



**Consultation response on behalf of  
Generator/Minton to the Solihull Draft Local Plan  
Supplementary Consultation 2019**

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## **Consultation response on behalf of Generator (Balsall) and Minton to the Solihull Local Plan Review Draft Local Plan Supplementary Consultation January 2019**

This is the response of Generator Group and Minton to the supplementary consultation by Solihull Council on the Solihull Draft Local Plan January 2019. The purpose of the response is to comment on the draft Plan and promote the site on land adj Harpers Field, Kenilworth Road Balsall Common for inclusion as a housing allocation within the Plan. The response is by question order. Whilst we have responded to each question, the detailed points in relation to our site are set out under question 39 and your attention is specifically drawn to this part of the response. It should be noted the site is developer owned and delivery of the site can therefore come forward early in the plan period.

The responses on the site to the Solihull Draft Local Plan 2016 consultation is attached and highlights the reasons why the site should be an allocation within the Local Plan together with subsequent evidence submitted including an outline LVIA, Ecology Report, Tree Report, Master Plan, Local Plan Context Plan, Urban Grain Plan, Access Plan, Topo Plan and Street scene plans. As part of this consultation we have also carried out our own Green Belt Assessment, a copy of which is attached and the conclusions of which is summarised under question 39.

### **Local Housing Need**

1. Do you believe 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?

Would accept, in principle, that there are no exceptional circumstances. This position may change depending on the results of the Government consultation.

## Site Selection Methodology

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

Basic elements of the Methodology acceptable and workable however elements of the process are flawed, over complicated and confused. Little if any improvement on methodology in Solihull Draft Local Plan 2016. More specifically:

- a) Non-compliant with Government policy NPPF on strong defensible Green Belt boundaries. The refinement criteria at bullet point 5 in each column refers to “sites that would use or create a strong and defensible boundary to define the extent of land to be removed from the Green Belt”. National Green Belt policy at Paragraph 139 states that “when defining Green Belt Boundaries plans should..... (f) Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”. There is no reference to creating boundaries which as well as being contrary to national policy would act against the spirit of planning.
- b) Lack of consistency throughout the site assessments particularly when comparing sites in the same location.
- c) Site assessments incomplete in some instances e.g. Site Ref 122 land at south of Dog Kennel lane (commentary), Site Ref 176 land at west of Dickens Heath (commentary).
- d) Site selection process, hierarchy and refinement criteria becoming overcomplicated.
- e) Flawed judgements or lack of sound reasons why some sites allocated, rejected and others de-allocated.
- f) No advantage in creating and labelling sites yellow, blue and subsequently amber. This merely creates an unnecessary stage in the

methodology adding to confusion and unnecessary complexity. Delete this element of the methodology and either allocate the amber sites or reject them as proposed allocations

### **Balsall Common**

Response to sites in Balsall Common should be read in conjunction with the response to the consultation on the Solihull Draft Local Plan (SDLP) 2016, Land adj Harpers Field Kenilworth Road Balsall Common Site Ref 338.

3. Do you agree with the infrastructure requirements identified for Balsall Common, if not why not, or do you believe there are any other matters which should be included?

Notwithstanding the fact that it is entirely appropriate for Balsall Common to accept housing development as part of this Plan, under the proposals identified within this SDLP 2019 Supplementary Consultation Balsall Common will become a major settlement within Solihull Borough. The proposed amendment to the Green Belt boundary on the eastern side of Balsall Common will have significant implications for development over and above the allocations proposed. Lifting Green Belt restrictions on land will put considerable pressures for development and the future growth of Balsall Common with insufficient consideration on how this will be dealt with within this supplementary consultation, including infrastructure provision.

The lack of employment proposals within Balsall Common will exacerbate the settlements commuter image and fly in the face of sustainability credential Solihull may wish to exhibit.

4-9 Do you believe that sites 1, 2, 3, 21, 22, 23. Should be included as allocated sites, if not why not; Do you have any comments on the draft concept masterplans for the sites?

General points on the housing allocations:

Paragraph 101 of the SDLP 2019 supplementary consultation highlights clearly the concerns that relate to some of the proposed allocations in Balsall Common. It states:

- a) “Some of the sites, in particular Barratt’s Farm, have multiple and potential complex land assembly issues. It is important that sites such as this are considered in a comprehensive manner to avoid piecemeal developments occurring”.
- b) “This needn’t necessarily preclude a phased approach where one parcel of land or part of a site may be available for development in advance of another, but this should be in accordance with an approach agreed by the Council and all relevant landowners/development promoters”.
- c) “Before being finally included in the plan, it will be necessary for the varied land interests to demonstrate to the Council that they are prepared to work on a collaborative and comprehensive basis to ensure a quality development is possible and can be satisfactorily delivered. This will include joint responsibility for the provision of infrastructure”. This latter point will also be relevant to other sites around the village which also need to ensure they contribute towards the provision of the required infrastructure.

The above points raise legitimate doubts about the likelihood of comprehensive development of some of the proposed allocations particularly when complex land assembly issues are highlighted and where approaches need to be agreed by the Council and all relevant landowners and the fact that before being finally included in the plan it will be necessary for the varied land interests to demonstrate they can work collaboratively and comprehensively together.

This inevitably raises doubts about sites coming forward within the Plan period, if at all. This is particularly relevant with the Barratt's farm proposed allocation and adjoining land within the proposed eastern Green Belt boundary particularly where land has not even been promoted for development.

4. Site 1 Barratt's Farm – The above comments regarding land assembly are particularly relevant to this proposed allocation. There is also no certainty over the provision of HS2 and the Balsall Common By-pass and as such there must be doubts over the provision of a firm eastern Green Belt boundary, without which and it is acknowledged within the site assessment that the site would result in an indefensible Green Belt boundary.

Some of the site is within the highest performing parcel in the Green Belt Assessment but not referenced in the site assessment.

5. Site 2 Frog Lane – no comments
6. Site 3 Windmill Lane – The above comments regarding land assembly are relevant to this proposed allocation. Although endeavouring to provide a firm and defensible Green Belt boundary the site becomes increasingly remote from the settlement in accessibility terms and produces a somewhat contrived, insensitive and illogical addition to Balsall Common which could result in a visually unattractive entrance into the settlement from the South.
7. Site 21 Pheasant Oak Farm – The above comments regarding land assembly are particularly relevant to this proposed allocation. Acknowledged within the site assessment document as:
  - a) “..... part high (*highest*) performing parcel in the Green Belt Assessment and would result in an indefensible Green Belt boundary to the east.
  - b) “Site has a low level of accessibility.....” and

- c) “Could be considered subject to provision of clear firm green belt boundaries”.
- d) “Development should preferably be on land that is more highly accessible, and/or performs least well in Green Belt terms and/or provides strong defensible boundaries”.

Again this allocation is heavily reliant on the building of a bypass and the assembly of land outside the site allocation. Hardly glowing commentary for an allocation.

- 8. Site 22 Trevallion Stud – The above comments regarding land assembly are particularly relevant to this proposed allocation. Firm and defensible green belt boundaries would only be created when considered in a comprehensive manner which cannot be assured.

The site is also identified as having high visual sensitivity in the Landscape Character assessment and from an assessment on site it is clearly evident that the land extends into open countryside impacting considerably on the openness of the Green Belt at this point.

- 9. Site 23 Lavender Hall Farm – The site assessment would not immediately suggest this site was suitable for allocation. It lies within the highest performing Green Belt Parcel, the landscape character assessment identifies that the site has high visual sensitivity. If HS2 is built the site would lie in a narrow belt between two highly used railway lines, hardly an ideal situation for residential development. The site would also lie outside the suggested firm and defensible Green Belt boundary east of Balsall Common and at odds with the implied development intentions to the east of Balsall Common. Also being contaminated land its viability would come into question.

It is difficult to understand why this site is proposed for allocated within the Plan

10. Do you have any comments on potential changes to the Green belt boundary east of the settlement that would result in the removal of the “washed over” Green Belt from those areas not covered by a formal allocation

The proposed amendment to the Green Belt boundary on the eastern side of Balsall Common will have significant implications for development over and above the allocations proposed. Lifting Green Belt restrictions on land will put considerable pressures for development and the future growth of Balsall Common and its elevation in settlement hierarchy within the Borough with insufficient consideration on how this will be dealt with within this supplementary consultation.

Also, part of the proposed allocation sites and those areas not allocated for development lie within the highest performing area within the Green Belt Assessment.

### **Blythe**

In general, the proposed allocations fail to live up to the intentions for the future of the area (Blythe), particularly in retaining the distinctive character of the settlements and avoiding coalescence.

The proposals fail to live up to the intentions of Paragraph 131 of the supplementary document in respect of settlement identity and ensuring coalescence is avoided through sensitive development.



11. Infrastructure Requirements

No objection in principle on infrastructure however, the current lack of traffic assessments make it difficult to adequately assess what highway improvements are necessary and impact on the choice of sites and site alternatives.

12. Do you believe that site 4 land west of Dickens Heath 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?

The supplementary consultation confirms the distinct nature of the villages in Blythe set within and separated by attractive countryside and Green Belt giving the villages a sense of remoteness. In particular Dickens Heath is described as a modern multi award winning village guided by an architect led masterplan. It goes on to say that significant new development at Dickens Heath will add vibrancy and vitality whilst retaining the intrinsic character of a distinctive village separated by open countryside.

The proposed allocation at Site 4 does not conform to any of the statements above or the more detailed statement in the supplementary consultation itself. Development here would result in the coalescence of Dickens Heath with Whitlocks End and Majors Green and identified as such in the Green Belt Assessment scoring and the site assessment document. The landscape character assessment also highlights the site as highly visually sensitive.

The intrinsic character of the multi award winning Dickens Heath was developed over time through concept planning, Public Local Inquiries and extensive masterplanning and maintained through, Architect, Developer,

Resident and LA Working Parties. This would be lost through an ill-thought out addition to the west of the village having no relationship with the original concept or masterplan. Hardly sensitive treatment to an award winning settlement

This is particularly emphasised by the illustrative masterplan which makes no reference to how it would complement or enhance the village of Dickens Heath and even goes on to say that “Further work is needed to identify links from the new development to Dickens Heath Village Centre”. In other words no thought has been given to this process and appears somewhat of an afterthought.

Site 4 in point of fact has been dismissed as an allocation at a number of Public Local Inquiries over many years since the Solihull Local Plan has been reviewed and the concept of Dickens Heath new village emerged in the early 1990s

Irrespective of what the Site Assessment commentary suggests (which is incomplete) there is coalescence.

There is no identified sites local or otherwise for the necessary relocation of Sports pitches.

There is concern and no evidence has been provided for the impact of development on the highway system, particularly the route to Shirley on narrow and winding roads and junctions.

13. Do you believe that site 11 The Green should be included as an allocated site, if not why not; Do you have any comments on the draft concept masterplan for the site?

Identified as an employment site in the Solihull local Plan 2013 and a mixed use site in the SDLP 2016. Would support a mixed use allocation but recent planning decisions would appear to negate this suggestion.

There is conflict with the employment policy within the SDLP 2016 and the future balance between employment and housing in the Borough. No indication as to where the B1 uses on site would relocate to.

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?

Although accepting the Councils Strategy of urban expansion this site raises concerns over compliance with government policy and the Council's own methodology and site selection process which includes using planning judgement to refine selection.

On Green Belt grounds and Landscape Character assessment concerns are expressed over the proposed development.

Government policy states that ".....the essential characteristics of Green Belts are their openness and their permanence." The land to the south of Shirley opposite Dog Kennel Lane (site 12) clearly exhibits such openness which is further enhanced by the land gently sloping towards Cheswick Green and clearly demonstrated when viewed from Dog Kennel Lane looking south

towards Cheswick Green. Open vistas southwards are clearly evident from Dog Kennel Lane. This is further compounded by the Council's site selection assessment which also identifies the site as lying within a landscape character area of high sensitivity. Development here would extend built development out into open countryside

Government policy also states at Paragraph 139:

"When defining Green belt boundaries plans should:

(f) define boundaries clearly using physical features that are readily recognisable and likely to be permanent".

In the SDLP 2019 Supplementary consultation the proposed approach to Blythe states at Paragraph 144:

"Given that the opportunities to develop on previously developed land in Blythe are extremely limited, Green Belt release will be required and a redefined Green Belt boundary will need to be established. In accordance with national planning policy, such boundaries should be defined clearly, using physical features that are readily recognisable and likely to be permanent". The document then goes on to say at paragraph 154:

"Site 12 is within a parcel of moderately performing Green Belt, and given the existing field structure, does not have a clear contiguous defensible Green Belt boundary to the south. This will need to be provided by a strong edge to the proposed development e.g. a new road, which will demarcate the built-up area from the surrounding countryside and provide a meaningful gap with Cheswick Green".

Conflicting statements and constructing a new road to form the Green Belt boundary does not conform to Government policy.

This then raises the issue that given the existing field structure, does not have a clear contiguous defensible Green Belt boundary to the south how in complying with national policy would coalescence with Cheswick Green be prevented and what impact would there be on openness, developing out into open countryside and impact on landscape character.

15. Do you believe that site 26 Whitlocks 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?

Until the masterplan for site 26 is finalised and the areas designated as housing or public open space the issue of coalescence with Majors Green will remain irrespective of the railway line which lies in between and the comment that it will provide visual separation.

Until traffic surveys and analysis of the A34 and surrounding roads are completed and made public it is impossible to suggest, in terms of vehicular traffic movement, that Bills Lane/Haslucks Green Road would be/are any more or less congested than Dickens Heath Road. Dickens Heath Road, more recently upgraded, certainly provides a less onerous, less convoluted and safer route to the A34, the town centres of Shirley and Solihull, the M42 and beyond. Also, Bills Lane and Haslucks Green Road will have to deal with traffic from site 4 as well as its own. This would suggest the contrary is infact true.

### **Hampton in Arden & Catherine de Barnes**

Response to sites in Hampton in Arden and Catherine de Barnes should be read in conjunction with the response to the consultation on the Solihull Draft Local Plan (SDLP) 2016 Oak Farm Catherine de Barnes Site Ref 136 .

16. Do you agree with the infrastructure requirements identified for Hampton in Arden, if not why not, or do you believe there are any other matters which should be included?

No objection in principle

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?

Land to the west of this site was allocated for housing in the 2013 Local plan on condition that the former ammunition depot was reclaimed for open space or if not available an alternative development solution delivering open space was forthcoming. This situation still exists and so calls into question the allocation. Also the viability of the site may be affected dependent on any potential contamination issues as a consequence of the former use of the site.

18. Do you believe that site 24 Oak 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?

Firstly, it is noted and it is agreed that Catherine de Barnes should be a settlement where limited and proportionate development is accepted. New development will assist with the future viability and vitality of such settlements as Catherine de Barnes provided they are proportionate to the settlement, in the right location and contribute to the health and well-being of the community.

The site at Oak Farm should be included as an but the allocation should include the land to the east of this proposed allocation and the west of Friday Lane

### **Hockley Heath**

19. Do you agree with the infrastructure requirements identified for Hockley Heath, if not why not: do you believe there are any other matters that should be included?

No objection in principle although consideration should be given to enable the provision of a doctors surgery.

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?

No objection in principle

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

Should site 25 be allocated then there would be no objection to the run of development along School Road being removed from the Green Belt in the interest of consistency and in line with Paragraph 361 of the SDLP 2016.

**Knowle, Dorridge & Bentley Heath**

22. Do you agree with the infrastructure requirements identified for Knowle, Dorridge & Bentley Heath, if not why not: do you believe there are any other matters that should be included

No objection in principle

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?

No objection in principle

24. Do you believe that site 9 land south of Knowle should be included as an allocated site, if not why not; Do you have any comments on the draft concept masterplan for the site?

No objection in principle

**Solihull Town Centre & Mature Suburbs**

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

No objection in principle



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?

No objection in principle.

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?

Potential conflict with employment Policy P3 on retention of employment land. Relocation of employment uses may be an option but to where within Solihull? No indication is given within the Plan of such an option. This calls into question the delivery of the site.

28. Do you believe that site 18 Sharmans 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?

No objection in principle providing suitable relocation of sports facilities available. No commitment given to either deliverability or relocation. Playing pitches not in surplus in Solihull therefore development of the site uncertain.

#### Solihull Town Centre

Overall proposed housing capacity and the capacity within the Plan period considered to be unachievable within the pan period.

## **Meriden**

29. Do you agree with the infrastructure requirements identified for Solihull and the Mature Suburbs if not why not: do you believe there are any other matters that should be included

No objection in principle

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

Agree in principle

## **North Solihull, Marston Green & Castle Bromwich**

31. No objection in principle

32. No objection in principle

33. No objection in principle

## **Green Belt**

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

Agree that the settlements/areas should be removed from the Green Belt

35. Should the washed over status of these settlements/areas remain, if not why not

The washed over status of the settlements should remain.

36. Are there any other areas of the Borough where washed over status should be reviewed, if so which areas and why.

See responses to omission sites where Green Belt status should be removed and sites removed from the Green Belt

37. Compensatory provision for land being removed from the Green Belt

No comment

### **Omitted sites**

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

As already indicated in answer to the question on the methodology (Q2) there is no advantage in creating and labelling sites yellow, blue and subsequently amber. This merely creates an unnecessary stage in the methodology adding to confusion and unnecessary complexity. Delete this element of the methodology and either allocate the amber sites or reject them. The sites would be commented on or not under omission sites in general.

39. Are there any red sites omitted which you believe should be included, if which one(s) and why

Site 338. Adj Harpers Field off Kenilworth Road Balsall Common

This response to the omission site must be read in conjunction with

- a) the above response to questions 3 – 10 Balsall Common which highlights deficiencies in proposed allocated sites and sites within the proposed eastern Green belt boundary,
- b) the original response to the Solihull Draft LP 2016 (Ref 338) which outlines in detail, the quality the site exhibits in respect of its suitability as an allocation within the Solihull Local Plan.

As identified in answers to questions 3 to 10 many of the proposed allocations highlight individual deficiencies or deficiencies as a consequence of the assumption that HS2 and the Bypass will be delivered. Delivery of either or both are currently not guaranteed. Assumptions of assessments on individual sites should not be reliant solely on delivery of HS2 or the Bypass. When assessing sites a non HS2 and non-Bypass scenario should be considered when making judgements on sites using the different pieces of evidence such as the Green Belt Assessment.

In promoting site 338 Land at Harpers Field off Kenilworth Road and considering the Site Assessments document, the site would appear only to fail on the lack of defensible Green Belt boundaries to the south and west. This is disputed. On visiting the site the defensible east boundary would be the hedgerow and mature trees and Kenilworth Road, to the west and the northern boundary would be existing built development (residential properties, extra care dwellings and the

nursing home) and dense mature tree and hedgerow planting and to the south a well-defined mature tree and hedgerow boundary.

The site is no further from the local centre in accessibility terms than the sites allocated in the 2013 Local Plan now approved and under construction. Also, there is clearly a footpath alongside the site which the site assessment indicates that there isn't. This should be amended in the site assessment.

The proposed allocation to the immediate east of Kenilworth Road would stretch much further south into open countryside (approximately 500m) to the end of Windmill Lane. Although endeavouring to provide a firm and defensible Green Belt boundary the site becomes increasingly remote from the settlement in accessibility terms and produces a somewhat contrived, insensitive and illogical addition to Balsall Common which could result in a visually unattractive entrance into the settlement from the South.

Looking in general at the individual proposed allocations to the east of Kenilworth Road, lack of defensible Green Belt boundaries, openness and development into open countryside are more of an issue than at land adj Harpers Field, a compact site with firm and defensible Green Belt boundaries and which does not extend outward into open countryside.

We have repeatedly disputed the Green Belt Assessment conclusions for this site which concluded that the site is higher performing when assessed against the NPPF Green Belt purposes. Our assessment, carried out using methodology used in other Local Plans and other EIP's, concludes that this site does not fulfil the function of Green Belt adequately and only partially contributes to only one of the functions of the Purposes of Green Belt i.e. to assist in safeguarding the countryside from encroachment. It is unlikely that any piece of Green

Belt land would be assessed to make less than a partial contribution to openness.

When Atkins carried out the GB Assessment they did so firstly on much larger areas of land, Broad Area 02 and a refined parcel RP58 but more importantly before much of the development was built around the proposed site. Since the assessment and the building of 39 extra care dwellings, as well as the new housing on the opposite side of Kenilworth Road, the site has now become an island surrounded on three sides by development and thus segregating it from the refined parcel. The single defensible undeveloped boundary consists of an established mature hedgerow and trees that would be further bolstered by additional planting as part of any redevelopment proposals. Our objection is not therefore just a methodology issue but due to the material change on the ground. We note the justification for the lower scoring in Green Belt terms on land to the east of Kenilworth Road because development already existed in the parcel, the same is true to the west of Kenilworth Road in the southern portion of RP58 where our site sits.

Overall the Assessment has concluded there would only be a slight adverse effect on the openness and qualities of a limited part of the Green Belt and that the contribution the wider parcel makes to the Green Belt would be preserved.

The LVIA (already submitted in relation to the site and resubmitted with this submission) concluded there would be no long distance views and very limited mid distance views, due to the visual envelope being restricted to the north by settlement and to the south and south west by topography and trees and hedgerows and because of the limited number of receptors within the visual envelope. Only some small changes would be evident from public, pedestrian and residential

receptors close by however it must be noted these would not be incongruous.

Unlike some of the proposed allocations this site is in one ownership, is developer owned which will ensure early delivery, is of a medium size in a very marketable position and immediately available without the complexities of multi ownership sites or the need to delivery large amounts of new infrastructure. The site should be included within the Local Plan as a housing allocation.

### **Affordable housing Policy and open Market Housing Mix**

40. No evidence has been provided to justify the alternative approach now being taken. It appears that the Council is using affordable housing policy to deal with identified issues associated with market housing mix such as delivering smaller housing, increasing densities and minimising Green Belt release.

The current approach of requiring affordable contributions on total sq meterage or habitable rooms/floorspace would not comply with affordable housing site thresholds set out by Government in the Written Ministerial Statement dated 28<sup>th</sup> November 2014 or para 64 of the NPPF 2019.

41. This is not considered an effective approach. Standard Practise is to calculate on number of units. This provides more certainty at the outset of development. A change from this could see an adverse impact on the delivery of affordable housing.

New viability evidence should be carried out to support this new approach.



42. Considered to be an inappropriate approach as discussed in 40 & 41.

43. Should be about providing an appropriate mix of housing for all and responding to need across the board i.e. families, elderly, self-build as well as smaller units.

**Any other comments**

44. None at this time