

SOLI HULL METROPOLITAN BOROUGH COUNCIL

SOLI HULL LOCAL PLAN REVIEW – DRAFT LOCAL PLAN

REPRESENTATIONS ON BEHALF OF GALLAGHER ESTATES

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1. FOREWORD

1.1 These representations to the Solihull Local Plan Review Draft Local Plan (2014 to 2033) have been prepared by Pegasus Group, on behalf of Gallagher Estates, who have a number of land interests in Solihull Metropolitan Borough. These representations should be read alongside the accompanying:

- Site Location Plans (**Appendix A**);
- Review of the SHELAA (**Appendix B**);
- Review of the SHMA (**Appendix C**).
- Un-met Housing Need and the Duty to Cooperate (**Appendix D**)

1.2 As set out above, evidence is provided in association with these representations to support the allocation of a number of additional sites across the Borough. This is in the form of a 'Background Document' (submitted separately) which provides information about the specifics of the site. The Document provides a site location plan and draws on comprehensive technical assessments across all key disciplines. Further, there is also a Design Concept Plan, which demonstrates how the sites can be delivered. The wealth of site specific information provided demonstrates that the sites are suitable, developable and deliverable and that allocations for residential development would be sound.

1.3 Individual Background Documents (bound separately) that have been prepared in relation to:

Land at Damson Parkway;

Land at Four Ashes Road, Dorridge;

Land at Bickenhill Road, Marston Green; and

Land at Berkeswell Road, Meriden.

2. INTRODUCTION

- 2.1 The review of Solihull Local Plan is welcomed. It is agreed that since the Local Plan was adopted in December 2013, there has been a number of factors that have since evolved and rendered the Plan obsolete and ineffective, particularly with regard to delivering growth, which is one of the key functions of any Local Plan.
- 2.2 Given Solihull Borough's positioning within the Midlands, as a neighbour to Birmingham City, and the economic assets within the administrative area, it is of paramount importance that both the needs of the population and businesses are adequately planned and provided for.
- 2.3 This Local Plan Review provides an opportunity to properly consider all the issues and opportunities either existing or arising within the Borough and, accordingly, address or provide for them through land use policies. It is considered that the plan has gone some way to fulfilling this role, however, there remain a number of fundamental concerns that need to be dealt with before the Local Plan Review can be considered sound.
- 2.4 It is hoped that by addressing these points early in the process, it is more likely that the Plan will proceed swiftly through to adoption. As experienced elsewhere the region, when a plan is non NPPF compliant, PINS often request that additional work and consultation is carried out before a favourable decision can be taken on the soundness of a plan. Indeed, it is hoped that a repeat of the previous legal proceedings can be avoided.
- 2.5 There is concern that, due to a number of circumstances such as changes to the planning system and as a consequence a long standing policy vacuum, the Council has failed to deliver growth to meet arising needs for a number of years, which has resulted in increasing housing market pressures. There is fear that potentially, if unmet need and future needs are not adequately provided for, the already overheated housing market will worsen to the severe detriment of the local population and businesses.
- 2.6 In particular, never have there been more economic and infrastructure initiatives taking place in the Borough over the same period of time. It is therefore of heightened importance that growth is properly planned for and delivered in a

timely manner. Given that there are minimal strategic powers, it is essential that the duty to co-operate is carried out in an effective manner to deliver the level of growth that is required in the right place. The Solihull Local Plan Review is, as a result, one of the most important plans to be prepared in the Borough's history.

- 2.7 In response to the above context, Pegasus Group has been instructed by a number of clients to review the Council's proposals and identify any key matters that do not meet the test of soundness identified in the NPPF and proactively suggest ways forward that would help make the draft Local Plan sound in advance of submission to the Secretary of State.

3. BOROUGH PORTRAIT

- 3.1 The context correctly highlights the economic successes of the Borough. It is interesting to note, as references in paragraph 30, that in 2015 employment increased in Solihull by just over 6% (+6,500), which is significantly higher than regional and national figures of the same period. There is concern, however, in light of this context that future growth levels have been under estimated with a mere 15,300 anticipated to be created over a 19 year period. As set out in more detail later in this response and in accompanying supporting reports, the Borough is at risk of under providing for both future households and business if the correct level of growth is not adequately planned for and delivered.
- 3.2 It is acknowledged at paragraph 31 that around two thirds of Solihull is countryside and designated Green Belt. Whilst the Green Belt designation serves a number of purposes as set out in the NPPF, the need to meet growth requirements (both for housing and employment) is of greater priority and amount to exceptional circumstances. It is therefore appropriate for land to be removed from the Green Belt for this purpose, particularly in the areas where the need arises. Further, it is important, in accordance with paragraph 85 of the NPPF and in the context of Solihull Borough whereby the economy of the Borough is one of the best performing of the Country, that when defining boundaries areas of 'safeguarded land' are identified to meet longer term development needs stretching well beyond the plan period. There is concern that insufficient land for growth has been identified and accordingly the existing provision will be exhausted well before the plan is due to be reviewed. It is therefore of paramount importance that these issues are addressed now.
- 3.3 It is pertinent that the distinct differences between the north and south of the Borough have been identified, however, in the supporting evidence for identifying the objectively assessed need (OAN) for the Borough these significant disparities have not been considered. The Local Plan offers an opportunity to address the issues arising from the polarised communities and, therefore, the evidence and policies should be used effectively to do so.

4. CHALLENGES

- 4.1 In response to Question 1, whilst the challenges and objectives are very relevant and appropriate, there is concern that the subsequent policies as currently drafted will not deliver on those challenges set out. In particular, there is concern that the OAN does not appropriately address arising needs as set out later on in this report and that leading on from the OAN identified, insufficient sites have been allocated for development. Failing on this challenge (Challenge B) will lead to failing other related challenges, for example, inequalities between the north and south will widen (due to increasing house prices as a result of additional demand) (Challenge A and C); commuting is likely to increase into the Borough in order to meet the demand for labour force (Challenge H); and/ or economic growth could be stifled due to lack of available labour force (Challenge D). All of which would result in the failure of the Local Plan. It is therefore advised that the concerns identified in these representations are addressed through reviewing the OAN and bringing forward additional land to appropriately meet the challenges identified.

5. VISION

- 5.1 In response to Question 2 and as highlighted above, the vision set out is relevant and appropriate, however, there is concern that the policies that flow from it will not enable its delivery. For example, the Council Plan (corporate wide plan) spans a period of six years from 2014 and within it it is proposed to be delivering UK Central, however, as set out in the Strategic Housing Market Assessment (SHMA), there is no uplift on the housing requirement (of 500 homes identified) partly due to the fact that this initiative is due to commence towards the end of the plan period. Clearly, these two statements are contradictory and if the Local Plan and the UK Central initiative are to be successful then the infrastructure required to deliver the economic growth should also be properly put in place in a timely manner.
- 5.2 Paragraph 73 of the Borough Vision Overview refers to having ‘responded and reduced the Borough’s local housing need through the provision of a greater range and type of affordable housing’. This statement implies that there will remain an unmet need for housing. This is not in the spirit of the NPPF. Indeed, paragraph 47 of the NPPF requires that LPAs should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 73 should therefore be amended to read ‘responded and met the Borough’s local housing need...’.

6. SPATIAL STRATEGY

- 6.1 It is welcomed that the Council are considering using their land use planning powers to maximise the potential benefits arising from the implementation of HS2 and other economic initiatives. This forward thinking outlook is to be commended. It is important, however, the policies are meaningful to make the most of the potential benefits.
- 6.2 In addition, the acknowledgement that significant Green Belt releases is also a practical and necessary approach to meet future needs of the population and business in the Borough. In doing so, however, the Council should be mindful of the provisions within the NPPF (paragraphs 83 to 85) that require when reviewing Green Belt boundaries, they should have regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 6.3 Further, there is concern, for reasons set out in further detail later in these representations that, the development requirements as set out will be insufficient to meet needs. It appears that the bare minimum of land has been removed from the Green Belt and accordingly, the requirements of the NPPF are not met. Additional, potentially safeguarded land, should be released for this intended purpose of the longer term.
- 6.4 Consequently, Green Belt release will not be sufficient to endure the plan period never mind beyond it and additional land should be removed to meet increased need set out.
- 6.5 A re-evaluation of the spatial strategy is welcomed in order to give greater priority to delivering economic and housing growth. It is also agreed that a balance is to be struck between delivering growth and maintaining the integrity and attractiveness of the communities within the Borough. It is proposed that this will be 'managed', however, there is concern that potentially the 'management' proposed is overly restrictive and reflective of out dated planning policies that are no longer proactive to delivering growth successfully.
- 6.6 The use of a sequential approach is not considered to be in the spirit of the NPPF and delivering sustainable development. The use of a sequential approach does not feature at all within current national planning policy. Today's agenda is focused on delivering sustainable development. When forward planning, it is

appropriate that sustainable land is identified and subsequently allocated regardless of existing policy constraints. The process identified by the sequential approach proposed does not allow for this. It is therefore suggested that it be removed and the Council reconsider their land allocations in accord with the NPPF.

- 6.7 It is supported that growth is concentrated in the most sustainable locations, however, a slightly wider dispersal strategy is likely to allow: more local needs to be met where they arise; and more homes to be delivered across the district in a small period of time. In our view, this is the key balance to be struck in identifying and allocating land and that a combination of all of the potential development options will be necessary in order to meet the economic objectives outlined.

7. SUSTAINABLE ECONOMIC GROWTH

- 7.1 In response to Question 4, proposed Policy P1 UK Central Hub Area is supported. It is welcomed that economic policies have also been reflected in land use policies that facilitate the development of key assets within the Borough. Whilst these assets are important, it is also pertinent that other employment growth/ land opportunities in the Borough are encouraged, as the key assets they require a number of spin off/ supporting business that also grow the economy and provide jobs to local people.
- 7.2 As referred to previously, the SHMA identified an additional allowance of 500 dwellings for the UK Central initiative, however, it is discounted due to the initiative not having an impact on the housing market until very late in the plan period. This approach is clearly contrary to the first, and arguably the most important policy in the Local Plan, which facilitates development in this area immediately. As argued in the supporting reports, that consider the evidence in further detail, an additional allowance for UK Central should be included. In addition, it should be noted that a mere 500 dwelling uplift for the significant initiative is considered to be excessively low and that unmet housing and economic need may arise as a result of such an under provision.
- 7.3 Paragraph 122 of the Local Plan refers to 1,000 dwellings coming forward in the plan period to meet the needs from the UK Central. Clearly, this is inconsistent with findings within the SHMA, which suggests an additional 500 dwellings are required to provide for the initiative, however, this allowance is incorrectly (as suggested above) not added to the OAN. This reference may mean, however, that simply 1,000 dwellings of the OAN are to be located in the UK Central area. This point should be clarified.
- 7.4 In paragraph 5.30 of the employment land review it states that “the majority of the UKC Hub job growth is expected to be net additional to Solihull.” This would represent an extra 5,400 jobs over the plan period – delivered from approximately 2026 onwards. In paragraph 5.39 of the SHMA however, the conclusion is reached (as referred to above) that the uplift in job numbers associated with the UKC Hub will not be factored into the analysis, largely because it will not come forward until the end of the plan period. The end of the plan period is 2033, which means the 5,400 additional jobs can be expected to be delivered between 2026 and 2033 – a 7-year timeframe. This is still a relatively

long period and while the SHMA states that it has made a market signals uplift to the baseline scenario, excluding the UKC Hub jobs uplift means that a substantial proportion of Solihull's future employment growth is being excluded from the analysis.

- 7.5 With regard to Question 5, it is unclear how Objective B, which is meeting housing need across the Borough, will be delivered as this policy is focused on UK Central and, based upon supporting evidence, provision of an uplift on dwelling requirements to meet the economic needs (above the baseline of business as usual that was tested) has not been included.
- 7.6 No comment with regard to Question 6.
- 7.7 In response to Questions 7 and 8, whilst the concept of Policy P2, which is to Maintain Strong, Competitive Town Centres, is a worthy proposal to pursue, there is concern that delivering mixed use and high density residential development in town centres is quite complex and there is concern the policy may fail to be delivered. Apartment development requires a significant amount of capital (i.e. the entire development must be completed prior to completion and occupation) to be built. Given the greater risk associated with this, the deliverability of the scheme is less certain. Despite proposing a reduced number of dwellings identified as coming forward from the town centre, it is advised that surplus contingency sites are added to the overall housing land supply so that land can come forward if necessary to meet housing land supply requirements.
- 7.8 An approach to identify additional housing land over and above dwelling requirement would be in accordance with Local Plan Expert Group (LPEG) recommendations to allocate an additional 20% of the dwelling requirement. As suggested later in these representations, it is advised that identifying additional land would be beneficial to ensure the Local Plan is responsive and could assist to maintain a rolling five year land supply deliverable land throughout the plan period.
- 7.9 It is noted that the Local Plan has sought to implement a phased approach to the delivery of dwellings, there are a number of concerns with this method as further explained later within this response.

- 7.10 With regard to Policy P3, Provision of Land for General Business and Premises, and in response to Questions 9 and 10, there is concern that the Council has taken a precautionary approach to the identification of land, particularly from the Green Belt, for employment land purposes. It is suggested that a plan, monitor and manage approach is adopted to avoid over allocating land that may lead to unnecessary loss of Green Belt.
- 7.11 Having reviewed the Employment Land Study, the Experian forecasts used to identify future growth were produced in December 2015 (it should be noted that the same data was tested in the SHMA). The forecasts would have used 2014 BRES data as the starting point, since these were released in autumn 2015. Since then, the 2015 BRES data have been released (September 2016) and these show that job numbers in Solihull increased substantially between 2014 and 2015 (by 6,300/6%, compared to 1% in the West Midlands region). There is a risk therefore that by taking the earlier set of forecasts which use 2014 as the start year, this does not fully capture the most recent uplift in job numbers and therefore underestimates future growth in the district.
- 7.12 In light of the above and given the approach proposed in the policy, there is severe concern that insufficient land has been identified. Only two strategic allocations are proposed as part of the Local Plan Review. By only identifying a limited number of sites, the Council is pursuing a risky strategy. These sites are of reasonable scale and may take some time to come forward. It is important therefore that additional choice is provided, for example including a number of sites of a smaller scale to ensure there are opportunities available.
- 7.13 As set out above, supporting/ spin off business opportunities (from JLR, Birmingham Airport and other development) or start up enterprises may not be able to locate within the Borough due to lack of attractive available opportunities. It is important that the potential for smaller business opportunities in locations other than those established locations, which are predominantly high quality and value premises. It is advised that a range of types of new sites in different locations are allocated in order to allow new opportunities to be realised across the Borough.
- 7.14 Whilst older employment sites can be redeveloped, this requires additional finance and willingness of prospective employers to regenerate the site. This is

not necessarily an appealing prospect. It may be more appropriate therefore to recycle vacant sites for other appropriate uses and identify replacement sites elsewhere.

- 7.15 The Government has recently published a Green Paper for consultation setting out an Industrial Strategy for the UK. Two of the key pillars are to upgrade infrastructure and support business to start and grow. The planning system has a key role to play in facilitating the delivery of infrastructure and providing land for businesses. It is advised that the above concerns should be addressed in order to assist to deliver this modern Industrial Strategy upon which the Government has placed great importance.

8. PROVIDING HOMES FOR ALL

8.1 It is welcomed that the Council are looking to identify deliverable housing land supply for fifteen years from the date the Local Plan will be adopted and to ensure that at least a five year land supply of housing is available for development. As referred to above, however, it is suggested that additional sites at circa 20% of the Local Plan requirement are identified as potentially available to come forward to aid delivery should there be a shortfall in housing provision. This is consistent with the LPEG recommendations.

8.2 Policy P4, Meeting Housing Needs, concerns the provision of affordable housing, rural exceptions, market housing and self and custom housebuilding.

Affordable Housing

8.3 Firstly, with regard to affordable housing, it is supported that a reference to Starter Homes is included. There are discussions at the national level with regard to the definition of affordable housing and whether it should be broadened to include low cost starter homes. It is considered that this type of housing, which is discounted market housing, can assist to meet the needs of arising households in the Borough as well as improve the viability of development proposals. It is advised that the policy framework is sufficiently flexible to accommodate a wider array of affordable housing products as they arise in the future.

8.4 There is concern that the 'Meeting Housing Needs' SPD, however, does not reflect the Starter Homes reference above and therefore, it as currently drafted, is out of date. Indeed, the evidence it is based upon has been superseded and should be redrafted accordingly. It should be noted that the SPD should only include 'supplementary' policies that do not potentially influence the viability of schemes. It is important that such policies remain within the Local Plan that is subject to additional scrutiny and independent examination, which an SPD is not.

8.5 In terms of the level of contributions, it appears that the requirement to deliver 50% affordable housing is inconsistent with the evidence that suggests a lower percentage of overall housing need is required. For example, as set out in the SHMA Part 2, the total annual affordable housing need in Solihull of 210 households per year represents 28.7% of the annual projected household growth between 2014 and 2033 (732 households per year) as identified within the full

- OAN. The policy requirement represents some 21.3% above what is actually needed.
- 8.6 This approach is totally contrary to NPPF requirements that states at paragraph 50 'where LPAs have identified that affordable housing is needed, set policies for meeting this need...'. A requirement of 28.7% is required and accordingly a policy requiring 28.7% of market dwellings should be set. In response to Question 12, it is advised that the affordable housing policy is revised to this level to be reflective of the evidence prepared.
- 8.7 Within the supporting text, it is identified that 20% of the 50% is specifically for the provision of 'Starter Homes'. Having reviewed the evidence presented in the SHMA Part 2, there is potential annual demand from 72 households per annum. When adding this additional provision to the 210 annual households in affordable need, it totals 282 households which represents 39.5% of the annual overall OAN. There is concern that the proposed policy as currently presented requires 10.5% in excess of what could possibly be necessary to meet the affordable and 'Starter Homes' needs based on the evidence presented.
- 8.8 There is concern, however, that in an attempt to future proof the policy and include an allowance for 'Starter Homes', as opposed to simply a reference to the future widening definition, the proposed policy is prematurely anticipating what will be required. As referred to in the SHMA Part 2, 'whilst the Housing and Planning Bill became an Act in May 2016, there still exists uncertainty as to how the 'Starter Homes' will operate'. In light of this, any additional affordable housing requirement is unjustified at this stage. It is suggested that the reference to 'Starter Homes' remains in the policy, however, the percentage affordable requirement remains at 28.7% to reflect the identified need in accordance with the provisions within the NPPF.
- 8.9 As further suggested in these representation, an uplift on the dwelling requirements is necessary to take account of economic growth implications that have not been appropriately considered. Based upon a higher dwelling requirement, it is suggested that the affordable housing requirement is lowered in order to appropriately reflect the number of affordable homes that is required to meet the need identified.

- 8.10 Clearly, implementing an uplift of 21.3% (whether this is for ‘Starter Homes’ or not) on top of what is actually required will have a significant impact on viability and may prevent sites from being delivered. In addition, there is no evidence to support that the market can viably deliver this level of affordable housing and without such work there are legal precedents that consider such a requirement to be unlawful (Blyth Valley Borough Council vs Persimmon Homes et al.)
- 8.11 Further, it is important that each site is considered on an individual basis and that the affordable housing requirement is not applied as a blanket percentage. In particular, when coupled with an inflexible Community Infrastructure Levy once adopted, affordable housing may be the only obligation that can be varied to make a development viable and therefore flexibility should be embedded within this policy.

Market Housing

- 8.12 The policy specifies that housing mix of residential sites will be informed by the latest Strategic Housing Market Area Assessment. There is concern that as there is no requirement to review the Strategic Housing Market Area Assessment, the baseline information to inform this policy may become out of date. Also, given that a SHMA is usually prepared on a Housing Market Area wide basis, the authority has less control over when the assessments will be revised.
- 8.13 More recently, however, a Strategic Housing Market Area Assessment has been prepared on a Borough wide basis. There is concern that it does not consider in detail the locational characteristics, which may influence dwelling provision on individual sites having regard to a much wider range of factors. Further, whilst a split of the different types of households is a guide to the types of properties that may be required, as demonstrated in the evidence base many people live in over occupation in the Borough and, whilst this is not desirable from a policy perspective, in reality many households aspire to have more rooms than necessary and accordingly, the Council’s requirement on mix and type of dwellings may not meet the market needs, restricting choice and availability, which in turn will exacerbate affordability issues.
- 8.14 In light of this, it is important not to be overly prescriptive and that an indication of local need from the SHMA is sufficient and no further obligations should be required. The policy framework should be flexible and set out that housing mix is

to be determined on a site by site basis depending on the needs of arising households and considering the mix in that particular location as opposed to imposing a blanket policy requirement.

Self and Custom Housebuilding

- 8.15 Two options are proposed to provide for Self and Custom Housebuilding. One is for the Council to allocate a site(s) for the requirements and the other is to require developers to make a contribution to Self and Custom Build Housing on residential sites of 100 units or more in the form of 5% of open market dwellings.
- 8.16 In response to Question 13, having reviewed the options, it is advised that the Council proceed with Option 1 for a number of reasons. For example, from an urban design/ Masterplanning perspective, the integration of a number of self builds (as 5% represents a significant proportion) into a scheme being delivered by a volume housebuilder (that often work on standard house types) would possibly be difficult to achieve in respect of both making an efficient use of land; and to achieve design consistency. Further, sites currently being put forward by developers have been negotiated on existing planning policies and values. The proposed policy change of Option 2 will have an impact on values and potentially effect the deliverability of a site.

Provision of Land for Housing

- 8.17 In terms of the overall level of housing required in the Borough over the plan period, Policy P5, concerning the Provision of Land for Housing will allocate sufficient land for at least 6,522 net additional homes to ensure sufficient housing land supply to meet 15,029 additional homes in the plan period of 2014 to 2033. Accordingly, it is proposed that 791 net additional homes per year will be delivered.
- 8.18 The figure proposed is higher than the amount calculated as the OAN, which is between 12,094 and 14,278 dwellings over the same period or 689 and 751 dwellings per annum. It is unclear how these figures can be reconciled. Whilst the supporting text appears to summarise the method followed in the SHMA, the figures in both the SHMA and Local Plan are different. The Local Plan also professes to provide for an element of neighbouring unmet need totalling 2,000

dwellings, although again it is not evident how this is to be provided given that the OAN is potentially only 700 dwellings short of the policy requirement.

- 8.19 The Housing Background Paper, however, provides clarification of the figures within a number of tables. The proposed policy should include these tables to provide clarity as to how the housing requirement has been identified.
- 8.20 The main reason for the inconsistency between the supporting evidence and the Draft Local Plan is that the Council have incorporated an offset of 1,247 dwellings against the overall requirement. The reason for this is that the Strategic Housing Needs Study (Stage 3) made provision for constituent authorities within the HMA to ‘offset’ any unmet need arising in the HMA as a whole against any market signals uplift. Effectively, the 10% market signals uplift has been removed. There is concern that any uplift to cater for market signals is purely for alleviating the Solihull housing market and should not be confused with wider HMA need. It is our view that provision for unmet need should be provided in addition to that identified thus far in the SHMA. The uplift is to allow a greater amount of supply so not to frustrate the demand further. If unmet need from a neighbouring authority is to use this additional housing allowance, the flex as intended by the uplift will not occur.
- 8.21 When reviewing the position in Eastleigh Borough, the 10% uplift on the Council’s OAN was not used as an offset to meet neighbouring needs. It was simply to relieve the modest pressure of market signals identified. It is recommended that the uplift be reinstated and the total dwelling provision be 16,277 dwellings over the plan period or 856 dwellings per annum.
- 8.22 Separate and supporting reports have been prepared to critique the evidence prepared on behalf of the Council to inform the Local Plan. The conclusions of the Critique of the SHMA are summarised below:
- there is no agreement as to how the outstanding housing need from Birmingham is to be apportioned within the HMA and, accordingly, Solihull Borough has not identified in a logical manner the amount it is to deliver and how this relates back to the total outstanding housing need figure;
 - it is important that the starting point for the OAN is the 2014 Based Population and Household Projections;

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- it is equally important that the OAN for the wider HMA is updated to reflect the 2014 Based Population and Household Projections to identify if the outstanding level of housing need has increased or decreased and that it is planned for accordingly;
 - the identification and provision of unmet need between 2011 and 2014 is supported;
 - a minimum vacancy rate of 3% should be applied in order to ensure that there is sufficient fluidity in the housing market to allow for renovations and temporary vacancies during sales transactions. This could include an uplift of 0.5% on existing stock to increase the number of vacancies as well as 0.5% on top of the 2.5% applied to the new housing proposed;
 - in terms of past trend and market signals, given the distinct differences in the Borough this section should consider indicators for the north and south of the Borough separately. Given the distinct spatial characteristics, it is appropriate to do so and plan to address market pressure where it is at its worst;
 - a 10% uplift on the demographic starting point is proposed and supported, however, this should not be used to provide for unmet need from neighbouring authorities;
 - there is concern that the number of jobs identified for the plan period is far less than what should be planned for, particularly in the context of past trends and the Strategic Economic Plan's ambitions;
 - when identifying future dwelling requirements arising from job growth figures, it is assumed that the efficiency of the existing workforce will improve significantly, whilst this is aspirational there is no known evidence to demonstrate that the skills of the economically inactive will match the jobs;
 - in terms of the UKC future job growth initiative, there is again concern that the number of jobs arising from this arising in the Borough has been

underestimated and that the information presented on this is very limited and does not allow a proper appraisal of the implications;

- the reasons for not incorporating an additional 500 dwellings to cater for the UKC initiative are not justified and that additional dwellings should be provided regardless of any other uplifts which are for different purposes;
- overall in respect of future employment growth, if insufficient homes are provided to meet the economic needs it is inevitable that commuting into the District will increase and/ or business may be dissuaded from locating in Solihull due to lack of workforce available;
- with regard to affordability, it is considered that if all uplifts and proper employment figures are included, it will result in an increased dwelling requirement, which give more certainty to delivering the affordable housing requirements set out;
- there is concern that the information of housing type and tenure will be used to require a prescriptive mix of dwellings on site. Whilst it is useful to have an indication of size and type requirements, this will vary on a site by site basis and locational characteristics need to be taken into account. There is also concern that depending on the profile of households migrating to the area, the requirements may change and therefore any requirements should not be prescriptive to the data which represents a snap shot in time.

8.23 All of the above are potential negative social and economic outcomes of not meeting the arising needs of households and the economy. Indeed, some of the suggested consequences are already occurring in the Borough. The Local Plan Review provides an opportunity to improve an already overheated and constrained housing market through additional homes to achieve a more balanced housing market and accordingly an appropriate level of housing need should be catered for. It is recommended that the above concerns are addressed in order to ensure arising needs are met.

8.24 In response to Question 14, therefore, the Local Plan is not planning to build the right number of homes. In terms of identifying an alternative dwelling requirement, further work using the Chelmer Model has been undertaken to

identify the true OAN. The outcome of the modelling work has sought to addresses the above 'policy off' concerns and identifies a OAN in the range of 20,000-24,000 dwellings over the plan period to meet the demographic and economic needs of the Borough. This is based on a job growth figure of circa 1% per annum, which uses Cambridge Econometrics job growth data and is coincidentally a mid point between the Local Plan level of job growth of 0.7% and the Strategic Economic Plan level of job growth of 1.3%.

- 8.25 Given that the economic scenario leads to a significantly higher dwelling requirement compared to the demographic scenarios, it is not proposed that an additional market signals uplift is included.
- 8.26 Consistent with the PBA work, the demographic scenarios prepared suggest a need of circa 12,000 dwellings over the plan period and therefore the additional dwellings to provide for economic needs of 20,000-24,000 dwellings. It is considered that a proportion of this could cater for some of the unmet need arising from Birmingham.
- 8.27 It should be noted that the above figures do not incorporate any additional economic growth uplift to take into account the UK Central initiative, which will deliver additional employment growth to the Borough on top of growth based on past trends. It is important that the attributable growth is appropriately identified and added to the OAN. In particular, given the lack of capacity to deliver additional homes in the Birmingham City administrative area, it cannot be assumed that additional commuting will take place from Birmingham into Solihull.
- 8.28 The proposed range of 20,000-24,000 dwelling requirement between 2014 and 2033 does not include an allowance to address the shortfall of under delivery between 2011 and 2014. It is agreed that this need should be provided for and added to the figure identified above.
- 8.29 Evidence to support the above is in the process of being further refined and will be submitted to the Council at the following consultation stage. Pegasus Group, on behalf of our client team, would be happy to enter into discussions with the Council, and their consultants, to discuss how to properly identify the OAN.
- 8.30 If this higher level of growth is not provided, there is concern that economic needs are unlikely to be catered for and the consequences of this are that the

housing market will be subject to more pressure (house prices will rise and future households may need to form elsewhere and commute into the Borough) and/ or businesses may choose to locate elsewhere due to a lack of labour force. The market signals clearly demonstrate that the housing market is overheated due to past under provision, it is therefore of paramount importance that this Local Plan Review capitalises upon the opportunity to address existing deficiencies and ensure future needs are provided for.

Housing Land Supply

- 8.31 The Council has identified that based on the dwelling requirements set out earlier in Local Plan Review, there are a number of sources that will contribute to delivering homes. Each are considered below.
- 8.32 Firstly, it should be noted that based upon the current modelling work a minimum OAN figure of 20,000 dwellings has been identified. Clearly, the number of dwellings allocated in the Draft Local Plan is insufficient to meet those needs and, accordingly, it is recommended that additional sites are identified to meet the higher level of need.

Housing Completions

- 8.33 These additions, on the basis that they are net completions, are a robust source given that they have already been delivered. The figure of 1,385 is therefore agreed as contributing towards the dwelling requirement.

Sites with Planning Permission (started)

- 8.34 Again, on the basis that the figures are net completions, given that construction has started this source is considered to be robust. The figure of 795 dwelling is also agreed as contributing towards the dwelling requirement/

Sites with Planning Permission (not started)

- 8.35 There is less certainty to these sites coming forward as, although permission has been obtained, development has not commenced. It is sometimes the case that planning permission is obtained for valuation purposes, however, may not be developed for residential use in the short to medium term. Given these circumstances, particularly in the context of the high land values in the Borough,

it is appropriate that an element of discount is applied. An agreed level of 10% has been discounted.

Sites identified in Land Availability Assessments

- 8.36 There is much less certainty with regard to land identified in availability assessments as permission has not been sought and construction has not commenced. It is appropriate that an element of discount is applied to this source to cater for any sites that are not implemented. Given that this category has less certainty than site with planning permission, it is advised that a higher rate of discounting is applied as opposed to the 10%. A level of 15 to 20% is considered to be more appropriate.

Solihull Local Plan allocations without planning permission at 1 April 2016

- 8.37 These sites have simply been rolled forward from the previous Local Plan. It is unclear whether the suitability, availability and achievability of these sites have been reappraised. If they continue to meet the criteria, it is considered that they remain plausible sources of supply that can deliver in the plan period, however, it is agreed that a level of 10% should be discounted for non implementation.
- 8.38 There is concern, however, that some of these sites have been promoted by the Council for a number of years but development has not been forthcoming. In such circumstances, the Council should reconsider the delivery of the site and potentially include a contingency site or two to replace any sites that are unlikely to come to fruition.
- 8.39 Cumulatively, this source of supply totals 2,250 dwellings, which is a significant proportion of the land supply. Given the uncertainty with regard to where, how many and at what rate homes will come forward, it is recommended that a greater amount of sites are allocated.

Windfall Housing Land Supply

- 8.40 It is acceptable to include a windfall allowance in the first five year supply if a LPA has compelling evidence as set out in paragraph 48 of the NPPF. The PPG also states that LPAs have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area (based on the same criteria as set out in paragraph 48 of the NPPF)

- 8.41 It is noted that the LPA is proposing a policy framework that supports housing on unidentified sites in the Borough and whilst opportunities that arise on recycled land cannot be anticipated. On other sites, that are known and assessed within the SHELAA, should be identified and allocated so that the Council has greater awareness and control over land supply as opposed to simply waiting for applications to be submitted and subsequently delivered. As set out in the accompanying representations, given the agenda to significantly boost the supply of housing, any windfalls should be accounted for in excess of the dwelling requirement. Following this strategy will assist to maintain a five year housing land supply and allow the Council to facilitate the larger sites that require additional co-ordination.
- 8.42 Cumulatively, this source of supply totals 2,250 dwellings, which is a significant proportion of the land supply. Given the uncertainty with regard to where, how many and at what rate homes will come forward, it is recommended that a greater amount of sites are allocated.

Local Plan Review Proposed Site (New Allocations)

- 8.43 In order to meet the plan target once the supply from the above sources have been removed, new sites have been allocated within the plan. As set out above, it is considered that the correct level of OAN is in the order of 20,000-24,000 dwellings over the plan period and accordingly additional sites will be required to meet the emerging demographic and economic needs of the Borough.

UK Central Hub

- 8.44 It is unclear what this source of supply is. The only element potentially unaccounted for is the town centre development sites, although the figures highlighted earlier in the Local Plan do not total 1,000 dwellings. Further explanation in relation to this is required. As highlighted above, there is greater risk associated with higher density town centre sites and therefore it is very important that an appropriate discount is applied and/ or contingency sites identified to allow for any potential issues in bringing the site forward.
- 8.45 To conclude, the proposed land supply whilst meets the requirements of the SHMA findings, there is concern that the SHMA does not consider a reasonable level of economic growth and accordingly the dwelling requirements of the

economy will not be provided for. It is advised that the SHMA is updated to recognise an appropriate level of economic growth and that additional sites are identified to meet the requirements, which we consider to be in the order of a minimum 20,000 dwelling OAN over the 19 year plan period.

- 8.46 As identified in the SHELAA, there is a significant supply of land in the Borough, although it is noted that most is within the Green Belt. Housing need is, however, considered to be an exceptional circumstance for Green Belt land to be released and accordingly, further sites should be identified to meet the needs.
- 8.47 In addition, recent recommendations of the Local Plans Expert Group from the Report to the Minister of Housing and Planning (March 2016), suggest a 20% blanket buffer to the housing supply (paragraph 41). This recommendation is regardless of whether an authority has a heavy reliance on large urban extensions/ new settlements. In light of the research, it is suggested that additional sites be allocated to provide a 20% buffer. It is important, however, that this additional buffer is deliverable in the plan period and preferably speedily should the LPA need to plug a land supply gap.

Spatial Distribution of Housing

- 8.48 Paragraph 2.21 sets out that Solihull's strong housing market characteristics could lead to the early delivery of too many sites. Whilst it is acceptable to phase sites that rely upon infrastructure delivery, surely for all other sites it is vital that they come forward as soon as possible in order to meet the high demand and deliver a significant boost in housing supply. As set out in the Council's evidence and accompanying representations, the housing market is extremely tight with a very low vacancy rate and it is agreed that migrants will be attracted to the area, however, given that there is a distinct possibility that those migrants will be 'economic' they should not be prevented from relocating (nor can they be). No phasing should therefore be applied unless absolutely necessary.

Proposed Allocations

- 8.49 With regard to the proposed allocations, there are a number of sites that have not been allocated despite the SHELAA suggesting a higher score and or other sites being subject to similar constraints, although scored very differently (or not assessed at all).

- *Land at Damson Parkway*

- 8.50 The SHELAA assessment of the site (site reference 195) concludes that the site performs well against availability and achievability criteria but faces significant suitability constraints. The report outlines how the site is within or adjacent to a major urban area, that the existing road access is adequate and that the site could accommodate a yield of 950 dwellings.
- 8.51 The most significant suitability constraint identified in the SHELAA related to 25-50% of the site is within a Local Wildlife Site (LWS). The wider site falls within the control of Gallagher Estates as submitted to the initial call for sites exercise. The emerging proposals for the site as shown on the Indicative Masterplan contained in the Promotional Document show development taking place to the east of the existing LWS. The assessment suitability scoring of 1 out of 5 for biodiversity has been afforded to the site based on a red line area only and has not taken into consideration the likelihood that any development would need to take place outside of the LWS. The LWS is located outside of the red line area as shown on the Indicative Masterplan, however the LWS is located within the blue line area which covers the entirety of the site. A Promotional Document has been prepared and submitted alongside these representations which demonstrates the point identified above.
- 8.52 In terms of a comparative assessment, there are two sites located on Damson Parkway that the Council proposes to allocate. The proposed allocations are 'Land East of Solihull' (Allocation ref LPR16) for residential development of c. 650 dwellings and 'Land at Damson Parkway' (Allocation ref LPR20) which is proposed to be allocated for employment use of c. 94ha.
- 8.53 All three sites were all assessed as part of the SHELAA. The site known as 'Land East of Solihull' (SHELAA ref 1009 - which forms part of allocation LPR16) was assessed as performing well against suitability, availability and achievability criteria. 'Land at Damson Parkway' (SHELAA ref 195) was assessed as facing significant suitability constraints but performed well against availability and achievability criteria. In terms of suitability the sites scored identically on all variables except one; biodiversity. On this variable the 'East of Solihull' site scored 2 because 10-24% of the site is within a LWS whereas 'Land at Damson

Parkway' scored 1 because 25-50% of the site is within a LWS. It is considered that the biodiversity assessment does not reflect that development can still suitably be accommodated on both sites away from the LWS designations. This is reflected by the developable red line area as shown on the Indicative Masterplan for the 'Land at Damson Parkway' site which excludes the LWS. As such there is no reason why the 'Land at Damson Parkway' site should be scored down on this variable.

- 8.54 The employment site, allocation LPR20, was assessed in the SHELAA as a number of separate smaller sites (SHELAA references 65, 95, 189, 190, 191 and 202) rather than as one allocation. It is also noted that different sections of the site were assessed for different land uses in the SHELAA. This is important as the assessment criteria for employment land differs to that for residential land. Therefore, there are issues with the assessment which have applicability to the 'Land at Damson Parkway' (195) which is being promoted for residential use, predominantly in relation to road access and capacity. The employment assessment noted that Damson Parkway is a high-specification road which provides good access to the adjacent sites. Furthermore, Damson Parkway is assessed as having plenty of capacity to accommodate the proposed employment allocation. This capacity should also be a relevant consideration to the promoted residential site. It is also noted that all the sites were assessed as having 'major' policy constraints, this is comparable to the assessment of 'Land at Damson Parkway' (195) for residential development.
- 8.55 In terms of the contribution this site makes towards the Green Belt status, the Council undertook a Green Belt Assessment in 2016, which concluded that land at Damson Parkway (Refined Parcel 15) scored 6. Neighbouring sites, that have been allocated, scored 4 (Refined Parcels 14 and 29). It is considered that the reason for the differences is due to, in particular RP29 being a significantly smaller parcel of land than the other enabling a more specific assessment, particularly when compared to RP15 which covers a large, diverse area, which makes an overall assessment of this parcel more difficult and less specific. It is anticipated that if RP15 was split into more discreet areas of land, land at Damson Parkway would score on par with neighbouring parcels.
- 8.56 With regard to the Interim Sustainability Appraisal, the site was not assessed, however, the neighbouring preferred option proposed housing and employment

sites were included and certain issues were highlighted. For example, both sites contain significant amounts of agricultural land and overlap local wildlife sites and/ or records of priority species and habitats. In terms of the 'East of Solihull' site it is not located close to 20ha of greenspace and fails to meet this criterion. The SA assessed the 'East of Solihull' site as particularly damaging to heritage as the development of the site would necessitate the loss of the Grade II Listed Field Farmhouse. The proposed site at 'Damson Parkway' does not have any significant heritage issues and would not result in the loss of a listed building. Furthermore, the proposals for 'land at Damson Parkway' fully take account of the existing ecological constraint and development is proposed wholly outside of the LWS as shown on the indicative Masterplan provided in the Background Document.

- 8.57 In light of the above, the Council's evidence relating to the site has incorrectly evaluated the site, which has led to the site not being allocated for development. Therefore, based on a reassessment of its potential and the more detailed technical information contained in the supporting Background Document, the site is suitable, available and achievable and can deliver circa 300 dwellings. Given the potential for additional sites to be identified, it is recommended that land at Damson Parkway be allocated for residential development.

- *Land at Four Ashes Road, Dorridge*

- 8.58 The SHELAA assessment of 'Land at Four Ashes Road' (SHELAA reference 199) concludes that the site performs well against suitability, availability and achievability criteria. The report outlines that the existing road access is adequate, the site is not affected by contaminated land, there are no ground conditions constraints, there are high pressure gas pipeline constraints, is Grade 5 agricultural land, is within Flood Zone 1, has no bad neighbours, is not within, or adjacent to a Local Wildlife Site and is within or adjacent to a fee stranding village. The site scores a maximum of 5 out of 5 for 9 out of 10 of the suitability criteria. It is only criteria dealing with locational constraints where a score of 3 out of 5 is afforded. This is higher than the locational score afforded to site 213, 'Land North of Hampton Road' (0 out of 5), which is one of the Council's proposed allocations 'Land at Hampton Road'. Whereas the same locational score of 3 out

of 5 was also afforded to site 1010 an amalgamation of sites known as the Arden Triangle and proposed to be allocated by the Council 'Land South of Knowle'.

- 8.59 A comparison of the individual assessments has been undertaken for the proposed allocations 'Land at Hampton Road' (SHELAA parcel references 166, 213, 214 and 215) and 'Land South of Knowle' (SHELAA reference 1010), in turn, against the assessment of 'Land at Four Ashes Road' (SHELAA reference 199). These comparative assessments are considered below.
- 8.60 The SHELAA separates the two parcels forming the proposed allocation 'Land at Hampton Road' into four parcels, namely; references 166, 213, 214 and 215. The southern detached parcel is identified as reference 166, with the assessment stating this parcel forms part of Football Club, which is in active use. The northern parcel comprises a cluster of parcels identified as references 213, 214 and 215. The SHELAA states that parcel 213 requires consideration of trees on site. As it pertains parcel 214, the SHELAA makes clear that it would be preferable if site 213 comes forward for development in the first instance to prevent the site being isolated and the existing road access requires upgrading. Parcel 215 has no existing road access to the site, would be more marketable if the adjoining land was to come forward in the first instance, is rated as moderate in term of marketability and/ or viability (unlikely to come forward within first five years); and the SHELAA confirms it has low achievability of delivery.
- 8.61 'Land at Four Ashes Road' (reference 199) performs equally or better on a number of factors than 'Land at Hampton Road'. The 'Land at Four Ashes Road' site performs better on the 'Access Infrastructure Constraints' section as 'Land at Hampton Road' has poor existing road access to that site. Critically, the SHELAA contends that parts of 'Land at Hampton Road' have moderate marketability/viability and is unlikely to come forward in the first five years. Conversely, the SHELAA states that 'Land at Four Acres Road' has good marketability/viability and is likely to come forward within the first five years. Furthermore, 'Land at Four Ashes Road' performs similarly to 'Land at Hampton Road' on the categories of contamination land/landfill, ground condition constraints, heritage, best and most versatile agricultural land, high pressure gas pipeline, flood risk, ban neighbour constrains and biodiversity. The above is vital, as suitability, availability and achievability all lead to deliverability.

- 8.62 Turning to 'Land South of Knowle' (amalgamated SHELAA reference 1010), this site is made up of eight parcels (SHELAA references 148, 149, 150, 151, 152, 153, 154 and 156) and is the second proposed allocation in Knowle. The SHELAA makes clear that just under 50% of the site is contaminated land/landfill and 10-24% of the site is within a Local Wildlife Site. 'Land at Four Ashes Road' (reference 199) performs equally or better on a number of factors than 'Land South of Knowle' (Arden Triangle), within the Council's proposed allocation. 'Land at Four Ashes Road' performs better in relation to contaminated land/landfill, as just under 50% of the site 'Land South of Knowle' (Arden Triangle) is contaminated land/landfill. Importantly, 'Land South of Knowle' (Arden Triangle) scores low in relation to biodiversity as 10 - 24% of the site is within a Local Wildlife Site. Conversely, the SHELAA states that 'Land at Four Acres Road' achieves the highest score against the biodiversity criterion. Furthermore 'Land South of Knowle' performs similarly well on the matters of access infrastructure, ground conditions, heritage, best and most versatile agricultural land, high pressure gas pipeline, flood risk, bad neighbour constrains and suitability of location. The above is vital, as suitability, availability and achievability all lead to deliverability.
- 8.63 In terms of overall scores, 'Land at Four Ashes Road' (SHELAA reference 199) scores higher than both of the two allocations and as such it is not clear why 'Land at Four Ashes Road' does not feature as one of the Council's proposed housing allocations. In relation to availability, the assessment confirms the site has been identified through the submission process and in terms of achievability it is set out that the site is in a good market value area. Gallagher Estates would agree with this and the overall assessment and scoring of the site provided as fully detailed within the Background Document that has been prepared. In addition, it should be noted that the scale of the site is such that it could deliver around 111 dwellings within the short term.
- 8.64 With regard to the Green Belt Assessment, this site falls within Refined Parcel 47 and has a combined score of 5, this falls within the lower medium scoring classification for meeting purposes of being designated within the Green Belt. When comparing this to the allocated sites in the Draft Local Plan, Land at Hampton Road (within Refined Parcels 36 and 37) was awarded a combined score of 7 and 11 respectively, which indicates the site is within an area that performs reasonably well against the functions, and Land South of Knowle (Arden Triangle)

(within Refined Parcel 39) was identified as having a combined score of 5. Clearly, in terms of the assessment against Green Belt functions, 'Land at Four Ashes Road' performs better than Land at Hampton Road and equal to Land South of Knowle. It is unclear therefore why Land at Hampton Road has been favoured as an allocation for housing land.

8.65 The Interim Sustainability Appraisal land at Four Ashes Road scores very similarly to the proposed allocations. Indeed, with regard to green infrastructure, it is considered that the proposed site would score better than Land at Hampton Road. The site is therefore considered to be an attractive alternative/ additional allocation within the Draft Local Plan.

8.66 In terms of the local feedback to sites presented in the Knowle, Dorridge, Bentley Heath, the Neighbourhood Forum held a Developer Showcase Event and revealed that land at Four Ashes Road was amongst the most supported sites with 41 supporting comments, 21 required more information about the site and 6 respondents indicated that had no view.

8.67 Finally, in light of the above, 'Land at Four Ashes Road' performs well against all criteria and in some cases better than allocated sites within the Draft Local Plan. Indeed, based on additional information provided within the supporting Background Document, the site is suitable, available and achievable and can provide a healthy contribution of circa 110 dwellings to the housing land supply and in the context of increasing dwelling requirements it is suggested that this site is allocated. Indeed, even if the dwelling requirements were not to increase it can be justifiably argued that this site should be allocated as an alternative to other sites given that it performs better against many indicators within the Council's own evidence.

- *Land South of Meriden*

8.68 The SHELAA assessment of the site (site reference 197) concludes that the site performs well against availability and achievability criteria and faces some suitability constraints. The report outlines how the site is within or adjacent to a free standing rural village, that the existing road access is adequate and the site could accommodate a yield of 200 dwellings. In terms of constraints, it is noted

that 10-20% of the site is within Flood Zone 3 and less than 50% of the site is either contaminated or adjacent to a landfill site. It should be noted that further technical work has been commissioned on this site which has included the preparation of a Design Concept Plan and it is considered that neither matters are a constraint to development.

- 8.69 With regards to a comparative assessment, there is one site proposed to be allocated for residential development in Meriden, this is the site known as 'Land West of Meriden' which is separated into two parcels of land in the SHELAA (references 119 and 137). The southern section of this site is assessed under reference 119, with the assessment stating how the site faces significant suitability constraints, whilst performing well against availability and achievability criteria. Notably, more than 50% of the site is within a Local Wildlife Site (LWS) significantly limiting the suitable area for development, whilst more than 50% of the site is also within the constraint of contaminated land/landfill. Combined, these two factors present significant environmental constraints to residential development. The northern section of the site is assessed under reference 137, with notable points including a need to upgrade the existing road access and the site scoring '3' on the suitability of location constraints.
- 8.70 The Gallagher site 'Land South of Meriden' (reference 197) performs similarly (or better) to the two parcels of land discussed above on a number of factors, including the contaminated land/landfill (3) category than the southern parcel (reference 119) of the 'Land West of Meriden' proposed allocation. 'Land South of Meriden' (197) also performs similarly on access infrastructure constraints. With regards to agricultural land, the site is designated as Grade 5 which is the same category as the Land West of Meriden proposed allocation. Notably, 'Land South of Meriden' does perform better on biodiversity matters, as the southern section of the 'Land West of Meriden' proposed allocation is within a Local Wildlife Site. Although the 'Land South of Meriden' site has constraints regarding Flood Zone 3, the Indicative Masterplan for the site shows development within the south eastern part of the site wholly outside of the Flood Zone 3. However, being within Flood Zone 3 still scores at a higher level (2) than the biodiversity issue on the southern section (119) of the proposed housing allocation 'Land West of Meriden' (0). It is therefore considered that the site 'Land South of Meriden' performs similarly/higher on a number of factors than the 'Land West of Meriden' proposed housing allocation. Under these circumstances 'Land South of Meriden' (ref 197)

should be reassessed and therefore also be viewed as a favourable site for housing land allocation by the Council. Overall it should be noted that 'Land South of Meriden' scores 43 against the suitability criteria in this assessment, in comparison to scores of 38 (parcel 119) and 46 (parcel 137).

- 8.71 With regard to the Green Belt Assessment, 'land South of Meriden', which forms part of Refined Parcel 26, obtains a combined score of 3. The allocated site, known as land West of Meriden and part of Refined Parcel 25, however, it obtains a combined score of 5. Clearly, therefore, with regard to Green Belt function, land South of Meriden performs less of a role and accordingly is more favourable for development.
- 8.72 In term of the Interim Sustainability Appraisal, it is clear that both 'land South of Meriden' and 'land West of Meriden' score similarly with regard to proximity to employment, educational and training opportunities and distances to local facilities such as leisure and play facilities. Also, both sites have some level of environmental constraint, however, they are broadly of the same level. It is therefore considered that given the relatively similar overall scoring, the Gallagher Estates site should be similarly viewed as a suitable site to allocate housing in the Local Plan Review.
- 8.73 Finally, in light of the above, 'land South of Meriden' performs well against all criteria and in some cases better than allocated sites within the Draft Local Plan. Indeed, based on additional information provided within the supporting Background Document, the site is suitable, available and achievable and can provide a healthy contribution of circa 60 dwellings to the housing land supply and in the context of increasing dwelling requirements it is suggested that this site is allocated. Indeed, even if the dwelling requirements were not to increase it can be justifiably argued that this site should be allocated as an alternative to other sites given that it performs better against many indicators within the Council's own evidence.

- Land at Bickenhill Road, Marston Green

- 8.74 The SHELAA assessment of the site (site reference 196) concluded that the site performs well against availability and achievability criteria and faces some

suitability constraints. The report outlined how the site is within or adjacent to a major urban area, the existing road access is adequate, the site does not include nor is it adjacent to any Listed Buildings, is Grade 5 Agricultural land, has no bad neighbours and is not affected by ground conditions constraints or high pressure gas pipelines. On all of the above suitability criteria the sites considered collectively scored the highest scoring of 5.

- 8.75 The suitability constraints identified relate to flood risk and biodiversity for which a suitability score of 2 was afforded to the sites. The accompanying Background Document details the suitability of the site in relation Flood Risk/ Drainage and Ecology. To summarise, 10-20% of the overall sites does fall within Flood Zone 1 however as shown on (Fig 1.1), these areas will not be within the proposed development envelop, and the northern parcels of land are not within the red line boundary of the site with all development proposed to take place within Flood Zone 3. As such the suitability scoring should be updated to reflect no development taking place within Flood Zone 1.
- 8.76 In relation to ecology, the SHELAA set out that 10-24% of the site is within a LWS. It is however the case that only the smallest of the five land parcels is a LWS, namely Heath Corner LWS which does not fall within the red line boundary of the site. Schools Rough which is an existing area of woodland within the largest of the sites is an Ecosite, not a LWS. The site had previously been put forward as a potential LWS, this was however rejected by the LWS Panel, the site therefore only has the status of an Ecosite. In any event, as shown on the Indicative Masterplan within the accompanying Background Document, development is not proposed on the LWS or on the Ecosite. In addition, the ancient woodland is to be retained with a 30m buffer to development. As such there is no adverse impact on the LWS or non- designated Ecosite. The suitability score of 2 should be updated to reflect that emerging proposals for the site, which do not propose development on the LWS or on the Ecosite as shown on Fig. 1.1 and the Indicative Masterplan at Figure 4.1 of the Background Document.
- 8.77 The site has been assessed within the Council's Green Belt Assessment as located across Refined Parcels 7 and 10. Refined Parcels 7 and 10 scored 5 and 4 respectively. It is noted that these two parcels are particularly low on purpose three to assist in safeguarding the countryside from encroachment. The need for Green Belt release has been accepted by the Borough Council with the majority of

the proposed allocations for both residential and both employment allocations being within the designated Green Belt. It is considered that a residential proposal for 'Land at Bickenhill Road, Marston Green' would assist Solihull MBC in providing additional housing for the Borough in a sustainable location.

- 8.78 Within the Interim Sustainability Appraisal, the site was assessed as part of a larger site known as 'Land at Bickenhill Road and Coleshill Road'. The site scored well across a number of SA objectives including; contributing to regeneration and economic development, reducing social exclusion, making efficient use of existing physical infrastructure, distance to greenspace, access to healthcare and leisure and play facilities and access to opportunities, basic services and amenities.
- 8.79 The site was only assessed as red on one objective, relating to soil in that the combination of all five sites contain more than 20ha of agricultural land of Grade 1-2 or 20ha of agricultural land Grade 1-3b. In relation to flood risk, the assessment sets out that up to 50% of the site is within Flood Zones 2 or 3. In relation to ecology, it is set out that the site overlaps or contains a LWS or records of protected species. The commentary goes on to set out that the site is not of a scale that would be able to deliver strategic improvements to ecological networks and so development would likely lead to loss. In relation to noise, road noise, noise from an adjacent industrial park and resulting from agricultural processes are considered in the SA as potential noise sources.
- 8.80 The proposal would result in some loss of agricultural land however large parts of the site would be not be developed as shown on the Indicative Masterplan (Fig 4.2) of the Background Document. In relation to Flood Risk, Section 3 of the Background Document and the Indicative Masterplan demonstrate that the development would be wholly within Flood Zone 1. In terms of ecological issues, as shown on the Indicative Masterplan, no development is proposed on the smallest site which is designated as a LWS. Development is also offset from the School Rough Ecosite and Ancient Woodland, and provides an opportunity to enhance this area and the Lowbrook watercourse corridor. Noise is not considered to be a constraint to the development of the site.
- 8.81 Finally, in light of the above, this site performs well against all criteria and in some cases better than allocated sites within the Draft Local Plan. Indeed, based on additional information provided within the supporting Background Document,

the site is suitable, available and achievable and can provide a healthy contribution of circa 176 dwellings to the housing land supply and in the context of increasing dwelling requirements it is suggested that this site is allocated.

- 8.82 As set out above, there are a number of reasons why additional land should be identified. In light of the updated information provided alongside these representations and in response to Question 15, the sites referred to above can provide a valuable contribution to the land supply within the Borough. These sites are complementary to existing proposed allocations and the varied locations will mean that all can be delivered concurrently in the short to medium term.
- 8.83 Separate Background Documents have been prepared for each of the above sites on behalf of Gallagher Estates, which demonstrates the suitability, availability and achievability of the sites and appropriateness for allocation.
- 8.84 No comment in relation to Question 17.

9. IMPROVING ACCESSIBILITY TO ALL

- 9.1 In response to Question 18, Policy P7 requires that for residential development over 100 dwellings, provide access to a bus service offering at least a 30 minute daytime, evening and weekend frequency within 400m of the site and for all other development provide at least a 30 minute daytime frequency within 400m. Whilst it is a commendable policy aspiration, there is concern that in a district which is predominantly rural this policy aspiration may be particularly costly dependent on existing public transport provision. It is therefore appropriate to test the viability of this proposal to ensure that it does not prevent the delivery of housing land.

10. PROTECTING AND ENHANCING OUR ENVIRONMENT

- 10.1 With regard to Policy P10, Natural Environment, this policy requires developers to “undertake a full ecological survey and to deliver a net gain or enhancement to biodiversity, unless it is demonstrated that it is not appropriate or feasible.”
- 10.2 This requirement is overly arduous as it is common place for ecological surveys to be undertaken in phases, with phase 1 surveys often submitted as part of applications, which then may or may not make recommendations for further work. Making it a standard requirement for applicants to undertake full ecological surveys as part of all applications would particularly hinder small developers, who may struggle to afford such a cost upfront, when in many cases, a full ecological survey is simply not necessary.
- 10.3 Furthermore, the requirement of development to deliver “a net gain or enhancement to biodiversity” is not in accordance with the NPPF which, at paragraph 109, requires the planning system to “minimising impacts on biodiversity and providing net gains in biodiversity where possible”. This is clearly not a blanket requirement for biodiversity gains as stipulated by Policy P10.
- 10.4 The “mitigation hierarchy” element of Policy P10 also makes reference to requirements to achieve “net gains” in biodiversity. The wording of this policy therefore needs to be altered in order to reflect the requirements of the NPPF.
- 10.5 Policy P11, Water Management, looks to reduce flood risk, stating: “new development will not normally be permitted within areas at risk of flooding. Where it is clearly demonstrated that there are no other viable sites at lower risk of flooding, consideration will be given to development in such locations, providing that it is designed to be safe from the effects of flooding and will minimise flood risk on the site and reduce risks elsewhere”.
- 10.6 This approach is eluding to the application of the sequential test, but this is not explicit within the wording of the policy. National planning guidance (NPPG Paragraph: 019 Reference ID: 7-019-20140306) requires a sequential test to be submitted for applications in Flood Zones 2 and 3, in order to demonstrate that there are no reasonable available sites in Flood Zone 1.

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- 10.7 However, the wording of the guidance is clear that the sequential test is required to demonstrate that “there are no reasonably available sites in Flood Zone 1”. In contrast, Policy P11 imposes a requirement to demonstrate that “there are no other viable sites at lower risk of flooding”. Viability is a much more restrictive test than availability, which is not in accordance with national guidance and should be revised accordingly.
- 10.8 In response to Question 19, the importance of protecting the environment is recognised, however, the policies as set out within chapter 9 require several changes, as have been set out above.

11. PROMOTING QUALITY OF PLACE

- 11.1 Policy P17, Countryside and Green Belt, requires development “within or conspicuous from the Green Belt [to] not harm the visual amenity of the Green Belt by reason of siting, materials or design.” There is no national policy requirement for development not in the Green Belt to preserve the visual amenity of the Green Belt. This requirement is unduly restrictive and would significantly limit development on land not in the Green Belt in Solihull.
- 11.2 In response to Question 20, Pegasus Group recognise the importance of quality of place. However, the policies as set out within chapter 10 require several changes, as have been set out above.

12. HEALTH AND SUPPORTING LOCAL COMMUNITIES

- 12.1 Policy P21, Developer Contributions and Infrastructure Provision, states that developer contributions secured through planning obligations may be pooled to address need or cumulative impacts arising from development. Clarity should be provided within this policy that pooling will be undertaken in accordance with CIL regulations which restrict the use of pooling to five contributions per infrastructure project.
- 12.2 In response to Question 22, clarification regarding pooling ought to be included as set out above.

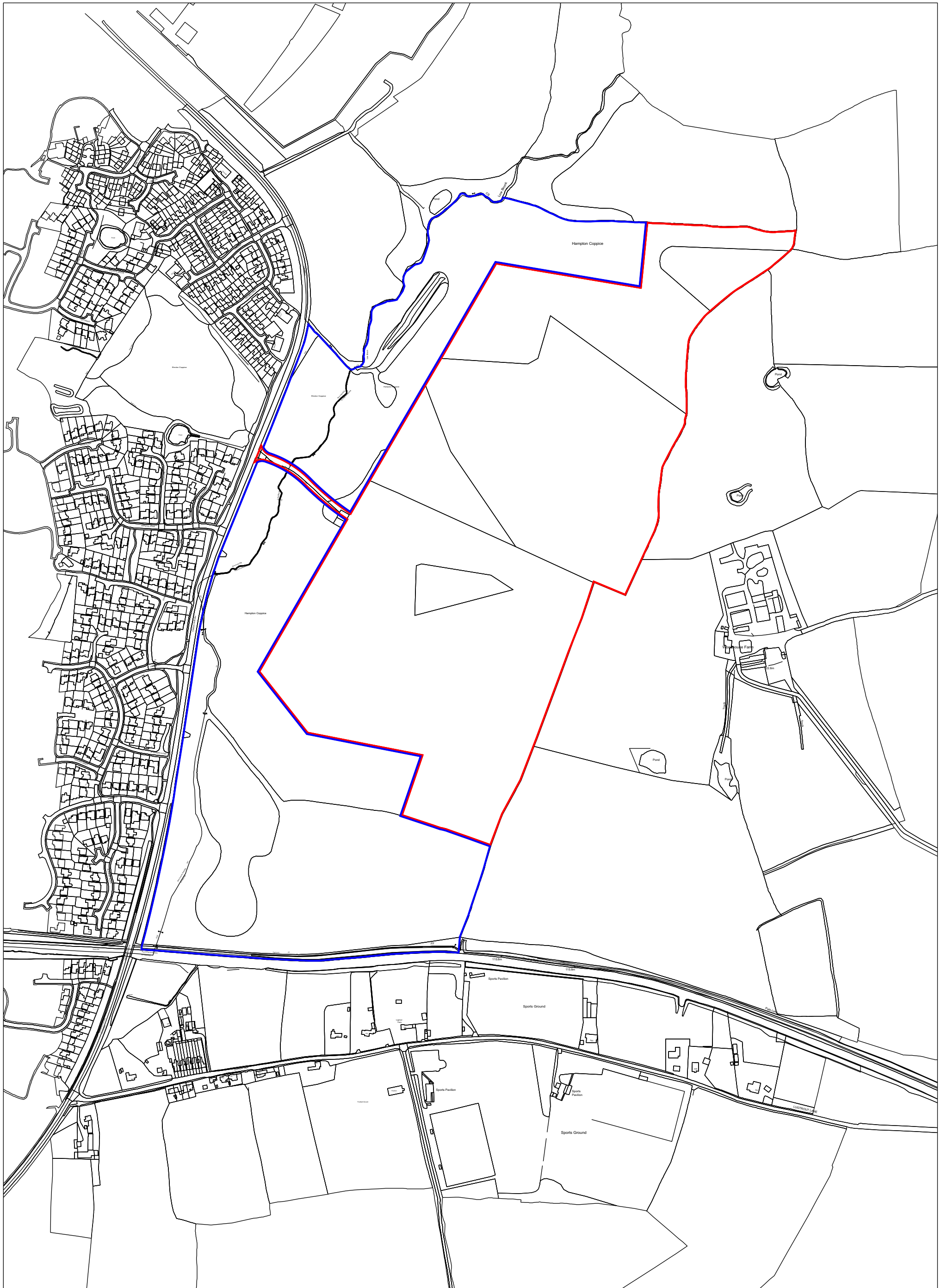
13. OVERALL CONCLUSION

- 13.1 There is significant concern that the Council has not properly reconciled their economic aspirations with other development requirements associated with the economic growth. The job growth figure presented within the Council's evidence, based on business as usual, is considered to be extremely pessimistic in the context of recent economic growth. In addition to this, the Council is pursuing an initiative to deliver additional jobs on the back of a number of significant economic development proposals in the Borough. In such circumstances, a further increase in job growth to reflect this 'policy' should be added. There is also a need to provide a range of employment sites, including smaller sites, to provide a range of types and size of land in different locations to meet to the market.
- 13.2 Based on modelling results using up to date economic data, provided by Cambridge Econometrics, a dwelling requirement of between 20,000-24,000 homes is considered to be appropriate. This will include an additional amount of dwellings to meet lack of provision in neighbouring Birmingham than that proposed by the Council, but does not reflect any particular 'policy on' uplift to reflect the UK Central Initiative.
- 13.3 There is sufficient land available in the Borough to deliver this increased dwelling requirement based on the SHELAA, however, as set out above and in the accompanying Review of the SHELAA, the methodology has a number of flaws that should be addressed, which is likely to result in additional land becoming available. Site specific examples have been identified and, accordingly, these sites should be allocated given that their updated scoring is consistent with neighbouring allocations.
- 13.4 In terms of releasing land from the Green Belt, the Council should be mindful of the requirements in the NPPF that require adjustments to the Green Belt to endure the entire the plan period. There is concern that the Council has not taken this approach and, indeed, the bare minimum has been removed. It is advised that safeguarded land is made available as a contingency to meet long term needs.
- 13.5 In addition to the main matters set out above, there are a number of other comments included in these representations that suggest the policies as currently

prepared would be unsound. It is hoped that the Council takes all the suggested comments on board when preparing the submission draft.

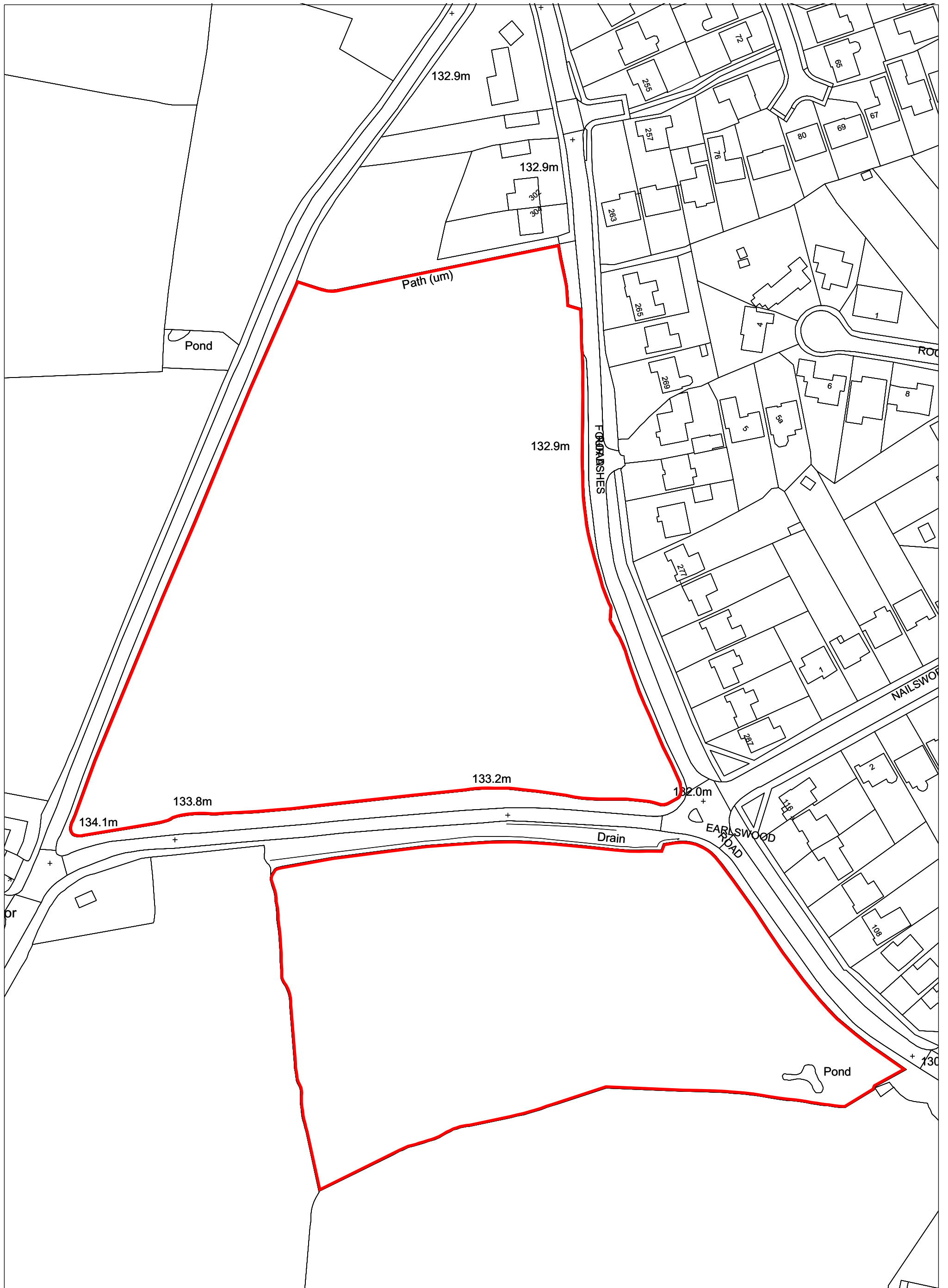
APPENDIX A

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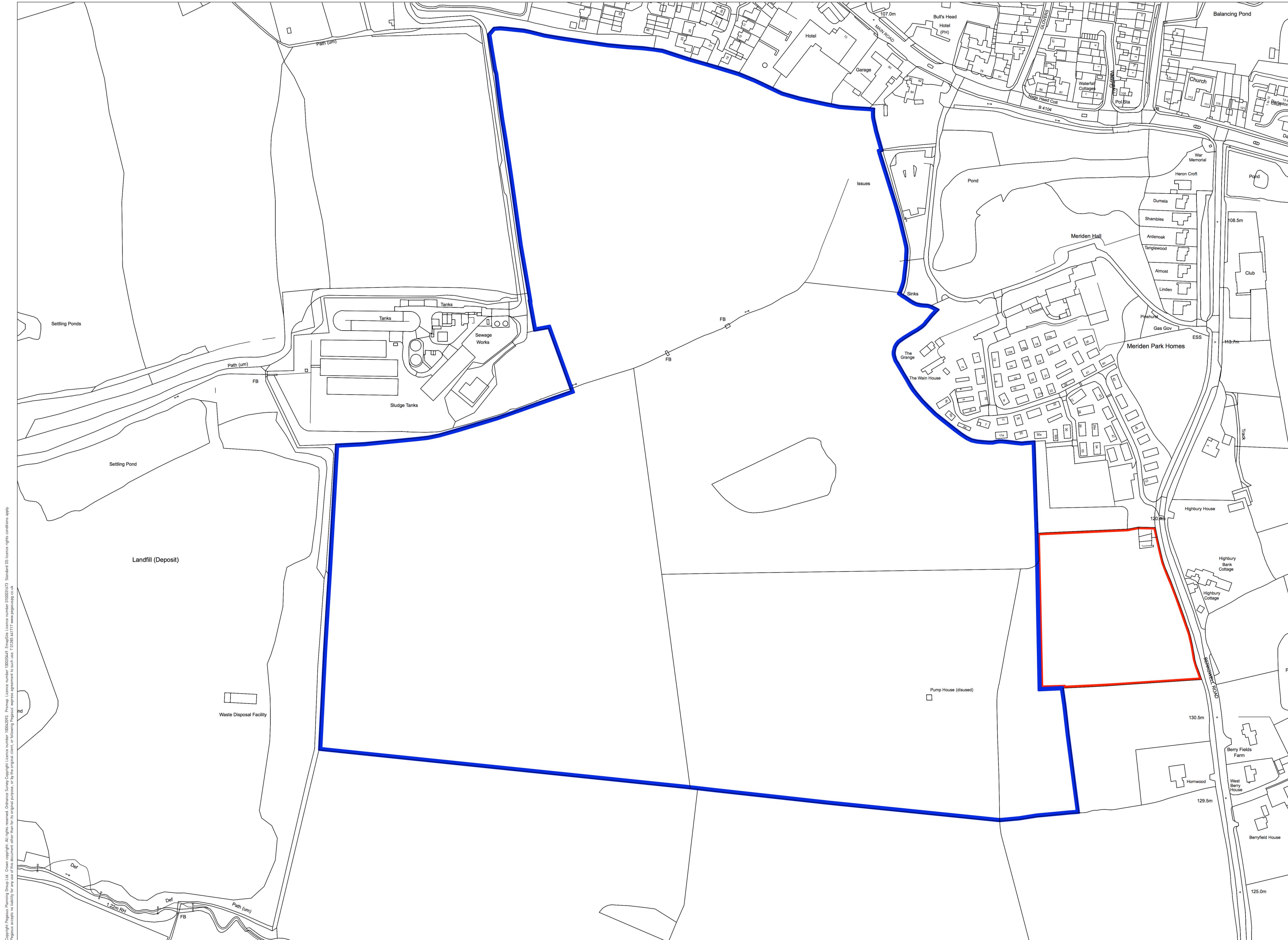


DAMSON PARKWAY, SOLIHULL- SITE LOCATION PLAN

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