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# LAND SOUTH OF BROAD LANE

Representations to SMBC Draft Local Plan Supplementary Consultation

On Behalf of David Wilson Homes Ltd

March 2019



## Draft Representations to SMBC Draft Local Plan Supplementary Consultation

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## **1.0 INTRODUCTION**

- 1.1 We are instructed by our client, David Wilson Homes Ltd, to submit representations to the supplementary consultation on the Draft Local Plan Review in relation to their interests at their site at Land South of Broad Lane.
- 1.2 The Site has been submitted through the call for sites process, which included a vision document that sets out the vision for the site and its attributes. SMBC have provided a Site Assessment of the Site under the reference '426' as part of the supplementary consultation.

## 2.0 QUESTION 1 – HOUSING NEED

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

- 2.1 The answer to this question is dealt with in a separate report which accompanies this submission.



### 3.0 QUESTION 2: SITE SELECTION PROCESS / QUESTION 39

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

#### Site Assessment Criteria

- 3.1 We strongly object to the way in which Site 426 has been assessed in the site selection process for the reasons which are set out below – and on that basis, object to the inconsistent application of the methodology.
- 3.2 Firstly, in assessing Site 426 – the Council has deemed that the site has not passed ‘Step 1’ – which is the initial, high-level sieving process. Sites which are not taken forward at this stage are then not subject to the more refined ‘Step 2’ analysis. We consider that this process is fundamentally flawed and carried out our own assessment (using the Council’s own analysis) to demonstrate that the site should not have been discounted at Step 1.

#### **STEP 1**

- 3.3 The first stage in the sieving process is a high level look at the following:
- (i) Brownfield vs greenfield
  - (ii) Urban areas vs Green Belt
  - (iii) Accessibility
- 3.4 Sites can be rated from Priority 1 (brownfield in urban area or settlement) to Priority 10 (greenfield in isolated highly performing Green Belt location). A traffic light rating is then applied – sites which falls within Priority 1 to Priority 4 are green sites; Priority 5 sites are yellow; Priority 6, 6b and 7 sites are blue; and Priority 8, 9 and 10 sites are red. Red sites fail Step 1 and are not taken forward to Step 2 for assessment. Site 426 was identified as a Priority 9 red site and was not therefore taken forward to Step 2.
- 3.5 In summary, Site 426 is a greenfield and Green Belt site. However, it is accessible and also within an area with a GB score of 5. Therefore, it should be allocated a maximum score of Priority 5 status (yellow). We review below the way in which this initial sieving assessment was flawed - taking Site 426 step by step through the same assessment process as the Council.

### **Green Belt**

- 3.6 In the Green Belt Assessment 2016, Site 426 is identified as part of Refined Parcel RP83:5 which has a combined score of 5, within a range from the highest performing Green Belt sites (12) to the lowest performing sites, scoring as low as 0. With a score of 5, site 426 is clearly a lower performing site. The starting point for consideration as a Priority 5 site is a score of 5 or lower in the Green Belt— Site 426 falls into that category.

### **Accessibility**

- 3.7 The second part of the criteria relates to accessibility and to achieve a Priority 5 ranking, the site is required to be in an accessible location. This is defined as:
- (a) On the edge of the urban area or
  - (b) On the edge of a settlement which has a wide range of services and facilities including a primary school and a range of retail facilities.
- 3.8 Site 426 adjoins the urban edge of Coventry – indeed in the Council's Site Assessment, the site is identified as possibly being an urban extension to Coventry. Footnote 35 of the draft Local Plan confirms that at 'Step 1', the Council takes a broad-brush approach to accessibility based solely on the location of the site in relation to it being on the edge of urban areas or the edge of settlements. The finer grain analysis is for Step 2.
- 3.9 It is therefore fundamentally incorrect for Site 426 to have been 'sieved out' at Step 1. The site should have been correctly assessed as a Priority 5 yellow site as it meets the two necessary criteria. The site, therefore, should have been taken forward for a more detailed analysis in Step 2.
- 3.10 On the basis that the site passes Step 1 – we have carried out the Step 2 assessment using the same table and criteria as the Council. There are no scorings or weightings attributed to the Step 2 analysis – it assessed on a qualitative basis.

## **STEP 2 – REFINEMENT CRITERIA**

### **FACTORS IN FAVOUR**

#### **In accordance with the spatial strategy**

*(including only proportional additions to lower order settlements (i.e. those without a secondary school or not located close to the urban edge).*

The current consultation document does not include any Spatial Strategy – we have therefore turned to the 2016 document to establish what we should assume to be the current proposed

Spatial Strategy. Within this document, paragraph 100 identifies that focusing on, amongst others, sustainable urban extensions, provides the best opportunity for achieving accessibility and delivering public transport improvements. The aim is to discourage development which is isolated; which is a disproportionate addition to a settlement; and which is in a less accessible location. Additional criteria in relation to accessibility are therefore proposed with the top being development which is 'located adjacent to a highly accessible settlement'.

It is abundantly clear that geographically Site 426 adjoins the urban edge of Coventry – Coventry is the second largest City in the West Midlands, after Birmingham. This Site 426, as confirmed in the SHELAA assessment would be viewed as an urban extension to Coventry and there is, therefore, no doubt that Site 426 is in accordance with the Spatial Strategy, which seeks to locate development in the most accessible locations. Coventry is clearly such a location and there is nothing within the Spatial Strategy which would rule against this. Therefore, it can only be concluded that the development of Site 426 would be in accordance with the Spatial Strategy.

**Any hard constraints only affect a small proportion of the site and/or can be mitigated.**

The SHELAA does not identify any hard constraints – we concur with this assessment.

**The site would not breach a strong defensible boundary to the Green Belt.**

There are no strong existing defensible Green Belt boundaries that would be breached. The existing boundaries to Bannerbrook Park comprise simply hedgerows, some of which were planted in conjunction with the existing development. The same form of boundary treatment can therefore be replicated on this site.

**Any identified wider planning gain over and above that which would normally be expected.**

Consideration of the site is in its very early stages and as such details of this type have not yet been developed. However such options, given the potential number of units to be delivered, clearly remain open for consideration.

**Sites that would use or create a strong defensible boundary to define the extent of land to be removed from the Green Belt.**

Careful design will ensure that the strong defensible boundaries to the north and south are maintained and strengthened. In addition, it is proposed to strengthen and supplement existing boundary planting where this currently exists and provide new strong defensible Green Belt boundaries.

**If finer grain accessibility analysis (including output from the Accessibility Study) shows the site (or the part to be included) is accessible.**

The Accessibility Study is flawed when it comes to assessment of sites on the Solihull / Coventry boundary. The Study provides a scoring for accessibility for facilities within 1,200m of a site, however when assessing facilities beyond the administrative area of Solihull only facilities within 800m of the boundary are assessed. Sites in such locations are not therefore being assessed on a comparable basis. Furthermore, the assessment is only being undertaken of walking distances and makes no allowance for accessing facilities by bike. The document references 'shared cycle' routes but then makes no consideration of people actually using them for cycling. Clearly were cycling to be factored in, especially for those sites, which adjoin major settlements and therefore have access to a good cycleway network (such as Site 426) then their accessibility criteria would be much improved.

This flawed method is clearly demonstrated in that no sites along the Solihull / Coventry border receive any score at all in the Accessibility Study despite bordering a major city which has a comprehensive public transport network; and is home to multiple services and facilities.

With regard to Site 426 – no account is taken of its geographical proximity to Bannerbrook Park which is a large urban extension (within Coventry) immediately adjoining the eastern boundary of Site 426. Bannerbrook Park local centre contains a SPAR (4,000 sq ft); a restaurant / pub; Indian restaurant / takeaway; fish and chip shop; pharmacy; ATM machine; Subway; and 2 further A1 retail units which are currently occupied by a pet shop and Barnardo's Charity Shop. The site also has planning permission for a nursery and a Doctors Surgery. In addition, the site has a number of play areas; and there are existing community leisure facilities immediately south of the site and also to the east.

The site falls within the catchment areas of Eastern Green Junior School and St Andrews CofE Infant School which are both approximately 1100m from the site. West Coventry Academy (secondary school and sixth form) lies approximately 2.5km (1.5 miles) from the site on a flat route which is clearly within a safe cycling distance (along 30mph residential road) for secondary school age children. In addition, there are bus services from outside Bannerbrook Park to the Heart of England School; West Coventry Academy and Warwickshire College also; as well as to Warwick University which is a significant local employer.

Whilst planning permission is granted for a Doctors Surgery on site – the nearest existing surgery is Broad Lane surgery (accepting new NHS patients) which is 1200m from the site and

so within walking and cycling distance; with the nearest Dentist being Broad Lane Dental Practice located 2.5km from the site and thus being within cycling distance.

There is a shared footway/cycleway through the Bannerbrook Park development which can be extended into Site 426. Furthermore, opportunities will be considered to accommodate a bus route through Site 426 and on through Bannerbrook Park.

It is therefore clear that the proposal can only be defined as being in an 'accessible location'.

#### **FACTORS AGAINST**

##### **Not in accordance with the Spatial Strategy**

As set out above, the development of this site is in accordance with the Spatial Strategy

##### **Overriding hard constraints that cannot be mitigated.**

There are no hard constraints identified.

##### **SHELAA Category 3 sites unless demonstrated that concerns can be overcome.**

The site is not identified as a Category 3 site in the SHELAA. We make comments below in respect of the flaws of SHELAA assessment and carry out our own assessment.

##### **Sites that would not use or create a strong defensible boundary to define the extent of land to be removed from the Green Belt.**

As already confirmed, the site uses existing defensible boundaries and proposes to strengthen the defensible boundary and strengthen existing hedgerow planting.

##### **If finer grain analysis shows the site (or the part to be included) is not accessible.**

As previously confirmed, the Council have failed to consider the proximity of services in Coventry on a fair basis and because of this, it is not possible to determine how detailed the assessment has been. However, given that the site adjoins a major urban area it is simply not feasible to draw a conclusion that the site is inaccessible.

##### **If the site is in a landscape character area that has a very low landscape capacity rating.**

It is wholly unreasonable if the Council have used this criterion to discount this site. According to the Council's Landscape Character Study (December 2016) this site falls within Landscape Character Area (LCA) 26 – which covers the eastern fringe of the Borough – yet significant Green Belt release is proposed in other areas of the Borough which are in an identical LCA.

With one blanket 'very low' landscape capacity conclusion for such wide areas it cannot be used to discount some sites and not others – there must be parity in assessment. Furthermore, the study itself (page 49 – text adjoining Table 24) confirmed that it is not possible to establish a baseline sensitivity to change without having details of a given development proposal and therefore the conclusions should be taken as a guide only. On this basis, we do not consider it appropriate to use this criterion as a basis to discount sites given sites with the same assessment have been given a 'green' score'.

**If the SA appraisal identifies significant harmful impacts.**

The SA identified 2 harmful impacts:

- (i) The site contains over 20ha of Grade 1 – 3 agricultural land. The site is wholly Grade 3 agricultural land – clearly within Grade 3, the site could in fact be Grade 3b land which would mean it is not BMVL. Furthermore, the Regional ALC mapping which was last updated in November 2018, shows this to be the prevailing land type across the Borough which is not unsurprising. As a result, a number of proposed allocated sites have the same classification.
- (ii) The distance to jobs is identified as 8km – this is clearly incorrect as the SA treats the administrative boundary between Coventry and Solihull as a line which people will not cross. This is clearly incorrect. As already stated, there is for example a good bus connection to Warwick University which is a key local employer as well as Coventry city centre which offers multiple employment opportunities. The SA has applied the same approach to all services and facilities – relating its conclusions only to Solihull Borough and thus the distances to shops / schooling / healthcare are distorted.

**In summary:**

- The site has medium / high accessibility – at the same level as the other 'green sites' identified in the Draft Plan.
- The site is a lower performing Green Belt than other 'green sites' in the plan.
- The site has existing defensible Green Belt boundaries which can be strengthened.
- The site has no constraints within the development area which cannot be mitigated in the normal way.
- The site has the same landscape character as other 'green sites'.
- It is not, therefore, credible for Site 426 to be categorised as a 'red' site.
- For this reason, we consider the score for Site 426 should be corrected and re-assessed / re-consulted upon.

3.11 As a separate matter, the site is recorded as a Category 2 site in the SHELAA (confirmed in the Site Assessment form for the draft Plan) however the site does not actually feature in the Council's SHELAA and therefore we have completed an assessment of the site using the same assessment and scoring criteria.

<b>SUITABILITY CRITERIA</b>	<b>SCORE</b>	<b>COMMENT</b>
Access Infrastructure Constraints	5	Existing road access is adequate
Contaminated Land	3	Less than 50% of the site is within this constraint
Ground Condition Constraints	5	Treatment not expected to be required
Heritage	5	Site does not include, nor is it adjacent to a Nationally or Locally Listed Building
BMV Agricultural Land	3	Site is Grade 3 Agricultural Land
High Pressure Gas Pipeline	5	Site does not lie within this constraint
Flood Risk Constraints	5	Within flood zone 1
Bad Neighbour Constraints	3	Site has a bad neighbour – but with potential for mitigation
Biodiversity	5	Site is not within, or adjacent to, a Local Wildlife Site
Suitability of Location Constraints	5	Site is located adjacent to Coventry which is a major urban area.
Suitability Score	44 / 50	Results in a 'suitability' score of 3 i.e. the site is suitable and could contribute to the five-year supply.
<b>Availability Criteria</b>		
Availability Details	3	Site is under option to a developer

<b>Achievability Criteria</b>		
Achievability Details	3	Good marketability and / or viability. Site faces few achievability constraints and is likely to be achievable within 5 years.

- 3.12 On the basis of the above scoring – the site is rated as a Category 1 – Deliverable Site. Such sites are deemed to be available now, offer a suitable location for housing now and there is a reasonable prospect that housing will be delivered on site within 5 years from the date of adoption of the plan.



#### 4.0 QUESTION 3 – QUESTION 10 (*BALSALL COMMON SITES*)

- 4.1 We note that close to 1,700 new homes are proposed for Balsall Common with the sole justification seemingly being that it contains both a primary and secondary school and has a full range of retail and associated facilities. However, it is still described as a rural settlement with no significant areas of employment and the distribution strategy remains one of “proportional distribution”. 1,700 dwellings to a single rural village appears to be completely disproportionate and, indeed, this appeared to be the feedback at the consultation events. There is discussion in the document regarding delivery of a by-pass; provision a station car park; improved public transport and a new primary school. However, there is no discussion as to how these are to be funded / delivered relative to the level of growth identified. In addition, there is discussion regarding the scope to enhance the existing local centre and the provision of a village centre masterplan. However this land is in multiple ownerships and there are no proposals for what these enhancements could entail or how they could function – particularly with a by-pass in place which could actually draw trade away from the existing centre.
- 4.2 There does not appear to be any assessment of the ability of Balsall Common to deliver this level of growth in such a small area. Whilst clearly some sites (i.e. Barratts Farm) will be able to have multiple outlets, the ability of the market to absorb and deliver multiple sites at any one time in a rural location should be reviewed; particular when (as flagged in paragraph 103 of the document) Balsall Common will be acutely affected by HS2 – both in terms of the physical construction of the line and the disruption and uncertainty that this will bring; but also in terms of market desirability until such time as the line is constructed.
- 4.3 We also note that Barratts Farm is in multiple ownerships and these are described as “complex” in paragraph 101. This is the single largest site and the one which is proposed to deliver the by-pass. It is noted that this site will only be taken forward if the landowners can demonstrate that they are working on a collaborate and comprehensive basis. We question how this can be demonstrated to the Council – a jointly produced masterplan does not equate to collaboration and / or equalisation across parcels.
- 4.4 At this stage, we consider the level of growth attributed to Balsall Common to be disproportionate and that inadequate research has been undertaken into the deliverability of this level of growth and the associated aspirations; and the ability of the market to deliver this level of growth in a rural area.

- 4.5 We consider that a more dispersed growth option should be considered and as set out previously, consider that the land south of Broad Lane is an appropriate alternative.

## **5.0 QUESTION 11 – QUESTION 15**

### ***(BLYTHE SITES)***

- 5.1 Our key concern here relates to Site 4 (West of Dickens Heath). Site 4 proposes the redevelopment of existing sports pitches which are well used without appropriate plans in place for the re-provision of this local facility. It is noted that the identification of a Local Wildlife Site within the site hampers re-provision within the site itself and therefore alternative options will need to be pursued. We consider that these alternatives should be considered now as clearly as it currently stands, the pitches will be lost with no alternative in place (and therefore no guarantee of any re-provision). This is all the more important given that the land in the area is all located within the Green Belt and therefore any proposals which may, for example, include floodlighting, will have to be carefully considered against the Green Belt 'tests'. We understand that the loss of these facilities is causing significant local concern particularly with no proposals for replacement.

## 6.0 QUESTION 40 – QUESTION 43

- 6.1 The proposal to switch from a percentage based affordable housing calculation to a floorspace percentage calculation is not supported. The justification for this is given as a need to drive up the proportion of smaller properties being delivered. However, the Council has not published any analysis of its assumptions which underpin the comments made in this section; and appears to be confusing matters relating to housing mix; housing size and matters relating to affordable housing provision. These are separate matters.
- 6.2 There is no evidence that amending the affordable housing policy, and basing it upon a calculation of floorspace percentage will drive up provision of smaller market housing. The use of a floorspace calculation will not provide certainty to developers and landowners at the point of site acquisition because the amount of affordable housing to be provided (which impacts on the value to be paid for the land) cannot be determined until the layout (and each and every house type) is fixed which will not be until the end of the full planning / reserved matters process. Unfortunately, commitments in terms of land value, in many cases, need to be made at a far earlier stage. This is one of the reasons that Stratford District, who used to operate such a policy, moved away from this policy to a standard percentage of units-based policy, which was supported during their last Local Plan review.
- 6.3 This change in approach will inevitably slow down the planning application process as every change to a layout or to a house type has a knock on effect on affordable housing provision with floorspace calculations needing to be re visited. This is likely to bring viability matters in to play more frequently as the percentage of affordable housing will be unknown at an early stage and, based on evidence from Stratford District, often means an affordable housing percentage (in terms of unit numbers) of greater than 40% - which has yet to be assessed in the Council's viability work also.
- 6.4 As a final point, we also note that this approach would run counter to the WMS on affordable housing which does not seek contributions on sites of 10 dwellings or fewer (i.e. based on dwelling numbers and not floorspace calculations).
- 6.5 With regard to any incentives to developers to encourage provision of smaller market housing. The NPPF encourages provision of balanced and mixed communities catering for a wider range of the population. Individual sites should cater for a wide range of housing types and sizes. Provision of only small dwellings on sites will not develop long term sustainable communities. Instead it will result in a transient community where people will not be able to form long term neighbourhoods as they will need to move on as their

circumstances change if there are insufficient homes of the right size on a site to accommodate them. We do not consider that this represents good planning and consider that the focus should be on building strong healthy communities which can cater for all rather than simply planning for short term ownership.