

Supplementary Consultation Representation

To the

**Solihull Metropolitan
Borough Council
“Reviewing the Plan for
Solihull’s Future – Solihull
Local Plan Review”**

**On behalf of
Mr Stephen Dunn**



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1.0 INTRODUCTION

1.1 Sworders act on behalf of Mr. Stephen Dunn, landowner of Site 110 - Land to the south of 114 Kenilworth Road. The representations are submitted in response to the Solihull Metropolitan Borough Council Draft Local Plan Supplementary Consultation, January 2019.

1.2 We wish to comment on the following 3 questions:

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

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

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

2.0 QUESTION 2

2.1 The site selection process appears to be sound to a certain extent. The methodology is well explained in the Draft Local Plan Supplementary Consultation Document. However, the methodology has been set out in 2 steps:

- 1) using a site hierarchy based on the one set out in the Draft Local Plan and;
- 2) using planning judgement to refine site selections.

The site hierarchy appears to refine the potential of the site in accordance with paragraph 138 of the National Planning Policy Framework (NPPF). However, step 2 using planning judgement, appears to be too subjective and as such, leads to inexplicable inconsistencies. Paragraph 69 states that there may be some 'exceptional reasons' why certain sites fall into certain categories, however, going through just some of the assessment criteria, the required justifications are not explicit.



- 2.2 For example, Site 59 – Land north of Kenilworth Road at Knowle has been given an AMBER rating in the site selection process. It is highly performing in the Green Belt Assessment, yet has only been given a Priority rating of 7 in the Site Hierarchy, where it states that higher scoring Green Belt will generally have a combined score of 8 or more (Site 59 scores 11 in the Green Belt assessment). It scores more or less the same as Sites 98 and 110 (also in Knowle) in the Landscape Character Assessment; similar to Sites 98 and 110 in the Sustainability Appraisal and yet those sites have been attributed a RED rating and Site 59 an AMBER. In the commentary on Site 59, it acknowledges that the site is within a high performing Green Belt parcel and appears to suggest that because it is adjacent to ribbon development it would score less highly in Green Belt terms. However, if this is the ‘exceptional reason’ as to why it is graded AMBER and not RED, it is not explicit. Furthermore, if it is the exceptional reason, why have sites 98 and 110 which are also adjacent to ribbon development, not been graded AMBER?
- 2.3 As a recommended amendment to the site selection process, we would suggest that whilst we acknowledge that planning judgement is always required, it needs to be applied consistently. Furthermore, where there are ‘exceptional reasons’ as to why certain sites fall into certain categories, these reasons are set out explicitly, preferably in a separate paragraph in the commentary.

3.0 QUESTION 38

- 3.1 The new NPPF introduces the potential for compensatory provision to be made when land is removed from the Green belt. It states (at paragraph 138) that development plans: “should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”
- 3.2 It is proposed that the area of land which the Client has omitted from the site could provide access to open areas adjacent to Knowle Locks for recreational purposes and preserve and improve biodiversity along the canal corridor.



4.0 QUESTION 39

- 4.1 Land to the rear of 114 Kenilworth Road is referred to in the site selection documents as Site 110 and comprises of land which is accessed from Kenilworth Road between Nos. 114 and 166.
- 4.2 The site which has been assessed so far comprises of 15.2 Ha of land which extends to the southeast towards the canal and south bounded by existing field borders. The site selection commentary states that “whilst part of the site lies close to the settlement of Knowle, as a whole it is in a highly performing parcel of Green Belt.” It states that the site would extend south from Kenilworth Road and east towards the canal which would represent “an inappropriate incursion into open countryside.” It acknowledges that the canal denotes a defensible boundary to the east, but to the south and west it has no defensible boundaries. It recognises that the site has “high overall accessibility given the northern part of the site is closest to Knowle.” However, it concludes that “the majority of the site is detached from the main settlement and there is limited development present.” With regards to landscape character assessment, it identifies the site as an area with medium landscape character sensitivity; medium landscape value and a low landscape capacity to accommodate new development.”
- 4.3 Since the site selection process findings, the Client has decided to reduce the size of the site to 3.87 Ha as shown in the attached revised site plan which can be found at Appendix 1. This omission significantly reduces the area of the site which we believe has a considerable impact upon the nature of the site selection assessment.
- 4.4 Our Client is also working with the landowner of site 98; Land to the rear of 1761 Warwick Road, as there is the potential to improve the rating of both sites if a joint approach is demonstrated. An indicative concept plan of how the sites would work together can be found at Appendix 2.
- 4.5 We believe the reduction in site area, coupled with a joint approach with Site 98 would alter the Council’s assessment of Site 110 in the following way:



- 4.6 Accessibility Study: The site would score very highly in accessibility terms for all facilities and buses as it would have not only one access from Kenilworth Road but would also be accessible from Warwick Road, which currently belongs to Site 98. The joint approach results in the site being adjacent to Knowle Village Centre.
- 4.7 Green Belt Assessment: The reduction in site area of Site 110 would significantly reduce the encroachment into the open countryside, retaining the land closest to existing brownfield land/built development along Kenilworth Road. As a result, this omission should have a major impact upon the Green Belt 'Priority' score.
- 4.8 Site 110 is currently scored as 10 (Greenfield in isolated highly performing Green Belt locations). This was arguable even for the larger 15.2 Ha site, as the site was scored as 'highly accessible' with parts of the site adjacent to brownfield/built form. However, the comments relating to the majority of the site being detached from the main settlement and there being limited development present are now irrelevant.
- 4.9 In terms of defensible Green Belt boundary, the reduced site, jointly working with Site 98 would have clear defensible boundaries of a track and field boundary to the east of Site 110; a field boundary to the south of Site 110 and the southern edge of the wooded area bounding Site 98. It is therefore considered that the Green Belt Priority score should be downgraded to a 7 – in line with the score of 7 attributed to Site 98 and moving the site into BLUE in the Site Hierarchy Criteria table. These are evident on the aerial plan which can be found at Appendix 3.
- 4.10 There is also an argument that a score of 7 is inappropriate for Site 98/110. Priority 7 is Greenfield in accessible highly performing Green Belt location. However, it could be argued that the combined site actually scores a 6 - Greenfield in an accessible moderately performing Green Belt location.
- 4.11 As BLUE the site would still be attributed an 'unlikely allocation' however, it would be subject to assessment by Step 2 of the methodology – Refinement Criteria. It is considered that the Site 110/98 would now comply with the criteria below which is found in the 'Factors in Favour' section:



- In accordance with the spatial strategy (Site 110 could now be moved into Growth Option F: Limited Expansion of rural villages/settlements alongside Site 98)
- Any hard constraints only affect a small proportion of the site and/or can be mitigated.
- Site would not breach a strong defensible boundary to the Green Belt.
- Any identified wider planning gain over and above what would normally be expected.
- Sites that would use or create a strong defensible boundary to define the extent of land to be removed from the Green Belt.
- If finer grain accessibility analysis shows the site (or the part to be included) is accessible.

4.12 The site selection topic paper states that whilst Knowle is considered suitable for growth, any development would need to ensure the key Green Belt gap to the urban area is protected. The allocation of the reduced 110 site with Site 98 would ensure that development would not advance any further east than 166 Kenilworth Road and no further south than 1761 Warwick Road, essentially restricting any encroachment into the Meriden Gap.

4.13 In relation to how Sites 98 and 110 faired in the SHELAA (28 Nov 2016), it stated that Site 98 faces some suitability constraints; performs well against availability criteria and performs well against achievability criteria. It would effectively 'round off' the existing settlement and presents a good opportunity for development. The SHELAA stated that Site 110 performs well against suitability, availability and achievability and is Grade 5 agricultural land (the lowest grade). Whilst this report concluded that the irregular shape of Site 110 would represent an inappropriate incursion into the open countryside, the reduced site now proposed has addressed this issue.

4.14 It is therefore considered that the new joint Site 98/110 would perform well in the site selection process and should be re-assessed.



APPENDIX 2





APPENDIX 3

Land at Knowle, Solihull



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