

Our Ref: 19020 DSLPRSC JB

15th March 2019

Policy & Delivery
Managed Growth and Communities Directorate
Solihull Metropolitan Borough Council
Council House
Manor Square
Solihull
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Dear Sir/Madam,

Representations to the Draft Solihull Local Plan Review Supplementary Consultation: Site Ref: 49, Land adjacent 84 School Road, Hockley Heath, Solihull, B94 6RB

We write on behalf of our Client, Kendrick Homes Limited, who have an interest in land to the north side of School Road, Hockley Heath – referred to as Land adjacent 84 School Road (Site Ref: 49) within the Council's current Draft Solihull Local Plan Review Supplementary Consultation (DSLPRSC).

This letter is submitted in response to the current Supplementary Consultation on the Draft Solihull Local Plan Review (SLPRSC), as follows.

1. The land, which extends to approximately 0.65 ha, is as identified by the SMBC in their SLPRSC Site Assessment (January 2019) and as outlined in red on the attached title plan. The site is assessed as a 'green' site in the DSLPRSC, but is subject to an associated footnote.
2. Our Client seeks a revision of the Green Belt boundary to remove their land from the Green Belt and allocate it for residential development. Summary of representations and objections

3. Our Client welcomes the opportunity to comment on the DSLPRSC. In making these representations we have had regard to:

- Government directives,
- National Planning Policy Framework (NPPF) (February 2019),
- Planning Practice Guidance (PPG), and
- The Joint Strategic Growth Study for the Housing Market Area (SGS) (February 2018).

4. Taken as a whole, central government makes clear the Local Plan should, as a minimum, aim to meet the objectively assessed development and infrastructure needs of the area including unmet needs of neighbouring areas (where consistent with NPPF as a whole). The Local Plan should be based upon relevant and adequate up-to-date proportionate evidence and informed by a Sustainability Appraisal (SA).

5. For the reasons set out in further detail below, our Client;

- a) Contends that, despite use of Standard Methodology based on 2014 household projections, there is still no signed Statement of Common Ground, (contrary to NPPF), in consequence the proposed contribution towards the cross-boundary shortfall remains at 2,000 dwellings. This is despite new evidence highlighting the increased scale of the Housing Market Area's (HMA) unmet need to 2036.
- b) **Supports** the proposed distribution of development set out in the DLPSC that seeks to distribute housing both within the urban area of the borough, and disperse across a number of identified settlements.
- c) **Supports** the decision to review Green Belt boundaries to accommodate the identified growth.
- d) **Objects** to the plan on the basis that there are insufficient deliverable residential site allocations identified which comply with SMBC's site selection criteria and national policy recommendations. More small and medium sized viable sites need to be allocated to ensure the step increase in annual housing delivery proposed can be achieved.
- e) **Objects** to the proposed allocations:

Balsall Common: Site 21 Pheasant Oak Farm – 100 units

Hampton-in-Arden: Site 6 Meriden Road (together with site 24 from the adopted Solihull Local Plan) – 210 units

Knowle: Site 8 Hampton Road – 300 units

Solihull: Site 17 Moat Lane/ Vulcan Rd – 200 units

Solihull: Site 18 Sharmans Cross – 100 units

Kingshurst: Site 7 Kingshurst Village Centre – 100 units
Smith's Wood: Site 15 Jenson house/Aukland Drive – 50 units
(figures taken from DSLPRSC and Masterplan Document)
Total of 1,060 units

In our judgement these all appear to be either inconsistent with SMBC's site selection methodology, and/or Green Belt requirements and/or policies for health and well-being/loss of sports, or there are concerns in respect of deliverability thus contrary to national policies and guidance.

- f) Considers there are a number of inconsistencies and/or inaccuracies with some assessments upon which SMBC now bases its judgement to propose housing allocations in the local plan. In consequence there is a danger the local plan will propose to allocate sites to the detriment of other more deliverable or otherwise policy-compliant.
- g) Contends that, despite the numerous updated assessments, there remains an absence of necessary evidence reports risking the accusation that evidence reports will be produced driven by the need to justify decisions already made i.e. 'backfilling' of decisions.
- h) In order to make up for the potential shortfall in deliverable housing sites arising from the above, we commend our Client's site for allocation in the plan. Land adjacent 84 School Road, Hockley Heath (Site Ref: 49), satisfies SMBC's own criteria for site selection and we contend it should be allocated for residential development in the submission version of the DSLPRSC. The site makes a very limited contribution towards the purposes of including land within the Green Belt (scoring 5 in the assessment); there are clear physical defensible boundaries to the north, west and east; it is in a sustainable location; there are no physical or legal constraints restricting development; and it could deliver approximately up to 21 dwellings, depending on the mix and layout, within the first 5 years of the plan period.
- i) Considers it to be important for the DSLPRSC to make provision for 'safeguarded' land in order to meet longer-term development needs stretching well beyond the plan period. This is important in a Borough which has a large proportion of Green Belt land as it should speed up any future review which may prove necessary to meet more rigorous NPPF requirements.
- j) Considers it is appropriate for SMBC to re-assess the washed over Green Belt status of settlements and areas of ribbon development to ensure areas which do not make an 'important contribution' to openness are not, unnecessarily, included within the Green Belt (NPPF paragraph 140)

- k) Considers there is no guarantee all of the sites included in the housing land supply, listed on page 87 of the DSLPRSC consultation document, which are taken from the Strategic Housing Land Availability Assessment (SHLAA), 2012 and Strategic Housing and Employment Land Availability Assessment (SHELAA), 2016 will come forward within the plan period. For example, because there are existing employment or community uses on the land, which would need to find suitable alternative premises.
- l) Raises concern that important strategic growth decisions are being made in the absence of necessary evidence reports (Paragraph 31 of the NPPF) risking the accusation that evidence reports will be produced driven by the need to justify decisions already made i.e. 'backfilling' of decisions. This leaves the plan vulnerable at the Examination stage (Paragraph 35 b) of the NPPF)
- m) Considers the evidence reports on which the DSLPRSC site selection process has been based remain flawed in part and the range of documents incomplete. For example –
- No detailed landscape character assessments have been undertaken for the locations of preferred sites, contrary to the recommendation within the 2016 'Landscape Character Assessment'.
 - No detailed ecological assessments have been published for the preferred site allocations and 'amber' second choice site allocations.
 - No revisions have been made to the Infrastructure Delivery Plan (IDP) since 2012, despite the proposed considerable increase in growth suggested in both the Draft Solihull Local Plan Review document, 2016 and the further increase proposed in the current DSLPRSC document.
 - No viability assessment has been carried out, contrary to the requirements of the NPPF, and PPG. A Local Plan can only be found 'sound' if the viability and therefore the deliverability of proposed site allocations in a Local Plan are proven by robust evidence.
 - No feasibility and masterplan work has been published to meet the recommendations set out in the February 2018 'Greater Birmingham HMA Strategic Growth Study' (SGS) necessary to provide the basis for negotiations between the local authorities within the HMA to agree what proportion of the outstanding minimum shortfall of 60,900 dwellings to 2036 should be accommodated where.

- The Green Belt assessment has not been re-visited to assess additional 'Refined Parcels' to reflect the proposed additional 'green' and 'amber' site areas. Given that some of the preferred sites are within 'Broad Areas' of search where the conclusions will not reflect the site specific, local area characteristics of a smaller parcel of land, this is potentially misleading.

The context for our representations is set out below:

Duty to Cooperate

6. Under the terms of the NPPF, Paragraph 27 states, 'In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.' (Further guidance is provided in the Planning Practice Guidance (PPG) Paragraphs 001 and 002 Reference ID: 61-001-20180913 and ID: 61-002-20180913 Revision date: 13 09 2018.)
7. Currently there is no signed agreed Statement of Common Ground in respect of the housing land supply shortfall in the HMA, contrary to the requirements of the NPPF.
8. The Local Plan must be prepared in accordance with the Duty to Cooperate, which sets a legal duty for SMBC and other public bodies to engage constructively, actively and on an ongoing basis on planning issues which affect more than one local planning authority area. Paragraph 24 of the NPPF states, 'Local planning authorities...are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.'
9. It is therefore vital that the Strategic Growth Study (SGS), published February 2018, which was commissioned by all 14 local authorities within the Housing Market Area (HMA), is taken fully into consideration in terms of the unmet housing land supply and the recommendations for addressing this shortfall.
10. It is unclear how Solihull MBC has arrived at its proposed 2,000 dwelling contribution towards the wider HMA shortfall of 60,900 dwellings up to 2036, arising primarily from Birmingham City calculated in the SGS. The Draft Solihull Local Plan Review, published in 2016, proposed making provision for a 2,000 dwelling contribution towards Birmingham's unmet needs up to 2033. However, the Local Plan period has been extended by 2 years, and the housing shortfall figure published in the February 2018 SGS demonstrates a far greater shortfall than originally anticipated in 2016.

11. The figure of 2,000 dwellings proposed as a contribution towards the unmet need has not been justified, it has not been agreed and it does not therefore meet the requirements of national policy.

The need to review Local Plans

12. NPPF, Paragraph 33, requires policies in local plans and spatial development strategies to be reviewed to assess whether they need updating at least once every five years. They should then be updated as necessary. Reviews should ‘...take into account changing circumstances affecting an area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.’
13. Therefore, it is important that the Local Plan should aim to ‘future proof’ their strategic policies and housing need figures as far as practicable to avoid the need to undertake a full plan update of policies at least every 5 years. **On this basis, we strongly recommend SMBC allocate land for more homes than recommended by the standard methodology plus any agreed cross-boundary housing growth.**
14. This approach would be in line with updated Planning Practice Guidance (PPG) paragraph 002 (Reference ID: 2a-002-20190220 Revision Date: 20 02 2019) on housing need assessment which makes it clear that the standard method is only a minimum starting point for housing need, it is not a housing requirement. Local authorities should be seeking to put in place the necessary mechanisms to boost housing delivery in line with government’s ambitions to deliver 300,000 homes per annum by the mid-2020s. Providing a greater variety and choice of deliverable sites would also reduce the likelihood of SMBC being required to undertake an early review of the Plan.

The Greater Birmingham HMA Strategic Growth Study

15. The Greater Birmingham HMA Strategic Growth Study (produced by GL Hearn/Wood), published February 2018, was commissioned by the 14 local planning authority areas (including Solihull MBC) to establish the extent to which the Greater Birmingham and Black Country Housing Market Area (HMA) can meet its own housing market needs up to 2031 and 2036.
16. The Strategic Growth Study (SGS) concludes that with Birmingham HMA plus the unmet need arising from Coventry and Warwickshire HMA (which affects North Warwickshire and Stratford-on-Avon); there is a minimum unmet need for 208,000 dwellings to 2031 and 258,500 homes to 2036. After adjustments are made for windfall assumptions and non-implementation discounts and taking into account the developable land supply and proposed allocations in emerging plans, the SGS

estimates an outstanding minimum shortfall of 28,150 dwellings to 2031 and 60,900 dwellings to 2036 across the Birmingham HMA.

17. The SGS applies a four-stage process which sequentially looks at potential solutions to the housing land shortfall recommending a standardised approach across the HMA. These include:

1. increasing densities of residential development;
2. identifying potential non Green Belt sites such as Urban Extensions (1500 – 7,500 dwellings); Employment-led Strategic Development (1,500 – 7,500 dwellings); and New Settlements (10,000 plus dwellings);
3. should a shortfall remain after undertaking tasks (1) and (2), consider the development potential and suitability of any large previously developed sites within the Green Belt that may lie in sustainable locations; and
4. should a shortfall remain after undertaking tasks (1) to (3), undertake a full strategic review of the Green Belt followed by consideration of distribution and broad locations, taking into account market capacity to deliver.

18. At paragraph 1.71 the SGS states,

'Ultimately the solution to meeting the housing need shortfall is likely to require a multi-faceted response, including not just maximising urban supply and accelerating the delivery of this, but the identification of further development land and the progression of local Green Belt reviews. This should reasonably include sites of a range of sizes including smaller extensions to settlements of less than 2,500 homes, together with the identification and delivery of larger strategic development locations.'

19. The SGS identifies a shortlist of potential Areas of Search for strategic development locations across the HMA that it is recommended can be considered and assessed in further detail by individual councils through the preparation of local plans alongside further small and medium sized sites.

20. The SGS undertook a desk-based 'Strategic Green Belt Review' together with consideration of land use, character, topography, and settlement pattern and transport connectivity to identify potential 'Areas of Search for Strategic Development'. It identifies 6 'Areas of Search' for new settlements; 6 for 'Urban Extensions'; and 3 for employment-led development'. Paragraph 1.59 suggests that, in addition, a number of areas within the Green Belt have been identified where 'Proportionate Dispersal' might be appropriate, in terms of smaller scale developments (500 to 2,500) which would be identified through individual local plan processes.

21. The Study identifies 24 Areas of Search beyond and within the Green Belt. The potential for development in an area of search suggested in the report will depend on many factors, including deliverability. The report recommends that the 14 local authorities undertake more detailed technical analysis and evidence gathering.
22. However, Solihull MBC has not published evidence to suggest that the growth options put forward in the SGS have been investigated. The current DSLPRSC document states that a response will be made to the SGS at the submission stage. **Unfortunately, by this omission at the current consultation stage it appears that the full potential capacity of the Borough has not been objectively tested in accordance with the SGS recommendations.** Therefore, it is difficult to be confident that the full potential capacity of the Borough has been assessed and tested making it problematic for SMBC to resist accommodating more of the unmet need arising from the wide HMA.
23. Without the recommended further technical analysis and evidence gathering, it is not possible for Solihull MBC to demonstrate that existing constraints prevent them accommodating a larger proportion of the cross-boundary shortfall in housing land supply. This may have implications for the soundness of the proposed Solihull Local Plan Review.

Housing Delivery Test

24. The Government's Housing Delivery Test was published on 19th February 2019. In Solihull, the housing requirement is set out in the table as 616, 623 and 615 dwellings for the 3 years in question (2015 to 2018) with the actual delivery of homes being calculated as 2,009 dwellings. This equates to 109% delivery meaning no further action would be required by the SMBC.
25. However, this statistic is somewhat misleading given the High Court challenge to the Solihull Local Plan, adopted 2013, and the requirement to immediately review the plan to establish an objectively assessed need with commensurate supply and delivery.
26. Set in the context of a need for a significant increase in the housing requirement, it seems likely that without a significant uplift in allocated deliverable sites and an increase in delivery rates, SMBC would be required to either prepare an 'Action Plan' or provide a 20% 'Buffer'.
27. By way of illustration, using the three year delivery rate figure of 2,009 dwellings (from between 2015 and 2018), an 'Action Plan' would be necessary based on the Draft Solihull Local Plan Review 2016 requirement of 719 dwellings per annum – equating to 93% delivery. If the current consultation annual housing requirement figure of 885 dwellings were used SMBC would be required to provide a 'Buffer' as it would equate to only 75.6% delivery.

28. It is therefore vital that a range of deliverable small and medium sized sites, as well as a number of larger sites, are identified. Paragraph 68 of the NPPF recognises that, ‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly...’ Sufficient choice is required to encourage house building at a rate necessary to achieve the step increase in growth identified in the emerging Local Plan.
29. Paragraph 68 of the NPPF explains that, ‘...To promote the development of a good mix of sites local planning authorities should, for example:
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
 - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
 - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...’
30. If the current timetable for preparation and adoption of the Solihull Local Plan Review is achieved, it seems likely that next year’s published Housing Delivery Test will use revised adopted annual housing figures for Solihull. However, unless there is a step increase in delivery generated by allocation of viable deliverable sites in the short, as well as medium term, with sufficient encouragement given to development of smaller sites, with willing landowners, there is a significant risk that SMBC will fall short of the Housing Delivery Test and fail to meet the requirements for such, set out in the NPPF.
- 31. Our Client’s small site of 0.65 ha would contribute towards SMBC’s requirement to provide 10% of their housing land supply on sites no larger than 1 ha. It is immediately available for development and it would be ideally placed to contribute approximately up to 21 dwellings towards increasing the housing delivery rate for Solihull, if the land is removed from the Green Belt.**

Viability and Deliverability

32. Viability has been given greater prominence in the plan-making and decision-taking process in recent revisions to national policy guidance. Guidance on viability in plan making and decision taking was updated in the PPG on 24th July 2018 in line with the NPPF, July 2018. The PPG confirms that the role for viability assessment is primarily at the plan making stage. Viability assessment should be used to ensure that policies are realistic and that the total cumulative cost of all relevant policies will

not undermine deliverability of the plan. The onus is on the local planning authority to demonstrate that the policies in the plan are deliverable and viable.

33. PPG Paragraph: 002 Reference ID: 10-002-20180724 states that it is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks and ensure that proposals for development are policy compliant. The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan.
34. Whilst the PPG states that assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable, with site typologies being acceptable to determine viability at the plan making stage, there is still clearly responsibility for local planning authorities to have undertaken viability assessments prior to identification of growth areas and preferred sites. Without this work, it is difficult to be certain that the Draft Solihull Local Plan Review growth strategy and the cumulative costs of associated necessary infrastructure improvements are deliverable.
35. **In respect of our Client's site, the feasibility of the site to accommodate approximately up to 16 dwellings (although a variation in the housing mix could deliver up to 21 dwellings) has been tested through the preparation of the enclosed illustrative layout and it would be possible for planning permission to be sought for policy compliant development. There are no known remediation or ground condition costs which would render the site unviable.**

Potential Deliverability Issues for Some of the Preferred Sites

36. Some of the 'green' sites highlighted by SMBC as preferred development allocations have significant question marks over their deliverability, compliance with national policy and/or impact on sustainable communities such as the potential loss of existing sport and recreation facilities.
37. It is also important to re-emphasise that there is: no published evidence to demonstrate viability for the 'green' sites; no published detailed ecological or landscape assessment evidence to highlight areas of potential constraints; there are errors within the site assessment work which have undermined the robustness and reliability of some documents; and there is concern that application of the SMBC's site selection methodology and interpretation of national policy has been inconsistent.
38. It is fundamental to the deliverability of SMBC's spatial strategy that sufficient suitable, available and viable land is identified and allocated for development. The housing requirement identified in the DSLPRSC is very much a starting point and

minimum figure for the housing land supply. A choice of sizes and locations of sites needs to be provided to encourage the necessary step increase in housing delivery over the next 15 years to achieve the minimum target. It is therefore vital that site allocations are based on sound evidence and their viability, deliverability and compliance with national and local plan policies is carefully considered.

39. A few examples of sites with deliverability concerns are highlighted in response to the specific site questions within the DSLPRSC document below, but this is by no means an exhaustive list.

The Need for Robust Evidence

40. Paragraph 31 of the NPPF requires that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. There are a number of omissions and errors in the evidence base published to date in support of the DSLPRSC. These include the following:

- The Landscape Assessment report, 2016, recognised that findings were based on an assessment of large areas stating that it ‘...should be used as a guide only, and it will be re-assessed once details of any proposed development and site location are known...’ Therefore, now the preferred locations of site allocations have been progressed, we contend that more detailed landscape assessments should be undertaken to provide a more meaningful assessment of the impact on the landscape of residential development.
- The Infrastructure Delivery Plan (IDP) has not been updated since 2012. There has been no revision to accompany the DSLPRSC. Whilst the DSLPRSC document highlights a number of potential infrastructure requirements, it is clear that not all infrastructure providers, such as health providers and emergency services, have been consulted. It is vital that the full implications of the level of proposed growth is assessed to ensure that appropriate levels of infrastructure provision are provided and maintained. This is an important factor necessary to feed into the viability assessment for sites to demonstrate that they are viable and deliverable.
- The February 2018 the ‘Greater Birmingham HMA Strategic Growth Study’ evidence document, commissioned by the 14 local authorities comprising the Greater Birmingham and Black Country Housing Market Area, recommended each local authority undertake further detailed housing land supply assessment work. This technical work is necessary to provide the basis for negotiations between the local authorities within the HMA to agree what proportion of the outstanding minimum shortfall

of 60,900 dwellings to 2036 should be accommodated where. However, this evidence work has not been published.

Detailed comments are set out below in response to the questions raised in the DSLPRSC document as follows:

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

41. Our Clients are concerned that the 'Step 2 – Refinement Criteria' for site selection provides too much opportunity for sites to be allocated contrary to the intentions of national policy. For example, paragraph 139 part f) of the NPPF states that, when defining Green Belt boundaries, plans should define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. It does not suggest it is appropriate for council's to introduce physical features in otherwise open areas of Green Belt to justify a site allocation.
42. We suggest that the methodology should set out the preferred criteria for defining a clear physical defensible Green Belt boundary, which might include the following: an existing road edge; a pathway, stream, canal, ridge, or built physical feature, such as a car park; or a hedgerow, tree line or woodland.
43. There is evidence that some of the preferred 'green' sites have been proposed for allocation with the caveat that a physical boundary will be created.
44. The Methodology needs to be amended as detailed above to ensure greater conformity with national planning policy and to ensure sites are assessed on an equal and transparent basis.
45. In addition, **we would suggest this is not only about whether the site selection process is sound and national planning policy compliant, but also that the application of the methodology is consistently and logically applied across all sites.**

Question 7: Do you believe that site 21 Pheasant Oak Farm, Balsall Common should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the area?

46. Identification of the partly brownfield 12ha Pheasant Oak Farm site for approximately 100 dwellings does not meet the requirements of national policy or meet the policy selection methodology priorities set out in the DSLPRSC.
47. NPPF paragraph 139 requires local authorities to define Green Belt boundaries clearly, using physical features that are readily recognisable and likely to be permanent. Contrary to this requirement, there is no clearly defined physical boundary along the eastern edge of the proposed site allocation – indeed, the land

edged red on the masterplans (page 33), does not even follow the field boundaries for over half of the eastern boundary and there are not even any hedges of trees along the boundary.

48. The DSLPRSC states that the 'alignment of the by-pass will provide the new Green Belt boundary'. There are many problems with this approach, summarised as follows:

- SMBC has rightly rejected many sites proposed for allocation where there are no existing on the ground physical features that are readily recognisable and likely to be permanent to be used as the line of a new defensible Green Belt boundary. All sites need to be assessed on the same basis for consistency and to be in-line with national policy.
- A proposed route of the Balsall Common by-pass was defined in the Solihull Unitary Development Plan in 2006, however, this infrastructure project has not been started and it was removed from the 2013 Solihull Local Plan. The 'Solihull Connected Transport Strategy' 2016 – 2036 suggests that with HS2 and the proposed growth in Balsall Common, the case for reinstating the by-pass should be reviewed as part of the Local Plan Review process. The DSLPRSC document, page 22, discusses 'What is required for the Settlement in the Future?' and here it refers to 'emerging work' indicating the route of the Balsall Common by-pass. There is currently no evidence that the route or the funding stream have been agreed.
- If the by-pass shown on the 2006 Unitary Development Plan Proposals Map was constructed, it would be a considerable distance from the boundary of Pheasant Oak Farm site. If the route of the by-pass is amended and extended to follow the line shown on the 'Illustrative Emerging Concept Masterplan for Site 1 Barretts Farm' (page 14), then it seems likely that the proposed new road would pass even further to the east of Site 23. The bypass would therefore not fulfilling SMBC's stated aim of providing a Green Belt boundary for the site.
- It is contrary to the spirit of national policy to introduce a new artificial physical boundary to define a revised Green Belt boundary.
- It is unacceptable to propose a site without a strong defensible physical boundary – even if the proposed by-pass is constructed, it would not provide a Green Belt boundary for Pheasant Oak Farm.

49. The 'Site Assessment' document, January 2019, states that the site has '...a low level of accessibility...' and the Sustainability Appraisal identifies only 3 positive effects of development on the land with 6 negative effects, including 2 significant negative effects. Only approximately a third of the site is included in the Brownfield

Land Register. The eastern part of the site lies within a high performing broad area in the Green Belt Assessment and it is attributed the maximum possible score of 12.

50. Given this assessment of the site – i.e. it is only partly brownfield, the eastern part of the site makes the highest possible contribution towards the Green Belt purposes, a significant number of negative effects would result from development, and it has a low level of accessibility, with no defensible boundary to the east – we contend it is incorrect for the ‘Site Selection Step 1’ assessment to conclude that the site is a category 3 priority (generally considered suitable for inclusion in the plan) i.e. ‘Brownfield in accessible Green Belt location – Green Belt PDL in highly/moderately accessible location (i.e. located on edge of or in close proximity to urban edge/settlement boundary.)’
51. Under the terms of the SMBC’s Site Selection Methodology, Step 1 – Site Hierarchy Criteria, we suggest that Pheasant Oak Farm should not be considered suitable for inclusion in the Local Plan as it is more closely matched in terms of the brownfield area to Priority 8 ‘Brownfield in isolated Green Belt location’ and the rest of the site to Priority 10 ‘Greenfield in isolated highly performing Green Belt’. Under the terms of SMBC’s methodology, sites that fall within priorities 8 and 10 should be considered unsuitable for inclusion unless there is an exceptional justification.
52. In the case of Pheasant Oak Farm, the lack of a physical defensible boundary close to the eastern site edge, should also exclude it from consideration as a site allocation as it would not accord with the NPPF.
53. SMBC’s Step 2 – Refinement Criteria in the ‘Site Assessment’ document includes within the ‘Factors Against’ allocation:
 - ‘Sites that would not use or create a strong defensible boundary’- as is the case on the eastern boundary;
 - ‘Sites that would breach a strong defensible boundary to the Green Belt’ - as this site would, it would breach the strong defensible boundaries of Windmill Lane to the west and Waste Lane to the north;
 - ‘If finer grain analysis shows the site (or part to be included) is not accessible’ - which the site assessment does as it concludes the site has a low level of accessibility; and
 - ‘If the SA appraisal identifies significant harmful effects’ - which is the case here as this site has 6 negative effects, including 2 significant negative effects.
54. The proposed Pheasant Oak Farm allocation needs to be removed from the Solihull Local Plan Review and a deliverable alternative site, or sites, need to be identified to accommodate approximately **100** dwellings.

Question 14: Do you believe that Site 12 south of Dog Kennel Lane should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site? and

Question 15: Do you believe that Site 26 Whitlock's End Farm should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

55. In response to questions 14 and 15, it is proposed that Site 12 would accommodate approximately 1,000 dwellings on a site area extended eastwards towards Creynolds Lane, beyond the indicative boundary in the Draft Solihull Local Plan Review 2016 consultation. Site 26, between Whitlock's End Farm and Dicken's Heath road represents a smaller allocation than that proposed in the Draft Solihull Local Plan Review, 2016, reducing it from a capacity of approximately 600 to 300 dwellings.
56. There are a number of concerns relating to the proposed allocation of these sites, in particular, the lack of a clear defensible physical boundary and concern that there will be pressure for further development up to the Stratford Canal, as shown on the promoter's masterplan submission for site 26. There is therefore a significant risk that the purposes of including land within the Green Belt will be severely compromised, in particular: purposes a) to c) under paragraph 134 of the NPPF i.e. a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; and c) to assist in safeguarding the countryside from encroachment.
57. NPPF paragraph 139 requires local authorities to define Green Belt boundaries clearly, using physical features that are readily recognisable and likely to be permanent. Contrary to this requirement, there is no clearly defined physical boundary along the southern edge of sites 12 and 26. SMBC have rightly rejected many sites proposed for allocation where there are no existing on the ground physical features that are readily recognisable and likely to be permanent to be used as the line of a new defensible Green Belt boundary. All sites need to be assessed on the same basis for consistency and to be in-line with National policy.
58. We therefore contend that **the sites need to be re-evaluated to better reflect on the ground physical features, rather than relying upon the proposal to create a physical Green Belt boundary.** There is doubt over whether the 1,300 dwellings anticipated on the sites can be delivered in a manner which is compliant with national policies and local strategic objectives.

Question 17: Do you believe that Site 6 Meriden Road should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

59. In the 2013 Solihull Local Plan a 2.79 ha site allocation, referred to as site 24, Land off Meriden Road, Hampton in Arden, was defined for residential development. It was anticipated that it would deliver approximately **110** dwellings with the following reasons and conditions statement, 'This site has been released in special circumstances. Development of the site will be conditional on reclaiming the ammunition depot for open space, or in the event the ammunition depot is unavailable, some alternative development solution delivering additional open space.'
60. The justification provided in the 'Draft Concept Masterplans' document, January 2019, for the site not being brought forward for development was the 'poor neighbour' of the Arden Wood Shavings operation to the east and south of the 2013 site allocation. For this reason, and because it would provide an opportunity to re-use the former ammunitions depot SMBC are now proposing to also allocate the 4.2ha site of the Arden Woods Shaving operation for residential development of approximately **100** dwellings.
61. However, the 'Draft Concept Masterplan' document, January 2019, acknowledges that alternative premises would need to be found for the wood shaving operation to enable the residential development of both sites. This is likely to be problematic given the 'bad neighbour' characteristics of the use. In addition, the site preparation works necessary on the brownfield element of the site may mean that it is unviable – something which has not been tested, but could make the allocation unsound.
62. Therefore the deliverability of both sites 24 (as referenced in the 2013 adopted plan) and 6 is questionable and there is significant concern that the **210** dwellings proposed for these sites could not be achieved within the plan period. With such doubt over the deliverability of the proposed allocations, we contend they should be removed from the housing delivery calculation.

Question 23: Do you believe that Site 8 Hampton Road should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

63. Identification of the two parcels of greenfield and land in community sports use off Hampton Road totalling approximately 13 ha for approximately 300 dwellings does not meet the requirements of national policy or meet the policy selection methodology priorities set out in the DSLPRSC.
64. NPPF paragraph 139 requires local authorities to define Green Belt boundaries clearly, using physical features that are readily recognisable and likely to be permanent. Contrary to this requirement, there is no clearly defined physical boundary along the northern edge of the larger of the proposed site allocations on the north western side of Hampton Road. This parcel of land, edged red on the masterplans document (page 64), does not even follow the field boundary for two-thirds of the site boundary so there are not even any hedges or trees along this

section of the north eastern boundary.

65. SMBC have rightly rejected many sites proposed for allocation where there are no existing on the ground physical features that are readily recognisable and likely to be permanent to be used as the line of a new defensible Green Belt boundary. All sites need to be assessed on the same basis for consistency and to be in-line with National policy.
66. There are a number of other constraints which together raise doubts over the desirability of allocating both the northern and southern sites for residential development. These include:
- a height differential of 17 metres between the lowest levels adjacent to Purnell's Brook and the highpoint close to Hampton Road meaning development is likely to be more visually intrusive in the Green Belt and impact more on openness and views than the existing lower lying existing residential development to the south west and north west;
 - a portion of the northern parcel of land incorporates Purnell's Brook Woodland Local Wildlife and NPPF paragraph 170 requires planning policies and decisions to contribute to and enhance the natural and local environment by, for example, a) protecting and enhancing sites of biodiversity and d) minimising impacts on and providing net gains for biodiversity.
 - There are a number of group TPOs covering the site which would need to be protected.
 - Public Right of Way SL12 crosses the site and would need to be re-routed or the route and setting protected.
 - the proximity of Grimshaw Hall, a Grade I Listed building means great care must be taken to protect the setting;
 - the southern site is currently occupied by Knowle Football Club which is well used, though facilities need upgrading.
67. The Masterplan work suggests that a 'Sports Hub' could be constructed in the Green Belt to the north east of the northern parcel of land up to the Grand Union Canal, however, very special circumstances would need to be demonstrated to justify such a large 'urbanising' intrusion into the Green Belt.
68. There is concern that the promoters propose development of not only the Knowle Football Club site, but also the cricket pitches located to the south east (identified by SMBC for 'potential future development'), and the densely wooded area to the north east of the Knowle Football Club site. The woodland currently provides an important screen and setting for the Grade I Listed Hall.
69. The 'Site Assessment' document, January 2019, states that the northern site (reference 213) has overall medium to high accessibility, though no existing footway. In terms of Green Belt, it has been assessed as moderately performing with a

combined score of 7 but highly performing in terms of checking the unrestricted sprawl of large built-up areas.

70. The southern site (reference 166), which includes consideration of the cricket club and woodland area as well as the Knowle Football Club land, is a higher performing parcel in terms of Green Belt scoring 11 out of a potential top score of 12. It performs particularly highly in terms of its role: to check the unrestricted sprawl of large built-up areas; to assist in safeguarding the countryside from encroachment; and to preserve the setting and special character of historic towns. Whilst it is highly accessible, it also has no existing footway.
71. Given this assessment of the site – i.e.: it is greenfield and partly in community playing field use; the southern parcel of the site makes virtually the highest possible contribution towards the Green Belt purposes and the rest makes a moderate contribution; there is no defensible boundary to the north east of the northern plot; and there are a significant number of physical constraints – we agree it is appropriate for the ‘Site Selection Step 1’ assessment to conclude that the site is a category 6 and 7 priority i.e. greenfield in accessible moderately and highly performing Green Belt location.
72. Under SMBC’s Site Hierarchy Criteria Step 1 sites which fall within priorities 5 to 7 are considered to have potential for inclusion in the plan as site allocations but should not be considered to be ‘impact free’ and those which are priority 6 and 7 sites are ‘unlikely inclusions’. i.e. site 8 Hampton Road, is therefore an unlikely inclusion in the Plan.
73. The Step 2 Refinement Criteria refines results from Step 1 and requires more significant justification for sites performing less well in the hierarchy – which would include the Hampton Road sites. In this assessment within the ‘Factors Against’ is the criteria, ‘Sites that would not use or create a strong defensible boundary.’
74. In summary, we contend that the site should be removed from the Solihull Local Plan Review as a potential residential allocation due to the following reasons: the lack of a physical defensible boundary along the north east boundary of the northern plot; loss of community playing fields; pressure within the Green Belt for alternative and additional ‘urbanising’ sports facilities; the adverse impact on sensitive issues such as highly performing Green Belt, heritage assets, and ecology. Given the constraints, there is no evidence that, were the site to come forward for development, it could be delivered in a viable manner.
75. Therefore, we contend that **proposed site allocation 8, Hampton road, should be removed from the Solihull Local Plan Review and a deliverable alternative site, or sites, identified to accommodate approximately 300 dwellings.**

Question 27: Do you believe that Site 17 Moat Lane/Vulcan Road should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

76. The 5 ha urban site is expected to deliver approximately 200 dwellings. However, the viability of the site for residential development has not been tested and the potential land contamination on the site is unknown. There is also a recommendation in the masterplan document that consideration should be given to the relocation or removal of the telecommunications mast if possible.
77. Given that there are likely to be significant site preparation costs, it seems inappropriate for the site to be allocated for development for **200** dwellings without a detailed viability assessment. Until this evidence work has been carried out, we contend that the site does not satisfy the national policy requirements and, until such time as it can be demonstrated that the site is deliverable during the plan period, it should not be allocated in the Solihull Local Plan Review.

Question 28: Do you believe that Site 18 Sharman's Cross Road should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

78. The 2.8 ha site with an estimated capacity of 100 dwellings currently accommodates disused rugby pitches with associated club facilities. It lies adjacent to the popular Solihull Arden Tennis Club, which also accommodates a number of other sporting activities such as squash, gym, and hot pod yoga.
79. There is concern that the permanent loss of community playing field facilities in an area identified in SMBC's Playing Field study, 2017, as being deficient in this area runs counter to the strategic objective of protecting and promoting healthy sustainable communities. There is no information contained in the DSLPRSC document to suggest that an alternative venue has been identified to replace the facility to serve the local community. Indeed, the 'Site Assessment' report states, '...includes the existing playing pitch which is not currently in beneficial use, However, it will need to be replaced as the evidence base identifies that pitches are not in surplus.'
80. NPPF paragraph 92 states that planning policies should guard against loss of valued facilities and plan positively for recreational and sports facilities in order to plan for healthy communities. Paragraph 97 states that 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'

81. We contend that it does not conform with national policy for site 18 to be allocated in the Solihull Local Plan Review until such time as replacement playing pitches can be provided to serve the local community to compensate for the loss. **Therefore, under the terms of national policies, the site should be removed from the Solihull Local Plan Review and alternative site or sites found to accommodate the estimated 100 dwellings.**

Question 32: Do you believe that Site 7 Kingshurst Village Centre should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

82. The regeneration objectives of the Kingshurst Centre proposal are laudable, including the proposal to accommodate **100** dwellings, however, the 'Draft Concept Masterplan' states that CBRE believe there are viability issues with the site's redevelopment and there is concern that no profit would be generated. Given that the NPPF and PPG are clear in their requirement for all allocated sites to be viable, it seems inappropriate for this site to be included in the Solihull Local Plan Review and counted towards the housing requirement.
83. NPPF Glossary defines developable sites as follows, 'To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.'
84. **We therefore recommend that site 7 is not relied upon as an allocation for housing.**

Question 33: Do you believe that Site 15 Jenson House/Aukland Drive should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

85. The text accompanying the illustrative emerging masterplan for site 15, Jensen House, (page 92) of the masterplan document, states, 'Work is currently in progress to determine whether and to what extent this site may be available to accommodate residential development.' Given this stated uncertainty about deliverability of the estimated **50** dwellings, and given the national policy requirement for allocated sites to be deliverable, it is inappropriate and unsound for site 15 to be included in the Solihull Local Plan Review.
86. NPPF paragraph 16 states that Plans should be prepared positively, in a way that is aspirational but 'deliverable'. **To be considered deliverable the NPPF Glossary (as recently amended in the February 2019 version of the NPPF) states that, 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.**

Question 20: Do you believe that Site 25 land south of School Road should be included as an allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

87. As part of the Green Belt review, our Client considers it appropriate for the SMBC to critically examine whether it is still in line with national and local plan strategic policies for the larger, more sustainable settlements, which make a limited contribution towards openness, to have such areas on the edge of the settlement washed over by Green Belt.
88. Hockley Heath is recognised by the Council as being suitable for limited expansion, under Growth Option F. It has a limited range of services within the village but this does include a Primary School located in close proximity to Site 25.
89. Site 25 is located within a lower performing parcel of the Green Belt (as identified within the Green Belt Assessment 2016); it lies directly adjacent to the existing settlement boundary; and, is well contained by physical and permanent features that would provide strong and defensible Green Belt boundaries, fully in line with paragraph 139 f) of the NPPF.
90. Our Client has no comments to make regarding the draft concept masterplan as prepared by the site promoter for Site 25.

Question 21: Do you have any comments to make on the 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?

91. The potential changes referred to relate to sites 328 and 49. Our Client's interest is restricted to Site 49.
92. As part of the Green Belt review, our Client considers it appropriate for the SMBC to critically examine whether it is still in line with national and local plan strategic policies for the larger, more sustainable settlements, which make a limited contribution towards openness, to have areas of 'ribbon' development on the edge of the settlement washed over by Green Belt.
93. NPPF paragraph 133 sets out the fundamental aim of Green Belt policy as being to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 explains that, 'Green Belt serves five purposes:
 - a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and

- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'
94. NPPF paragraph 138 explains that when reviewing Green Belt boundaries, it is necessary to consider promoting sustainable patterns of development. Plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.
95. NPPF paragraph 139 requires, 'when defining Green Belt boundaries, plans should:
- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
 - b) not include land which it is unnecessary to keep permanently open;
 - c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
 - d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
 - e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
 - f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.'
96. Paragraph 140 of the NPPF states that, 'If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt...' Therefore, conversely, it must be assumed that it would be inappropriate to include a village (or presumably edge of a settlement development) within the Green Belt which does not make an 'important contribution' towards the openness of the Green Belt.
97. NPPF paragraph 68 requires local planning authorities to identify small and medium sized sites as they can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should, amongst other approaches, identify, 'a)...land to accommodate at least 10% of their housing requirement on sites no larger than one hectare;'...and 'c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...'
98. Planning Practice Guidance (PPG) paragraph 002 (Reference ID: 2a-002-20190220 Revision Date: 20 02 2019) on housing need assessment makes it clear that the standard method is only a minimum starting point for housing need, it is not a housing requirement. Local authorities should be seeking to put in place the

necessary mechanisms to boost housing delivery, including ensuring land which it is not necessary to keep permanently open is removed from the Green Belt as part of any review and adjustment to boundaries.

99. The DSLPRSC currently identifies Site 49 as a suitable 'green' site for residential development, albeit subject to the footnote: 'Included as part of land supply assumptions if Green Belt boundaries amended to accommodate a nearby allocation' (i.e. Site 49 would be supported by SMBC, if the Green Belt boundary is amended to remove Site 25).
100. Whilst our Client is supportive of such a proposal, it is considered that regardless as to whether Site 25 is removed from the Green Belt, there is clear justification for the removal of Site 49 in its own right.
101. Site 49 contributes little when viewed against the five purposes of the Green Belt (Paragraph 134 of the NPPF). The site is bounded to the east by established built development in the form of housing, whilst to the west lies further residential development in a ribbon form of development out to the western extreme of the village. There is a clear defensible boundary to the north. This is a relatively small undeveloped site within an otherwise developed area fronting onto School Road and is not viewed as forming part of the wider open countryside. It is merely a small gap between established development on the north side of School Road.
102. It is contended that SMBC should not only remove Site 49 from the Green Belt but should actually take the next logical step and specifically allocate the site as being appropriate for residential development within the merging Local Plan Review. This is an accessible and sustainable site which benefits from an existing footpath fronting the site providing a direct pedestrian link into the centre of the settlement. It is located in close proximity to an existing primary school also.
103. We would also wish to point out that the SMBC/s own Accessibility Study is inconsistent, having applied a 'Medium' rating to Site 49 whilst identifying a 'Medium/High' rating to the Land to the South of School Road (i.e. directly opposite). Added to which, there is an existing footway fronting Site 49, yet the seemingly higher ranked site opposite has no footway.
104. For the following reasons, the washed over Green Belt designation for our Client's land should be removed - in accordance with the aspirations of national, local strategic plan policies and a new boundary defined:
 - a) Our Client's site does not have an 'open character' which makes an 'important contribution' towards the openness of the Green Belt. This is supported by SMBC's Green Belt Assessment published in July 2016, which concluded that it, as part of the wider RP49 parcel, had a combined score of 5 (out of a possible maximum score of 12).

- b) Development here would cause less harm to openness and the purposes of including land within the Green Belt than many of the proposed site allocations which score more highly in the Green Belt Assessment.
 - c) The site is immediately adjacent to existing development and represents a natural continuation of the village being viewed very much as part of the established built form.
 - d) The site has clear defensible boundaries comprising existing residential development to the west and east, as well as a clearly defined physical boundary to the north.
 - e) The site is in a sustainable location with access to a range of local services such as the King George Memorial Hall, a dentist, Post Office, butcher, hot food take-aways, public houses and a convenience store, all of which are located between approximately 0.4 and 0.6 km away. St. Thomas Church lies on Nuthurst Lane and Hockley Heath Primary School lies in close proximity, a short distance to the east of the site along, School Lane.
 - f) The site is well served by public transport as nearby Stratford Road (A3400) is a bus corridor with services (X20, 220 and S20 and S3) linking the village to Birmingham, Stratford-upon-Avon, Solihull and Dorridge. Bus stops are located within approximately 300m of the site, within easy walking distance.
 - g) The site, which extends to approximately 0.65 ha, will contribute towards the requirement for SMBC to accommodate at least 10% of their housing requirement on sites of 1 ha or less. With an amendment to the Green Belt boundary, the site could come forward for development as a windfall site, or it could be identified and allocated within the Local Plan.
105. Clearly, it is important that all Green Belt boundaries are assessed against the same criteria and, where appropriate and justified (as is the case for our Client's site), the Green Belt boundaries are amended to better reflect national policy requirements.
106. Our Client's site should be allocated for development and removed from the Green Belt even if the settlement as a whole is not provided with an inset settlement boundary. This is because the site meets all the national and local site selection criteria, details of which are highlighted within this letter.
107. The development of the site will promote sustainable development in a rural area where it will enhance the vitality of the rural community in accordance with NPPF paragraph 78. Development with a mix of housing types will be socially sustainable

and the future occupants of the new dwellings are likely to use the local services and facilities contributing towards their future viability. The construction of the housing will provide employment and demand for goods which will also contribute towards the local economy.

108. The attached illustrative layout shows that the site is capable of accommodating approximately 16 dwellings or more depending upon the final proposed housing mix and layout.
109. From an economic perspective, the proposed development would create jobs and a 'New Homes Bonus' would be payable by the government to support local communities. The spending of the future occupants of any new dwellings would benefit the economy of the area and help support local services and facilities.
110. The owners of the site are keen to bring it forward for development. It is available now, offers a suitable and sustainable location for settlement expansion and has a realistic prospect that housing could be delivered on the site within the next 5 years following allocation.

Summary

111. Our Clients seek a revision of the Green Belt boundary to remove their land from the Green Belt and allocate it for residential development. Development on our Clients' land would meet national and local plan objectives of sustainable development. Our Clients site would:
 - make a short-term impact on the shortfall in housing land supply with housing deliverable within the first 5 years by willing landowners;
 - direct development towards a sustainable site within the rural settlement of Hockley Heath located only approximately 300m from a bus stop with frequent services thereby meeting the requirements of prioritising development in high frequency public transport corridors and by contributing limited expansion of a sustainable village;
 - provide a mixed tenure development with a mix of dwelling sizes in line with policy objectives;
 - direct development towards a site which does not have any heritage assets or community assets, such as sports pitches, which would be threatened or lost as a result of development;
 - not require the loss of any significant mature trees covered by Tree Preservation Orders;
 - have a minimal impact on the landscape character and visual importance of the area because it is a relatively small-scale development proposal on a largely enclosed and screened site with existing built development, and trees and vegetation along its boundaries;
 - result in the loss of an area of Green Belt which currently makes a low to more moderate contribution towards the purposes of including land within the

- Green Belt, achieving a total Green Belt score of only 5 (out of 12);
 - not result in the coalescence of settlements and it would provide new strong physical enduring Green Belt boundaries in accordance with the requirements of national policy; and
 - deliver a site in line with the Government objective to bring forward small and medium size sites, to diversify and reduce the dependence on a small number of house builders.
112. Our Clients' site performs better against the DSLPRSC, 2019, development criteria objectives than many of the sites currently being proposed by SMBC for allocation. It is a site which could come forward for development now, as there are no known legal or physical constraints. This would not be the case for many of the larger sites, as set out in response to the site specific questions within this letter of representation, where some of the restrictions, constraints and non-conformity with policies, are highlighted.
113. The proposed amendment to the Green Belt boundary here would contribute towards meeting the objectively assessed housing need, including any cross-boundary shortfall in the Housing Market Area, on a site which contributes only moderately towards the purposes of including land within the Green Belt. Development on our Clients' site could be readily integrated into the existing settlement of Hockley Heath being a natural residential extension with clear strong defensible boundaries, as required by national policy.

Question 44: Are there any other comments you wish to make on the Draft Local Plan Supplementary Consultation?

SHLAA and SHELAA Sites

114. St. George and Teresa School, site 155, with an identified capacity of 31 dwellings, is currently in educational use therefore an alternative site would need to be found before this site could be released for residential redevelopment.
115. There is no evidence within the DSLPRSC to show that suitable alternative land has been secured to accommodate existing displaced uses such as the Dorridge/Knowle St George and Teresa School. Whilst the Masterplan work suggests one option might be to relocate the school onto the Arden Triangle land, this is far from certain. Deliverability on this site to provide 31 dwellings is therefore uncertain and should not be included in SMBC's housing delivery calculation.

The Priorities for a Green Belt Boundary Review

116. SMBC have demonstrated that exceptional circumstances exist for some land to be released from the Green Belt to accommodate the Borough's own needs and a contribution to the unmet needs arising from the wider HMA as it is clear that the need cannot be accommodated simply by increasing densities and directing

development towards non Green Belt land.

117. The NPPF is clear, at paragraph 138, that when reviewing Green Belt boundaries, sustainable patterns of development should be promoted. Consideration should be given to the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.
118. Paragraph 139 goes on to set out what factors need to be taken into consideration when defining Green belt boundaries. These include:
- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
 - b) not include land which it is unnecessary to keep permanently open;
 - c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
 - d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
 - e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
 - f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.
119. Our Clients' site meets the priority criteria set out in national policy for reviewing and redefining Green Belt boundaries - it is in a sustainable location well served by public transport; there are clearly defined, readily recognisable, permanent physical boundaries; the site contributes little to the purposes of including land within the Green Belt and it is therefore unnecessary to keep it permanently open.

The need for Safeguarded Sites

120. Identification of safeguarded land would be in accordance with paragraph 139 of the NPPF, bullet point c) which states that where necessary, plans should identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period.
121. Our Clients accept that the Solihull Local Plan Review should aim to allocate sites sufficient to meet, as a minimum, the needs identified over the next 15 years to 2035; however, given that Solihull is covered by a significant area of Green Belt, they also consider it prudent for 'safeguarded' Green Belt sites to be identified to

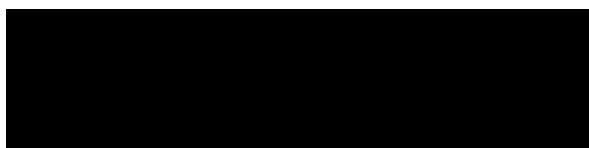
meet future need.


122. It is recommend that 'safeguarded' Green Belt sites are identified in the Solihull Local Plan Review to ensure that, should the future housing requirement necessitate an early review of the Local Plan, in accordance with paragraph 33 of the NPPF, the allocation of additional sites can be achieved as quickly as practicable without the need to undertake a full review of the Green Belt boundary. This will ensure that the Green Belt boundaries will not need to be altered at the end of the plan period – beyond those areas identified through the safeguarding policy approach. It will also provide greater certainty for developers and reduce the opportunity for 'planning by appeal' by minimising the time when planning policies which are most important for determining a residential planning application are out-of-date (paragraph 11 d) of the NPPF).
123. For the avoidance of doubt, paragraph 33 of the NPPF states, 'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.'

In summary, we firmly believe that it would be in accordance with national and local plan policies for our Clients' site (i.e. Site 49) to be allocated for residential development in the forthcoming Submission version of the Solihull Local Plan Review. We commend the site to you for removal from the Green Belt and allocation for residential development.

We should be grateful if you would confirm receipt of this letter of representation.

Yours faithfully,



Glenda J Parkes, Dip.TP.,MRTPI
Director
The Tyler-Parkes Partnership 

Enclosures
Pro Map site plan edged in red;
Illustrative Layout prepared by Kendrick Homes Limited.