housing trajectory will be crucial in the Regulation 19 Plan. Sites that have less land assembly issues that are available for development now are much more deliverable in the early years of the Plan. This is particularly important for affordable housing, and our Client's site has the ability to deliver a 100% affordable housing scheme within the early years of the Plan period.

Question 21: Do you have any comments to make on potential changes to the Green Belt boundary north of School Road that would result in the removal of the 'washed over' Green Belt from this ribbon of development?

We raise no issue with the amended Green Belt boundary, but we use this to highlight the similar justification for the removal of our Client's site from the Green Belt given the adjacent ribbon development, the defensible boundaries and the poor contribution it makes to the purposes of the Green Belt. As we note elsewhere in this response, we consider exceptional circumstances exist to justify this.

Question 25: Do you agree with the infrastructure requirements identified for Solihull and The Mature Suburbs, if not why not; or do you believe there are any other matters that should be included?

Our Client's site is within this area and we note the draft Plan states at paragraph 260:

"Provision of affordable housing – This will be challenging given the lack of significant opportunities for new housing in the Mature Suburbs. However, opportunities for housing will be identified through the refreshed Town Centre master plan and the urban extension to the east, which will provide a proportion of affordable housing."

There is insufficient evidence to support the deliverability of identified sites of this area (and for much of the wider draft Plan generally). There is nothing to suggest how much affordable housing will be delivered and by when in the Plan period. Paragraph 264 states:

"A small number of opportunities for new housing development elsewhere in the Mature Suburbs were identified in the Draft Local Plan. These are focussed on sites that are likely to become available upon the relocation of existing uses or replacement facilities. There are also opportunities on the edge of the Mature Suburbs, or just beyond, as potential urban extensions."

Given this is one of the most sustainable locations within the Borough, the reliance on windfalls is not an acceptable approach to delivering affordable housing and deliverable sites should be identified to meet the well-publicised affordability issues. In light of this need, and the lack of suitable

alternatives, there are clearly exceptional circumstances for the release of our Client's site for a 100% affordable housing scheme.

Question 30: Do you believe that Site 10 west of Meriden should be included as allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

Whilst we have no objection to Site 10 (west of Meriden), we understand that this site is being promoted by McCarthy and Stone, and we question whether these 100 dwellings are C2 or C3. If this site is intended to be delivered as C2, what contribution does this make towards meeting the Council's overall housing requirement and what contribution, if any, will it make towards overall affordable housing requirement?

Question 34: Should the washed over Green Belt status of these settlements/areas be removed, and if so what should the new boundaries be? If not why do you think the washed over status of the settlement should remain?

We consider that the revisions to the Green Belt boundary around Widney Manor Road should go further, with the new boundary located east of our Client's site along up to the Local Nature Reserve, as set out in our answer to question 2. We consider that given the nature of the site, and the contribution the affordable-led development will make to the Council's overall affordable housing requirements, this constitutes the exceptional circumstances required to justify this change to the Green Belt.

Question 37: What compensatory provision should be made for land being removed from the Green Belt? Where relevant please give examples that are specific to individual sites proposed for allocation.

The proposals will provide a direct link into the public right of way to the south.

Question 38: Do you have any comments on these amber sites, i.e. is it right they should be omitted, or do you believe they should be included, if so why?

There appear to be inconsistencies in the way that the amber sites have been assessed, e.g. sites 49 and 328 were assessed as amber within the Appendix D to the report to 17th January 2019 Cabinet meeting, which authorised the consultation document; however, the Site Assessment document itself now concludes that these sites are 'green'. This should be clarified.

In terms of the site to the rear of 114 to 118 Widney Manor Road (ref A7), we would query whether there is evidence to demonstrate this site's deliverability. Instead, we would recommend the allocation of our Client's site, which is available, achievable and deliverable now to bring forward affordable housing within the first five years of the draft Plan.

Question 39: Are there any red sites omitted which you believe should be included; if so which one(s) and why?

If the site is re-assessed on the basis of all the matters already set out above, we consider our Client's site (reference 407) should be included as a 'green' site.

Question 40: Would the above approach of requiring affordable housing contributions of 40% of total square meterage or habitable rooms / floorspace incentivise developers to build more smaller market housing?

No. This approach would cause uncertainty for developers and the Council and is not likely to work in practice. It would not be clear how much affordable housing will be delivered through the draft Plan. If the Council allocate sufficient sites which have proportionate evidence regarding their viability and deliverability, this would be the best way of addressing the delivery of much-needed affordable housing.

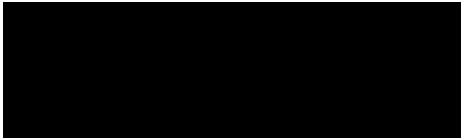
Our Client's site can deliver affordable dwellings on a suitable site in a sensitive and well-designed manner.

Conclusion

As detailed above, our Client's concern relates to the manner in which their site at Widney Manor Road has been assessed and we respectfully request that this is reconsidered. When the Council reassess this site, consideration should also be given to the potential for it to deliver a 100% affordable scheme in a highly accessible and sustainable location. This would assist in addressing fundamental issues with the draft Plan's approach to affordable housing provision, particularly in Solihull and the Mature Suburbs, where for the most part delivery of affordable housing is reliant on windfall sites and sites which are currently not supported by evidence on deliverability. Having regard to the issues of affordability and the lack of suitable alternatives to address this, there are clearly exceptional circumstances for the release of our Client's site for a 100% affordable housing scheme. The site is available now and there is significant market demand from Registered Providers for sites such as this. As such it can realistically deliver affordable houses in the first five years of the Plan.

We would welcome the opportunity to discuss these matters further and would be grateful if you could consider our comments in reassessing our Client's site. If you have any queries regarding the above, please do not hesitate to contact Mark Sitch or me.

Yours faithfully



MARK SITCH
Senior Partner