
Solihull Draft Local Plan Supplementary Consultation

Land at Hampton Lane, Solihull

Representations on behalf of St Philips Ltd

March 2019

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For and on behalf of GVA Grimley Limited t/a Avison Young

1. Introduction

- 1.1 These representations have been prepared by Avison Young on behalf of our clients St Philips Ltd (referred to as St Philips) in relation to the Solihull MBC Local Plan Review Non-Statutory Consultation *“Reviewing the Plan for Solihull’s Future: Solihull Local Plan Review: Draft Local Plan Supplementary Consultation”*.
- 1.2 Solihull MBC (“the Council”) will be aware that St Philips (formerly UK Land Development) is promoting land off Hampton Lane, Solihull, which constitutes proposed allocation Site 16 – ‘Land East of Solihull’ for the purposes of the Draft Local Plan.
- 1.3 Submissions preceding these representations since 2015 have included those to the Council’s Call for Sites, together with Issues and Options and Preferred Options consultation stages of the Draft Local Plan. An earlier Vision Document, setting out an initial concept for sustainable residential development at the site has also previously been submitted and whose findings have informed the plan-led process to date.
- 1.4 For reference, the site comprises circa 30.2 ha of predominantly agricultural land that is proximate to and readily accessible from Solihull town centre. This submission is accompanied by a new Vision Document that demonstrates in detail how approximately 600 dwellings could be delivered whilst balancing the need for open space provision of the required quantum and typology mix, and supporting infrastructure.
- 1.5 These representations serve to reaffirm the deliverability of the site for residential development and demonstrate that there are no environmental or technical constraints that should preclude its allocation in the Draft Local Plan. The supporting Vision Document sets out a revised concept for sustainable development at the site and is intended to build upon the high-level masterplanning approach with which the Council has been engaged thus far.
- 1.6 More generally, this submission is intended to ensure that the Draft Local Plan is informed by robust evidence such that it can be found sound at Examination. It addresses those questions that are deemed relevant to the site’s allocation, including matters pertaining to the Borough’s housing requirement.

2. St Philips' response to the Supplementary Consultation

Question 1

Do you believe that there are exceptional circumstances that would justify the Council using an alternative approach? If so, what are the exceptional circumstances and what should the alternative approach be?

- 2.1 The Council's calculation of the Borough's housing need, using the Standard Method, equates to 767 dwellings per annum. In doing so, it has applied the Government's latest affordability ratios and its 2014-based household projections. St Philips concur that this is the correct approach, as confirmed by the Government in its response to the technical consultation on the updated NPPF.
- 2.2 Notwithstanding this, government has set out its intention to review the Standard Method within the next 18 months (i.e. by August 2020) with a view to establishing *"a new approach that balances the need for clarity, simplicity and transparency for local communities with the Government's aspirations for the housing market"*. This will need to be monitored as the preparation of the plan progresses as future changes to national policy may require further work to determine the minimum local housing need for the Borough.
- 2.3 It is acknowledged that the Council has thus far sought to accommodate 2,000 dwellings within the overall housing requirement to address unmet need arising from elsewhere within the Housing Market Area (HMA). It is noted that, for the purposes of this supplementary consultation, the Council is not consulting on the soundness of this figure; it is understood that the proportion of unmet need arising from the HMA and to be accommodated within the Borough will be finalised and consulted on at the Submission stage of the Draft Local Plan.
- 2.4 In order to ensure that the Draft Local Plan can be found sound at Examination, it is imperative that the Council engages constructively and transparently with Birmingham and the other HMA authorities, in order to ensure that there is a robust mechanism in place for securing agreement on the issue of accommodating unmet need, and that this is done well in advance of the plan being submitted for Examination. A demonstrable resolve of this issue will be an important facet in satisfying the Duty to Co-operate.
- 2.5 The Council must ensure that its evidence base pertaining to the housing requirement is kept up-to-date; the Greater Birmingham HMA Strategic Growth Study (February 2018) forms a component of this, however, assumptions around urban capacity, applied densities and windfall provision will need to be justified on the Borough's own evidence.

Question 2

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

- 2.6 The Council's approach under Step 1 – Site Hierarchy Criteria – is considered appropriate and necessary to ensure that the plan is compliant with the requirements set out under paragraph 137 of the NPPF.
- 2.7 It is the case, having regard to the evidence set out in the Council's SHELAA, that the Borough is unable to accommodate all of its housing requirement on previously developed and greenfield sites within the existing settlement boundary. With such sites accounted for within the housing land supply, it is appropriate

therefore to identify sustainable, greenfield sites within areas of low-performance Green Belt for release in order to meet local housing need.

- 2.8 In this regard, St Philips reaffirm and concur with the Council's assessment that proposed allocation Site 16 is a 'Priority 5' site (comprising assessment parcels 15, 67, 147 and 230); namely that it lies within a parcel of low-performance Green Belt with strong, defensible boundaries and is proximate to the facilities and services of Solihull town centre.
- 2.9 In view of the above, it is correct that Site 16 should be prioritised for allocation ahead of other less sustainable greenfield sites that are within parcels of higher-performance Green Belt. This ensures that the case for exceptional circumstances to amend the Green Belt boundary is robustly demonstrated and that the test can be met when examining the Plan for soundness.
- 2.10 The supporting Vision Document, the findings of which should be read in conjunction with this representation, provides additional evidence that both corroborates and expands upon the evidence referred to by the Council in its latest Site Assessments document. This further demonstrates that the site has been correctly prioritised for allocation and assigned the appropriate status within the Site Hierarchy.
- 2.11 The supporting evidence can be further relied upon to robustly demonstrate that Site 16 is appropriately assigned a 'Green' rating for allocation purposes, once the site selection refinement criteria are applied (Step 2). In particular, the extent of Site 16 is proportionate to the adjoining settlement of Solihull, thus according with the Spatial Strategy; it is viable and therefore able to deliver an appropriate level of planning gain; and benefits from strong and defensible boundaries with the surrounding Green Belt.

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 other matters that should be included?

- 2.12 It is acknowledged that there are limited opportunities for development within the existing urban area of Solihull and these are principally concentrated within and adjoining the defined town centre. Whilst site-specific development opportunities will help to deliver CIL-compliant infrastructure requirements, the potential for the development of Site 16 to contribute towards improving Solihull's infrastructure should be recognised.
- 2.13 This will be focused on delivering improvements to promote access and connectivity between the site and the town centre, and by achieving a policy-compliant level of affordable housing on site.
- 2.14 Whilst Site 16 is readily accessible by public transport, with bus stops located within walking distance (400 metres), and Solihull railway station is approximately 2km to the west, the impact of vehicle trips generated by residents on the surrounding highway network can be mitigated.
- 2.15 Subject to appropriate highway evidence being assessed at planning application stage, off-site improvement works to which contributions could be made include those that are planned at Yew Tree Lane / A41 / Hampton Lane signalised junction, as highlighted in the Solihull Infrastructure Delivery Plan (IDP).
- 2.16 It is important, however, that IDP is based upon up-to-date and robust evidence, thus providing clarity for developers and ensuring that planning obligations secured by way of a S106 agreement to mitigate identified impacts are CIL-compliant.

- 2.17 The large capacity of the site ensures its ability to make a tangible contribution towards meeting the Borough's affordable housing needs; this could be 300 homes if a 600-dwelling scheme is realised in accordance with the conceptual masterplan set out in the supporting Vision Document (based on 50% of units being assigned as affordable housing).
- 2.18 As the greater affordable housing need is generated by Solihull, given that it forms the largest settlement and proportion of the Borough's population, the delivery of affordable housing at Site 16 means it is best-placed to meet this requirement. It is also able to deliver affordable housing in greater quantities within earlier phases of development: such provision is typically built-out in blocks and transferred to a Registered Provider, thus boosting supply in the early part of the plan period.

Question 26

Do you believe that Site 16 east of Solihull should be included as an allocated site? If not, why not? Do you have any comments on the draft concept masterplan for the site?

- 2.19 As highlighted in response to question 2, St Philips is satisfied that the Council has adhered to an NPPF-compliant approach in selecting Site 16 for allocation in the Draft Local Plan.
- 2.20 The approach is predicated on the findings of the Strategic Green Belt Assessment 2016 – a comprehensive and thorough review whose findings in respect of the land parcel containing Site 16 are robustly supported. Further evidence around landscape sensitivity has been commissioned by St Philips and informs the conceptual masterplan for the development of Site 16, as illustrated in the supporting Vision Document.
- 2.21 The allocation of Site 16 will enable the expansion of Solihull in a proportionate manner, and which accords with the advice set out at paragraph 72 of the NPPF – namely that planning for larger-scale development by facilitating significant extensions to existing towns in sustainable locations can help to ensure that large housing requirements are met.
- 2.22 As a key determinant to testing the soundness of local plans, the NPPF places emphasis on the need for local planning authorities to demonstrate deliverability of housing sites during the plan period, and seeks to ensure that requirements are achieved by virtue of the Housing Delivery Test (NPPF, paragraph 75). To aid this process, it is important to reaffirm the status of Site 16 as being available, suitable and viable for the purposes of paragraph 67 of the NPPF.
- 2.23 At this stage, St Philips wishes to reaffirm the site's status as being available, suitable and achievable. Annex 2 of the NPPF is clear that deliverable sites are those that are:
- Available now;
 - A suitable location for development now; and
 - Achievable with a realistic prospect that housing will be delivered on the site within 5 years.

Availability

- 2.24 Paragraph 020 of the Housing and Economic Availability Assessment National Planning Practice Guidance (NPPG) states that:

"A site is considered available for development when, on the best information available... there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships,

ransom strips, tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell".

- 2.25 Landowners represented by St Philips have contracted to sell their land upon the grant of outline planning permission for sustainable residential development. It is the case, therefore, that the site is available now and is not the subject of any unresolved requirements that may otherwise preclude its release for development.

Suitability

- 2.26 Paragraph 019 of the NPPG identifies the factors that should be considered when assessing the suitability of sites for development. This includes consideration of the following:

- Physical limitations or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;
- Potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;
- Appropriateness and likely market attractiveness for the type of development proposed;
- Contribution to regeneration priority areas; and
- Environmental / amenity impacts experienced by would be occupiers and neighbouring areas.

- 2.27 St Philips has prepared a comprehensive suite of technical evidence which informs its Vision Document and is submitted to the Council to aid the plan-making process. In particular, it demonstrates that:

- Those parts of the site for which there is some degree of landscape sensitivity (as referenced in the Council's Site Assessment document) can be protected and enhanced through the creation of planting buffers to reduce and offset any visual impact of development.
- The site is not within an area at risk of flooding on the Environment Agency's flood risk maps.
- There are no known statutory or local designations of nature conservation importance or tree preservation orders pursuant to land within the site.
- No part of the site or its surroundings are the subject of any designations of landscape importance;
- There are no known significant contamination risks on the site, having regard to its historic and current agricultural use;
- The site benefits from a good level of accessibility to the local highway network and is within walking distance of local bus services. The concept for development demonstrates how the site's overall accessibility can be enhanced to ensure that it is effectively integrated with the adjoining urban area.
- There are no statutory or non-statutory heritage assets within the site whose setting would be significantly impacted upon by its development. Development on the site may result in some change to the setting of Field Farm and no. 239 Lugtrout Lane – both statutorily listed. However, impacts can be reduced by incorporating appropriate planting buffers within the configuration of development on the site.

- 2.28 Whilst the site is not afforded a high level of sensitivity in landscape terms, the delivery of environmental enhancements on-site, which would be achieved as part of its development, will ensure that any impacts

will be minimised and mitigated where possible. This includes the retention of existing landscape features, including established hedgerow, to protect ecology.

- 2.29 The site represents an attractive and viable location for residential development, and will facilitate the delivery of much needed affordable housing in the area.

Achievability

- 2.30 Paragraph 021 of the NPPG states that:

"A site is considered achievable for development when there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of the site".

- 2.31 The site is immediately available for development and it is understood that there are no unresolved issues associated with multiple ownership or any third party interests. There are no known issues that may otherwise impact upon the financial viability of developing the site and it is envisaged that housing could be delivered as early as 2021. This is set out in the delivery trajectory below:

Task	Duration	Start	Finish	2020	2021	2022	2023	2024	2025	2026	2027	2028
				Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4	Q1 - 4
Secure outline planning permission	12 months	01.01.2020	01.01.2021									
Secure reserved matters planning permission	3 months	01.06.2021	01.09.2021									
Discharge of planning conditions	3 months	01.12.2021	01.03.2022									
Implementation & delivery (average 8 units pcm / 2 developers)	68 months	01.09.2022	01.10.2028									

- 2.32 The above trajectory demonstrates that approximately 600 dwellings residential dwellings could be delivered on the site over a 7-year period. A more detailed breakdown is provided below:

Monitoring Year	Year	Dwellings*
2022 - 2023	1	24
2023 - 2024	2	96
2024 - 2025	3	96
2025 - 2026	4	120
2026 - 2027	5	96
2027 - 2028	6	96
2028 - 2029	7	72
2022 - 2029		600

*Based on assumed rate of market delivery (affordable dwellings may be delivered earlier)

- 2.33 In the absence of any known constraints on site, which may otherwise equate to abnormal costs for development, it is anticipated that affordable housing would be delivered in accordance with a policy-compliant figure. The policy will need to be informed by viability modelling which should be undertaken by the Council as part of its plan-making evidence base.
- 2.34 The sales trajectory assumes that the site would be developed by two housebuilders, achieving an average of 8 private unit sales per month. The affordable housing would be developed and sold in blocks to a Registered Provider, and could therefore be delivered earlier in the development process.
- 2.35 The above trajectory should therefore be considered a conservative estimate. On this basis, approximately 40% of the total site capacity could be delivered within the first five years of the plan period, such making a tangible contribution to the Borough's five-year housing land supply.

SMBC Illustrative Emerging Concept Masterplan: Site 16 East of Solihull

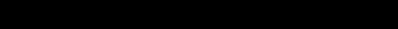
- 2.36 As set out above, the Vision Document that accompanies these representations illustrates St Philips' refined concept for bringing forth a sustainable development of the site. This is informed by an up-to-date suite of technical evidence to understand the potential for environmental and heritage constraints, and key receptors, and should be used as the basis upon which the SMBC Illustrative Masterplan is refined.
- 2.37 Whilst high-level in terms of detail, the SMBC masterplan broadly reflects the illustrative masterplan prepared by St Philips (see Vision Document). Where the net developable area as shown differs on the respective masterplans (for example, the St Philips masterplan looks to retain the land between Lugtrout Lane and the Grand Union Canal as open space), the latter will achieve the capacity envisaged by the SMBC masterplan (600 dwellings).
- 2.38 The density levels that would be achieved are broadly comparable. Importantly, the development envisaged by the St Philips masterplan would not exceed an overall density of 40 dwellings per hectare, thus falling within the range identified in the supporting text to the SMBC masterplan.
- 2.39 A medium density is considered appropriate given the site's location adjacent to the Solihull urban area, however, this could be reduced along the eastern fringe with Field Lane (as defensible Green Belt boundary).
- 2.40 St Philips concur with the Council's recognition of the need to retain an important landscape feature, in particular protecting the rural character of Lugtrout Lane and Field Lane, and protecting the setting of Grade II listed Field Farm and no. 237 Lugtrout Lane. St Philips' masterplan demonstrates how the net developable area would be scaled back from these areas.
- 2.41 The above includes moving the extent of development further south from the boundary with Lugtrout Lane and incorporating natural drainage features (attenuation ponds) in this area, which will in turn complement and enhance the biodiversity value of the existing hedgerow corridor. More generally, the use of Sustainable Urban Drainage System (SUDS) features within the site is expressly identified within the supportive wording that accompanies the SMBC masterplan.
- 2.42 In line with the SMBC masterplan, the St Philips masterplan also retains the playing pitches associated with Coldlands Colts football club (north-east corner of the site), and retains a buffer around Field Farm which form part of its setting. Development is not shown to the north of Lugtrout Lane, thus retaining the open space to the west of no.237 Lugtrout Lane.

- 2.43 Open space provision identified by the St Philips masterplan is principally concentrated within the centre of the site (to semi-natural green space) and is integrated within a green network that includes publicly accessible routes and complementary areas of more formal green space. The latter is exemplified in the provision of open space and landscaping enhancements to provide a well-defined pedestrian link with the site from Pinfold Lane.
- 2.44 The above approach supports an improved configuration of development and will help to optimise the site's integration and linkage with Solihull. This would see the area of open space identified to the south-east of the site within the SMBC masterplan alternatively provided to the south-west. It is considered prudent for the SMBC masterplan to be amended to replicate this approach.
- 2.45 Whilst generally consistent in most respects, namely in terms of the size of development blocks, dwelling numbers, density, quantum of open space provision and retention of heritage / landscape features, the vehicular and pedestrian access points into the site should be amended on the SMBC masterplan for consistency with those identified by the St Philips masterplan. This would include the addition of an access from Pinfold Lane to serve development within the southern extremity of the site.

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