Solihull MBC Local Plan Publication Stage

Representations on behalf of Barratt’s Farm Neighbourhood Action Group

This document contains representations under the following broad headings:

Loss of Green Belt

Public Open Space in Balsall Common

Infrastructure

Concept Master Plans

Balsall Common Relief Road

HS2

Climate Change

Duty to Cooperate

It contains requested changes to policies and paragraphs as follows:

Policy BC1, and BC1 items 2 vi, ix; 3 i, iii, vi, ix; 4 i;

Policies BC4, BC5 and BC6;

Concept Master Plan for BC1: Barratt’s Farm; Layout and Principles;

Paragraphs 226, 473, 525;

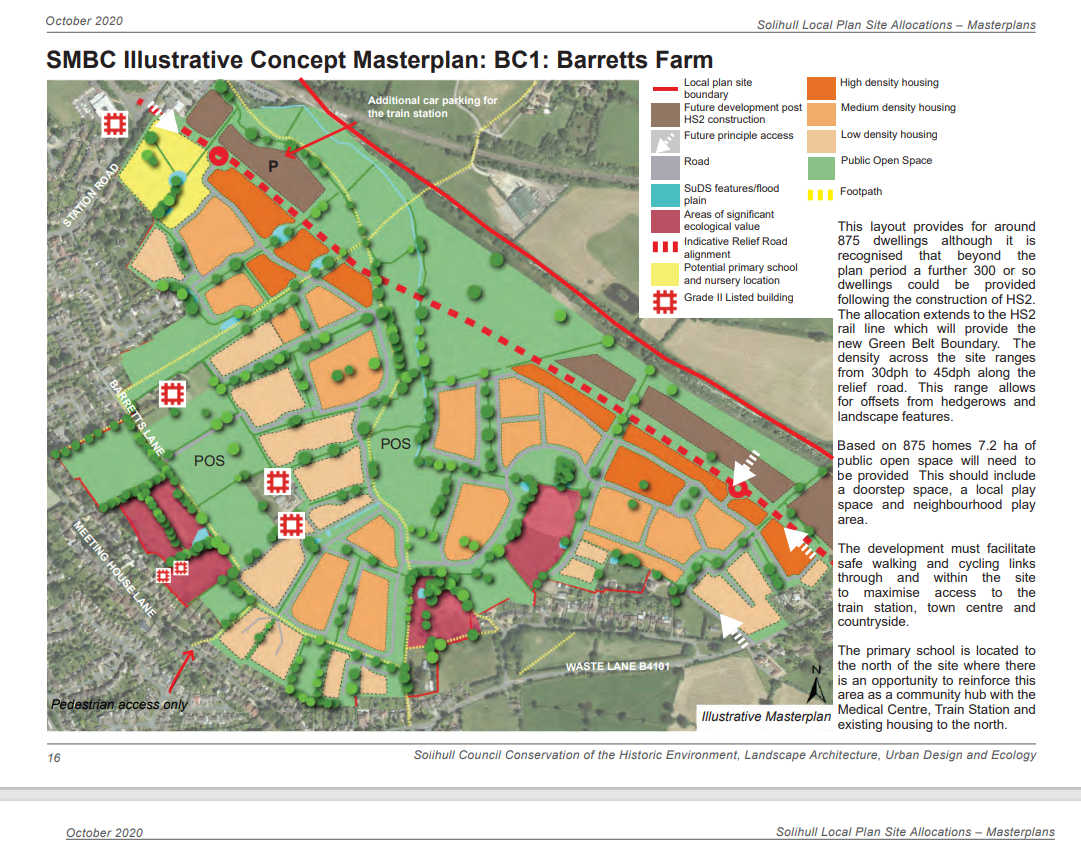
New Policies BC1 3 x; P15 10.

Delay submission to The Secretary of State until Statement of Common Ground has been available for public scrutiny.

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| **Part B – Please use a separate sheet for each representation** | | | | | | | | |
| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
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| Paragraph | | See footnote 2 below | Policy | BC1 | Policies Map | | |  |
| 1. Do you consider the Local Plan is: | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  x | | | | | | | | |
| x  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. | | | | | | | | | |
| Loss of Green Belt and site selection  Barratt’s Farm, Balsall Common (Policy BC1)  This policy removes 91 ha of green belt land in the narrowest part of the Meriden Gap between Solihull and Coventry. At this point the gap is 2 km wide (paragraph 515) and will also have HS2 running through it. This site has been allocated in spite of the statement in para 11 of the introduction; “Two thirds of the Borough is located in the Green Belt, and this includes the strategically important Meriden Gap that separates Solihull and the Birmingham conurbation from the city of Coventry. This plan seeks to protect this important feature …”. It is not clear how.  The GL Hearn report[[1]](#footnote-1) contains many references to protection of Green Belt Land in the region, and in its conclusion, page 202, lists 7 broad areas making a Principle Contribution to Green Belt Purposes – the first of which is “between Birmingham and Coventry (around Balsall Common).”    Removal of large tracts of land at Barratt’s farm from Green belt protection is in direct contradiction to this vision and at least 14 other paragraphs in the plan.[[2]](#footnote-2) The detailed proposals of the plan do not support its vision (Paragraph 47) and make the plan unsound.  Site selection (Paragraphs 68 and 69)  Judging from the Overall Approach Topic Paper[[3]](#footnote-3) selection of this site for removal from the Green Belt appears to be based on the Atkins Green Belt Assessment July 2016 for refined parcels RP54 and 55; and the SHELAA 2016[[4]](#footnote-4).  SMBC were informed that “The Green Belt analysis is not fit for purpose” by Berkswell Parish Council in their response to the draft housing plan consultation 15 March 2019[[5]](#footnote-5). This also ignores the fact that Atkins stated that more detailed assessment of Green Belt land was needed and that the report “Does not make recommendations for amendments to the Green Belt boundary” or “Determine whether or not land should be removed from the Green Belt”.[[6]](#footnote-6) There does not appear to be any evidence of further investigation supporting the selection of Barratt’s Farm in the plan. Release of Green Belt land is far too important to be based on a report which explicitly states it was not written for that purpose.  The SHELAA 2016 assessed 247 sites and compared them according to 11 Suitability Criteria, Availability Criteria and Achievability[[7]](#footnote-7). A score of 1-5 was given to each suitability criterion where 5 was highest suitability, and the totals for each site used to determine the most suitable for development. The total score for site BC1 - SHELAA reference 1002 – was 43 which meant it scored highly relative to most other sites.  However, the scoring and comment for 4 of the criteria is now very suspect, in some part due to changes in the environment since 2016.  “Access Infrastructure Constraints – 5 - Existing road access is adequate”.  *The plan requires a relief road/bypass to access the site.*  “BMV Agricultural Land – 5 – Site is grade 5 agricultural land”.  *The site had been used for growing cereal and bean crops for many years*  “High Pressure Gas Pipeline – 5 -Site does not lie within this constraint”.  *The site contains a high pressure oil pipeline recently installed to accommodate HS2*  “Bad Neighbour Constraints – 5 – Site has no bad neighbours.”  *The eastern edge of the site is bounded by HS2, The West Coast Mainline, and the* *proposed Balsall Common relief road.*  Site BC1 was reassessed in 2018[[8]](#footnote-8) with slight changes to the score but not reflecting the comments above. It was assessed again in 2020[[9]](#footnote-9) but in this document site BC1 was broken down into 9 different sites[[10]](#footnote-10) and comparison of scores is impossible.  Alternative Sites  Alternative sites in the Greater Birmingham HMA, Solihull Borough and Balsall Common for this number of houses were identified in the G L Hearn report 2018 [[11]](#footnote-11),the Solihull “Call for Sites” [[12]](#footnote-12) and on the Solihull Brownfield Land Register [[13]](#footnote-13).  One of the GL Hearn sites – South of Birmingham – “does not make a principal contribution to the Green Belt”. This site for a new settlement is in Stratford Authority but there should be evidence that it has been considered under the Statement of Common Ground before Solihull agree to release Green Belt land.  These alternative sites should be further investigated particularly those in the Call for Sites that do not impinge on the critical locations in the Meriden Gap.  Spatial Strategy  Paragraph 63 states that developments should take place close to where the needs arise. Undoubtedly Balsall Common is a desirable location. However, FOI request to SMBC[[14]](#footnote-14) stated that of 2496 active applications on the SMBC housing register only 39 are from postal code CV7 which includes Balsall Common. There are other areas in the borough where the demand is much higher, and it is illogical that Balsall Common should be selected for the largest development. The plan proposes housing development in an area with little relative identified need in direct contravention of its own guidelines.  Sustainability  Climate change action requires reduction in the use of private cars. Para 274 states “The council is committed to ensuring that new developments are located with the highest accessibility where reliance on the private car is low”. Balsall Common has the highest ratio of cars to population in the borough[[15]](#footnote-15) and the decision to build at least 1615 houses here is perverse. It is totally contradictory to Policy P5 which states “new housing will not be permitted in locations where accessibility to employment…. is poor”; and Policy P7 – “All new development should be focused in the most accessible locations”. It is not supportive of the climate change policy to be carbon neutral by 2030.[[16]](#footnote-16) The village is not sustainable in terms of employment[[17]](#footnote-17) and the addition of at least 1615 houses can only lead to more commuters – most of whom will have to use cars. The train station at Berkswell is only usable for direct travel to Birmingham, Coventry and Birmingham International and has only two services per hour. Travel to UK Central will require changing trains. Bus services in Balsall Common have never proved to be financially viable.[[18]](#footnote-18)  Covid19 (Paragraph 13)  This plan was developed largely before the onset of Covid19. Covid19 has caused major differences which (sadly) will lead to buildings becoming available for development. These may be shops, offices and other large units like factories, but they will all be on Brown Field Land. The full impact of the pandemic will not be understood for some years to come but it is likely that the demand and location of homes will change and make a fundamental difference to land requirements and may reduce pressure on release of Green Belt. The government has made clear its intention to introduce legislation to protect Green Belt land well within the 15 year life span of this plan.[[19]](#footnote-19)    Compensatory Improvements  The NPPF (para 138) states that where Green belt land is to be released compensatory improvements to the environmental quality and accessibility of the remaining Green belt land should be introduced. This is required by policy P17A - “Such compensatory improvements shall be proportionate to the extent of land being removed from the Green Belt.” In the case of Barratt’s Farm this is 91 ha. There is no obvious suggestion of how this will be done.  Boundary Definition  There appears to be a serious discrepancy in the definition of the green belt boundary south of Waste Lane.  Specifically, paragraph 537 says “The boundary will be drawn close to the eastern edge of site BC4 before following the line of Windmill Lane to the southern point of site BC3 where it then cuts across to Kenilworth Road”.  Concept Masterplan BC4 states “The alignment of the bypass will provide the new green belt boundary to the east of the site” which could then release significant areas of land south of Hob Lane down to the A452 at Mere End.  The Concept Master Plan BC4 should be corrected.  Partnership Working (Paragraph 500)  The neighbouring authority - Coventry – has released plans for a Sustainable Urban Extension (SUE) including 2,250 houses to be built in the Green Belt Land immediately east of the boundary with Solihull.[[20]](#footnote-20) This is also in the narrowest part of the Meriden Gap. This is noted – paragraph 515 footnote 43 – but there is no indication how this has been taken into account in Solihull’s plan as would be required by the “Duty to Cooperate” – paragraph 499.  If all these developments in Solihull and Coventry take place there will be almost no green space between Balsall Common and Coventry. The Green Belt purposes a, b and c, specified in the NPPF paragraph 134 will have been completely disregarded.  The plan is not justified or consistent with national policy and is unsound.    (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| Policy BC1 and its associated concept plan should be removed.  Alternatively, timing of the delivery period in paragraph 226 should be delayed to phase iii, and the land safe-guarded as per NPPF paragraph 139c and d, to allow the full impact on the Green Belt Land in the Meriden Gap to be understood before it is destroyed forever. If future events reduce the housing demand the site will be returned to full Green Belt protection.  Concept Master Plan BC4 2nd paragraph to be amended to read “The boundary will be drawn from the eastern edge of site BC1 along Old Waste Lane to the junction with Waste Lane and then close to the eastern edge of site BC4 before following the line of Windmill Lane to the southern point of site BC3 where it then cuts across to Kenilworth Road”.  The Statement of Common Ground should be published to allow public scrutiny before the plan goes to the Secretary of State.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| ***Please note*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*  ***After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** | | | | | | | | | |
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|  | x | **No**, I do not wish to  participate in  hearing session(s) | | | |  | **Yes**, I wish to participate in  hearing session(s) | | |
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| 9. Signature: |  | Date: |  |

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| 3. To which part of the Local Plan does this representation relate? | | | | | |
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| Paragraph |  | Policy | BC1 | Policies Map | BC1 |
| 4. Do you consider the Local Plan is: | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | |
| 4 (2) Sound Yes No  x | | | | | |
| ?  4 (3) Complies with the  Duty to co-operate Yes No | | | | | |
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| Public Open Space in Balsall Common  Balsall Common currently suffers from a severe lack of POS when compared with the rest of Solihull Borough. There is at present 18.5ha (Willow Park 1.75ha; Lavender Hall Park 10.2ha; Grange Park 4.5ha; Allotments on Holly Lane 0.75ha; Kemp’s Green 1.3ha) for an estimated population of 7,500. That equates to 2.5ha per 1000 head of population while the average is 5ha per 1000 head of population in the rest of the Borough[[21]](#footnote-21). To fall in with the rest of the borough there should be 37.5ha. This Local Plan is an opportunity to go some way to redress this imbalance. A FOI request[[22]](#footnote-22) shows that the plan adds 13ha, of which 7.2 is on Barratt’s Farm, giving a total for the village of 31.5ha.    The population of the village following the addition of at least 1615 houses is likely to rise to at least 11,500 which would justify 56ha to accord with the local standards – Policy P20/10. So not only has the opportunity to redress the shortage been missed but the situation is worsened. The concept plan also suggests an area of possible future development for 300 more houses on Barratt’s Farm post HS2 construction. It does not allocate any POS supporting these houses.  The plan disregards Policy P20/10 and is unsound.  Provision of Playing Pitches/Sports Hubs  At the SMBC Cabinet meeting on 13 Aug 2020[[23]](#footnote-23) funding was approved in principle to acquire land for the provision of sports hubs for 5 areas, one of which is Balsall Common. It might be expected therefore that this would be referred to in the plan with possible use of land in the Barratt’s farm site adjacent to the existing playing fields on Meeting House Lane. If this occurred some additional funding through “section 106 or CIL or possible external funding opportunities” might be available to procure more POS for Central Park. A FOI request[[24]](#footnote-24) confirms that the plan does not include a specific allocation for a sports hub in Balsall Common.  The plan disregards Policy P18 2 iv and Policy BC1 2 ix and is unsound.  POS between existing and new houses  Paragraph 21 states “The Council places great importance on neighbourhood plans”. “There may be occasions when existing neighbourhood plans provide a more appropriate local expression of a standard or expectation that should be take into account and given due weight”.  The Berkswell Neighbourhood Development Plan which was made in 2019 includes a policy B1 requiring green space to be provided between new and existing homes where practical, and gaps of around 30m where not. This is acknowledged in concept plan BC5 Trevallion Stud “The POS provides a buffer to the south of the development between the new and existing development providing opportunity for place-making and the integration of the future and existing residents”. This is almost a direct quote from the Berkswell NDP. Whilst this has been largely observed there are examples around Barratt’s Farm particularly adjacent to the south end of Meeting House Lane, Kelsey Lane and Old Waste Lane where it has not. There is no obvious reason why there is any impracticality issue here and this clause should be included in BC1 Barratt’s Farm and implemented in the concept plan layout. This was an important benefit to many residents in their support of the NDP. It is part of NDP policy B1 which is specifically supported by Richard Brown Planning on behalf of Colchurch Properties Limited in their Consultation Response dated 18/06/2018.  The plan does not comply with the Berkswell NDP as understood by the residents and is unsound.  Central Park  At the BFNAG[[25]](#footnote-25) AGM in January 2020 a proposal was presented for the creation of a Central Park which was unanimously supported by the 41 residents present[[26]](#footnote-26). This park to run along the western side of the site to connect the field near Beverley Close in the north with the fields near Meeting House Lane and Kelsey Lane in the south and connecting to the ecological areas behind Old Waste Lane. This would provide the public open space readily accessible to existing and new residents alike referred to above.  Central Park is designed to provide a stepping stone between the very successful Lavender Hall Park POS to the north and the Windmill Park/Green Belt land to the south.  This proposal was subsequently approved by Balsall Parish Council[[27]](#footnote-27); Berkswell Parish Council[[28]](#footnote-28); supported by the Meriden Ward Councillors and submitted by them to SMBC. It was also submitted to the Cabinet Member for Climate Change, Planning and Housing – Councillor Andy Mackiewicz on 01/05/2020.  It is very encouraging that the northern part of this park has been included in the plan, but it is disappointing that the southern part has not, even though this now has greater importance with the proposed development BC4 at Pheasant Oak Farm. Central Park is a clear expression of local expectation as covered by paragraph 21 and should be included in its entirety. | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | |
| Policy BC1 2 ix to read:  Provision of sufficient public open space around water courses, heritage assets and ecologically sensitive areas to bring the average POS ha/1000 head of population for the site up to the average for the rest of Solihull Borough.  Policy BC1 3 ix to read:  Provision of new playing pitches and contributions to enhancement of existing recreational facilities, to accord with the requirements identified in the Playing Pitch Mitigation Strategy and SMBC Cabinet meeting 13/08/2020 agenda item 3.5 and 3.6; and resolution 5. Land acquisition on Site BC1 to be funded according to Cabinet meeting 13/08/2020 resolution 5 i, ii, iii.  Concept Master Plan Principles for BC1 to include the sentence:  POS to provide a buffer to the south of the development between the new and existing properties providing an opportunity for a public park and for the integration of the future and existing residents.  The Concept Master Plan for site BC1 should be amended so that the 4 areas designated as low density housing between the footpath running SE from Barratt’s Lane and the houses on Meeting House Lane/Kelsey Lane are designated as POS.  The medium density housing area immediately to the NE of Old Waste Lane should be shortened so that there is POS to the rear of the existing properties. (As shown on the attached revised concept master plan layout)  (Continue on a separate sheet /expand box if necessary) | | | | | | |



Laurels Grove 0.6ha

Land with 85 Kelsey Lane 0.43ha

2.95ha total

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|  | x | **No**, I do not wish to  participate in  hearing session(s) |  | **Yes**, I wish to participate in  hearing session(s) |
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| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
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| Paragraph | | 481, 482, 483, 528 | Policy | BC1 and P21 | Policies Map | | |  |
| 4. Do you consider the Local Plan is: | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  x | | | | | | | | |
| ?  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
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| Infrastructure  The development in Balsall Common of at least 1615 houses (875 potentially rising to 1175 on Barratt’s Farm) is the largest in Solihull Borough. Development of allocated sites and traditionally high levels of windfall sites could lead to an expansion in the region of 60% in Balsall Common.  The build at Barratt’s Farm alone will be larger than the total over the past 40 years on major estates in the village namely Kemps Green 372, Riddings Hill 267, and The Grange, Dengate Drive estate of 231, totalling 870 homes.  Development on this scale will have a huge impact on the village and demands a total rethink of the infrastructure of the village. Reference Policy P21 and paragraphs 481/482/483. The plan pays lip-service to this for the Balsall Common village centre.  Para 528 includes:– “Furthermore, the environmental improvements along Kenilworth Road made possible by the provision of a bypass will also provide a catalyst for improvements to the centre. The council will work with both parishes to agree an appropriate way forward, e.g. through a village centre master plan”.  The SDLP has been in progress for more than 4 years. The residents have a right to expect something more concrete than paragraph 528 and that it would be included in the SDLP. There is no evidence of any creative thinking about what is clearly a very difficult village centre environment.  The medical centre facilities are currently being reduced and replaced by travel to hospitals at Solihull, Warwick, Coventry Walsgrave and Birmingham Heartlands. All are difficult to reach by public transport and dependent on the use of private cars. The minor injuries unit which was at Solihull was closed early in 2020 and was relocated in August 2020 temporarily in Chelmsley Wood. Birmingham & Solihull Clinical Commissioning Group have recently announced that the minor injuries/urgent treatment centre (UTC) will move from Chelmsley Wood to Castle Bromwich all located in the far north of the borough. Patients cannot turn up without an appointment booked through calling NHS111. Policy P18 2 vii states new developments will deliver “new and improved health services and facilities in areas accessed by sustainable transport modes”. There are no direct transport links from Balsall Common to these locations.  There is evidence that some thinking is absent. The plan proposes a new primary school on Barratt’s farm. Barratt’s Farm is part of Phase 2 and 3 beginning in 2026 or whenever HS2 is complete. By 2026 some 400 houses will have been built elsewhere in the village and apparently no extra school places have been provided in the meantime.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
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| Policy BC1 3 to read  “Infrastructure requirements will include:”  (Ie remove “Likely”)   1. Provision of a new 2 form primary school and nursery before any major house building takes place.   iii. A thorough evaluation of the impact and sustainability of the development on all health care services carried out by SMBC and the CCG. Developer and Solihull MBC contributions to…..CCG.  x. A detailed master plan for the enhanced village centre, published and funded, and agreed by the Borough Council, Balsall and Berkswell Parish Councils, Village resident’s association and local action groups; before any development is begun.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
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| Paragraph | | 534 | Policy | P 15 | Policies Map | | |  |
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| x  4 (1) Legally compliant Yes No | | | | | | | | |
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| Concept Master Plans  Carefully controlled phasing of the construction on such a large site as Barrett’s Farm is essential to ensure that the concepts of the masterplan are not lost and haphazard piecemeal uncoordinated construction is avoided. Access to the site needs to be directed via the main relief road and away from existing residential areas and the village centre  Concept Master Plans are for most residents the most important section in the plan. For many residents, they are the first, and in many cases, the only, page viewed. It is vital that once the plan is made, the concept master plans are adhered to and not amended to suit developer convenience or profit opportunity. No change to concept master plans should allowed without specific agreement from the borough council, relevant parish council or neighbourhood forum, and established neighbourhood action groups.  A policy should be inserted in the plan to explicitly enforce this.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| Policy P15 10  Concept Master Plans as included in Local Development Plan must be adhered to in spirit and in detail throughout development unless changes are specifically agreed by the borough council, relevant parish council/neighbourhood forum, residents’ associations and established neighbourhood action groups. | | | | | | | | | |
| ***Please note*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*  ***After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** | | | | | | | | | |
| 7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? | | | | | | | | | |
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|  | x | **No**, I do not wish to  participate in  hearing session(s) | | | |  | **Yes**, I wish to participate in  hearing session(s) | | |
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| 8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: | | | | | | | | | |
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| ***Please note*** *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in*  *hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.* | | | | | | | | | |
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| 9. Signature: |  | Date: |  |

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| **Part B – Please use a separate sheet for each representation** | | | | | | | | |
| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
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| Paragraph | | 527 | Policy | BC1 | Policies Map | | |  |
| 4. Do you consider the Local Plan is: | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  x | | | | | | | | |
| ?  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. | | | | | | | | | |
| Balsall Common Relief Road  The plan - Paragraph 527 - proposes a bypass for the village running from the roundabout at the junction of the A452 and Hall Meadow Road, along Hall Meadow Road to the station, through the Barratt’s Farm site to Waste Lane and then south to join the A452 at Mere End.  The plan[[29]](#footnote-29) states that “evidence shows that there is a need“, demonstrated by the Transport Topic Paper[[30]](#footnote-30), and the Balsall Common Transport Study carried out by Mott MacDonald. This study appears to concentrate on the “link” road from Waste Lane to Mere End and shows in detail how the route and design of this link road have been arrived at.    However, it appears to ignore the effect it would have on the relief road through the site BC 1 or on Hall Meadow Road. In addition to bypass and school traffic the site itself will generate between 1500 and 2000 resident’s cars. (Balsall Common has the highest car dependency in the West Midlands)[[31]](#footnote-31). It does not indicate if any studies have been done to assess the pollution or congestion[[32]](#footnote-32) which this bypass could cause, particularly at the junction with Station Road and Hall Meadow Road adjacent to the station, primary school, medical centre and the HS2 viaduct. It does not explain how residents would access the Berkswell Gate estate - particularly turning right into and out of the two steep access roads and the Medical Centre. Indeed, the concept plan suggests that this area could be reinforced “as a community hub” – with a major trunk road running through it and high-speed trains running over it! Without robust Transport Statements as required in Paragraph 278 covering the whole length of the road the plan is unsound. The transport data included in the evidence base is highly technical and does not appear to cover the issues raised above.  The plan states that this link road would need to be phased early in the development – paragraph 527 - and could provide construction access for HS2 traffic but gives no details of discussions carried out with HS2. In addition, the Barratt’s farm development is scheduled for phase 2 – 2026 onwards or after HS2 is finished - which would invalidate this proposal. The latest assessment for completion of HS2 is now 2029-2033 paragraph 280.  The plan also raises considerable doubt on the source of funds for the section from Waste Lane to Mere End. Paragraph 527 - “Potential CIL funding”, although FOI requests[[33]](#footnote-33) to SMBC confirm that they do not have details of how much CIL money would be available; and “grant funding opportunities that may be available through, for instance, the WMCA.” FOI requests[[34]](#footnote-34) to WMCA have suggested this is unlikely. This could easily mean that the extension from Waste Lane to Mere End could be delayed and possibly never built leading to heavy traffic along Windmill Lane and Waste Lane. No fallback plan has been suggested.  Replies to FOI requests[[35]](#footnote-35) indicate that no adequate pollution, congestion or safety assessments have been carried out. The reply regarding the Waste Lane to Mere End section states that it is a “question about a potential future position which will be dealt with as part of a planning consent assuming the LDP is approved”. If the plan has been approved, site BC1 will be committed, released from Green Belt, and no alternative route will be possible.  The October 2020 Balsall Common Transport Study by Mott MacDonald concentrates entirely on the eastern route for the bypass. The selection of an eastern route rather than one west of the village is covered briefly in the Mott MacDonald Optioneering Report dated July 2018. The western route examined started at the same point as the eastern route – A452/A4177 junction at mere End rejoining the A452 at Bradnocks Marsh Lane. The conclusion – A.6 (page 28) – was “The west route should be investigated further…”; “Similarly the east route can be developed into several options.” We have not been able to find any evidence of further investigations for the west route.  An alternative western route is possible using Honiley Lane from the A452 by the Berkswell and Balsall RFC ground, past JLR, requiring a new road from Fen End to cross the B4101 near the Saracen’s head, across Grange farm and therefore opening up the possibility of development there, to rejoin the A452 adjacent to the Trevallion Stud development BC5. This route would avoid the need for a new roundabout at Mere End and a new bridge over the West Coast Main Line and may be able to attract funding from the potential developer of Grange Farm and JLR.  This is a reasonable alternative strategy which should have been considered later than July 2018 and without it the plan is unsound.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| If the transport survey proves that the full bypass from Mere End to the Hall Meadow Road junction with the A452 will not cause serious congestion, pollution and safety problems, then:  Policy BC1 3 vi to read  “Provision of the Balsall Common bypass between Station Road and Mere End as the first phase of the development.”  If the transport survey raises congestion, pollution and safety issues, then Policy BC1 3 vi to read  “The Site BC1 estate feeder Road between Station Road and Waste Lane to be designed to ensure it is not possible to use it as a “rat run” to bypass the village centre  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| ***Please note*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*  ***After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** | | | | | | | | | |
| 7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? | | | | | | | | | |
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|  | x | **No**, I do not wish to  participate in  hearing session(s) | | | |  | **Yes**, I wish to participate in  hearing session(s) | | |
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| 8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: | | | | | | | | | |
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| 9. Signature: |  | Date: |  |

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| **Part B – Please use a separate sheet for each representation** | | | | | | | | |
| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
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| Paragraph | | 280 and 525 | Policy | BC1 2 vi | Policies Map | | |  |
| 4. Do you consider the Local Plan is: | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  x | | | | | | | | |
| ?  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. | | | | | | | | | |
| HS2  The new paragraph 280 in the later version of the plan states “the line is expected to be open between 2029-33” while para 525 states ”with the main works due for completion by 2025, ready for the line to open 2026”. This inconsistency in the plan is confusing and should be corrected.  With that in mind, assuming 2029-33 is correct, then we would be looking at a build on Barratt’s Farm of say 6 years total – is this practical?  Taking into account the proposal for the relief road being used as a haul route, this confusion must be clarified. In particular, there must be assurance that no significant development on Barratt’s Farm will begin until all HS2 construction throughout the village is complete[[36]](#footnote-36).  HS2 construction will also impact sites BC4, BC5, and BC6 and their phasing should allow for this.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| Paragraph 525 to read “…..with the main works due for completion during the period 2029-2033 ready for the line to open at some later date still to be confirmed.”  Policy BC1 2 vi changed from “Housing shall be phased to avoid coinciding with construction of the HS2 rail line in this vicinity”  To “No housing development to be started in site BC1 until all construction work on the HS2 rail line affecting this location is completed”.  Policies BC4, BC5, and BC6 should have similar amendments.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| ***Please note*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*  ***After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** | | | | | | | | | |
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| **Part B – Please use a separate sheet for each representation** | | | | | | | | |
| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
|  | | | | | | | | |
| Paragraph | | Paragraphs 5 and 12 | Policy | P10 and BC1 4i | Policies Map | | |  |
| 4. Do you consider the Local Plan is : | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  x | | | | | | | | |
| ?  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. | | | | | | | | | |
| Climate Change  In its introduction[[37]](#footnote-37) the plan stresses the “gravity of the climate change emergency”. In the case of Barratt’s farm far more could have been done to address this issue. The loss of large tracts of Green Belt has been discussed extensively already in this submission.  The plan also states[[38]](#footnote-38) “Developers should deliver a net gain of at least 10% in biodiversity and habitat creation”. Regarding Barratt’s Farm, although most ancient hedgerows, trees and watercourses appear to remain, and some ecological sites have been retained, the huge loss of fields is not compensated for and certainly it is not clear how there can be a “net gain”.  The plan[[39]](#footnote-39) requires reversal of the fragmentation of ecological networks and wildlife sites by the creation of wildlife corridors. We suggest that in addition to the green space between new and existing housing a wildlife corridor should be created to run all the way along the western edge of the Barratt’s Farm site to connect and act as a “stepping stone” between Lavender hall Park in the north and what remains of the open countryside to the south and east. This should be included in policy BC1/3i.  The West Midlands Combined Authority action WM2014 requires the planting of one tree per resident. The plan specifies “Facilitating the planting of 250,000 trees by 2030”[[40]](#footnote-40). This would mean 11,500 trees in Balsall Common. This requires land. For trees to grow to maturity and contribute meaningfully to reduction in carbon dioxide emissions they need space. A separation between trees of 2m is recommended by the Woodland Trust[[41]](#footnote-41) – i.e. 2500 trees per hectare - although to allow trees to grow to maturity there would have to be significant thinning and there would not be 11,500 mature trees. (Veteran/Noble trees require a 10m buffer all round.[[42]](#footnote-42)) Allowing for access this would require about 10ha for Balsall Common; and there is no obvious allocation of this land in the plan. The Barratt’s Farm site would be the most suitable to meet some of this need. It is by far the largest site and trees could provide screening from HS2. Indeed, HS2 has removed and is currently removing, many trees throughout the village and we will have a significant net loss if no action is taken. See pictures below. This plan should be the opportunity to do it.    The greenway adjacent to site BC1 before removal of trees for HS2  The same location after removal and stacking of trees for HS2  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| The following to be added to Policy BC1 4 i:-  after.… woodland copse planting. “This to provide a minimum 10% net gain in biodiversity and habitat creation; and space for tree planting to meet the requirements of paragraph 38 challenge K; and replacement of trees and habitat lost to HS2.”  “A wildlife corridor at least 6.5m wide to be created to run all the way along the western edge of the Barratt’s Farm site to connect and act as a “stepping stone” between Lavender hall Park in the north and what remains of the open countryside to the south and east.”  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| ***Please note*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*  ***After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** | | | | | | | | | |
| 7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? | | | | | | | | | |
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|  | x | **No**, I do not wish to  participate in  hearing session(s) | | | |  | **Yes**, I wish to participate in  hearing session(s) | | |
| Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. | | | | | | | | | |
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| **Part B – Please use a separate sheet for each representation** | | | | | | | | |
| Name or Organisation: **Barratt’s Farm Neighbourhood Action Group** | | | | | | | | |
| 3. To which part of the Local Plan does this representation relate? | | | | | | | | |
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| Paragraph | | Footnote [[43]](#footnote-43) | Policy |  | Policies Map | | |  |
| 4. Do you consider the Local Plan is: | | | | | | | | |
| x  4 (1) Legally compliant Yes No | | | | | | | | |
| 4 (2) Sound Yes No  xx | | | | | | | | |
| x  4 (3) Complies with the  Duty to co-operate Yes No | | | | | | | | |
| Please tick as appropriate | | | | | | | | |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. | | | | | | | | | |
| Duty to cooperate and Statement of Common Ground    The planning inspectorate guidelines and the NPPF [[44]](#footnote-44) demand that cross-boundary strategic matters have been dealt with rather than deferred, as evidenced by the Statement of Common Ground. The plan does not include this statement and without it, it is impossible to assess to what extent these matters have been considered. FOI requests[[45]](#footnote-45) indicate the SoCG will be provided to the Inspector in February 2021. The absence of the SoCG in, or at the time of, the Draft Submission Plan means that the public do not have all relevant documentation during the consultation period and makes the plan submission invalid.  The three key issues relating to Barrett’s Farm are:  NPPF[[46]](#footnote-46) states that Green Belt boundaries must not be changed unless discussions have taken place with neighbouring authorities about whether they could accommodate some of the identified need. The plan[[47]](#footnote-47) states “The council would test the ability to accommodate 2000 dwellings from the shortfall up to 2031”. The plan demonstrates that Solihull cannot accommodate this number without changing Green Belt boundaries.[[48]](#footnote-48) The plan also states that the council has been working with neighbouring authorities[[49]](#footnote-49) but has not published any results of this “test” or the Statement of Common Ground. Without the Statement of Common Ground, the plan does not meet the requirements of the NPPF and is illegal.[[50]](#footnote-50)  One neighbouring authority – Coventry – has advanced plans for significant housing (2250 houses) and industrial development close to the border with Solihull and threatening the Meriden Gap from the east[[51]](#footnote-51). Neither the plan nor the Topic Paper make clear if this development has been taken into account by SMBC.  Coventry has proposals for a link road between the A46 and A45 trunk roads running close to the Solihull/Coventry border.[[52]](#footnote-52) The southern junction on the A46 is well advanced, and planning permission has been granted for the northern junction on the A45. If this road is completed the need for a Balsall Common bypass must be reassessed and the route through Barratt’s Farm could be unnecessary. The Balsall Common Transport Study carried out by Mott MacDonald[[53]](#footnote-53) acknowledges that this Link Road is planned with a 10 year time scale and would be a major development. However, “as plans are only in principle at the time of writing (12 July 2018) the potential effects of this scheme are not considered in detail as part of this study”. As stated above this scheme has advanced significantly since July 2018 and should be considered in detail before strategic highway plans are set in place. Again, there is no evidence in the plan or the Topic Paper that this has been considered.  These three matters should be explored in the plan and if they are not it is illegal and unsound. The plan should not be submitted to the Secretary of State until the SoCG has been negotiated, published and the public have had an opportunity to scrutinize it.    (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. | | | | | | | | | |
| Reference Solihull MBC Local Plan – publication stage. Guidance Note to Accompany Model Representation Form – Legal Compliance and Duty to Cooperate – paragraph 2.3.  “Non-compliance with the duty to cooperate cannot be rectified after the submission of the plan”.  The plan should not be submitted to the Secretary of State until the SoCG has been negotiated, published and the public have had an opportunity to scrutinize it with a 6 week consultation period.  (Continue on a separate sheet /expand box if necessary) | | | | | | | | | |
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| 9. Signature: |  | Date: |  |

1. Greater Birmingham HMA Strategic Growth Study – GL Hearn Feb 2018 conclusions paragraph 8.129 [↑](#footnote-ref-1)
2. Reference paragraphs 11, 38 Challenge E, 38 Challenge N, 47, 50, 59, 60, 68, 69, 313, 333E, 391, 407E, 414E, 419, 515 note43. [↑](#footnote-ref-2)
3. Appendix paragraph 69, [↑](#footnote-ref-3)
4. Solihull Strategic Housing and Employment Land Availability Assessment 2016. [↑](#footnote-ref-4)
5. Berkswell Parish Council Response to the draft Solihull Housing plan consultation item 2.1 [↑](#footnote-ref-5)
6. Solihull Green Belt Strategic Assessment July 2016 Introduction. [↑](#footnote-ref-6)
7. SHELAA Appendix 5 – Site Assessment Details [↑](#footnote-ref-7)
8. SHELAA ERRATA page 160 [↑](#footnote-ref-8)
9. Draft SHELAA update [↑](#footnote-ref-9)
10. Call for Sites Map 2015-2020 – sites 30,33,79,101,102,236,500,557 [↑](#footnote-ref-10)
11. Greater Birmingham HMA Strategic Growth Study – GL Hearn - Paragraphs 10.28/10.29 [↑](#footnote-ref-11)
12. Solihull Call for Sites May 2016 Site Ref 142 [↑](#footnote-ref-12)
13. Solihull Brownfield Land Register Jan 2018 [↑](#footnote-ref-13)
14. ref 6341100, 21 Oct 2020 [↑](#footnote-ref-14)
15. Page 2 east Solihull 1.68 per household; Solihull Connected Transport Strategy page 41 [↑](#footnote-ref-15)
16. Paragraph 38 challenges D and H [↑](#footnote-ref-16)
17. Paragraph 522 and 523 [↑](#footnote-ref-17)
18. Balsall Common Transport Study Baseline and Constraints April 2017, internal review Oct 2020

    para 3.6 fig 3.4 Commuting Mode Residents of BC to External 83.8% car/van, train 8.1%, passenger

    in car 3.9% bus 1.1%. [↑](#footnote-ref-18)
19. Planning for the Future white paper P16 “we have continued to protect the Green Belt"   [↑](#footnote-ref-19)
20. Coventry Local Plan 2017 Policy H2 Table 4.2 site ref H2.2. [↑](#footnote-ref-20)
21. Solihull Green Space Strategy Review 2014 Executive summary [↑](#footnote-ref-21)
22. FOI request ref 6343700 30/10/2020 [↑](#footnote-ref-22)
23. SMBC Cabinet meeting 13/08/2020 Agenda item 3.5 and 3.6; minute 5 I, ii, iii. [↑](#footnote-ref-23)
24. FOI request 6343700 30/10/2020 [↑](#footnote-ref-24)
25. Barratt’s Farm Neighbourhood Action Group [↑](#footnote-ref-25)
26. BFNAG AGM 27/01/2020 minute item 6. Minutes sent to SMBC [↑](#footnote-ref-26)
27. Balsall Parish Council meeting 12/02/2020 item 9 [↑](#footnote-ref-27)
28. Berkswell Parish Council meeting 13/02/2020 item 18f [↑](#footnote-ref-28)
29. (paragraphs 524 and 287) [↑](#footnote-ref-29)
30. October 2020 paragraphs 102 – 105 [↑](#footnote-ref-30)
31. Solihull Connected Transport Strategy 2016 [↑](#footnote-ref-31)
32. as required by paragraphs 373, 375, 378, Policy P8 – reducing congestion, Policy P14 – air, noise

    or vibration [↑](#footnote-ref-32)
33. FOI Request ref 6318068 dated 9-11-2020 [↑](#footnote-ref-33)
34. FOI request to WMCA ref FOI625 dated 8-07-2020 [↑](#footnote-ref-34)
35. FOI Request ref 6318169 dated 11-10-2020 [↑](#footnote-ref-35)
36. paragraph 38 challenge N, paragraph 543 [↑](#footnote-ref-36)
37. Paragraph 12, paragraph 38 challenge A [↑](#footnote-ref-37)
38. Policy P10 8 [↑](#footnote-ref-38)
39. Policy P10, Policy P20, paras 328, 329, 330 and others [↑](#footnote-ref-39)
40. Paragraph 38 challenge K [↑](#footnote-ref-40)
41. Woodland Trust – How to Plant a Tree [↑](#footnote-ref-41)
42. SMBC Ecological Assessment Barratt’s Farm Dec 2019 [↑](#footnote-ref-42)
43. Paragraphs 38 challenge B, 227, 431, 499 and 500. Overall Approach Topic Paper October 2020 [↑](#footnote-ref-43)
44. Paragraph 136 of the NPPF [↑](#footnote-ref-44)
45. Dated 27/03/19 ref 4415728; and 13/10/20 ref 6364533 [↑](#footnote-ref-45)
46. Paragraph 137 c of the NPPF [↑](#footnote-ref-46)
47. Paragraph 227 and 228 and the Topic Paper paragraph 151, [↑](#footnote-ref-47)
48. Paragraph 431 [↑](#footnote-ref-48)
49. Paragraph 500 and the Topic Paper [↑](#footnote-ref-49)
50. Policy P10/1 and 515 note 43. [↑](#footnote-ref-50)
51. Coventry Local Plan Dec 2017 Policies GB1 3e; H2 Table 4.2 site H2:2 [↑](#footnote-ref-51)
52. Coventry Local Plan Dec 2017 page 136 “A45 corridor between Broad Lane and A46” [↑](#footnote-ref-52)
53. Section E – Optioneering Report 1.1 page 1 [↑](#footnote-ref-53)