



**REPRESENTATIONS TO THE SOLIHULL
LOCAL PLAN**

**ARDEN TRIANGLE – POLICY KN2 SOUTH
OF KNOWLE**

**ON BEHALF OF
MESSRS COOMBS**

14 December 2020

Our Ref: CLR184

Claremont Planning Consultancy Ltd

2 Snow Hill
Snow Hill Queensway
Birmingham
B4 6GA

Tel: 0121 231 3610

Email: info@claremontplanning.com

QUALITY MANAGEMENT

Prepared and Authorised by:	Katherine Else
Date:	14 December 2020
Project Number/Doc Reference:	CLR184/1

COPYRIGHT © CLAREMONT PLANNING

The material presented in this report is confidential. This report has been prepared for the exclusive use of Messrs Coombs and shall not be distributed or made available to any other company or person without the knowledge and written consent of Claremont Planning.

CONTENTS

1	INTRODUCTION	1
2	COOMBS LANDHOLDING.....	3
3	POLICY KN2: SOUTH OF KNOWLE (ARDEN TRIANGLE)	7
4	SOUNDNESS ASSESSMENT	14
5	POLICY MODIFICATION.....	16

APPENDICES

APPENDIX 1 – COOMBS LAND TITLE	I
APPENDIX 2 – SMBC JUSTIFICATION PAPER.....	II
APPENDIX 3 – ALTERNATIVE MASTERPLAN APPROACH	III
APPENDIX 4 – REPRESENTATION FORM	IV

1 INTRODUCTION

1.1 Stripes Hill House

- 1.1.1 The land at Stripes Hill Houses is owned by Mrs Celia Mary Gostling Coombs since 20 June 1980, who still resides in the property alongside her carers, (Land Title provided at Appendix 1). These representations are made on her behalf as well as her sons Mr Graham Coombs and Mr Anthony Coombs (Messrs Coombs). Graham and Anthony Coombs are Chairman and Director of the family business Grevayne Properties Ltd since 1971, which is an important consideration when considering the delivery of their land holdings and their engagement with its allocation. Grevayne Properties have delivered residential and commercial developments across the West Midlands including numerous schemes throughout Solihull Borough, such as a recent residential development in Knowle and most recently bespoke housing developments at Shottery, Enstone and at Hatton Green which is a Green Belt location. Grevayne Properties is demonstrated to have experience in delivering development and has expectations of delivering a mixed use residential scheme that includes the retention and conversion of Stripes Hill House, once Mrs Coombs is no longer in residence. There is no proposal to dispose of or develop the site whilst Mrs Coombs still requires it as her main residence.
- 1.1.2 Messrs Coombs generally support the release of the proposed Allocation KN2 from the Green Belt to deliver housing development at Knowle that will address some of the housing need identified through the emerging plan. Previous Masterplan proposals for KN2 released in 2019 provided two options, both of which retained Stripes Hill House within a residential development;, which the Coombs expressed no objection to. However, the Coombs' strategy to convert Stripes Hill House to C2 accommodation is not reliant upon the Green Belt release as its conversion is deliverable through national and emerging policy for appropriate development in the Green Belt. This approach has not been appreciated by Solihull MBC through the consideration of the Allocation KN2 and the Council's assembly of the allocation lands.
- 1.1.3 Messrs Coombs are collaborating with adjacent landowners to provide a Concept Masterplan that includes their landholding to demonstrate an alternative development scenario (Appendix 3). It would be appreciated if the Council took this into consideration before finalising the Policy KN2.

1.2 Engagement with Solihull MBC

- 1.2.1 These representations will seek to identify that there is no agreement with Solihull MBC on the masterplan approach taken for Site Allocation KN2 the Arden Triangle, between the land owners that comprise the site extent. As such the proposed allocation with reference to the Concept Masterplans October 2020 is not demonstrated to be deliverable and as a result is not sound.
- 1.2.2 There has been no direct engagement with Messrs Coombs by Solihull MBC with respect to their landholdings at Stripes Hill House, aside from Council sponsored attendance of general land owner meetings, instead relying upon presumed collaboration without any direct written confirmation. In relation to the most recent Concept Masterplan there has been no collaboration with landowners in respect of the latest change of use proposed, specifically the alteration to their land through the published Indicative Masterplan for the Arden triangle site KN2 that shows their land to be used for the delivery of educational facilities and the demolition of the dwelling on the site. Collaboration with Messrs Coombs would have identified their strategy for their site, to retain

the dwelling and convert it to a C2 Care Homes alongside a mix of C2 and C3 new build residential development. Such a development is considered to be achievable when taking into account the constraints of the site of topography, landscape setting and existing trees. Messrs Coombs stance on the proposals were identified by the objections submitted directly by them through a letter to Cllr Ian Courts on 29 September identifying that the Stipes Hill House site would not be available for the development of a school, alongside written representations to the Cabinet on 10 October 2020.

- 1.2.3 It is evident that Solihull MBC have failed to engage positively with key stakeholders with respect to the evident change in the KN2 masterplan, that should have been undertaken to ensure the deliverability of the allocation and the component uses within it. Instead, the allocation is proposed to be progressed without landowner agreement with reliance upon compulsory purchase powers to assemble the land required to deliver the new education facilities. This identifies a lack of engagement with key stakeholders and reliance upon information from parties with interests that promoted other lands within KN2 for housing above the Stripes Hill House site. Claremont Planning identify that the proposed allocation KN2 is not enabled to have any surety in delivery as a result and is unlikely to be able to identify the lands required for the relocation of the Arden Academy school within the timescales required to meet the educational needs identified.

1.3 Representations Format

- 1.3.1 These representations on behalf of Messrs Coombs should be read alongside legal submissions by Stuart Tym of Irwin Mitchel. The comments are focussed upon the allocation of the Coombs landholdings at Stripe Hill House as well as policies related to the delivery of C2 Care Homes and Elderly Accommodation through the emerging Local Plan strategy. Representation Forms are provided at Appendix 4 identifying the specific policies that these representations relate to.

2 COOMBS LANDHOLDING

2.1 Site Context

- 3.1.1 The land under control of the Coombs as identified at Appendix 1 contains a large residential dwelling and a range of large outbuildings (The Site). The Context of The Site is described below from the surveys undertaken by Solihull MBC and the assessments that have informed the Allocation KN2 Masterplan. Through this evidence base material it will be demonstrated that The Site is suitable for residential development but is severely constrained to deliver any of the proposed educational facilities, which will be chiefly large footprint buildings or playing field / playground provision that require large areas of level topography with no constraining factors.
- 3.1.2 The relationship of The Site to Knowle is recognised as sustainably situated in relation to accessibility and synergy with existing built up areas. The delivery of appropriate residential development on The Site is supported by the evidence base that exists.

2.2 Landscape

- 2.2.1 The topographical survey of the Allocation KN2 site existent identifies the hillside characteristics of the site, reflecting the Stripes Hill name to the location. The change in levels across The Site is evident to the south of Stripes Hill House, sloping away from 127.05mAOD down to 120.67mAOD where a brook traverses The Site west to east. The Lathams Landscape Assessment produced in July 2020 by the Council reports across the allocation extent, but only considered the topographical character in relation to its prominence within the landscape setting, rather than the deliverability of development. The date of this assessment does not correspond with the latest version of the KN2 Masterplan where educational uses are identified within the northeast areas of the site, so instead the landscape assessment was likely to consider the impact of residential development on The Site. The Landscape Assessment undertaken does not mention Stripes Hill or the considerations of the northern areas of the allocation due to the restricted public viewpoints and mature boundary tree screening enclosing these northern areas. Notably the Lathams Assessment does not assess the impact of any type of development or masterplan, simply assessing the overall sensitivity of the allocation area.
- 2.2.2 Within The Site, the Council's topographical survey locates the existing house and outbuildings, alongside numerous hedgerows and tree belts, some of which are identified for their contribution to the landscape setting and quality. Of note are a number of large tree specimens located within the grounds of Stripes Hill House, including mature oak trees that contribute significantly to the setting of the locality.

2.3 Ecology

- 2.3.1 An area of Orchard is located within the grounds of Stripes Hill House and is dominated by Apple trees with a single Walnut and a low number of Silver Birch and Willow. The grassland within this orchard is regularly mown as part of its amenity setting. Although the orchard does not meet the definition of the Priority Habitat type 'traditional orchards' its loss due to development would be of minor significance. Nonetheless, the Council's survey produced by Aspect Ecology in July 2020 recognises that there is the opportunity to enhance the orchard with a good diversity of tree

species and low intensity management as part of any scheme design. Aspect Ecology advise through the survey that hedgerows are retained and protected wherever practicable, with particular consideration given to those that are species-rich and ecologically important such as on The Site.

2.3.2 Numerous hedgerows are present within The Site, including well-managed ornamental hedgerows within the garden alongside species-rich and dense features around the external boundary. A hedgerow survey undertaken by Aspect Ecology identifies species-rich hedgerows and those that would qualify as ecologically 'important' in accordance with the Hedgerows Regulations 1997 within The Site. Crucially the location of these hedgerows are not restricted to the outer boundaries and instead are located along the access driveway, bisecting the northern area of The Site.

2.3.3 A small waterbody is present within The Site, comprising a small ornamental pond of limited ecological value but with potential for enhancement. Several areas of semi-improved grassland fall within The Site with the north-east area forming two fields currently used for horse grazing and documented as supporting semi-improved grassland of moderate species-richness. The network of semi-improved grassland fields, hedgerows, small blocks of woodland in the area and waterbodies are identified as offering good quality Bat foraging habitat. In addition, the extensive hedgerow/ tree belt network provides linear features which can be utilised by many bat species for commuting.

2.3.4 The Aspect Ecology assessment advises that surveyed habitats are unlikely to pose a constraint to development of allocation KN2 subject to the retention of boundary hedgerows, woodland and the larger waterbodies. Biodiversity off-setting will be required due to the loss of semi-improved grassland. Advice also refers to that consideration of opportunities to achieve a biodiversity net gain too reflect the emerging legislation that will require a mandatory 10% net gain for developments. The habitat types present are identified as providing opportunities to support various protected species, including foraging and roosting bats, with potential for retention and enhancement.

2.4 Accessibility

2.4.1 An assessment of the KN2 Allocation's accessibility and likely traffic impacts has been undertaken on behalf of the Council by Hub Transport Planning in March 2020 through an Access Appraisal. Importantly this assessment considers the allocation as delivering up to 750 homes and new primary school, whilst the Arden Academy will be retained on the existing site. No consideration has been given to the traffic and accessibility implications of relocating the Arden Academy beyond its current land holding. The impact of the additional traffic arising from the allocation development is taken into account through various junction assessments and a strategy of mitigation / improvements to junctions and Knowle Town Centre arrangement is proposed.

2.4.2 The Access Appraisal demonstrates that there are a number of local facilities within walking distance of The Site, with a significant amount of local facilities falling within the (National Travel Survey) average walk trip distance. Along the eastern frontage of the site, an existing footway is located on the eastern side of Warwick Road. At the northern tip of the site a footway is also provided on the western side of the road. This provides access to local facilities within Knowle Village Centre.

- 2.4.3 An on-road cycle lane is located on the western side of the carriageway on Warwick Road, starting further north of the site at the point at which the speed limit reduces to 30mph. The cycle lane provides access to the north, as far as Knowle High Street. In addition, Bus stops are located on Warwick Road, as well as additional stops along Station Road. Bus stops located on Warwick Road are served by bus numbers 88 and 514 and bus stops located on Station Road are served by bus numbers 513, 872 and A7/A8. In addition, further services can be accessed from Knowle High Street and are served by bus numbers 87, 87A, 88, 88A, 513, 514 and A8.
- 2.4.4 The access strategies considered by Hub transport Planning do not assess the relocation of the Arden Academy, particularly the resulting impact of school traffic on Warwick Lane. Notably there is no justification that the relocation of the Arden Academy and accessing from Warwick Road would alleviate existing constraints along Station Road or the congestion along this route. Instead, the Access Appraisal undertaken has only assessed the impact of residential traffic movements on Warwick Road access points and junction capacities. The delivery of a school off Warwick Road has not been assessed at all and the implications on the related traffic have not been quantified or mitigated for.
- 2.4.5 The Access Appraisal recommends that Access to/from the northern section of Warwick Road could possibly utilise the existing private drive access to Stripes Hill House. This access is located on the crest of the hill meaning visibility would not be constrained by the vertical alignment of the road. The access would have to be upgraded and formalised to serve the development. However, the access appraisal specifically mentions that “the impact on the heritage asset that is Stripes Hill House would have to be considered”, recognising that the existing dwelling on site is of significance. Due to the necessary upgrades to the access point that would be required and resultant impact on existing trees, it is considered preferable for a new access to be provided to the north where minimal hedge/tree loss would be required and clear visibility would be available.
- 2.4.6 Accordingly, the provision of two to three access points from Warwick Road have been demonstrated through the Hub Transport Planning assessment to be able to serve the residential traffic and possibly primary school traffic arising from the allocation. Furthermore, the Coombs proposals for C2 residential use has not been taken into account with respect to the traffic capacity on Warwick Road, specifically in relation to the lower levels of car movements associated with such uses. There is no evident assessment that Warwick Road is suitable as the primary access to a relocated Arden Academy.

2.5 Drainage

- 2.5.1 WYG were instructed by Solihull MBC to identify the flood risk character of the allocation site and drainage considerations. Through this assessment it was identified that an ordinary watercourse issues to the south west of Stripes Hill House and continues eastwards, collecting in a pond, before flowing east and going to ground. Furthermore, a 150mm diameter foul sewer drains north along a small section of Warwick Road, north east of the site.
- 2.5.2 Based on WYG's review of British Geological Survey (BGS) mapping The Site is largely directly underlain by the Bramscombe Mudstone Formation. The site is predominantly underlain by 'loamy soils with naturally high groundwater' and 'slowly permeable seasonally wet slightly acidic but base rich loamy and clayey soils'. This evident on site with waterlogged grassland in wet weather.

2.5.3 The Environment Agency's Flood Map for Planning indicates that the site lies entirely within Flood Zone 1 and is therefore at low risk of fluvial flooding from Main Rivers. Surface water flooding is documented as influencing The Site, with mapped surface water flooding following a local depression associated with the ordinary watercourse to the south of Stripes Hill House. Such flooding is typical of sloping sites and the ground conditions documented.

2.5.4 In addition, the allocation's susceptibility to groundwater flooding map has been investigated by WYG, inferring a variable flood risk across the allocation area. In the north west there appears to be no risk, whilst in the south west and north east there is a <25% risk and in the south east there is a 25-50% risk that will influence any drainage mechanisms to be utilised. This, combined with surface water flood locations across the allocation, will inform any sustainable drainage strategy to be utilised and most importantly the density of development / land coverage to be realised.

2.6 Summary

2.6.1 From this review of the available surveys and evidence base that the Council has prepared to inform the allocation masterplan process, it is evident that The Site has a hillside topography that is influenced by a number of sources of flooding. This, alongside the treed characteristics of The Site, inform its developability; most specifically for large footprint multi-level development that would be required to deliver educational facilities and the related playing fields. It is not comprehended how the Stripes Hill House site would be suitable for development of the relocated Arden Academy without substantial detriment to the landscape setting and loss of mature trees that contribute significantly to the landscape setting.

3 POLICY KN2: SOUTH OF KNOWLE (ARDEN TRIANGLE)

3.1 Deliverability

- 3.1.1 The Coombs generally support the release of the proposed Allocation KN2 from the Green Belt to deliver housing development at Knowle that will address some of the housing need identified through the emerging plan. However, the latest Masterplan for the allocation included within the accompanying Concept Masterplan Document October 2020 does not demonstrate an approach to the distribution of the allocation development that is soundly based upon the evidence base prepared, and does not have agreement within all of the landowners that have control of the allocation area. The failure of the Council to address the proposals for the allocation area with all landowners is demonstration that the deliverability of the allocation as identified through the KN2 Concept Masterplan is not agreed and not based upon a credible, fair or informed evidence base; particularly when considering the timescale for delivery of infrastructure requirements (such as the relocation of the Arden Academy school) and appropriate viability testing or equalisation of land values that would be expected for a strategic scheme of this scale.
- 3.1.2 Previous Masterplan proposals for KN2 released in 2019 provided two options, both of which retained Stripes Hill House within a residential development, which the Coombs had no objection to. However, the Coombs' strategy to convert Strips Hill House to C2 accommodation is not reliant upon the Green Belt release as its conversion is deliverable through national and emerging policy for appropriate development in the Green Belt. This approach has not been appreciated by Solihull MBC through the consideration of the Allocation KN2 and the Council's assembly of the allocation lands.
- 3.1.3 In addition to these considerations, that are specific to the Coombs landholding, the available information to justify the allocation development does not adequately identify that the relocation of the Arden Academy beyond their existing site is financially viable or deliverable. The viability assessments provided to Messrs Coombs by the Council have severely underestimated the value of the Stripes Hill House, with no appropriate scale or nature of developability taken into account. Furthermore, the Savills Land receipts appraisal September 2020 has inappropriately assessed other landholdings within the allocation area as having residential applications/consents in place when no such proposals were evident from the Council's online planning portal. No land within the allocation area has residential consent and therefore the valuations should not take any permissions into account when assessing value. As such the values relied upon in this assessment are factorially misinformed and not reliable.

3.2 Policy KN2: South of Knowle

- 3.2.1 Claremont Planning wholly support and endorse the Council's approach to allocating land beyond the urban area, requiring the removal of sites from the Green Belt and agree with the overall approach to site selection. Related to this is the general endorsement of the allocation through "Policy KN2 – South of Knowle (Arden Triangle)" as a strategic site for development. Messrs Coombs own and control the northern part of the allocation site and have the provision of un-ransomed access into the surrounding allocation lands, as well as existing highway access from Warwick Road.
- 3.2.2 The Site has the ability to provide C3 residential development at a medium to low density, alongside conversion of Stripe Hill House to provide C2 Care Home accommodation that would

be recognised at a higher unit ratio in relation to each bedroom provided. To date, this scenario has not been accounted for through the Council's development strategy for Allocation KN2 and its related Masterplan, demonstrating the lack of communication with Messrs Coombs as well as poor demonstration of how the strategic allocation is to accord with the emerging plan policy requiring delivery of strategic requirements that include C2 accommodation for the increasing older population across the Borough (Policy P4E). The assessment of suitable scenarios of delivery for this strategic policy allocation is identified to be inadequate as a result and the resultant Concept Masterplan undeliverable.

3.2.3 Claremont Planning notes that through Policy KN2 it is required that the allocation be delivered in accordance with the accompanying Concept Masterplan. Although this is recognised as increasingly becoming the preferred approach for delivering strategic sites that provide for major scale development, it is expected that this requirement could equally be addressed through a Supplementary Planning Document or outline application and encompassing masterplan / design documentation. Such alternatives to the Concept Masterplan proposed provide a clearer approach to collaboration between landowners, with appropriate realisation of the infrastructure requirements, site characteristics and optimum location for varying uses. The delivery of such an agreed masterplan through such methods with subsequent approval of the Local Planning Authority required is a preferable method of securing the comprehensive development of the allocation KN2, rather than the contrived Concept Masterplan drafted that has no certainty of delivery.

3.2.4 Claremont Planning raises concerns that the KN2 allocation is not deliverable in regard to the proposed Concept masterplan. Reliance upon compulsory purchase powers to assemble the allocation and most importantly to deliver the relocated Arden Academy, will cause significant delays and provide no certainty on timescale or deliverability. Messrs Coombs propose to strongly contest any compulsory purchase of their site and will seek to retain the house as Mrs Gostling Coombs' residence for as long as necessary. Reliance upon the non-strategic masterplanning concept plans that have been prepared to demonstrate the delivery of the KN2 allocation is urged to be revised, either through amendment of the Masterplan or removal of the reference to the Concept Masterplans in the policy wording.

3.3 Allocation Masterplanning

3.3.1 The principal of Concept Masterplans is supported overall and considered to be a useful tool to ensure effective infrastructure delivery, comprehensive development and agreed methods addressing constraints. However, Claremont Planning wishes to raise concerns about the content and approach taken for the Masterplans for Strategic Sites, specifically the Arden Triangle site allocation KN2. Firstly, the distribution of land uses within the KN2 Masterplan has changed remarkably from the Masterplans issued in 2019 that identified two options for the arrangement of land uses across the allocation area. Through these 2019 options the Coombs landholding was identified for residential development and Stripes Hill House was shown retained. With respect to the now proposed Submission Version of the Local Plan and proposals for KN2, no direct collaboration with Messrs Coombs was undertaken by the Council on the relocation of the school, leading up to the issue of an updated Masterplan version.

3.3.2 The latest 2020 Concept Masterplan for KN2 identifies the Coombs landholding as being developed for educational purposes only (relocation of Arden Academy and New Primary School) and with Stripes Hill House removed. There is no available information on how such school premises and related playing fields/sports facilities will be deliverable when taking into account the

hillside position, watercourse and hedgerows/trees. It seems incongruous and inappropriate for a strategic level masterplan to seek to ignore such evident constraints to the realisation of schooling facilities on The Site.

- 3.3.3 Through the failure of the Concept Masterplans to demonstrate how the identified constraints can be overcome; the inclusion of the Masterplans as currently proposed jeopardise the soundness of the plan and its legal compliance in respect of addressing statutory influences and designations. This is particularly relevant given that objections/comments have already been submitted to the Council by Messrs Coombs. This is particularly relevant when considering the requirements to plan for infrastructure expansion and the necessary flexibility required to address strategic development delivery.
- 3.3.4 Claremont Planning strongly recommend that the Concept Masterplan for Allocation KN2 is amended or removed. Without these changes the Concept Masterplan included is at risk of jeopardising the deliverability and reliance of the proposed strategic allocation. Failure to provide sufficient flexibility at this early stage could jeopardise the proposed allocations through a risk of challenge to the development extents and impacts arising. As such, to make the plan sound the reliance upon Concept Masterplan KN2 should be removed or the masterplan amended to ensure constraints can be appropriately assessed and impacts quantified, within adequate mitigation and infrastructure provision allowed for.

3.4 Engagement with Solihull MBC

- 3.4.1 These representations will seek to identify that there is no agreement with Solihull MBC on the masterplan approach taken for Site Allocation KN2 the Arden Triangle, between the land owners that comprise the site extent. As such, the proposed allocation with reference to the Concept Masterplans October 2020 is not demonstrated to be deliverable and as a result is not sound.
- 3.4.2 There has been no direct engagement with Messrs Coombs by Solihull MBC with respect to their landholdings at Stripes Hill House, instead relying upon presumed collaboration without any direct written confirmation. This is specifically in relation to the change of use proposed on their land through the published Indicative Masterplan October 2020 for the Arden Triangle site KN2 that shows their land to be used for the delivery of educational facilities and the demolition of the dwelling on the site. Collaboration with Messrs Coombs would have identified their strategy for their site, to retain the dwelling and convert it to a C2 Care Homes alongside a mix of C2 and C3 new build residential development. Such a development is achievable when taking into account the constraints of the site topography, landscape setting and existing trees. Messrs Coombs stance on the proposals were identified by the objections submitted directly by them through a letter to Cllr Ian Courts on 29 September identifying that the Stipes Hill House site would not be available for the development of a school, alongside similar written representations to the Cabinet on 10 October 2020.
- 3.4.3 It is evident that Solihull MBC have failed to engage positively with key stakeholders (all of the landowners) with respect to the evident change in the KN2 masterplan, that should have been undertaken to ensure the deliverability of the allocation and the component uses within it. Instead, the allocation is proposed to be progressed without landowner agreement with reliance upon compulsory purchase powers to assemble the land required to deliver the new education facilities. This identifies a lack of engagement with key stakeholders and reliance upon information from parties with interests that promoted other lands within KN2 for housing above the Stripes Hill House site. Claremont Planning identify that the proposed allocation KN2 is not enabled to have

any surety in delivery as a result and is unlikely to be able to identify the lands required for the relocation of the Arden Academy school within the timescales required to meet the educational needs identified.

Council's Masterplan Justification

- 3.4.4 The Council has made a Masterplan justification statement available to the owners of the land within Allocation KN2 (Appendix 2). This statement concentrates upon the amended location for the Arden Academy and the shared development of a new Academy alongside a Primary School. It is not disputed that the Academy is in need of investment and possible relocation to deliver a new school premises that also provides primary schooling, however it is maintained that the location now chosen for the education uses on Allocation KN2 is not suitable for such large footprint development. There is also no agreement with the related land owners for their land to be available for such a use, and therefore no assurance of delivery of the school within the timescale required. Examination of the justification given is reviewed below to demonstrate the flaws in the revised Masterplan approach.

Provision of new primary school places as part of a combined campus Academy -

- 3.4.5 Identified need for an additional 420 primary school places in the Knowle and Dorridge area over the Local Plan period. The Council's case argues that to minimise the land-take required for the provision of the new primary school places, it is proposed that these school places be provided through the creation of a combined campus school comprising primary, secondary and sixth form provision. The identified need for new primary school places is not disputed, however no timescale for delivery of the school is identified to demonstrate it will be able to be provided alongside new housing delivered at Knowle and Dorridge. Delivery of a separate or co-located primary school would be able to be provided for ahead of the completion of a relocated Academy and within a shorter timescale that would more closely relate to the delivery of development and schooling needs arising. Failure to deliver the Primary School places in accordance with the housing trajectory for housing allocations at Knowle and Dorridge will identify a failure of the plan to deliver the necessary infrastructure.

- 3.4.6 The need for primary schooling is not a reason to locate the education facility on the Coombs Landholding. The assessment of housing delivery and maximisation of density has not taken into account the Coombs proposals for C2 Care Home provision on The Site and has provided no consideration of alternative locations for the education campus.

A once-in-a-lifetime opportunity to enhance the provision of secondary school places in Knowle and solve infrastructure deficiencies within the existing Academy, in particular assembly and kitchen/dining space, and other supporting facilities -

- 3.4.7 There is no explanation of why the Local Plan Review is regarded as such a single opportunity given the Local Plan is reviewed every 5 years to meet development and infrastructure needs; whilst the department of Education and Council Education Departments undertake regular reviews of educational need requirements, school enrolments and investment requirements. This justification directly reproduces the Academy's publicity material in relation to their proposals for a new school, including the phrase 'once-in-a-lifetime'. This is not correct and unevidenced.
- 3.4.8 The Arden Academy has received planning permission in recent years for its extension and improvement of facilities. The justification report identifies failures in the existing school buildings with respect to poorly heated areas and single glazed windows. It is notable that through recent works to the school the improvement of existing buildings through the addition of simple double

glazing was not provided. It is apparent that investment in the Academy site has been to deliver expanded facilities rather than improvement of the existing buildings, which has culminated in the issues now identified. Other physical deficiencies of the school relate to the expansion of enrolment beyond the building capacity and the age of the buildings, including recorded asbestos construction. These points do not identify any reasoning for the proposed location of the school.

- 3.4.9 The justification report considers that the development of a modern, purpose-built Academy, with space for the required number of pupils is the most cost efficient way of resolving the existing issues. However, what is not clear from the information made available is how such an enlarged Academy complex would be delivered on the constrained site identified through the Masterplan; with reference to the sloping topography, flood risk environment and retention of trees/hedgerows. The justification report identifies that there is no funding available for the improvement of the existing Academy buildings, whilst the new complex would be funded through S106 contributions and Homes England support realised through the sale of the site for housing. The report indicates that this is the only means of delivering the expansion of the Academy alongside a Primary School, however if this is indeed the case then it should have been identified at the outset of the proposals for the allocation, rather than left to the Preferred Options stage of the Local Plan's preparation.

Density and maximising the efficient use of land for the Site 9 development, in particular releasing land on the Station Road frontage for higher density development and greater permeability around that part of the site -

- 3.4.10 The relocation of the Academy is also justified by the Council due to the ability to redevelop the school site for higher density housing than other areas of the allocation site. In addition, the relocation beyond the school's site is justified by the ability to open up the Station Road frontage and enhanced permeability through to Knowle. This assessment is disputed for a number of reasons; firstly that the high density housing development proposed will contrast significantly with the existing urban character of Knowle, whilst the capacity of other land within the allocation has not factored into C2 Care Home unit delivery as a means of increasing density or alternative formats of living accommodation that could relate well to the hillside topography. Secondly, relocation of the Academy within the school site, such as on the adjacent playing fields, would equally open up the Station Road frontage and enable part redevelopment for housing. Such an option has not been considered despite its ability to provide permeable routes through the allocation and ensuring a new school without the requirement to pursue a site purchase, including the time consuming Compulsory Purchase proceedings that will be required. Thirdly, the delivery of the primary school as a separate co-located complex would be entirely deliverable and fundable through S106 Contributions arising from development.

Alleviating traffic congestion and safety concerns currently experienced by the Academy on Station Road -

- 3.4.11 The proposals for the Arden Academy's relocation and delivery of a new education complex do not directly address the issues that were identified through the Knowle, Dorridge and Bentley Heath Neighbourhood Plan 2017. Instead of seeking to promote a modal shift for accessing the school facilities the school proposals are focused upon adequate delivery of car parking and sufficient drop off locations for parents. This approach conflicts with the principles of Sustainable Development advocated through the emerging plan and the overall theme of sustainable travel that is advocated at a national level.
- 3.4.12 The relocation of the Arden Academy will not address the criticised quality of walking and cycling routes along Station Road, even though Station Road will provide a key route into the allocation

area that will provide a route through to the location of the new school complex. The relocation proposal will simply succeed in displacing the congestion to Warwick Road that is already noted by WYG's highway appraisal as being congested in the afternoon and early evening. This existing congestion will be exacerbated through the proposed relocation.

- 3.4.13 The proposed location for the education complex will not resolve existing accessibility concerns for pedestrian and cyclists, whilst displacing further congestion to Warwick Road. It would be preferable to relocate the Academy within its own grounds and provide a new pedestrian and cycle access strategy that minimises the number of car movements associated with school trips rather than the Masterplan's current concept of encouraging vehicular access through additional car parking and access from Warwick Road.

The ability to open up new facilities at the Academy for community use, to support sustainable development and growth in the local population -

- 3.4.14 It is commonplace for schools to provide facilities accessible to the wider community. Any new school premises delivered through the allocation would enable such use. This provides no justification for the Concept Masterplan location of the education facilities.
- 3.4.15 The Council's Statement refers to the proposals for the relocated Arden Academy to provide a swimming pool and gym that can be used by the wider community. There is no justification for such facilities to be provided as part of a new school and no references in the Infrastructure Development Plan for such recreational facilities at Knowle. The addition of such non-essential facilities would increase the costs of the Academy's relocation and is not justified. The Council's proposals to develop new sports hubs across the Borough is instead considered to be a preferable means of delivering such facilities at Knowle and Dorridge, which local schools could utilise as necessary. There is no basis for the sports hub to be also located within the KN2 allocation and inappropriately enlarge the size of the educational campus.

Sustainability and the Council's carbon neutral commitment -

- 3.4.16 Any new school development could be constructed to meet the Council's carbon neutral commitment. This does not justify the location of the education uses within the Concept Masterplan.

Funding & Viability -

- 3.4.17 There is no agreement of the land values put forward by the Council or the Coombs landholding, which has been inappropriately assessed, whilst other land within the allocation have had residential land values attached with the wrongful context of applications already being submitted. There is no proposal by the Council for land equalization across the allocation extent to off-set the reduced value of the proposed educational areas, which is commonplace for strategic sites that deliver infrastructure schemes. It is obvious that the Masterplan has been manipulated to ensure that proceeds from high density housing development is accrued to fund the educational proposals, rather than the land uses located to the most suitable locations within the allocation extent. The involvement of homes England in financing the Academy's relocation appears to have directly informed the distribution of uses across the allocation area rather than the most appropriate locations being chosen for the school and housing developments. Despite the support of Homes England, Messrs Coombs identify that there exists a Council identified shortfall of nearly £14M in funding for the relocation and expansion of the Academy that is yet to be explained. This influence upon the distribution of uses has not been related fairly to other landowners and is not suitably justified.

- 3.4.18 There is no certainty of the financial and viability assessment provided as recent correspondence from Solihull MBC to the KN2 landowners has identified that further financial testing and valuation is to take place. As such the current relocation of the education facilities as set out by the draft Concept Masterplan for KN2 is not based upon sound or complete evidence.

4 SOUNDNESS ASSESSMENT

4.1 National Planning Policy Framework

- 4.1.1 The Government published a revised National Planning Policy Framework was updated in 2019 (The Framework) and identifies the tests of Soundness that must be reached by Local Plans, both in respect of strategic policy and non-strategic policies. Paragraph 35 of The Framework identifies the consideration for the assessment of the soundness of plan policies, with requirement that they be positively prepared, justified, effective and consistent with national policy.
- 4.1.2 The Framework identifies at Paragraph 16 that Development Plans should be prepared with the objective of contributing to the achievement of sustainable development; ensuring that policy is deliverable and sufficient engagement with stake holders is undertaken. Through the assessment of Policy KN2 and the related Concept Masterplan it is apparent that the preparation of the Local Plan and specifically the evolution of this policy has not fulfilled the requirements of the Framework.
- 4.1.3 Allocation KN2 is not considered to be deliverable as a whole due to the inappropriate distribution of land uses across the site extent, locating the educational uses on land that has not been made available for such uses and will require lengthy Compulsory Purchase acquisition. The latest preparation of the plan that has led to the consultation version of the Local Plan has disregarded the recommendations of the Council's own evidence base and has been advanced without appropriate address to landowners; namely Messrs Coombs. The proposals for the Arden Academy relocation are not considered to be deliverable and are considered to be of a nature that are overly aspirational, that will certainly harm the delivery of evidenced education facilities through the insistence that unjustified leisure facilities such as a swimming pool are provided alongside.
- 4.1.4 The Council has failed to appropriately engage with Messrs Coombs, with no one to one contact that could have beneficially informed the Council's proposals for site KN2. The Council has failed to effectively engage with the required parties and there is insufficient evidence that the delivery of KN2 as a whole is achievable when applying the published Concept Masterplan.
- 4.1.5 Through the failure to deliver Allocation KN2 and ensure the provision of new education facilities, the allocations at Knowle and Dorridge are jeopardized. The resultant impact on the strategic distribution of development through the emerging strategy and direct reduction in development delivery will mean that that Local Plan will fail to address the objectively assessed needs that have been identified and will not be positively prepared.
- 4.1.6 Through the reliance on the current KN2 Concept Masterplan and Policy Allocation KN2, the Local Plan is unsound as it will not result in a justified or effective allocation strategy for homes and related infrastructure. Insufficient scrutiny of alternative locations and financing of the Arden academy has been undertaken by the Council to justify the KN2 Concept Masterplan, with the updated Sustainability Appraisal not providing appropriate scrutiny to justify the approach proposed by the Council. Given the Council is still producing the evidence necessary to justify the distribution of uses across Allocation KN2, it is apparent that the policy is not informed by a sound or reliable evidence base.

- 4.1.7 Furthermore, the proposed detail of Allocation KN2 provided through the policy text and supporting paragraphs will not ensure an effective strategy for the delivery of the allocation. It will also not appropriately ensure the delivery of education infrastructure within a time scale that is required to meet the needs of the increased population at Knowle and Dorridge that will result from the Local Plan. As a result, Policy KN2 is ineffective.
- 4.1.8 Through this assessment Claremont Planning maintain on behalf of Messrs Coombs that the proposed Policy Allocation KN2 and accompanying Concept Masterplan are not sound.

5 POLICY MODIFICATION

5.1 Recommendations

- 5.1.1 Allocation Policy KN2 requires modification to be found sound. Failure to modify the allocation and accompanying paragraphs 720 -729 to take account of the points raised in these representation will render the plan challengeable and unsound. The accompanying Concept Masterplan KN2 also requires redrafting to be relatable to the documented evidence base and to demonstrate the allocation is deliverable.
- 5.1.2 Claremont Planning strongly recommend that the Concept Masterplan for Allocation KN2 is amended or removed. Without these changes the Concept Masterplan included is at risk of jeopardising the deliverability and reliance of the proposed strategic allocation. Failure to provide sufficient flexibility at this early stage could jeopardise the proposed allocations through a risk of challenge to the development extents and impacts arising. As such, to make the plan sound the reliance upon Concept Masterplan KN2 should be removed or the masterplan amended to ensure constraints can be appropriately assessed and impacts quantified, within adequate mitigation and infrastructure provision allowed for.
- 5.1.3 The Allocation proposals for the Arden Triangle site should provide for the retention of Stripe Hill House and existing trees that are of significance and should be retained. The related Masterplan for the allocation should be suitably amended to respond to these considerations so that the educational development is relocated elsewhere within the allocation. Such a relocation will enable the delivery of the education facilities within the required timetable and to the standard required; without the ensured delivery of these educational facilities the strategic allocation of this site and the infrastructure it is intended to deliver is undermined. Similarly, the reasoning for the site's Green Belt release is also detrimentally affected.
- 5.1.4 It is recommended that further consideration of alternatives is undertaken, particularly with respect to the delivery of a new Arden Academy within the School's existing landholdings. Until the Council has agreement of the allocation masterplan, the policy should not rely upon the accompanying masterplan document to secure the various components of the allocation. The full case of Messrs Coombs is presented in the accompanying representation report.
- 5.1.5 Specific deletion of paragraph 724 is also recommended:

~~Paragraph 724. The new school will be located away from Station Road and will not be accessed from it. Whilst There will be pedestrian and cycling connectivity from both within and through the site to the schools, the main access will be taken off Warwick Road. This will result in existing school traffic being displaced from Station Road, allowing for more free-flowing traffic in this area of the settlement, and thereby reducing congestion. It will also provide an opportunity for higher density residential development to take place on one of the most accessible parts of the Site, which will facilitate more sustainable access to the village centres and public transport links, as well as reducing car use in and around this part of the village. Funding for the school will be expected via section 106 agreement associated with the development of the allocated sites.~~

APPENDIX 1 – COOMBS LAND TITLE



Official copy of register of title

Title number WM192709

Edition date 16.06.1994

- This official copy shows the entries on the register of title on 19 NOV 2020 at 17:52:43.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 19 Nov 2020.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WEST MIDLANDS : SOLIHULL

- 1 (26.06.1980) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 'Stripes Hill', Warwick Road, Knowle.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (26.06.1980) Proprietor: CELIA MARY GOSTLING COOMBS of 'Stripes Hill', Warwick Road, Knowle, Solihull, W Midlands.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A conveyance of the land tinted pink on the filed plan dated 29 September 1902 made between (1) Thomas Henry Godwin Newton and (2) John William Murray contains the following covenants:-

COVENANTS by said John William Murray for himself his heirs and assigns.

.....

.....

3. NOT to erect or suffer to be erected upon the property any small houses (other than a lodge) or any premises for the purpose of any trade or manufacture and not to carry on or permit to be carried on in any building which might be erected on the property any trade or business whatsoever.

4. NOT to use the property or any building to be erected thereon for

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 19 November 2020 shows the state of this title plan on 19 November 2020 at 17:52:43. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the HM Land Registry, Coventry Office .

© Crown copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

H.M. LAND REGISTRY

TITLE NUMBER

WM192709

ORDNANCE SURVEY
PLAN REFERENCE

SP 1776

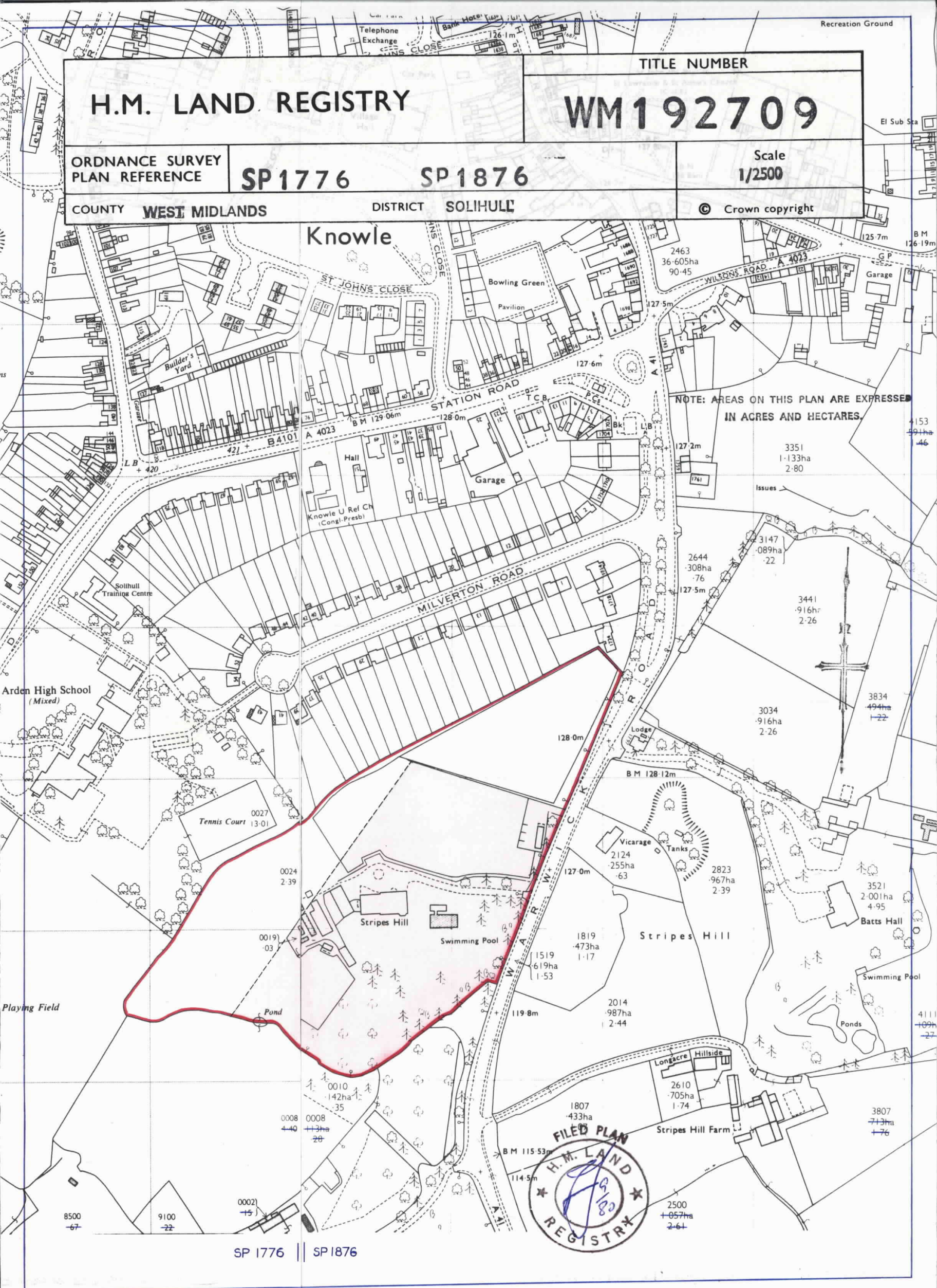
SP 1876

Scale
1/2500

COUNTY WEST MIDLANDS

DISTRICT SOLIHULL

© Crown copyright



SP 1776 || SP 1876

C: Charges Register continued

any purpose which should or might be or grow to be in any way a nuisance to the said Thomas Henry Goodwin Newton his heirs or assigns or his tenants or the owners or tenants of any of the adjoining property or neighbourhood.

- 2 A Deed dated 3 March 1967 made between (1) Derek Ephraim Cotton and (2) Solihull Corporation contains restrictive covenants.

NOTE: Copy in Certificate.

End of register

APPENDIX 2 – SMBC JUSTIFICATION PAPER

SOLIHULL METROPOLITAN BOROUGH COUNCIL

REPROVISION OF ARDEN ACADEMY WITHIN DRAFT SOLIHULL LOCAL PLAN REVIEW SITE 9 – SOUTH OF KNOWLE

The land known as Site 9 in the Draft Solihull Local Plan Review (November 2016) (“the LPR”) is in multiple ownership, and the landowners have been working together on a collaborative basis for several years to promote the release of the site from the Green Belt and the delivery of a residential-led development comprising ca. 600 new homes.

The existing site of Arden Academy, a 10FE secondary and sixth form school, is included within the Site 9 boundary, and the Council and Arden Academy are proposing the relocation and reprovizion of a new combined campus primary, secondary and sixth form Academy on adjoining land within the Site 9 boundary.

Although the Council’s Policy and Engagement team has confirmed that the reprovizion of the Academy is required to provide sufficient benefits to offset the harm of taking the site out of the Green Belt, during a landowner meeting held on 27 August 2020, further information was requested on the evidence of need for the reprovizion of the Academy on this basis.

Essentially, the evidence of need for reprovizion falls within 7 broad headings, which are set out in further detail in this note. It is important that these criteria are considered in the round, as whilst certain objectives could potentially be delivered on a piecemeal basis, the proposed development presents opportunity to provide a comprehensive solution.

1. Provision of new primary school places as part of a combined campus Academy.

The LPR sets out a schedule of likely infrastructure requirements to support the delivery of ca. 600 new homes at Site 9, and the provision of increased primary school places is a key priority. This requirement is supported by the Council’s adopted School Organisation Plan 2019/20 (approved by the Cabinet Member for Children, Education and Skills on 18 December 2019), which identifies a need for an additional 420 primary school places in the Knowle and Dorridge area over the Local Plan period.

To minimise the land-take required for the provision of the new primary school places, and thereby maximise the residential development potential of the wider site, it is proposed that these places be provided through the creation of a combined campus school comprising primary, secondary and sixth form provision. This will therefore avoid the duplication of school facilities that would otherwise be required, particularly playing fields and supporting infrastructure.

2. A once-in-a-lifetime opportunity to enhance the provision of secondary school places in Knowle and solve infrastructure deficiencies within the existing Academy, in particular assembly and kitchen/dining space, and other supporting facilities.

The LPR also identifies a likely requirement for increased secondary school provision to support the Site 9 development. Whilst Arden Academy does have some modern facilities and has been expanded in the past to provide additional teaching space, it has become

apparent that this has not been supported by the expansion of the required school infrastructure, particularly assembly and kitchen/dining space. As a result, the current Academy has been assessed by the Council's Building Design Studio as being deficient in such space by ca. 275 sq m, which will be further exacerbated by the Academy's proposed expansion of the Sixth Form provision to support housing growth in the Knowle community.

In addition, the Academy has identified that the bulk of the school premises are no longer fit for purpose and hinder the potential for student attainment and wider community use, in particular:

- Much of the site is over 60 years old. For example, the school hall and dining area are largely the same as when built in 1957.
- Additions and extensions over the years have led to a patchwork of development without clear definition of spaces.
- Energy efficiency of the building is poor due to single glazing and poorly insulated cladding. Six of the blocks have poorly insulated external envelopes and a further three exhibit only moderate thermal performance.
- Four multi-storey blocks within the school have no accessible passenger lift, which excludes wheelchair users from upper floors.
- The existing buildings have multiple areas of "high-risk" Asbestos Containing Materials which require constant management and maintenance.
- As surface water is not permitted to enter the main drain on Station Road, the building is built on large reservoir tanks that feed into the existing school system. Due to the expansion of the school over time, this drainage system is now inadequate and cannot cope during heavy rainfall events, resulting in frequent surface flooding to the site. Access to the main block is obstructed by flood water 4 to 5 times per year as a result.
- The EFA Survey undertaken in 2013 identified the following elements of the main school blocks that would fail sooner: electrical power and lighting, heating, water systems, IT and communications infrastructure, drainage, gas distribution and all external doors and windows.

Based upon a feasibility study undertaken by the Council's Building Design Studio in February 2020, it was identified that to improve the Academy to modern standards on its existing site would involve the demolition and replacement of the four worst performing original blocks (Blocks A, B, C and D), alongside the refurbishment of retained buildings. The four original blocks provide ca. 5,340 sq m of floor space and currently accommodate 40 classrooms, the inadequate kitchen, assembly and dining halls, and management and administration offices including staff rooms. It is anticipated that a replacement facility would need to be 5 storeys in height and provide ca. 6,421 sq m of floor space altogether. However, even if funding were available for such extensive improvements, the Academy would be a building site for over 10 years, hindering student attainment.

It is considered that the development of a modern new Academy, purpose-designed for the required number of pupils on the school roll and incorporating the required supporting infrastructure, is the most appropriate and cost efficient way of resolving the range of issues identified above, when taken in conjunction with the other factors set out in this note.

3. Density and maximising the efficient use of land for the Site 9 development, in particular releasing land on the Station Road frontage for higher density development and greater permeability around that part of the site.

The draft masterplan for the Site 9 development has identified the Station Road frontage as a key opportunity for higher density development of up to 45 dwellings per hectare, stepping down to a medium density of ca. 35 dwellings per hectare towards the southern end of the existing Academy site. This is consistent with the CLAUDE team's Draft Concept Masterplan for Site 9 (January 2019), which also identifies the Station Road frontage for the highest density development across the entire allocation.

The technical surveys carried out to date have, however, identified a significant number of constraints within other parts of the Site 9 allocation, particularly in respect of the confirmed and potential Local Wildlife Sites towards the south of the site, and the TPOs, ecological constraints and flood risk in the north eastern part of the site that is proposed for the reprovision of the Academy. In this north eastern area, the identified constraints have resulted in a relatively poor gross to net developable area of approximately 36.7% (based on a gross site area of 12.67 hectares and an estimated net developable area of 4.65 hectares).

Were the north eastern part of the site to be delivered for residential development at a medium density of ca. 35 dwellings per hectare, in line with the recommendations of both the draft masterplan and the CLAUDE Draft Concept Masterplan, the total number of units accommodated in this area would therefore be approximately 163.

In contrast, the existing Academy site has a gross site area of 9.08 hectares and an estimated net developable area of 7.04 hectares (77.5% gross to net) due to the relative lack of identified site constraints. This would result in the provision of ca. 286 units in this area altogether. Therefore, the retention of the Academy on its existing site, instead of relocating and releasing it for development, would result in a loss of ca. 123 units to the scheme, which it is not considered likely could be accommodated elsewhere within the site. As a result, this loss of capacity to the development could, potentially, prejudice the justification for the release of Site 9 from the Green Belt as a whole, as there would be a significantly greater risk that the delivery of only ca. 477 units (rather than the Draft Local Plan estimated capacity of 600) could be considered to fail to provide the provide sufficient benefits, overall, to offset the harm of taking the site out of the Green Belt.

On that basis, it is considered that the relocation and reprovision of the Academy will help to ensure that the development is deliverable as a whole, by maximising the development potential of the Station Road frontage to meet the overall site capacity requirement, and making efficient use of all the available land.

4. Alleviating traffic congestion and safety concerns currently experienced by the Academy on Station Road.

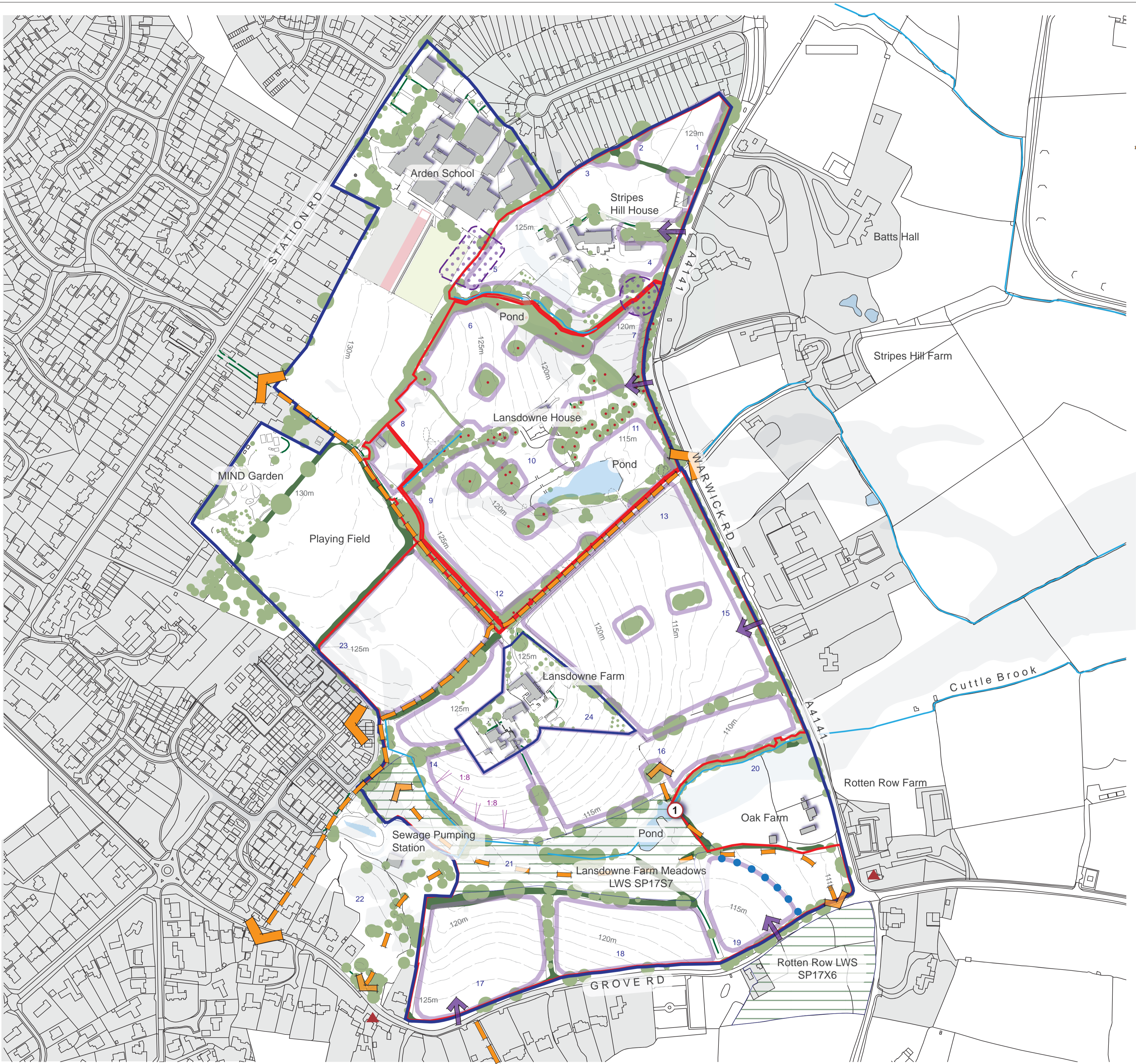
The LPR identifies a likely requirement for highway capacity and access improvements along the A4141 (Warwick Road) and B4101 (Station Road). Arden Academy has for a number of years expressed concerns around identified safety hazards relating to on-street parking on Station Road during school drop off and pick up times, and pedestrian, cycling

and vehicular conflicts in respect of the narrow footpaths and large numbers of pupils walking to and from the school during the day. In particular:

- The school was designed for 500 pupils. Now 1600 people arrive and leave the site every day, and 300 extra children will use the school over next 3 years.
- Significant congestion occurs outside the school on school days due to increased traffic movements from 7:45am to 8:45am and 3:15pm to 4:00pm. Tailbacks delay journeys to work.
- Over 75% of children walk to school and enter the site via the two entrances on Station Road. This creates further congestion when crossing the road at the signal controlled pedestrian crossing.
- Major safety concerns since paths are not wide enough to hold all children at peak times. Since September 2011, there have been over 10 'near misses' when an ambulance has been called due to pupils being hit by cars and buses. The increasing use of bikes has added to safety concerns. The most recent incident occurred on 08/09/2020 which resulted in a boy being hospitalized after being knocked down near school.
- Growth in trees and hedgerows means pavements have become even narrower than was originally the case.
- There are 145 existing car parking spaces on site, to serve over 240 staff, resulting in double parking and restricted movement around the site.
- The small size of the existing car park, constrained by the original 1950s layout of the site, means there is no parking on site for parents' evenings, school events or open evenings (of which there are over 16 per year), and there is insufficient scope to create an off-road drop off and pick up area within the site.
- The Local Neighbourhood Plan refers to traffic issues, and frequent complaints are received by the school from local residents on Station Road, St Lawrence Close, Milverton Road, Lodge Road and beyond.
- An existing public footpath leading to Milverton Road runs through the school site, which is a major safeguarding concern and creates opportunities for vandalism during evenings, weekends and holidays. There has been over £5,000 of damage caused in the last 3 years in this area.
- Any building work on site requires vehicle access, affecting school operations.
- A new school will enable the creation of a rolling road and better traffic management.
- The numbers of vehicular movements on Station Road also contribute to pollution in the area and reduced air quality for pedestrians and local residents.

It is considered that the Site 9 development offers a once-in-a-lifetime opportunity to resolve these concerns and improve transport outcomes for Knowle village as a whole, through the relocation of the Academy and the creation of new principal points of access off Warwick Road (rather than Station Road) to serve the school. The new access points would in turn serve a carefully considered road layout designed to modern highway safety standards, incorporating foot and cycle paths of appropriate width, designed to minimise the conflict between pedestrians, cyclists and vehicular users. The development would also enable the creation of sufficient car parking to serve the school, including drop-off and pick-up facilities, removing a significant level of on-street parking from Station Road and improving air quality for pedestrians and local residents.

APPENDIX 3 – ALTERNATIVE MASTERPLAN APPROACH



Opportunities & Constraints Legend

- Proposed Allocation (Allocation 9)
- Land Ownership Boundaries
- Existing Trees (Red dot indicates TPO'd trees)
- Existing Hedgerows
- Public Rights of Way: Bridleways, footpaths and existing permissive paths
- Proposed Linkages
- Heritage Asset
- Existing Buildings
- Indicative Access Points (HUB & SMBC Studies)
- Local Wildlife Sites - Lansdowne Farm Meadows SP17S7
- Existing Blue Infrastructure Assets
- Approximate Badger Sett location(s) with associated 20m offset
- Limit of development for field 19 in order to allow for SuDS to perform without pumping
- Unconstrained Areas/Zones
- Approximate limit of development area so as to allow gravity fed surface water into existing water course

Green Infrastructure Legend

- Proposed Allocation (Allocation 9)
- Existing Trees
- Existing Green Infrastructure Network
- Proposed/Enhanced Green Infrastructure Network
- Public Rights of Way: Bridleways, footpaths and existing permissive paths
- Proposed Linkages
- Existing Buildings
- Urban Area & Roads
- Local Wildlife Sites - Lansdowne Farm Meadows SP17S7
- Existing Blue Infrastructure Assets

Green Infrastructure Plan



Land South of Knowle
Emerging Landscape Masterplan



Land Budget

Total Site Area	33.59Ha
Net Residential Development Area	18.18Ha
2FE Primary School	1.6Ha

Legend

- Site Boundary
- Landsdown Farm Meadows Local Wildlife Site
- Proposed Residential Development Area
- Proposed Two Form Entry Primary School Site
- Primary Vehicle route
- Secondary Vehicle route
- Public Right of Way
- Pedestrian Linkages
- Heritage Asset
- LEAP
(Local Equipped Area for Play)
- NEAP
(Neighbourhood Equipped Area for Play)
- MUGA
(Multi Use Games Area)

APPENDIX 4 – REPRESENTATION FORM

	Solihull MBC Local Plan Publication Stage Representation Form	Ref: (For official use only)
--	--	---

Name of the Local Plan to which this representation relates:	Solihull Local Plan – Draft Submission Plan October 2020
---	--

Please return to psp@solihull.gov.uk or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14th December 23:59

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	Messrs Coombs	2. Agent's Details (if applicable)
Title	Messrs	Mrs
First Name	-	Katherine
Last Name	Coombs	Else
Job Title	-	Managing Director
Organisation	-	Claremont Planning Consultancy
Address Line 1	c/o Agent	2 Snow Hill
Line 2		Snowhill Queensway
Line 3		Birmingham
Post Code		B4 6GA
Telephone Number		0121 2133610
E-mail Address		kelse@claremontplanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo Messrs Coombs

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	P4E	Policies Map	
-----------	--	--------	-----	--------------	--

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	X		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.

Housing Mix

The policy as currently drafted is not considered to be justified or effective. The proposed first clause of this policy suggests that new housing developments will be expected to provide a mix of dwelling size and type to meet the identified needs of older people and those with disabilities and special needs. Whilst in principle this is considered reasonable in order to ensure the delivery of a range of types of accommodation, it is considered inappropriate to require that a range of accommodation types and sizes to be provided within all developments. This is unlikely to be feasible on many sites, where site size or constraints mean that only one model of care accommodation is possible to be provided. For example, in the case of a residential care home,

it may not be possible to also provide other types of accommodation in addition to care bedrooms and the communal and nursing facilities required.

This policy also requires applications for specialist housing and care homes to demonstrate that Primary Health Care services will be accessible to serve residents. Whilst this is important for certain types of specialist housing such as sheltered housing, for proposals such as Care Homes it is anticipated that care will be provided by the operator and will often work alongside rather than utilising the local Primary Care services and can often support Primary Care services by reducing the level of care required for an individual. Where operators are intending to provide Primary Care services within the development, this should be taken into consideration.

It is considered that this policy as currently drafted will be ineffective at ensuring the appropriate level of provision of specialist accommodation is achieved in the Borough across the plan period. The HEDNA identifies at Paragraph 50, between 2020 and 2036, the Borough requires an additional 2,000 units of sheltered accommodation; 620 units of extra care accommodation; and 1,250 bedspaces in care homes. This does not account for any losses of units that may occur through closure and redevelopment of existing accommodation that may be no longer fit for purpose. It is recommended that this policy is modified to establish that applications for specialist housing will be supported, particularly where proposals meet the criteria set out in clause 6. This is also the case for clause 5 relating to care homes, which should establish support for such proposals given the high levels of need for such developments in the Borough going forward.

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

It is suggested that clause 1 should be deleted, or otherwise modified in order to acknowledge that provision of a range of housing types may not always be feasible.

Within Clause 6 and 7 of the policy relating to specialist housing and care homes respectively, references to access to Primary Health Care services sub-clauses should be modified to recognise the potential for on-site provision.

6 (ii) *It can be demonstrated that satisfactory Primary Health Care services will be*

accessible to serve the residents of the development unless on-site provision is proposed;

7 (iii) *There are satisfactory Primary Health Care services to serve the residents of the development within reasonable proximity unless on-site provision is proposed;*

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)?

<input checked="checked" type="checkbox"/>	No , I do not wish to participate in hearing session(s)	<input type="checkbox"/>	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.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

9. Signature:	Katherine Else	Date:	14 Dec 2020
---------------	----------------	-------	-------------------

Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo Messrs Coombs

3. To which part of the Local Plan does this representation relate?

Paragraph	216	Policy		Policies Map	
-----------	-----	--------	--	--------------	--

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>
		<input type="checkbox"/>			<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>		No	<input type="checkbox"/>

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.

Care Accommodation

The Council's requirement in Paragraph 216 for care homes and specialist housing to be provided in accessible locations is supported, as it is important that such developments are sustainably located.

(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.

N/A

(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)?

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.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: N/A

9. Signature:	Katherine Else	Date:	14 Dec 2020
---------------	----------------	-------	-------------------

Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo Messrs Coombs

3. To which part of the Local Plan does this representation relate?

Paragraph	720 to 729	Policy	KN2	Policies Map	Concept Masterplan for Knowle Oct. 2020
-----------	------------	--------	-----	--------------	---

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

4 (3) Complies with the

Duty to co-operate

Yes ✓

~~No~~

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.

Masterplan Proposals

The Allocation KN2 is considered to be unsound when bound by the Indicative Masterplan that inappropriately identifies the Stripes Hill House site as contributing toward the delivery of land for the replacement Arden Academy and new Primary School education development.

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. 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.

Allocation Policy KN2 requires modification to be found sound. Failure to modify the allocation and accompanying paragraphs 720 -729 to take account of the points raised in these representation will render the plan challengeable and unsound. The accompanying Concept Masterplan KN2 also requires redrafting to be relatable to the documented evidence base and to demonstrate the allocation is deliverable.

Claremont Planning strongly recommend that the Concept Masterplan for Allocation KN2 is amended or removed. Without these changes the Concept Masterplan included is at risk of jeopardising the deliverability and reliance of the proposed strategic allocation. Failure to provide sufficient flexibility at this early stage could jeopardise the proposed allocations through a risk of challenge to the development extents and impacts arising. As such, to make the plan sound the reliance upon Concept Masterplan KN2 should be removed or the masterplan amended to ensure constraints can be appropriately assessed and impacts quantified, within adequate mitigation and infrastructure provision allowed for.

The Allocation proposals for the Arden Triangle site should provide for the retention of Stripe Hill House and existing trees that are of significance and should be retained. The related Masterplan for the allocation should be suitably amended to respond to these considerations so that the educational development is relocated elsewhere within the allocation. Such a relocation will enable the delivery of the education facilities within the required timetable and to the standard required; without the ensured delivery of these educational facilities the strategic allocation of this site and the infrastructure it is intended to deliver is undermined. Similarly, the reasoning for the site's Green Belt release is also detrimentally affected.

It is recommended that further consideration of alternatives is undertaken, particularly with respect to the delivery of a new Arden Academy within the School's existing landholdings. Until the Council has agreement of the allocation masterplan, the policy should not rely upon the accompanying masterplan document to secure the various components of the allocation. The full case of Messrs Coombs is presented in the accompanying representation report.

Specific deletion of paragraph 724 is also recommended.

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). ***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)?

<input type="checkbox"/>	No , I do not wish to participate in hearing session(s)	<input checked="" type="checkbox"/>	Yes , I wish to participate in hearing session(s)
--------------------------	--	-------------------------------------	--

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Given the complex factors affecting the Allocation's consideration and the incorrect consideration of Messrs Coombs proposals for their land interests by the Council in the past, it is considered to be necessary to address the examination directly through participation in the relevant Hearing Session.

9. Signature:	Katherine Else	Date:	14 Dec 2020
---------------	----------------	-------	-------------------

5. The ability to open up new facilities at the Academy for community use, to support sustainable development and growth in the local population.

The LPR identifies that community access to school facilities out of hours, such as playing pitches, is a likely infrastructure requirement of the Site 9 development, and Arden Academy has committed to supporting community use of the facilities in the proposed new school.

Unfortunately the Academy has identified significant problems with enabling community access to health and social facilities at the existing site, as follows:

- No gym or swimming pool at the school.
- Nearest swimming pool is Tudor Grange – 4 miles away in Solihull
- Not an easy journey so people don't go; there is no direct bus service.
- Nearest gym is Virgin at Blythe Valley Park. Again, no direct bus service is available.
- The above issues have been identified in the KDBH people survey and Neighbourhood Plan.
- Community groups find the school hall too cold for meetings.
- Instead, community groups use church halls and scout huts, but size restrictions limit use and larger buildings are often fully booked.

Community access to modern, high quality sports facilities will support the Council's wider Playing Pitches Strategy, which, in accordance with Council and Sport England policy, is proposed to include the development of up to five new sports hubs across the Borough. Proposals for the creation of these sports hubs were approved by the Cabinet on 13 August 2020, and will help to enable increased participation in sport, meet the demands of current and future residents, and create a vibrant, healthy, sustainable community in Knowle.

In the event that the provision of community access to the new Academy were considered sufficient to meet the needs of the growing population in Knowle, it is anticipated that the level of s106 financial contributions required from the Site 9 development towards the off-site provision of sports facilities could be reduced in part or whole.

6. Sustainability and the Council's carbon neutral commitment.

In October 2019, the Full Council unanimously approved a Climate Change Emergency Statement of Intent, acknowledging the gravity of the climate change emergency and the fundamental shift in the Council's approach that is required to respond to this. Update reports have subsequently been presented to the Cabinet Member for Climate Change, Planning and Housing on the Council's activities being undertaken to reinforce the Council's sustainability related activity and work towards its net zero carbon targets.

Furthermore, in March 2020, Cabinet approved the refreshed Climate Change Prospectus 2020/21, which sets out the Council's approach to demonstrating the key actions taking place or which are due to take place in support of Solihull's transition to a sustainable, low carbon borough. These objectives have now been incorporated into the Council Plan, with a target for the Council to be net zero carbon by 2030 and for the Borough to be net zero carbon by 2041.

It is considered that the reprovion of the Academy presents a fantastic opportunity to improve the sustainability of this education estate and contribute towards the net zero carbon target. Due to the design and age of the existing Academy, dating in part to the 1950s, six of the blocks have poorly insulated external envelopes and a further three exhibit only moderate thermal performance. It would be considered inefficient and poor value for money to attempt to improve all the existing buildings to zero carbon standards, when compared with the opportunity to deliver a modern purpose-built Academy designed to the latest energy efficiency standards and incorporating the latest sustainable technologies. There is also the opportunity to adopt modern methods of construction during the delivery of the development, ensuring that carbon neutral objectives are prioritised throughout the construction process.

7. Funding and viability

The Council has commissioned Savills to undertake a residual appraisal for the whole of the Site 9 development, having regard to the differing gross and net developable areas of various parts of the site as a result of the constraints identified in paragraph 3 above. In addition, the Council has reviewed various sources of funding for both the construction cost of the new Academy, and, potentially, the acquisition of the land required for its development.

In particular, the Council has engaged closely with Homes England, the government's national housing development accelerator, who have confirmed that the Site 9 proposals have already received Stage 1 approval for entry to their funding programme based upon a sale and leaseback arrangement. Under these proposals, Homes England would acquire the existing Academy site at market value and lease it back to the Academy for a temporary period during the construction of the new Academy premises. This would provide an initial capital contribution to the development to fund both land acquisition costs and, together with other capital contributions, the development as a whole. Homes England would also fund the demolition and clearance costs for the existing Academy site at their own expense following completion of the relocation, and would commit to delivering the residential development in accordance with the agreed masterplan.

The overall funding position is set out in the table below. The market values are based upon the residual appraisal work undertaken by Savills to date, however please note that at this stage the figures have been calculated using an assumed gross to net ratio across the site as a whole, and do not constitute an RICS Red Book compliant valuation. The figures may, therefore, be subject to further amendment based on detailed design and having regard to site specific constraints. Although the funding model currently identifies a gap, the Council is confident that this can be closed and met in full as the project evolves.

Peter Carroll
Head of Strategic Land and Property
21 September 2020